

**ZB# 05-61**

**Michael Busweiler**

**78-9-21**

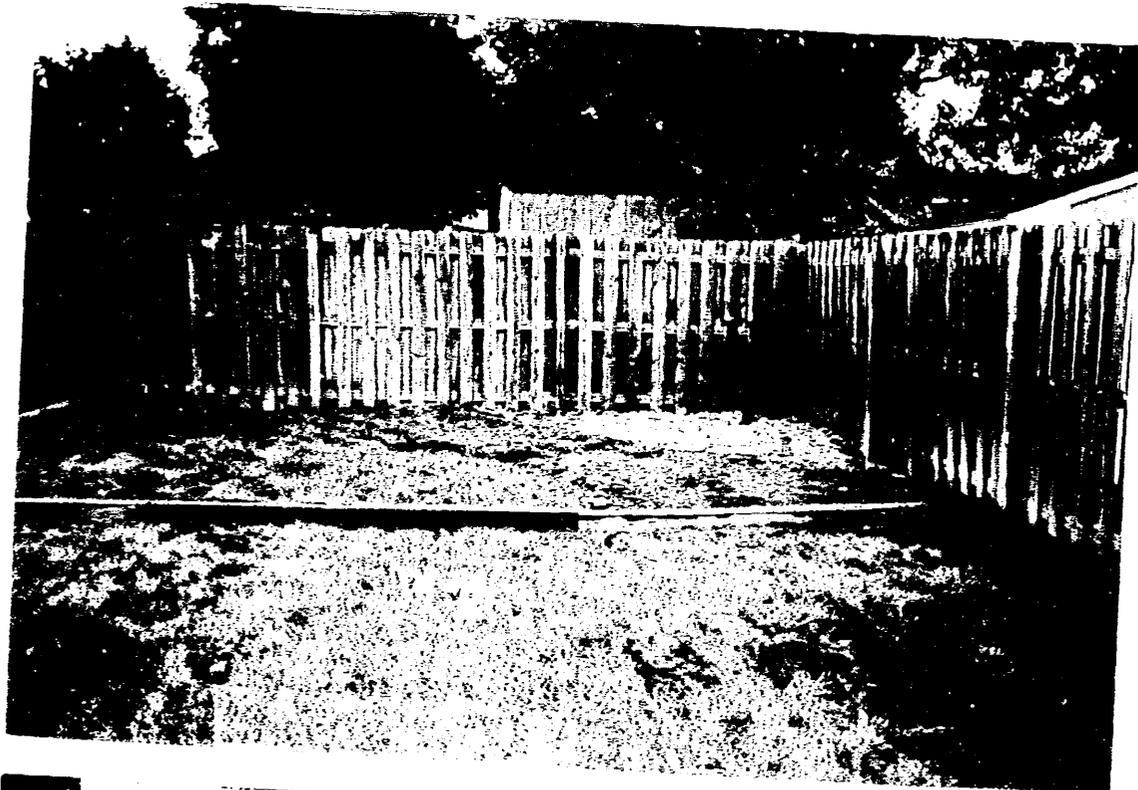
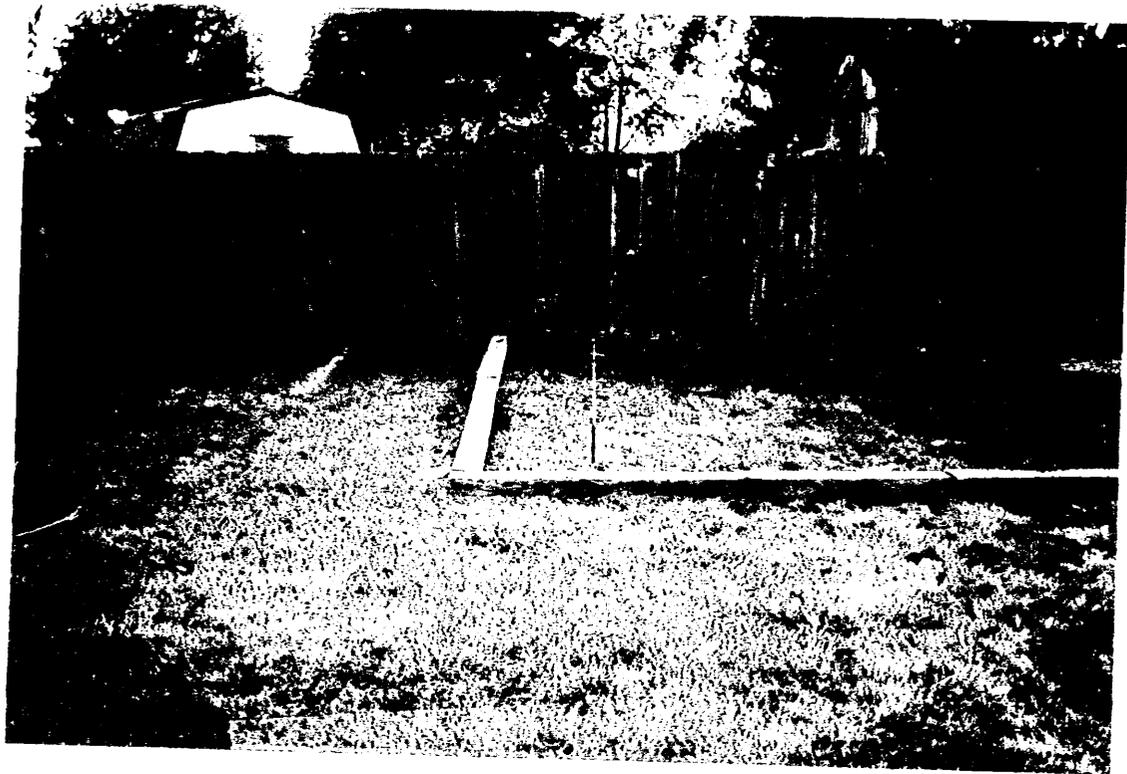
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