

**ZB# 06-57**

**Karen Jeffers**

**13-12-17**

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

*Granted 12-11-06*

06-57

KAREN JEFFERS (AREA) (13-12-17)  
13 MERLINE AVE.

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 13-12-7

In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

**KAREN JEFFERS**

**AREA VARIANCE**

CASE #06-57

**WHEREAS, Ormiston Gumbs represented the**, owner(s) of 33 Merline Avenue, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 6 ft. Side Yard Setback and, 20.5 ft Total Side Yard Setback and; 15.5 ft. Rear Yard Setback for proposed addition to single family home at 33 Merline Avenue in an R-4 Zone (13-12-17)

**WHEREAS**, a public hearing was held on DECEMBER 11, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS, Ormiston Gumbs represented the** Applicant and 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 residential property located in a neighborhood of residential properties in an R-4 zone.
  - (b) The property consists of a single family, two-bedroom house. The applicant is seeking to place an addition on the house to accommodate a third bedroom.

- (c) If approved, the applicant will remove the existing deck.
- (d) In constructing the addition, the applicant will remove no substantial vegetation.
- (e) The addition will not create the ponding or collection of water or divert the flow of water darainage.
- (f) The addition will not be on top of nor will it interfere with any easements, including, but not limited to water, sewer or electrical easements.
- (g) With the addition, the house will not be overly large or inappropriate for 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).

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

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

DATE: August 21, 2006

APPLICANT: Karen Jeffers  
33 Merline Avenue  
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 8/21/06

FOR : Karen Jeffers

LOCATED AT: 33 Merline Avenue

ZONE: R-4      Sec/Blk/ Lot: 13-12-17

**COPY**

DESCRIPTION OF EXISTING SITE: Single Family Dwelling w/ proposed addition

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-10 USE/BULK TABLE I-4 ZONE. REQUIRED REAR YARD DEPTH (50') AND REQUIRED SIDE YARD/BOTH YARDS 20/40. PROPOSED ADDITION WILL BE 34.5' REAR YARD AND 14' SIDE YARD, 19.5' TOTAL BOTH YARDS. A VARIANCE OF 15.5' REAR AND 6'/20.5' SIDE YARD/TOTAL BOTH YARDS IS REQUIRED.

*Louis J. Kumbier*  
BUILDING INSPECTOR

PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-4	USE: SINGLE FAMILY W/ ADDITION	
MIN LOT AREA:		
MIN LOT WIDTH:		
REQ'D FRONT YD:		
REQ'D SIDE YD: 20'	14'	6'
REQ'D TOTAL SIDE TD: 40'	19.5'	20.5'
REQ'D REAR YD: 50'	34.5'	15.5'
REQ'D FRONTAGE:		
MAX BLDG HT:		
FLOOR AREA RATIO:		
MIN LIVABLE AREA:		
DEV COVERAGE:		

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP  
*8/28/06 Sent Applicant.*

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 6 ft. Side Yard Setback and, 20.5 ft Total Side Yard Setback and; 15.5 ft. Rear Yard Setback for proposed addition to single family home at 33 Merline Avenue in an R-4 Zone (13-12-17) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

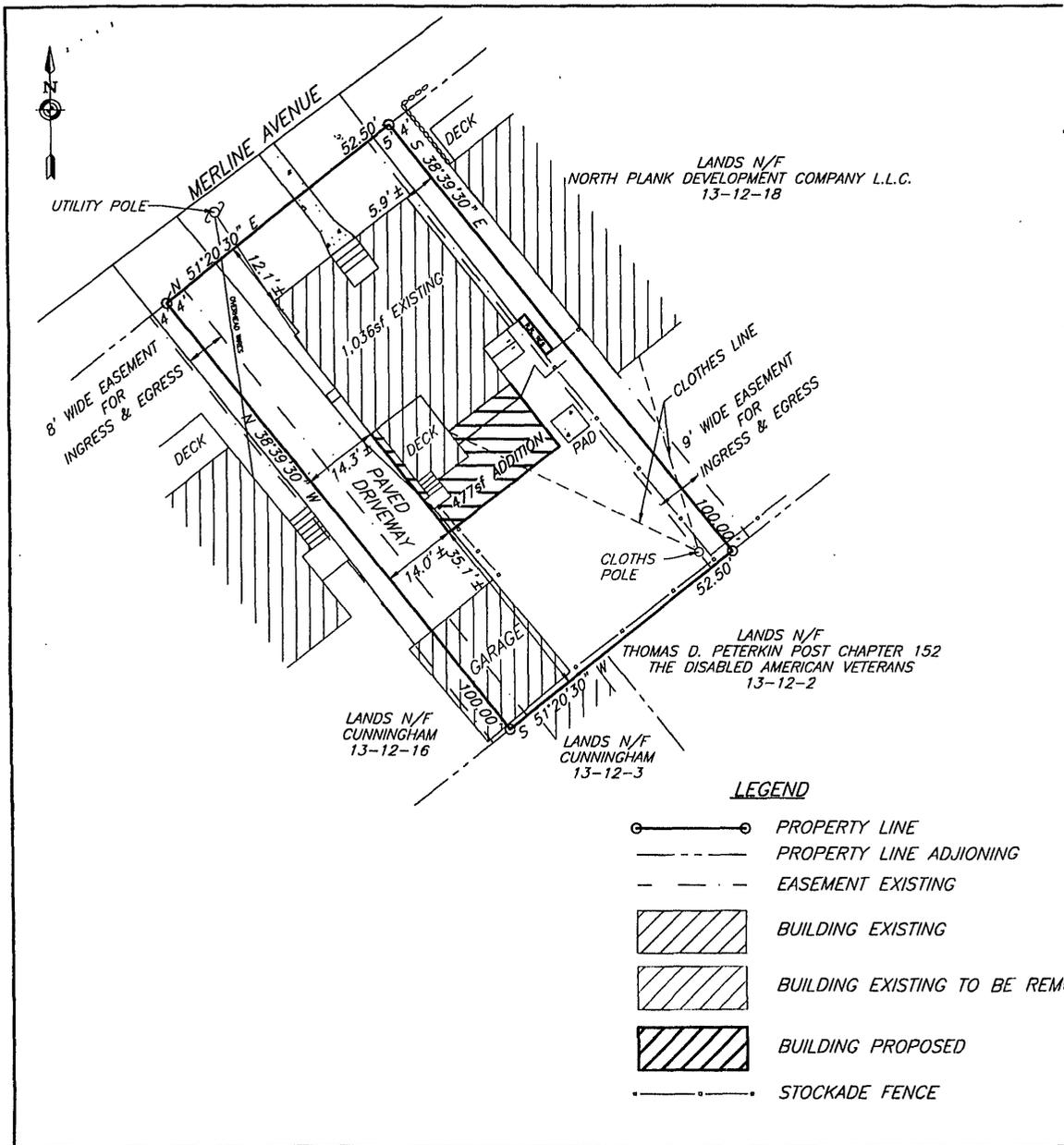
**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: 12-106