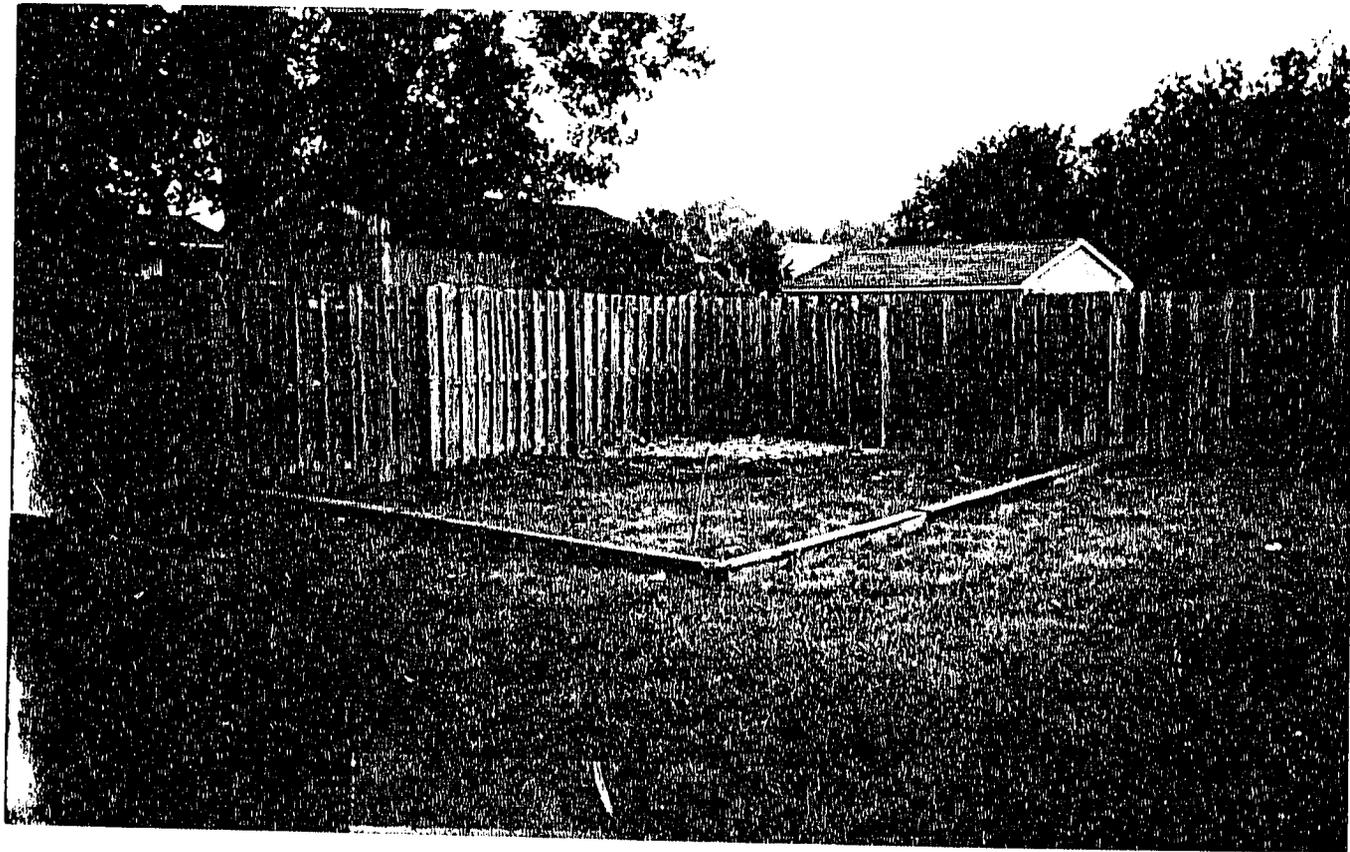
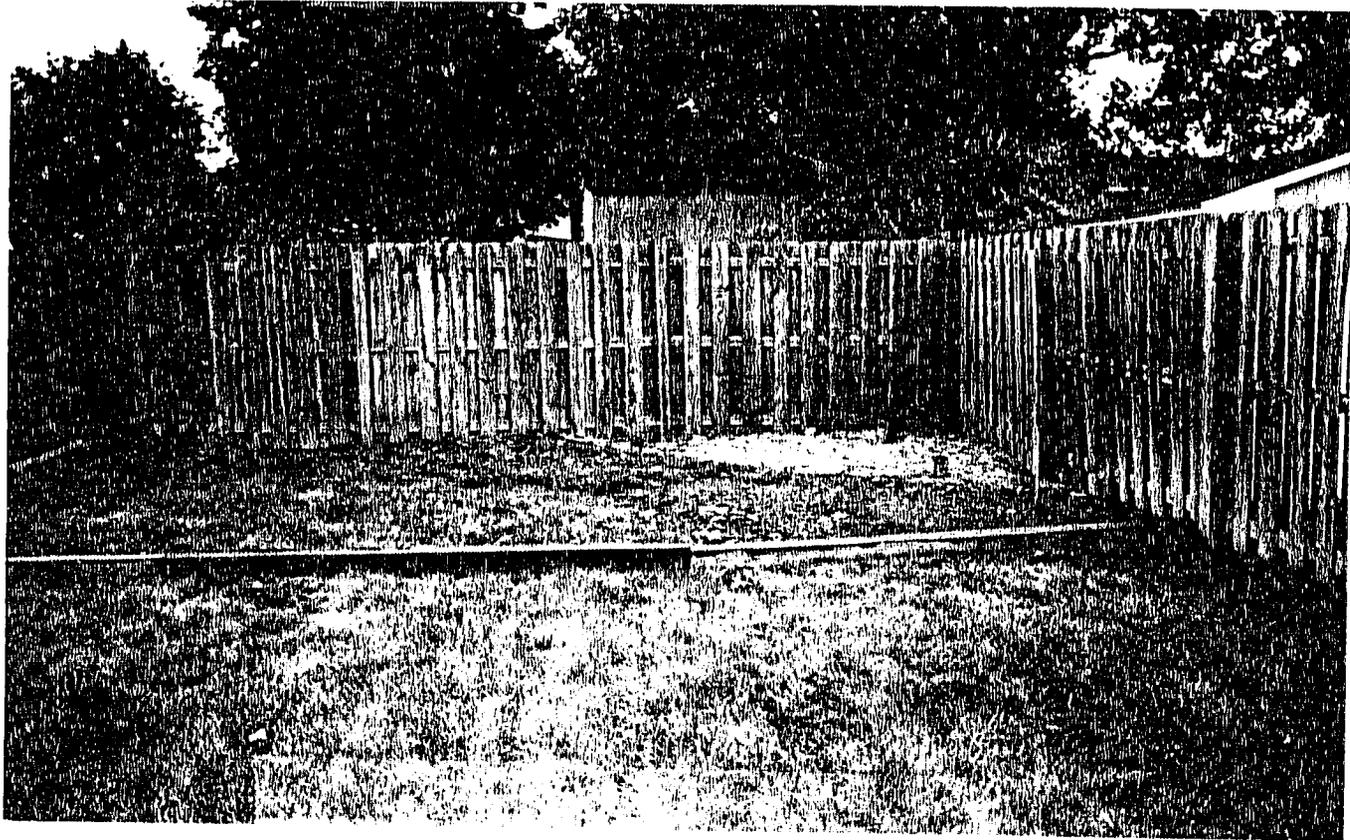
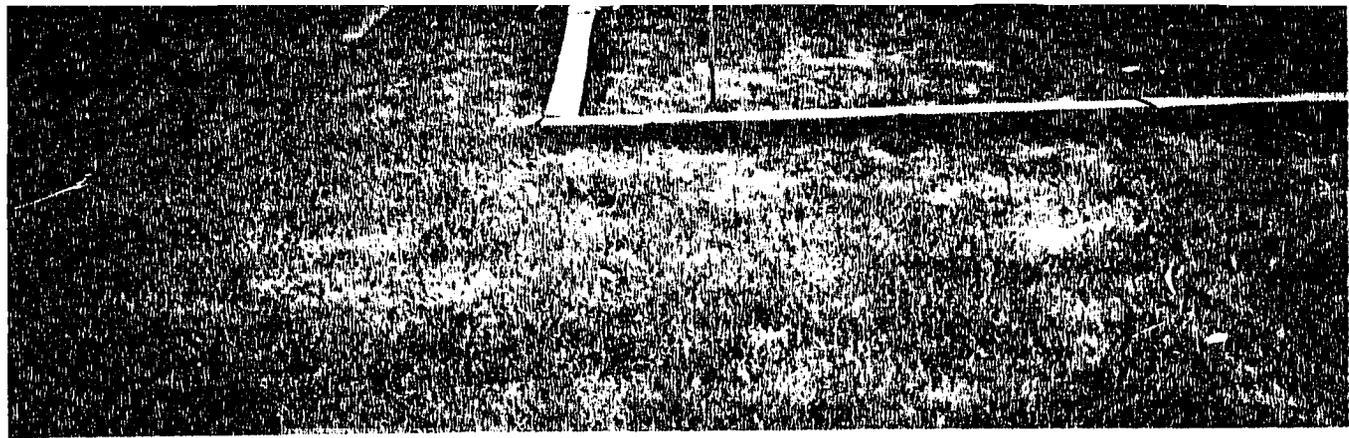
MICHAEL BUSPIELER (AREA)  
219 DAIRY LANE (78-9-21)



ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553

*Granted 11-14-05*







# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## OFFICE OF THE ZONING BOARD OF APPEALS

October 12, 2006

Michael Busweiler  
219 Dairy Lane  
New Windsor, NY 12553

**SUBJECT: REQUEST FOR VARIANCE #05-61**

Dear Mr. Busweiler:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

---

Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

-----X  
In the Matter of the Application of

**MICHAEL BUSWEILER**

MEMORANDUM OF  
DECISION GRANTING

**AREA**

CASE #05-61  
-----X

**WHEREAS, Michael Busweiler** , owner(s) of 219 Dairy Lane, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 9 ft. Side Yard Setback and; 9 ft. Rear Yard Setback for proposed 12 ft.X18 ft. shed (300-11-A-1-B) (78-9-21)

**WHEREAS**, a public hearing was held on November 14, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a one Family Dwelling located in a neighborhood of one Family Dwellings in an CL zone.
  - (b) The applicant wishes to place a storage/tool shed on his property located approximately three feet from the property line.
  - (c) The applicant seeks to locate the shed in the designated location due to the small size, topography and nature of the lot.

- (d) In constructing the shed, the applicant will not remove any trees or substantial vegetation.
- (e) In building the shed the applicant will not build on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements
- (f) In building the shed the applicant will not create the ponding or collection of water or divert the flow of water drainage
- (g) With the shed, the house will be similar in size and nature to other sheds in the neighborhood.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

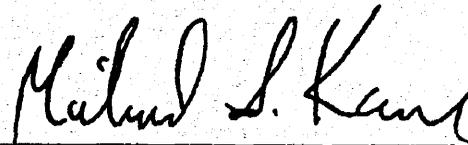
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 9 ft. Side Yard Setback and; 9 ft. Rear Yard Setback for proposed 12 ft.X18 ft. shed (300-11-A-1-B) at 219 Dairy Lane in a CL Zone (78-9-21) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: November 14, 2005



---

Chairman

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE: August 1, 2005**

**APPLICANT: Michael Busweiler  
219 Dairy Lane  
New Windsor, NY 12553**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 8/1/05**

**FOR : Proposed shed**

**LOCATED AT: 219 Dairy Lane**

**ZONE: CL Sec/Blk/ Lot: 78-9-21**

**COPY**

**DESCRIPTION OF EXISTING SITE: One family house**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. Proposed 12x18 ft. shed will not meet minimum side and rear yard setbacks.**

  
**BUILDING INSPECTOR**

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: CL USE: 300-11-A-1-B  
MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

12'  
~~10'~~

3'

9'  
~~7'~~

12  
~~10~~

3  
~~3~~

9'  
~~7'~~

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

8/12/05 Sent Applicant.

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

AUG 0 1 2005

FOR OFFICE USE ONLY:  
Building Permit #: PA 2005-746

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises MICHAEL AND MAUREEN BUSWELER

Address 219 DAIRY LANE NEW WINDSOR NY Phone # 562-1324

Mailing Address \_\_\_\_\_ Fax # \_\_\_\_\_

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the WEST side of DAIRY LANE  
(N, S, E or W)  
and 500' feet from the intersection of GUERNSEY DRIVE

2. Zone or use district in which premises are situated RESIDENTIAL is property a flood zone? Y N ✓

3. Tax Map Description: Section 78 Block 9 Lot 21

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.  
a. Existing use and occupancy 1 FAMILY b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable)  New Bldg.  Addition  Alteration  Repair  Removal  Demolition  Other SHED

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front 18' Rear \_\_\_\_\_ Depth 12' Height 8' No. of stories 1

8. If dwelling, number of dwelling units: 0 Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost 4,000 Fee \_\_\_\_\_

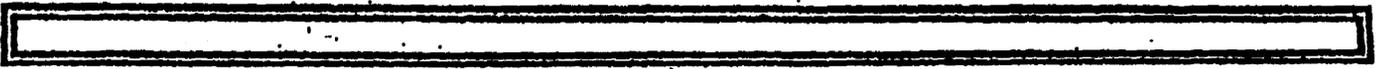
**PAYED**  
**ZONING BOARD**  
ck # 2454  
\$50.00

\_\_\_\_/\_\_\_\_/\_\_\_\_  
date

**APPLICATION FOR BUILDING PERMIT**  
**TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK**  
Pursuant to New York State Building Code and Town Ordinances

**Building Inspector: Michael L. Babcock**  
**Asst. Inspectors: Frank Liel & Louis Kryshear**  
**New Windsor Town Hall**  
**555 Union Avenue**  
**New Windsor, New York 12553**  
**(845) 563-4818**  
**(845) 563-4985 FAX**

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_



**INSTRUCTIONS**

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatsoever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

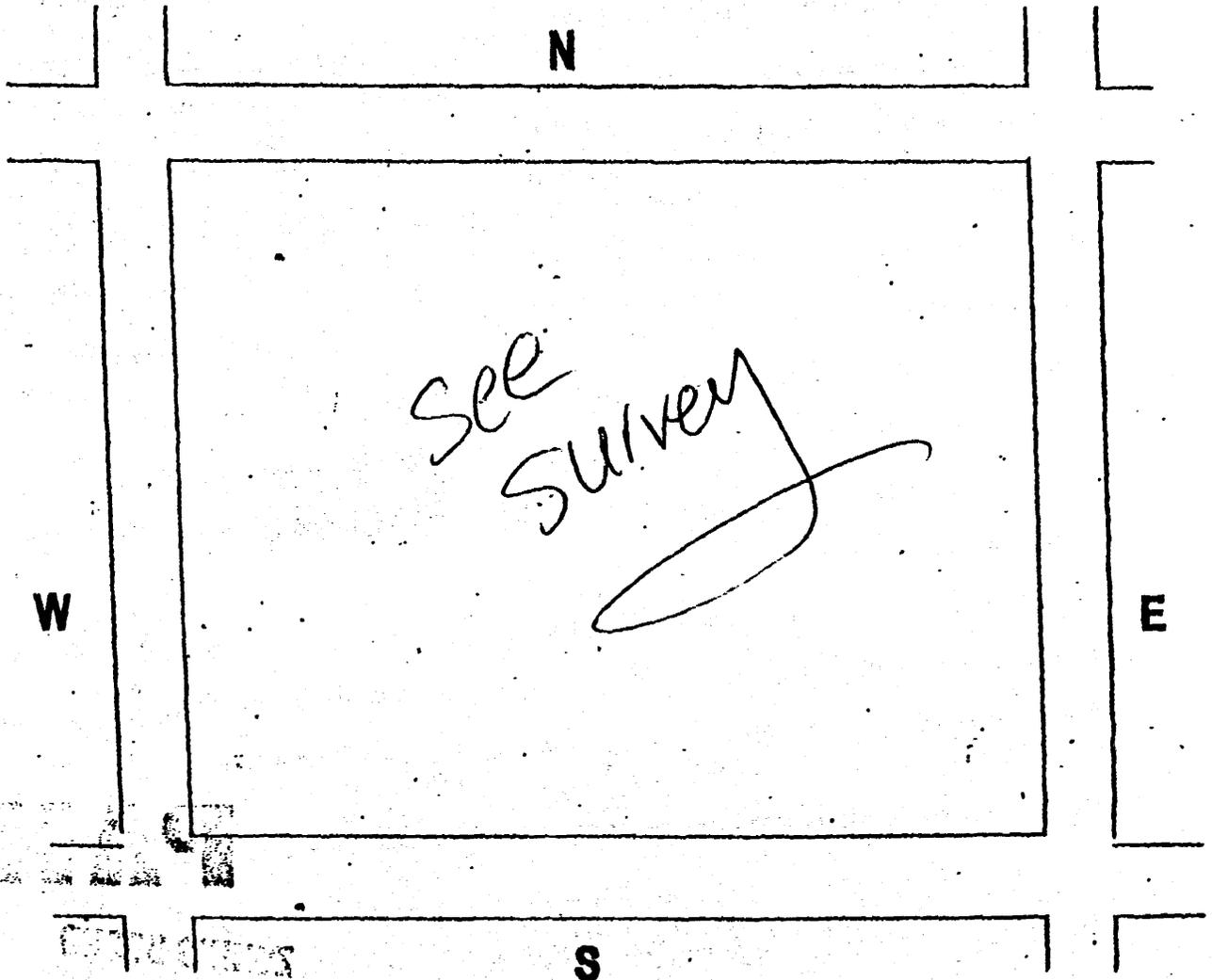
*Michael T. B...*  
\_\_\_\_\_  
(Signature of Applicant)  
*Michael T. B...*  
\_\_\_\_\_  
(Owner's Signature)

\_\_\_\_\_  
(Address of Applicant)  
219 DAIRY LAKE

LOT PLAN

**NOTE:**

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



**GENERAL NOTES**

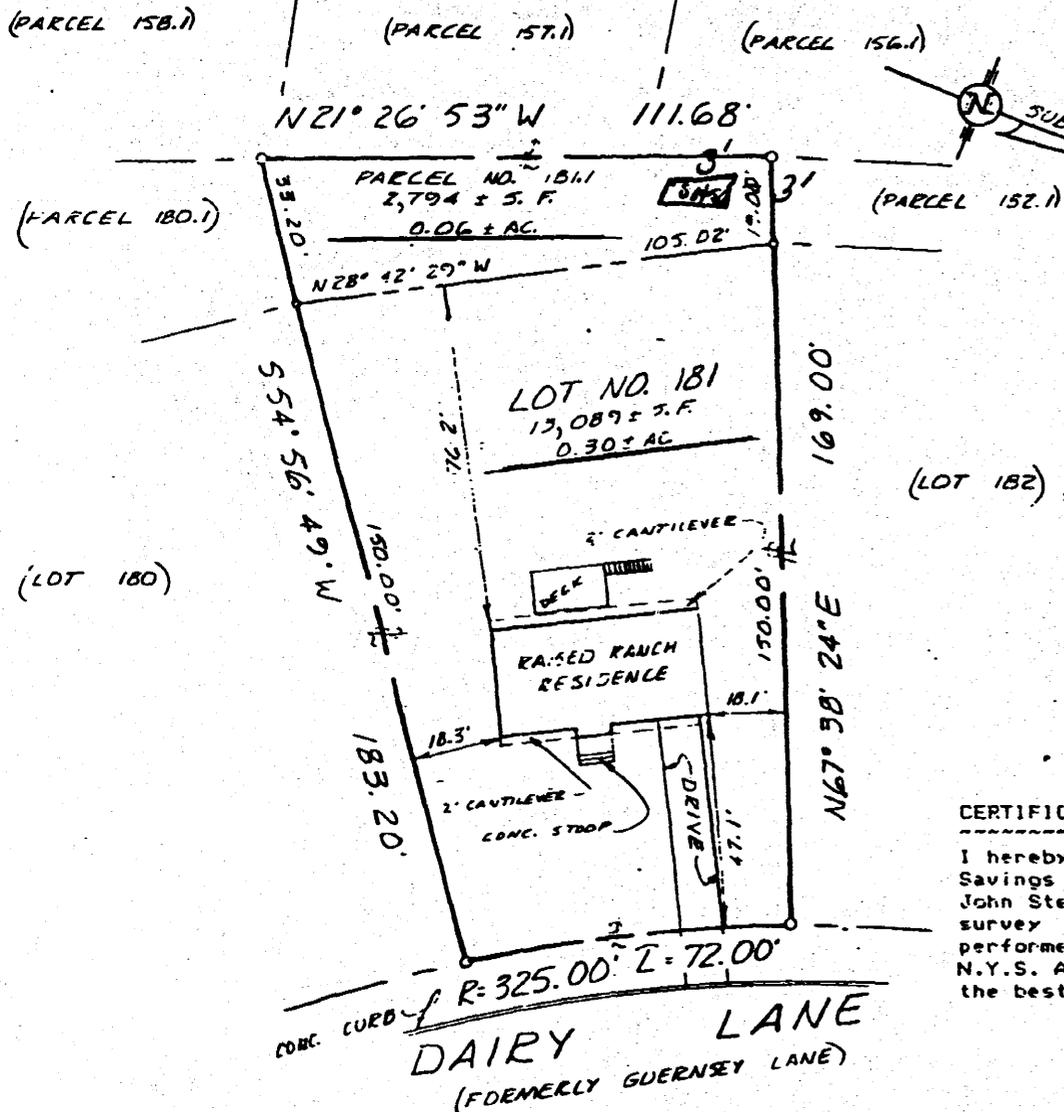
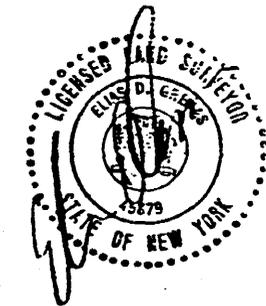
1. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209 (2) of the New York State Education Law.
2. Only copies from the original of this survey, marked with an original of land surveyor's inked seal, shall be considered to be valid true copies.
3. Certification shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon and is not transferable to additional institutions or subsequent owners.