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Chairman



**ZONING SCHEDULE**

ZONE: R-4

	<u>REQUIRED</u>	<u>EXISTING</u>	<u>PROPOSED</u>
MINIMUM LOT AREA	43,560sf.	*5,250sf.	*5,250sf.
MINIMUM YARDS (feet)			
FRONT	45'	*12'	*12'
REAR	50'	*42'	**35'
SIDE			
ONE	20'	*6'	
BOTH	40'	*20'	*
MINIMUM LOT WIDTH (feet)	125'	*53'	*53'
MAXIMUM DEVELOPMENT COVERAGE (%)	20%	47%	56%
MAXIMUM BUILDING HEIGHT	35'	20'	20'

\*= EXISTING NON-CONFORMING  
 \*\*= VARIANCE REQUIRED

**MAP REFERENCE**

ALL EXISTING FEATURE INCLUDING PROPERTY LINES AND STRUCTURES ARE AS PER A SURVEY ENTITLED "KAREN JEFFERS" PREPARED BY WILLIAM B. HILDRETH LS., COMPLETED ON JULY 2006

**LEGEND**

- PROPERTY LINE
- PROPERTY LINE ADJOINING
- - - EASEMENT EXISTING
- ▨ BUILDING EXISTING
- ▨ BUILDING EXISTING TO BE REMOVED
- ▨ BUILDING PROPOSED
- STOCKADE FENCE

<b>TACONIC DESIGN CONSULTANTS</b> 633 GIDNEY AVENUE NEWBURGH, NY 12550 845-589-8400 845-589-4583 (fax)			
ENGINEER	<b>CHARLES T. BROWN P.E.</b> <b>WILLIAM J. MOREAU, P.E.</b> 1 GARDNERTOWN ROAD NEWBURGH, NY 12550 (845)-581-2582		
	<b>SITE PLAN FOR:</b> <b>JEFERS</b> S.B.L:13-12-17,(LOTS 353& 354) "CITY PARK" FM # 647, 33 MERLINE AVENUE NEW WINDSOR ORANGE COUNTY, NEW YORK		
	DATE	SCALE	JOB NUMBER
	08/14/06	1"=20'	06189-JEF
		SHEET NUMBER	1 OF 1

06189-JEF

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 bond 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.

RECEIVED

AUG 21 2006

FOR OFFICE USE ONLY:  
Building Permit #: 2006-882

**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 Karen Jeffers

Address 33 Merline Avenue Phone # 845 561-7834

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

Name of Architect Charles T Brown, PE

Address 633 Gidney Ave Phone 845-569-8400

Name of Contractor Orndston Builders

Address 43 City Terrace Phone 845-527-6189

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 NE side of Marline Avenue  
(N, S, E or W)  
and 2,100 feet from the intersection of Clancy Avenue

2. Zone or use district in which premises are situated R4 Is property a flood zone? Y N

3. Tax Map Description: Section 13 Block 12 Lot 17

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

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

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front N/A Rear 28 1/2 Depth 23 Height 20' No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_  
Total: 3 Total: 2  
Number of bedrooms 1 Baths 1 Toilets 1 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 \$17,000.00 Fee \$50.00

"Low"

CH# 2534

**PAYED**

**ZONING BOARD**

8118106  
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) 563-4895 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 whatever 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.

*Karen [Signature]*  
(Signature of Applicant)

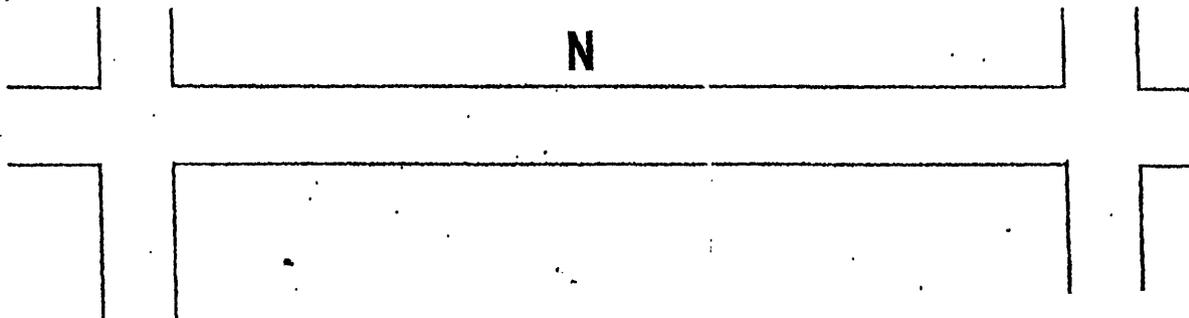
\_\_\_\_\_  
(Address of Applicant)

*Karen [Signature]*  
(Owner's Signature)

*33 Madison Ave New Windsor*  
(Owner's Address)

PLOT 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.



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*Karen Jones*  
(Signature of Applicant)

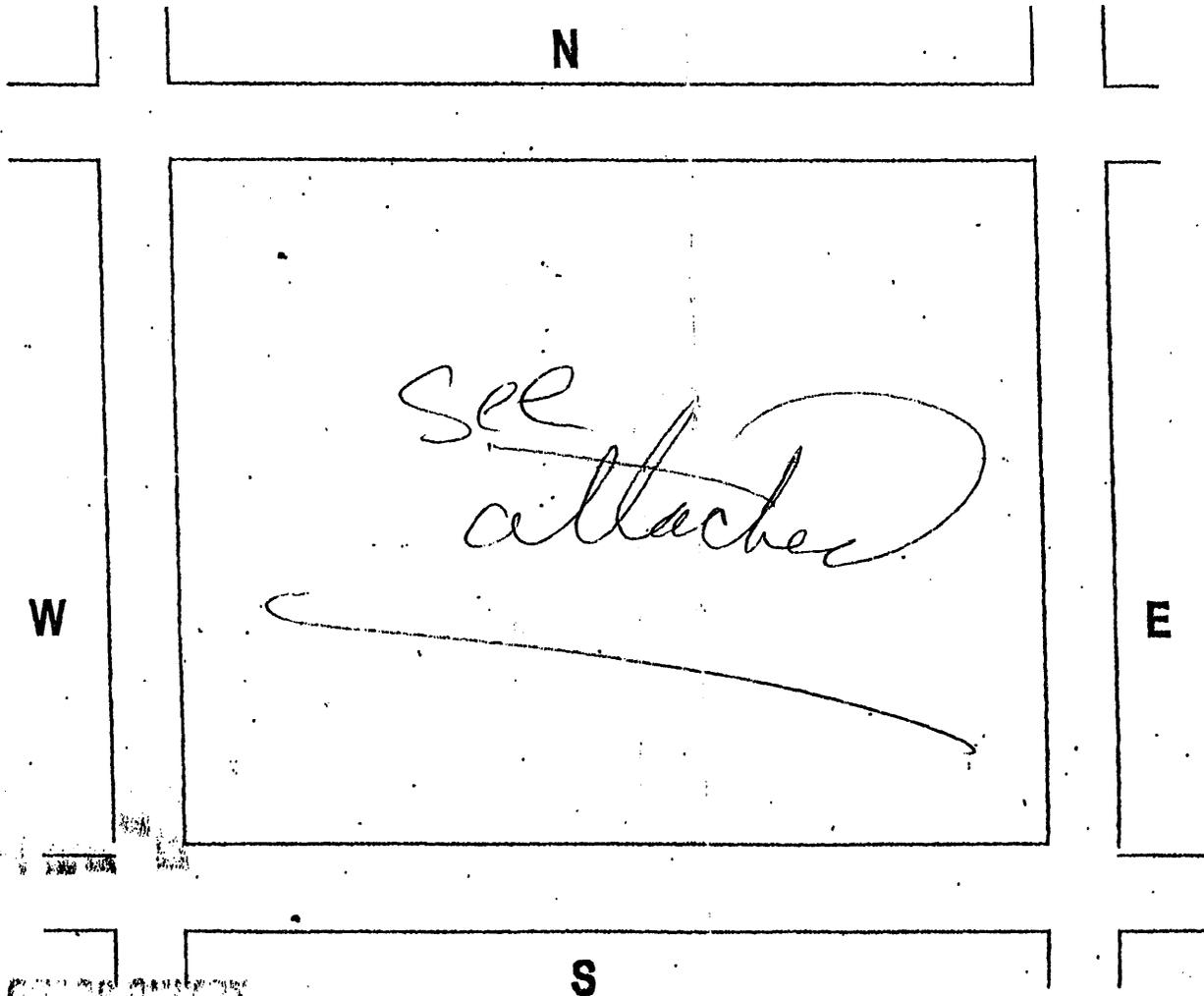
(Address of Applicant)

*Karen Jones*  
(Owner's Signature)

*33 maine ave new Windsor*  
(Owner's Address)

PLOT 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.



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

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

DATE: August 21, 2006

APPLICANT: Karen Jeffers  
33 Merline Avenue  
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 8/21/06

FOR : Karen Jeffers

LOCATED AT: 33 Merline Avenue

ZONE: R-4      Sec/Blk/ Lot: 13-12-17

DESCRIPTION OF EXISTING SITE: Single Family Dwelling w/ proposed addition

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-10 USE/BULK TABLE R-4 ZONE. REQUIRED REAR YARD DEPTH (50') AND REQUIRED SIDE YARD/BOTH YARDS 20/40. PROPOSED ADDITION WILL BE 34.5' REAR YARD AND 14' SIDE YARD, 19.5' TOTAL BOTH YARDS. A VARIANCE OF 15.5' REAR AND 6'/20.5' SIDE YARD/TOTAL BOTH YARDS IS REQUIRED.