**SPECIAL NOTES**

1. Being Lot No. 181 and Parcel No. 181.1, as shown on a map entitled "Butter Hill Section 7", said map having been filed in the Orange County Clerk's Office on 28 April 1926 as Map No. 7599.
2. No certification is made for items not visible at ground surface at the time of the survey.
3. Offsets shown are at right angles to the property lines.
4. This survey was prepared prior to the receipt of a Title Report or Abstract of Title, and is therefore subject to easements and other grants not visible, if any.

**CERTIFICATION**

I hereby certify to Michael Busweiler, Maureen A. Busweiler, Dime Savings Bank its successors and/or assigns, and Schoonmaker Homes John Steinberg Inc. that this plan resulted from an actual field survey of the indicated premises completed on 11 September 1986 performed in accordance with the Code of Practice adopted by the N.Y.S. Association of Professional Land Surveyors Inc., and is to the best of my knowledge and belief, correct.



SURVEY FOR:

**MICHAEL BUSWEILER  
& MAUREEN A. BUSWEILER**

TOWN OF NEW WINDSOR · ORANGE COUNTY · NEW YORK

ELIAS D. GREVAS, L.S. LAND SURVEYOR 33 CHASSACK AVENUE NEW WINDSOR, NEW YORK 12550	
REVISIONS:	
DATE	DESCRIPTION

Drawn: *W.B.K.*  
 Checked:  
 Scale: 1" = 30'  
 Date: 18 SEPT. 1986  
 Job No. 86-247

**BOUNDARY/LOCATION SURVEY**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: JANUARY 11, 2006**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 154.28 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #05-61**

**NAME & ADDRESS:**

**Michael Busweiler  
219 Dairy Lane  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.01-12-2006**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #05-61      TYPE:AREA      TELEPHONE: 562-1324

**APPLICANT:**

Michael Busweiler  
219 Dairy Lane  
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>2472</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 2470



<u>DISBURSEMENTS:</u>		<u>MINUTES</u>	<u>ATTORNEY</u>
		<u>\$5.50 / PAGE</u>	<u>FEE</u>
PRELIMINARY:	<u>3</u> PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	<u>   </u> PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>2</u> PAGES	\$ <u>11.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	<u>   </u> PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date:10/28/05      \$ 48.22

TOTAL:      \$ 75.72      \$ 70.00



ESCROW POSTED:      \$ 300.00  
LESS: DISBURSEMENTS:      \$ 145.72

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 154.28

Cc:

L.R. 01-12-2006

MICHAEL\_BUSWEILER\_(05-61)

MR. KANE: Request for 9 ft. side yard setback and 9 ft. rear yard setback for proposed 12 ft. x 18 ft. shed at 219 Dairy Lane.

Mr. and Mrs. Michael Busweiler appeared before the board for this proposal.

MR. KANE: Same as in the preliminary, tell us what you want to do.

MR. BUSWEILER: I wish to put a 12 x 18 shed 3 feet off my property line.

MR. KANE: Can you tell us why you want to put it in that particular area since there's no other spot on your yard that would be convenient for you to build that shed?

MR. BUSWEILER: Correct, the yard isn't that big to begin with, it's less than a half acre and I believe 12 or 15 feet off all the fences would put it right next to my pool.

MR. KANE: Since you can't have anything within 4 feet of your pool, that would be a safety issue?

MR. BUSWEILER: Yes.

MR. KANE: Any easements where the proposed shed is going to go?

MR. BUSWEILER: No.

MR. KANE: Cutting down any substantial vegetation or I'm not crazy, I see the pictures, but I have to ask those questions, creating any water hazards or runoffs?

MR. BUSWEILER: No.

MR. KANE: Shed is similar in size and nature to other sheds in your neighborhood?

MR. BUSWEILER: Yes.

MR. KANE: At this point, I will ask the public is there anybody here for this particular hearing? Seeing there's not, we'll close the public portion, bring it back to the table. Board members, do you have any questions?

MR. REIS: The fence in the photos, is that your fence?

MR. BUSWEILER: My fence.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: I make a motion that we grant Michael Busweiler his request for 9 foot side yard setback and 9 foot rear yard setback for proposed 12 x 18 shed on 219 Dairy Lane.

MR. BROWN: Second the motion.