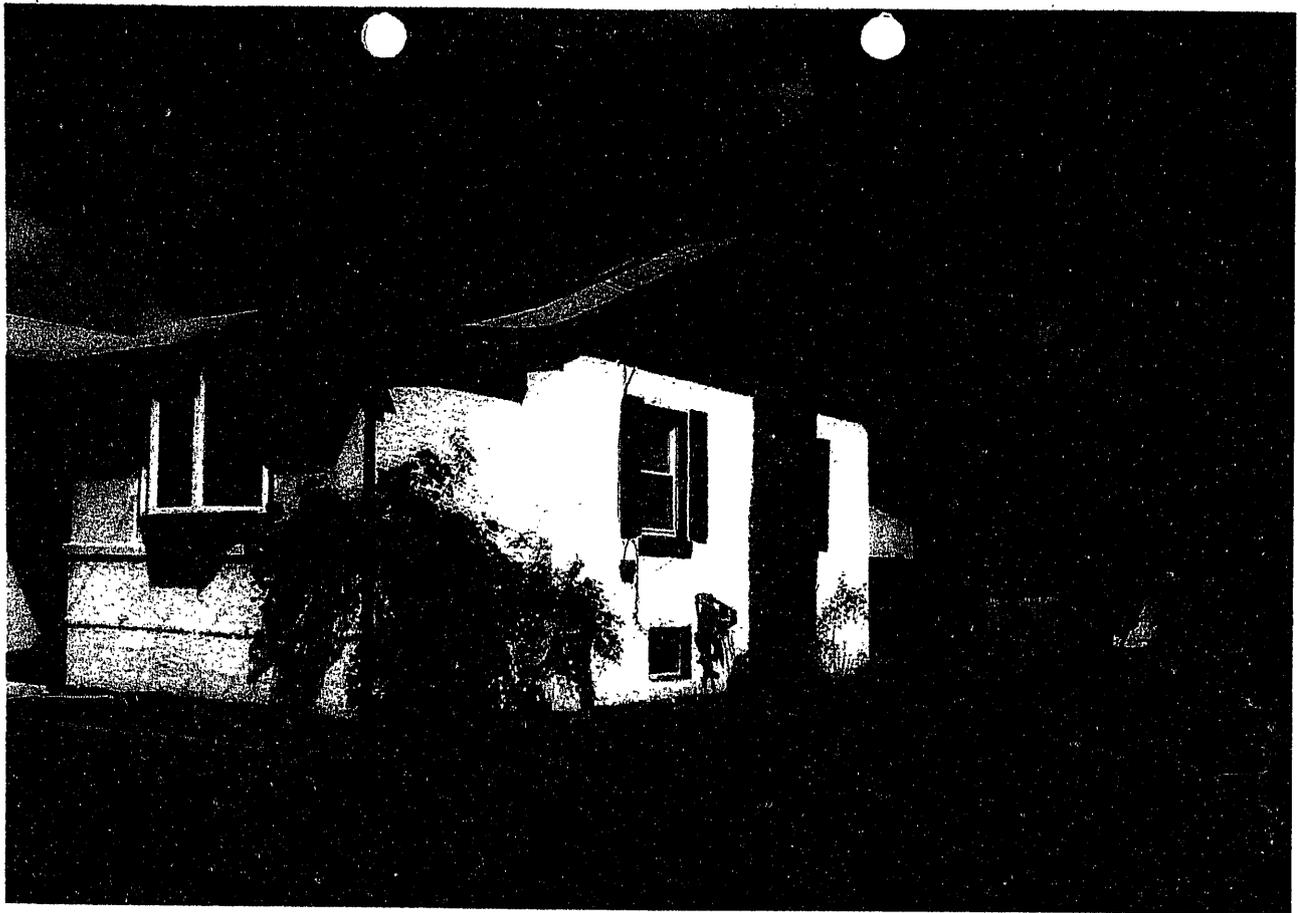
  
BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-4	USE: SINGLE FAMILY W/ ADDITION		
MIN LOT AREA:			
MIN LOT WIDTH:			
REQ'D FRONT YD:			
REQ'D SIDE YD:	20'	14'	6'
REQ'D TOTAL SIDE TD:	40'	19.5'	20.5'
REQ'D REAR YD:	50'	34.5'	15.5'
REQ'D FRONTAGE:			
MAX BLDG HT:			
FLOOR AREA RATIO:			
MIN LIVABLE AREA:			
DEV COVERAGE:			

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







06189-5EF

**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: 04-17-07**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 160.12 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #06-57**

**NAME & ADDRESS:**

**GUMBS GENERAL CONTRACTING, INC.  
P.O. Box 1292  
Newburgh, NY 12550**

**THANK YOU,**

**MYRA**

**L.R.04-17-07**



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



FILE #06-57      TYPE:AREA      TELEPHONE: 561-7134

APPLICANT:  
**Karen Jeffers**      (CHECK FROM GUMBS GENERAL CONTRACTING)  
**33 Merline Avenue**  
**New Windsor, NY 12553**

RESIDENTIAL:	\$ 50.00	CHECK # <u>116</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 115



<b><u>DISBURSEMENTS:</u></b>		<b>MINUTES</b>	<b>ATTORNEY</b>
		<b>\$7.00 / PAGE</b>	<b>FEE</b>

PRELIMINARY:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	___	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>5</u>	PAGES	\$ <u>35.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	___	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date:12-1-06      \$ 13.88

TOTAL:      \$ 69.88      \$ 70.00



ESCROW POSTED:      \$ 300.00  
 LESS: DISBURSEMENTS:      \$ 139.88

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 160.12

Cc:

L.R. 04-17-07



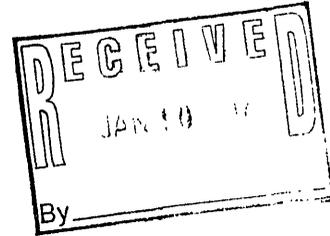
# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

## Invoice

Date	Invoice #
12/14/2006	8612

<b>Bill To</b>
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553



*MJM*

P.O. No.	Terms	Project
47425	Due on receipt	

Issue Date	Description	PCS/Units	Amount
12/1/2006	LEGAL ADS: KAREN JEFFERS (06-57) 1 AFFIDAVIT	9.88 4.00	9.88 4.00
<b>Total</b>			\$13.88

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845) 562-1218

**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. (06-57)

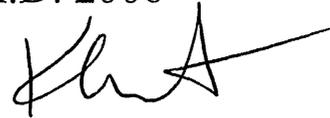
Request of KAREN JEFFERS

for a VARIANCE of the Zoning Local Law to Permit:

Request for 6 ft. Side Yard Setback and, 20.5 ft Total Side Yard Setback and; 15.5 ft. Rear Yard Setback for proposed addition to single family home at 33 Merline Avenue in an R-4 Zone (13-12-17)

PUBLIC HEARING will take place on DECEMBER 11, 2006 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

State of New York  
County of Orange, ss:  
Patricia Quill being duly sworn disposes and says that she is The Supervisor of Legal Dept. of the E.W. Smith Publishing Company; Inc. Publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, Town of Newburgh and City of Newburgh and that the notice of which the annexed is a true copy was published in said newspaper, *IX* commencing on the 1 day of Dec A.D., 2006 and ending on the 1 day of Dec A.D. 2006



Subscribed and shown to before me this 3<sup>rd</sup> day of Jan, 2006

*Dubach Quill*  
Notary Public of the State of New York County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4851326

Commission Expires July 15, 09

My commission expires \_\_\_\_\_.

December 11, 2006

13

PUBLIC\_HEARINGS:

KAREN\_JEFFERS\_(06-57)

MS. GANN: Request for 6 ft. side yard setback and 20.5 ft. total side yard setback and 15.5 foot rear yard setback for proposed addition to single family home at 33 Merline Avenue. I'd looks to know if anyone is here for this public hearing? Raise your hand.

Mr. Ormiston Gumbs appeared before the board for this proposal.

MR. GUMBS: Good evening, my name is Armiston Gumbs here for Karen Jeffers.

MR. LUNDSTROM: Your relationship to the applicant?

MR. GUMBS: I'm the contractor and her brother.

MR. KRIEGER: That's Miss Jeffers here, right?

MR. CASESA: Yes.

MR. KRIEGER: I want the record to note that she's present.

MS. GANN: Tell us why you're here this evening.

MR. GUMBS: I came here trying to see if the approval was granted because I had a preliminary.

MS. GANN: Tell us what it is again, we have to go through this all over again.

MR. GUMBS: She's a single mother of two teenagers and the existing house is just a two bedroom so she's trying to get a third bedroom in order to accommodate her family.

MR. TORPEY: So you're closing in the deck to make another bedroom?

MR. GUMBS: Deck will be removed and add on an enclosed part, the deck's enclosed but more room on the back for a master bedroom.

MS. GANN: Is this addition including a kitchen?

MR. GUMBS: No, just a bathroom and bedroom and the deck is going to be like mud room or computer room or something.

MS. GANN: Will you be taking down any substantial vegetation in the building of the addition?

MR. GUMBS: There's nothing to be taken down.

MS. GANN: Creating any water hazards?

MR. GUMBS: No, the land is flat in the back.

MS. GANN: Does it go over any easements?

MR. GUMBS: No, I think we have an application, I think we got a variance for the easement because there's an easement on the right-hand side because of the driveway I think he was supposed to put in the required information.

MR. KRIEGER: There's an existing easement on the right-hand side?

MR. GUMBS: Yes.

MR. KRIEGER: That's the easement for water, sewer?

MR. GUMBS: No, actually, her property line is beyond, her garage is beyond the neighbor's property.

MR. BABCOCK: There's an easement, they have a four foot easement on their property and the neighbor has a four foot easement on their property for joint use of egress, that's it.

MR. KRIEGER: Now, when the chairman asked about easements she was particularly concerned about the water, sewer, electric, that sort of thing.

MR. GUMBS: No.

MR. KRIEGER: This wouldn't interfere with that.

MR. GUMBS: No.

MR. KRIEGER: Won't have any, if it's granted, won't have any affect on the, what you're talking about?

MR. GUMBS: Right.

MR. KRIEGER: Remains as is?

MR. GUMBS: Right.

MS. GANN: What's the total square footage?

MR. BABCOCK: According to the survey it's 477 square feet.

MS. LOCEY: What's 477 square feet?

MR. BABCOCK: The addition is 477.

MS. GANN: So it will be a bedroom?

MR. GUMBS: A bathroom and enclosing the existing deck.

MS. GANN: Any other questions from the board?

MR. LUNDSTROM: Just one, Madam Chairwoman, with this

addition, is it still, that house will still be in keeping with the character of the neighborhood?

MR. GUMBS: Right.

MR. LUNDSTROM: It's not overly large or anything?

MR. GUMBS: No, it's not going to be large, like I said, the only, it's just enclosing, extending the back and enclosing it, we're not making it any wider or anything and it's going to be pretty close to construction wise matching the--

MR. LUNDSTROM: The other houses?

MR. GUMBS: Right.

MR. TORPEY: It's only 477 square feet.

MR. GUMBS: The neighbors on the right, they had an addition but unfortunately the house burned down, the house on the right side of it.

MR. LUNDSTROM: So you're saying that with the new addition, the character of the new house will be in keeping with the character of the neighborhood?

MR. GUMBS: Right, it's not really changing much.

MS. GANN: Any other questions? I'd like to again open this to the public, see if there's anyone here for this public hearing. Being as there's no one, I'd like to close the public portion, ask Myra how many mailings we had.

MS. MASON: On November 28, I mailed out 74 addressed envelopes and had no response.

MS. GANN: I'll accept a motion.

December 11, 2006

17

MS. LOCEY: I will offer a motion to grant the requested variances on the application of Karen Jeffers as listed on the agenda for the New Windsor Zoning Board of Appeals dated December 11, 2006.

MR. TORPEY: I'll second that motion.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MS. GANN	AYE



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. (06-57)**

**Request of KAREN JEFFERS**

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

**Request for 6 ft. Side Yard Setback and, 20.5 ft Total Side Yard Setback and; 15.5 ft. Rear Yard Setback for proposed addition to single family home at 33 Merline Avenue in an R-4 Zone (13-12-17)**

**PUBLIC HEARING will take place on DECEMBER 11, 2006  
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

November 3, 2006

Karen Jeffers  
33 Merline Ave.  
New Windsor, NY 12553

Re: 13-12-17                      ZBA#: 06-57 (74)

Dear Ms. Jeffers:

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/rah  
Attachments

CC: Myra Mason, Zoning Board

13-7-11.2  
LEROY PORTER  
9 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-7-12  
BRIAN ALESSI  
3 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-10-1  
JEFFERY & JEANNE STENT  
15 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-10-2, 3  
LILIA NAZAREVITCH  
9 CLANCY AVE.  
NEW WINDSOR, NY 12553

13-10-4, 5, 6  
FREDERICK & LINDA GREENE  
28 BLANCHE AVE.  
NEW WINDSOR, NY 12553

13-10-7  
ROSE GROSSHOLTZ  
19 WINDSOR DR.  
NEW WINDSOR, NY 12553

3-10-8 & 13-10-9  
DAVID DEYO  
BLANCHE AVE.  
NEW WINDSOR, NY 12553

13-10-10  
DAVID FRANKLIN  
42 BLANCHE AVE.  
NEW WINDSOR, NY 12553

13-10-11  
LORRAINE SLACIN  
91 EDGEHILL DR.  
WAPPINGERS FALLS, NY 12590

13-10-14  
LEROY STANFORD  
53 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-10-15  
B. BOOTH, D. MANNIX & JOHN KONRAD  
51 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-10-18  
GEORGE & DONNA KIRK  
45 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-10-20 & 13-10-21  
ANGELA MONTELEONE  
37 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-10-22  
EDWARD & PAULINE STARR  
33 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-10-24 & 13-10-25  
EDUARDO & ROBYN RICHI  
23 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-11-1  
PETER & CHRISTINE GANDOLFINI  
16 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-11-2  
JOHN & JAYNE KELLY  
20 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-11-3  
ALDABERTO PADILLA  
26 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-11-4  
DANIEL & MARY BAXTER  
30 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-11-5  
MIRA ELLEN BLYTHE  
320 JACKSON AVE.  
NEW WINDSOR, NY 12553