ROLL CALL

MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE



**AFFIDAVIT OF MAILING**

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

X

In the Matter of the Application for Variance of

MICHAEL BUSWEILER

AFFIDAVIT OF  
SERVICE  
BY MAIL

#05-61

X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 25TH day of OCTOBER, 2005, I compared the 77 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

25<sup>th</sup> day of October, 2005

J. H. Gallagher  
Notary Public

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/2006



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

October 25, 2005

Mr. Michael Busweiler  
219 Dairy Lane  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-61

Dear Mr. Busweiler :

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Times Herald Record Newspaper for publication. **PLEASE NOTE: The charge for publication in the Times Herald Record will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

219 Dairy Lane  
New Windsor, NY

is scheduled for the November 14, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

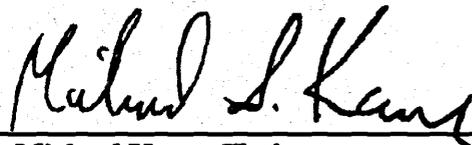
**Appeal No. 05-61**

**Request of MICHAEL BUSWEILER**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 9 ft. Side Yard Setback and; 9 ft. Rear Yard Setback for proposed 12 ft.X18 ft. shed (300-11-A-1-B) at 219 Dairy Lane in a CL Zone (78-9-21)**

**PUBLIC HEARING will take place on NOVEMBER 14, 2005**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**



---

**Michael Kane, Chairman**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

September 30, 2005

Michael Busweiler  
219 Dairy Lane  
New Windsor, NY 12553

Re: 78-9-21                      ZBA#: 05-61 (77)

Dear Mr. Busweiler:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

78-2-36  
Jose Rivera, Jr.  
34 Guernsey Drive  
New Windsor, NY 12553

78-2-39  
Sandra Santos  
Eddie Thomas  
40 Guernsey Drive  
New Windsor, NY 12553

78-2-42  
Jeffrey Ragni  
46 Guernsey Drive  
New Windsor, NY 12553

78-2-45  
David Anthony Perez  
Lourdes Zapata Perez  
200 Butternut Drive  
New Windsor, NY 12553

78-6-22  
Michael Burge  
Barbara Trotta Burge  
319 Butternut Drive  
New Windsor, NY 12553

78-9-2  
Jan & Angelina Rostek  
320 Butternut Drive  
New Windsor, NY 12553

78-9-5  
Joseph & Maria Molina  
314 Butternut Drive  
New Windsor, NY 12553

78-9-8.1  
Marissa D'Angelo  
Gregg Zwickel  
308 Butternut Drive  
New Windsor, NY 12553

78-9-14  
Mansour & Victoria Samadi  
205 Dairy Lane  
New Windsor, NY 12553

78-9-17  
Amalia Fonzeca  
211 Dairy Lane  
New Windsor, NY 12553

78-2-37  
Joseph & Joyce D'Alo  
36 Guernsey Drive  
New Windsor, NY 12553

78-2-40  
Patricia Lynn & John Koster  
42 Guernsey Drive  
New Windsor, NY 12553

78-2-43  
Wanda Mendillo  
48 Guernsey Drive  
New Windsor, NY 12553

78-6-20  
Donna Mulder  
315 Butternut Drive  
New Windsor, NY 12553

78-6-23  
David & Cathy Ann Principato  
321 Butternut Drive  
New Windsor, NY 12553

78-9-3  
Michael & Sheila Brock  
318 Butternut Drive  
New Windsor, NY 12553

78-9-6  
Robert Dubee  
312 Butternut Drive  
New Windsor, NY 12553

78-9-9.1  
John & Dana Miller  
306 Butternut Drive  
New Windsor, NY 12553

78-9-15  
Dorothy Hatton  
Ann Fitzgibbons  
207 Dairy Lane  
New Windsor, NY 12553

78-9-18  
Matthew & Iris Johnson  
213 Dairy Lane  
New Windsor, NY 12553

78-2-38  
DuWayne Tinsley  
Carmen Martinez Tinsley  
38 Guernsey Drive  
New Windsor, NY 12553

78-2-41  
Kevin & Kasey Stanley  
44 Guernsey Drive  
New Windsor, NY 12553

78-2-44  
Freeman & Vanley Hughley  
50 Guernsey Drive  
New Windsor, NY 12553

78-6-21  
Jean Kelley  
317 Butternut Drive  
New Windsor, NY 12553

78-9-1  
Joseph & Milagros Arce  
322 Butternut Drive  
New Windsor, NY 12553

78-9-4  
James & Dolores Davitt  
316 Butternut Drive  
New Windsor, NY 12553

78-9-7  
Martin & Jean Cossavella  
310 Butternut Drive  
New Windsor, NY 12553

78-9-13.1  
Johnny Canals  
Evelynn Velez  
203 Dairy Lane  
New Windsor, NY 12553

78-9-16  
Edwin & Yvonne Aleman  
209 Dairy Lane  
New Windsor, NY 12553

78-9-19  
Cheryl Walker  
215 Dairy Lane  
New Windsor, NY 12553

78-9-20  
Francis & Lisa Marie DeCola  
217 Dairy Lane  
New Windsor, NY 12553

78-9-24  
Albert & Marion Moo  
25 Guernsey Drive  
New Windsor, NY 12553

78-11-2  
Kelvin Hill  
216 Dairy Lane  
New Windsor, NY 12553

78-11-5  
David & Maureen Quinones  
210 Dairy Lane  
New Windsor, NY 12553

78-11-8  
Matthew & Julia Friezo  
204 Dairy Lane  
New Windsor, NY 12553

78-11-11  
Carlo & Tina Maccharulo  
13 Guernsey Drive  
New Windsor, NY 12553

78-11-14  
David & Janet Winderbaum  
19 Guernsey Drive  
New Windsor, NY 12553

80-1-2  
Charles & Elia Flynn  
213 Butterhill Drive  
New Windsor, NY 12553

80-1-5  
Michael Mulligan  
207 Butterhill Drive  
New Windsor, NY 12553

80-1-14  
Anthony & Venus Sanchez  
328 Butternut Drive  
New Windsor, NY 12553

78-9-22  
Robert Smith  
221 Dairy Lane  
New Windsor, NY 12553

78-9-25  
Steven & Carol Radich  
27 Guernsey Drive  
New Windsor, NY 12553

78-11-3  
Yolene Monchais Olivier  
214 Dairy Lane  
New Windsor, NY 12553

78-11-6  
Victor & Milagros Lopez  
208 Dairy Lane  
New Windsor, NY 12553

78-11-9.1  
Sisters of the Presentation of the  
Blessed Virgin Mary  
9 Guernsey Drive  
New Windsor, NY 12553

78-1-12  
Michael & Maureen Spanakos  
15 Guernsey Drive  
New Windsor, NY 12553

78-11-15  
Kenneth & Susan Curry  
21 Guernsey Drive  
New Windsor, NY 12553

80-1-3  
Michael & Lizette Fulco  
211 Butterhill Drive  
New Windsor, NY 12553

80-1-6  
Shirley Figueroa  
Alicia Hernandez  
205 Butterhill Drive  
New Windsor, NY 12553