13-11-6  
EDWIN TORRES  
MADAILIA OQEUNDO  
38 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-11-7 & 13-11-13  
KHOA VAN PHAM & ANH TRAN  
44 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-11-8  
JEFFREY & FRANCES KIRK  
46 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-11-9  
EDWARD & HELEN SIMANOSKI  
56 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-11-10 & 13-11-11  
LAWRENCE AVENUE PROP.  
63 LAWRENCE AVE.  
NEW WINDSOR, NY 12553

13-11-14  
ANNE MALINOSKI &  
JOHN RYMASZEWSKI  
39 LAWRENCE AVE.  
NEW WINDSOR, NY 12553

13-11-15  
SEAN FLANAGAN  
33 LAWRENCE AVE.  
NEW WINDSOR, NY 12553

13-11-17  
FRANK LAMBARDI  
361 OAK DRIVE  
NEW WINDSOR, NY 12553

13-12-1  
JEFFEREY MCCURRY  
19 MERLINE AVE.  
NEW WINDSOR, NY 12553

15-4-4  
DANIEL & DOLORES DELICIO  
53 MYRTLE AVE  
NEW WINDSOR, NY 12553

15-4-2  
ANNE CORSO  
37 BRADFORD AVE.  
NEW WINDSOR, NY 12553

15-4-3  
ERICA GRASSI  
64 MERILINE AVE.  
NEW WINDSOR, NY 12553

15-4-4  
DEREK CRAWFORD  
70 MERILINE AVE.  
NEW WINDSOR, NY 12553

15-6-1  
MANUEL DOMINGUEZ  
29 BRAFOR D AVE.  
NEW WINDSOR, NY 12553

15-6-2  
GREGORY GREINER  
70 LAWRENCE AVE.  
NEW WINDSOR, NY 12553

15-7-1  
LAWRENCE AVE. PROPERTIES  
593 LAKESIDE RD.  
NEWBURGH, NY 12550

15-7-2,12  
SUSAN & DOUGLAS OLYMPIA  
58 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-2-4, 6  
WILLIAM & IRIS BESSETTE  
234 WALSH AVE #6  
NEW WINDSOR, NY 12553

13-2-7  
MIJOKA PROPERTIES, INC.  
PO BOX 417  
WASHINGTONVILLE, NY 10992

13-2-8  
EDWARD & ELLEN JACOPINO  
238 WALSH AVE.  
NEW WINDSOR, NY 12553

13-2-9  
MICHAEL PONESSE  
242 WALSH AVE.  
NEW WINDSOR, NY 12553

13-2-10.1  
PETRILLO PROPERTIES INC.  
246 WALSH AVE.  
NEW WINDSOR, NY 12553

13-2-13, 14  
ANNA CRUDELE  
12 MERLINE AVE.  
NEW WINDSOR, NY 12553

13-2-15  
LESLIE KING  
38 CLANCY AVE.  
NEW WINDSOR, NY 12553

13-2-16  
CARMEN DAMARIO  
13 OAK RIDGE DR.  
NEW WINDSOR, NY 12553

13-2-17  
EDWARD & ELLEN JACOPINO  
13 OAK RIDGE DR.  
NEW WINDSOR, NY 12553

13-2-18  
FARICELLIA LTD  
650 BLOOMING GROVE TPKE.  
NEW WINDSOR, NY 12553

13-3-1, 10, 11  
GARY & DARLA DREYER  
18 VERONICA AVE.  
NEW WINDSOR, NY 12553

13-3-2  
LUIS RODRIGUEZ  
252 WALSH AVE.  
NEW WINDSOR, NY 12553

13-3-3  
ROBERT ZAMENICK  
254 WALSH AVE.  
NEW WINDSOR, NY 12553

13-3-5, 6.2  
ELIZABETH &  
MICHAEL PETTINE  
10 LAWRENCE AVE.  
NEW WINDSOR, NY 12553

13-3-6.1, 7  
JAMES & GERALDINE LEE  
12 LAWRENCE AVE.  
NEW WINDSOR, NY 12553

13-3-8  
MARIA &  
CARMELO MALDONADO  
22 LAWRENCE AVE.  
NEW WINDSOR, NY 12553

13-3-9  
ANTHONY MESSINA  
15 MERLINE AVE.  
NEW WINDSOR, NY 12553

13-6-1  
HOTZLUCHA WALSH REALTY  
256 WALSH AVE.  
NEW WINDSOR, NY 12553

13-6-2  
ELIZABETH RAHM  
15 LAWRENCE AVE.  
NEW WINDSOR, NY 12553

13-6-3  
EILEEN SHARROW  
19 LAWRENCE AVE.  
NEW WINDSOR, NY 12553

13-6-4  
CHESTER &  
EVELYN GRZIBOWSKI  
12 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-7-8, 9, 13-10-23  
ROY COYKENDALL &  
DEBRA REGAN  
25 MELROSE AVE.  
NEW WINDSOR, NY 12553