80-1-15  
Raymond & Sherri Bosse  
326 Butternut Drive  
New Windsor, NY 12553

78-9-23  
Raymond & Laura McCormack  
223 Dairy Lane  
New Windsor, NY 12553

78-11-1  
John Curtis  
23 Guernsey Drive  
New Windsor, NY 12553

78-11-4  
Carl & Margaret Gibson  
212 Dairy Lane  
New Windsor, NY 12553

78-11-7  
Edward Kipp  
206 Dairy Lane  
New Windsor, NY 12553

78-11-10  
Neil & Kattya Fernandez  
11 Guernsey Drive  
New Windsor, NY 12553

78-11-13  
Eda & Eduardo Acosido  
Dennis Gulle  
17 Guernsey Drive  
New Windsor, NY 12553

80-1-1  
David & Barbara Gray  
215 Butterhill Drive  
New Windsor, NY 12553

80-1-4  
Andrew & Carol Elstob  
209 Butterhill Drive  
New Windsor, NY 12553

80-1-7  
Michael & Karen Pospisil  
203 Butterhill Drive  
New Windsor, NY 12553

80-1-16  
Boris & Christina Lonkewycz  
33 Guernsey Drive  
New Windsor, NY 12553

80-1-18  
Beth & John Hordines, Jr.  
96 Guernsey Drive  
New Windsor, NY 12553

80-1-19  
Richard & Lisa Dewsnap  
94 Guernsey Drive  
New Windsor, NY 12553

80-1-20  
Louis Hernandez  
Iris Cordero-Hernandez (UX)  
92 Guernsey Drive  
New Windsor, NY 12553

80-1-21  
Luigi & Linda Dicocco  
90 Guernsey Drive  
New Windsor, NY 12553

80-1-43  
Teresa Albaugh  
201 Butterhill Drive  
New Windsor, NY 12553

80-2-1  
Robert & Rosemarie Meyers  
217 Butterhill Drive  
New Windsor, NY 12553

80-2-2  
Peter & Elien Chiavaro  
219 Butterhill Drive  
New Windsor, NY 12553

80-2-14  
Keith & Colleen Schafer  
327 Butternut Drive  
New Windsor, NY 12553

80-2-15  
Samantha Calderone  
325 Butternut Drive  
New Windsor, NY 12553

80-4-1  
Brian & Kathleen Doyle  
202 Butterhill Drive  
New Windsor, NY 12553

80-4-2  
Peter Stukonis  
Margaret Elstob  
204 Butterhill Drive  
New Windsor, NY 12553

80-4-3  
Roy & Cynthia Gutshall  
705 Mara Drive  
Blue Bell, PA 19422

80-4-4  
Ava & Herbert Benjamin  
208 Butterhill Drive  
New Windsor, NY 12553

80-4-5  
Anthony Dilorenzo  
Linda Pulz  
210 Butterhill Drive  
New Windsor, NY 12553

80-4-6  
Charles Anderson  
212 Butterhill Drive  
New Windsor, NY 12553

80-4-7  
John Guido  
Leslie Hynes  
214 Butterhill Drive  
New Windsor, NY 12553

80-4-8  
Donald & Donna Bigi  
216 Butterhill Drive  
New Windsor, NY 12553

**Town of New Windsor**  
**ZONING BOARD OF APPEALS**  
**PUBLIC HEARING NOTICE**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-61  
Request of MICHAEL BUSWELLER

for a VARIANCE of the Zoning Local Law to Permit:

Request for 9 ft. Side Yard Setback and; 9 ft. Rear Yard Setback for proposed 12 ft.X18 ft. shed (300-11-A-1-B) at 219 Dairy Lane in a CL Zone (78-9-21)

PUBLIC HEARING will take place on November 14, 2005 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE  
CHAIRMAN

Ad Number: 1811091 Advertiser: NEW WINDSOR, TOWN

Phone: 8455634615 Sys No: 1194114 Caller: MYRA

**INVOKING CUSTOMER:**

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

RECEIVED  
NOV - 7 2005

TOWN OF NEW WINDSOR  
CONTROLLER'S OFFICE

**ORDER:**

Printed By: THRFODDRIL Date: 10/25/2005 Assigned Sales: TownofNewWindsor ZONINGBOARDOFAPPEALS P AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

**NOTES:**

Change Reason:

**INSERTION:**

Product: THM Paper: TH Class: 999X; LEGAL BILLING

Schedule: Start Date - 10/28/2005 End Date - 10/28/2005

Sort: TOWN OF NEW WINDSORZONING BOARD OF APPEA

**PRODUCTION:**

Text Size: 2 x 26.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

**PRICING:**

Price: 48.22 Payment Method: B1 Amount Paid: 0 Amount Owed: 48.22

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LE1

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 0



# TIMES HERALD-RECORD

40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

**Patricia Foddrill**

Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottaway Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

**Legal Advertising Rep.**

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

**Public Notice**

a true printed copy of which is hereunto annexed, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of

10/28/05

Signature of Representative:

*Patricia Foddrill*

Sworn in before me this

Day of

Nov

2005

*Gretchen Pina Breedy*  
Notary Public, Orange County

GRETCHEN PINA BREEDY  
NOTARY PUBLIC FOR THE STATE  
OF NEW YORK, ORANGE COUNTY  
OATH / SIGNATURE IS ON FILE  
COMMISSION EXPIRES 11/29/2005

September 26, 2005

7

MICHAEL BUSWEILER (05-61)

---

MR. KANE: Request for 9 ft. side yard setback and 9 ft. rear yard setback for proposed 12 ft. x 18 ft. shed at 219 Dairy Lane.

Mr. Michael Busweiler appeared before the board for this proposal.

MR. KANE: Evening, sir, tell us what you want to do.

MR. BUSWEILER: I'd like to buy a shed and put it in the corner of my property within a ten foot area.

MR. KANE: And this isn't an existing shed, you want to get a new shed and put it on your property?

MR. BUSWEILER: Yes.

MR. KANE: Can you tell us why it couldn't be put in your property in the legal boundaries which in Butterhill would be 12 feet off the property line, Mike?

MR. BABCOCK: It says 10, Mr. Chairman, but I think it's 12 foot requirement in Butterhill.

MR. KANE: Butterhill is 12, the rest of the Town is ten, I've lived there 18 years, I've been through this before, yes.

MR. BUSWEILER: That makes it even more ridiculous to make it that far off the fence.

MR. KANE: Any particular reason why this spot in your yard rather than something that may be legal?

MR. BUSWEILER: It's like you want it against the fence or as close to the fence as the Town will allow it.

MR. KANE: So will putting it in that spot because you have a small yard basically it's going to inhibit you from using your yard unless you get a variance to put it off towards the side?