13-13-21  
ADAN&MICHELLE GOMEZ  
27 MYRTLE AVE.  
NEW WINDSOR, NY 12553

13-14-11,18  
EDWARD MAKAREWICZ  
19 CHERRY AVE.  
NEW WINDSOR, NY 12553

13-13-22  
SCOTT POTTER  
23 MYRTLE AVE.  
NEW WINDSOR, NY 12553

13-14-12,13,14,15,16,17  
VINCENT YONNONE  
63 MYRTLE AVE.  
NEW WINDSOR, NY 12553

13-13-23  
ANN HILL  
13 MYRTLE AVE.  
NEW WINDSOR, NY 12553

13-14-19  
ANNA CARDAMONE  
15 CHERRY AVE.  
NEW WINDSOR, NY 12553

13-13-24  
ALFRED CRUDELE  
37 CLANCY AVE.  
NEW WINDSOR, NY 12553

13-14-20  
DOROTHEA &  
RICHARD MAKAREWICZ  
11 CHERRY AVE.  
NEW WINDSOR, NY 12553

13-14-1, 22.2  
JOHN & JANET DUDA  
45 CLANCY AVE.  
NEW WINDSOR, NY 12553

13-14-22.1  
YEDDA & LONNIE PARKER  
9 CHERRY AVE.  
NEW WINDSOR, NY 12553

13-14-2  
RICHARD BUCCI &  
SHERRY DEYO  
2 MYRTLE AVE.  
NEW WINDSOR, NY 12553

13-14-3  
MAUREEN GRACE  
12 MYRTLE AVE.  
NEW WINDSOR, NY 12553

13-14-4  
JOSEPH & ETHEL REARDON  
14 MYRTLE AVE.  
NEW WINDSOR, NY 12553

13-14-6.1  
GASPER &  
ELIZABETH CANGELOSI  
20 MYRTLE AVE.  
NEW WINDSOR, NY 12553

13-14-9  
CARL &  
GWENDOLYNE CARLSON  
26 MYRTLE AVE.  
NEW WINDSOR, NY 12553



RESULTS OF Z.B. MEETING OF: December 9, 2006

PROJECT: Karen Jeffers ZBA # 06-57

P.B.# \_\_\_\_\_

USE VARIANCE: NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____	NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
GANN _____	GANN _____
LUNDSTROM _____	LUNDSTROM _____
LOCEY _____	LOCEY _____
TORPEY _____	TORPEY _____
KANE _____ CARRIED: Y _____ N _____	KANE _____ CARRIED: Y _____ N _____
PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____	APPROVED: M) _____ S) _____ VOTE: A _____ N _____
GANN _____	GANN _____
LUNDSTROM _____	LUNDSTROM _____
LOCEY _____	LOCEY _____
TORPEY _____	TORPEY _____
KANE _____ CARRIED: Y _____ N _____	KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M) Lo S) I VOTE: A 4 N 0.

GANN A  
LUNDSTROM A  
LOCEY A  
TORPEY A  
~~KANE~~ \_\_\_\_\_

CARRIED: Y  N \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

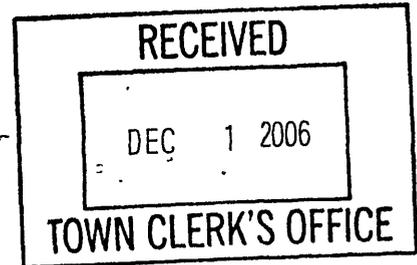
December 11, 2006



1763

# TOWN OF NEW WINDSOR

TOWN CLERK'S OFFICE  
555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (845) 563-4611  
Fax: (845) 563-4670



## REQUEST FOR PUBLIC RECORDS

Date: 12-1-06

Name: Frank Lombardi

Address: 361 OAK DR 12553

Phone: (845) 629-1301

Representing: \_\_\_\_\_

**Please specify:**

- **Property location (street address or section, block and lot number)**
- **Department you are requesting records from**
- **Describe information requested as fully as possible**

Variance for 33 Merlin Ave

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**Documents may not be taken from this office.**

October 23, 2006

8

KAREN\_JEFFERS\_(06-57)

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MR. KANE: Request for 6 ft. side yard setback and 20.5 ft. total side yard setback and 15.5 ft. rear yard setback for proposed addition to single family home at 33 Merline Avenue.

Mr. Ormiston Gumbs appeared before the board for this proposal.

MR. KANE: For those of you in the audience we hold a preliminary meeting so we can get an idea what you want to do. If this was another town, you walk in, you don't have the right information, you lose, you can't come back for six months. This way, you come in, if we need something you don't have, we're not aware of, we help you out, we set it up basically you go through the same thing just so you understand.

MR. GUMBS: My name is Ormiston Gumbs, I'm here for my sister, she's trying to put up her addition which seems to be lacking enough space and so I'm here trying to get approval.

MR. KANE: Where is the addition going to go, sir? Can you show me on these pictures.

MR. GUMBS: In the rear of the house right here.

MR. BABCOCK: You should have a survey, Mr. Chairman.

MS. MASON: He has it.

MR. KANE: Thank you.

MR. GUMBS: In the back there cause she's not going to be much further back than the neighbors.

MR. KANE: So the addition itself is actually going to keep the home in the same approximate size of other

October 23, 2006

9

homes in your neighborhood?

MR. GUMBS: Right.

MR. KANE: Cutting down any trees, substantial vegetation?

MR. GUMBS: No, just grass in the back yard.

MR. KANE: Creating any water hazards or runoffs?

MR. GUMBS: No.

MR. KANE: The addition itself, it's not going to be in, used as an apartment or anything, it's going to be--

MR. GUMBS: What happens is she got two kids soon-to-be teenagers and the present house is only two bedrooms.

MR. KANE: Just going to be adding another bedroom and expanding the home?

MR. GUMBS: Right.

MR. KANE: Deck right here that's going to come off and turn into part of the house?

MR. GUMBS: Right.

MR. KANE: Any easements running through where you intend to put the deck, the addition, I'm sorry? Any easements meaning a right-of-way. There doesn't seem to be any but we're going to ask the question.

MR. GUMBS: No.

MR. KANE: I think that's it for now.

MR. KRIEGER: Water and sewer?

October 23, 2006

10

MR. GUMBS: Public.

MR. KANE: We covered the apartment issue. Any further questions? At this point, I'll accept a motion.

MR. LUNDSTROM: Mr. Chairman, I will offer a motion that the application of Karen Jeffers be allowed to proceed to a public hearing.