MR. BUSWEILER: Correct.

MR. KANE: The shed, the type of shed is going to be similar to other sheds that are in your neighborhood?

MR. BUSWEILER: Yeah, Mr. Shed, I haven't decided yet but he's one of the people.

MR. KANE: And you understand that if the variance is granted that you would have to meet all of the regulations from the building department?

MR. BUSWEILER: Yes.

MR. KANE: Any electric going to the shed?

MR. BUSWEILER: Negative.

MR. KANE: Cutting down any trees? I see the pictures, cutting down any trees, substantial vegetation in the building of the shed?

MR. BUSWEILER: No.

MR. KANE: Creating any water hazards or runoffs with the building of the shed?

MR. BUSWEILER: No.

MR. KANE: You're in Butterhill so you're on Town water and sewer so I'm assuming there's no easements in Dairy Lane in that area if I remember?

MR. BUSWEILER: No, everything is in the front of the houses.

MR. KANE: Mike, we have ten down we'll just need to check on that 12 and then--

MR. BABCOCK: Yeah, we'll change that.

MR. KANE: In time for the public hearing.

MR. BABCOCK: Actually we required both nine.

MR. KANE: Both will be nine.

MR. MC DONALD: Change them now.

MR. BABCOCK: Yeah, I'll change it and give it to Myra and she'll change it.

MS. MASON: Twelve is side yard as well?

MR. BABCOCK: Right.

MR. KANE: Does the board have any other preliminary questions for the gentleman? I'll accept a motion.

MS. LOCEY: I'll offer a motion to schedule the public hearing on the application of Michael Busweiler for his request for 9 foot side yard setback and 9 foot rear yard setback for a proposed 12 x 18 shed at 219 Dairy Lane.

MR. BROWN: Second the motion.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. MC DONALD	AYE
MR. KANE	AYE

ZBA # 05-61  
Application fee

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#924-2005**

09/27/2005

Busweiler, Michael  
219 Dairy Lane  
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 09/27/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 09-26-05

FOR: ESCROW - 05-61

FROM:

**Michael Busweiler**  
**219 Dairy Lane**  
**New Windsor, NY 12553**

CHECK NUMBER: 2470

TELEPHONE: 562-1324

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

9/27/05  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



# TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

DATE: 09-26-05 PROJECT NUMBER: ZBA# 05-61 P.B.# \_\_\_\_\_

APPLICANT NAME: MICHAEL BUSWIELER

PERSON TO NOTIFY TO PICK UP LIST:

Michael Busweiler  
219 Dairy Lane  
New Windsor, NY 12553

TELEPHONE: 562-1324

TAX MAP NUMBER: SEC. 78 BLOCK 9 LOT 21  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_  
SEC. \_\_\_\_\_ B LOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: 219 DAIRY LANE  
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: \_\_\_\_\_

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) \_\_\_\_\_

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) \_\_\_\_\_

AGRICULTURAL DISTRICT:  
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
OF SITE PLAN OR SUBDIVISION PROJECT) \_\_\_\_\_



NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 2471

TOTAL CHARGES: \_\_\_\_\_



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

September 22, 2005

Mr. Michael Busweiler  
219 Dairy Lane  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-61

Dear Mr. Busweiler:

This letter is to inform you that you have been placed on the September 26, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

219 Dairy Lane  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

8-17-05  
Date

Application Type: Use Variance  Area Variance   
Sign Variance  Interpretation

**I. Owner Information:**

Name: MICHAEL T. AND MAUREEN A. BUSWELER Phone Number: (845) 562-1324  
 Fax Number: (845) 291-2403  
 Address: 219 DAIRY LANE NEW WINDSOR, N.Y. 12553

**II. Applicant:**

Name: SAME AS ABOVE Phone Number: ( )  
 Fax Number: ( )  
 Address: \_\_\_\_\_

**III. Forwarding Address, if any, for return of escrow:**

Name: \_\_\_\_\_ Phone Number: ( )  
 Fax Number: ( )  
 Address: \_\_\_\_\_

**IV. Contractor/Engineer/Architect/Surveyor/:**

Name: \_\_\_\_\_ Phone Number: ( )  
 Fax Number: ( )  
 Address: \_\_\_\_\_

**V. Property Information:**

Zone: CL Property Address in Question: 219 DAIRY LANE  
 Lot Size: \_\_\_\_\_ Tax Map Number: Section 7F Block 9 Lot 21  
 a. What other zones lie within 500 feet? \_\_\_\_\_  
 b. Is pending sale or lease subject to ZBA approval of this Application? N/A  
 c. When was property purchased by present owner? OCT 1986  
 d. Has property been subdivided previously? NO If so, When: \_\_\_\_\_  
 e. Has an Order to Remedy Violation been issued against the property by the  
 Building/Zoning/Fire Inspector? NO  
 f. Is there any outside storage at the property now or is any proposed? YES

\*\*\*\*PLEASE NOTE:\*\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	10'	3'	7'
Reqd. Rear Yd.	10'	3'	7'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:  
THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**

**COMPLETE THIS PAGE**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

---

I believe that my yard is too small (less than a half acre) to abide by the present code of ten feet off the property lines. It is my opinion that by putting the shed in the rear corner of my property, that it will not be a detriment to the welfare of the neighborhood. This location will not block any persons view or cause any harm in any way. The corner of my property that I wish to place my new shed, will be in proximity of my neighbors sheds. Therefore I don't anticipate any problem with my neighbors.

**PLEASE NOTE:  
THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- Copies of signs with dimensions and location.
- Three checks: (each payable to the TOWN OF NEW WINDSOR)
- One in the amount of \$ 300.00 or 500.00 (escrow)
- One in the amount of \$ 50.00 or 150.00 (application fee)
- One in the amount of \$ 25.00 (Public Hearing List Deposit)
- Photographs of existing premises (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK

) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

3rd day of August 2005

*Matt T. Best*  
Owner's Signature (Notarized)

\_\_\_\_\_  
Owner's Name (Please Print)

*Alice J. Sprague*  
Signature and Stamp of Notary

\_\_\_\_\_  
Applicant's Signature (If not Owner)

**ALICE J. SPRAGUE**  
Notary Public, State of New York  
Qualified in Orange County  
Reg. No. 4071925

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**ALICE J. SPRAGUE**  
Notary Public, State of New York  
Qualified in Orange County  
Reg. No. 4071925  
Commission Expires December 31, 192006

COMPLETE THIS PAGE



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)

9/26  
05-61



## ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

\*

**ESCROW**  
IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

\*\*

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:

APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME

## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list - they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. **BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING.** YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

**NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

**NOTE:**

**THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.**