MR. TORPEY: I'll second that.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: October 3, 2006



PROJECT: Karen Jeffers

ZBA # 06-57

P.B.# \_\_\_\_\_

USE VARIANCE:      NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

SCHEDULE PUBLIC HEARING: M) LIL S) I VOTE: A 4 N 0



GANN \_\_\_\_\_  
LUNDSTROM A  
LOCEY A  
TORPEY A  
KANE A

CARRIED: Y  N \_\_\_\_\_

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES \_\_\_\_\_

VARIANCE APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_


10-23-06 Meeting

ZBA #06-57 Application Fee

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

**RECEIPT**  
**#834-2006**

10/20/2006

Gumbs General Contracting

Received \$ 50.00 for Zoning Board Fees, on 10/20/2006. 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: 10-18-06

FOR: 06-57 ESCROW

FOR / FROM:  
**Karen Jeffers**  
**33 Merline Avenue**  
**New Windsor, NY 12553**

CHECK FROM:  
GUMBS GENERAL CONTRACTING, INC.  
P.O. Box 1292  
Newburgh, NY 12550

CHECK NUMBER: 115

TELEPHONE: 527-6189

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

10/20/06  
\_\_\_\_\_  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



# COMPUTER SPECIALIST WORK ORDER

## CUSTOMER INFO

DATE: 10/13/2006

NAME: GUMBS GEN. CONTR. PHONE: ( ) -  
 ADDRESS: \_\_\_\_\_ CELL: ( ) -  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ WORK: ( ) -  
 EMAIL ADDRESS: \_\_\_\_\_ REFERRED BY: \_\_\_\_\_

## COMPUTER INFO

MAKE: GATEWAY COLOR: \_\_\_\_\_  
 MODEL: M866 SERIAL #: \_\_\_\_\_  
 TYPE: LAPTOP  DESKTOP:

## MISCELLANEOUS INFO

ALSO GIVEN WITH COMPUTER: \_\_\_\_\_

### PROBLEMS

*TRY TO  
RETURN  
TOMORROW  
OR TODAY*

- WON'T TURN ON:
- POSSIBLE VIRUS:
- RUNNING SLOW:
- PRINTER DOESN'T WORK:
- SOUND DOESN'T WORK:
- MODEM DOESN'T WORK:
- CAN'T GET ON INTERNET:
- FREQUENT LOCKUPS:
- COMPUTER IS LOUD:
- A LOT OF POP-UPS:
- CD-ROM DOESN'T WORK:
- FLOPPY DOESN'T WORK:

OTHER: ALL AOL PROD. REMOVE  USB 2.0  
 FOR VIRUS' CLEAN UP FAN NOISE

## ADDITIONAL INFO

OPERATING SYSTEM: \_\_\_\_\_ USER NAME: \_\_\_\_\_ PASSWORD: \_\_\_\_\_  
 INTERNET SERVICE: \_\_\_\_\_ USER NAME: \_\_\_\_\_ PASSWORD: \_\_\_\_\_  
 HIGH-SPEED  DIAL UP   
 PRINTER: MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_  
 USB  PARALLEL

## SUGGESTIONS

Would you like a free price quote to upgrade your computer

CUSTOMER SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

\$140.00 TOTAL \$60.00 - USB \$80.00 - Virus clean  
USB 2.0

**Taconic Design  
CONSULTANTS, Inc.**

633 GIDNEY AVENUE \* NEWBURGH, NY 12550  
(845)-569-8400 \* (fax) (845)-569-4583

August 15, 2006

Karen Jeffers  
33 Merline Avenue  
New Windsor, NY 12553

Re: Jeffers Variance Application  
Job #06189

Dear Karen,

The following is our bill for professional services rendered for the above referenced variance application.

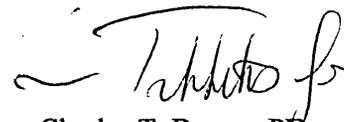
**Lump Sum Amount**

**\$ 350.00**

*Check 113.  
\$350.00  
12/2/06  
S. Jeffers*

Please make check payable to Taconic Design Consultants, Inc. If you have any questions or concerns, please do not hesitate to contact me at the above number.

Very truly yours,



Charles T. Brown, PE  
Taconic Design Consultants  
President

- All accounts are payable upon receipt. A service charge of 1½% per month 18% APR will be added to all overdue accounts. Also liable for all legal and collection costs.

**TOWN OF NEW WINDSOR**  
**REQUEST FOR NOTIFICATION LIST**

CHECKED BY MYRA: 10-24-06 mm

DATE: 10-20-06 PROJECT NUMBER: ZBA# 06-57 P.B. # \_\_\_\_\_

APPLICANT NAME: KAREN JEFFERS

PERSON TO NOTIFY TO PICK UP LIST:

KAREN JEFFERS  
33 MERLINE AVENUE  
NEW WINDSOR, NY

TELEPHONE: 561-7134

TAX MAP NUMBER: SEC. 13 BLOCK 12 LOT 17  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_  
SEC. \_\_\_\_\_ B LOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: 33 MERLINE AVE  
NEW WINDSOR, NY

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION \_\_\_\_\_  
(IS NOT PREPARED ON LABELS)

❖ ❖

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: 117

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



TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

OCT 16 2006



APPLICATION FOR VARIANCE

BUILDING DEPARTMENT

10/09/06  
Date

Application Type: Use Variance  Area Variance   
Sign Variance  Interpretation

I. **Owner Information:** Phone Number: ( )  
Karen Jeffers Fax Number: ( )  
(Name)  
33 Merline Ave New Windsor, NY 12553  
(Address)

II. **Applicant:** Phone Number: (845) 561-7334  
Karen Jeffers Fax Number: ( )  
(Name)  
33 merline ave new windsor ny 12553  
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ( )  
Fax Number: ( )  
(Name)  
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number (845)-569-8400  
Fax Number: (845)-569-4583  
Taconic Design Consultants  
(Name)  
633 Gidney Avenue Newburgh, NY 12550  
(Address)

V. **Property Information:**  
Zone: R-4 Property Address in Question: 33 Merline Ave.  
Lot Size: 5,250 sf. Tax Map Number: Section 13 Block 12 Lot 17  
a. What other zones lie within 500 feet? PI  
b. Is pending sale or lease subject to ZBA approval of this Application? \_\_\_\_\_  
c. When was property purchased by present owner? \_\_\_\_\_  
d. Has property been subdivided previously? NO If so, When: N/A  
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? None

\*\*\*\*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**

**VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval 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	43,560sf	5,250sf	none
Min. Lot Width	125'	53'	none
Reqd. Front Yd.	45'	12'	none
Reqd. Side Yd.	20'	14'	6'
Reqd. Rear Yd.	50'	34.5'	15.5'
Reqd. St Front*	45'	12'	none
Max. Bldg. Hgt.	35'	20	none
Min. Floor Area*	N/A	1,513sf	none
Dev. Coverage*	20%	56%	none
Floor Area Ration**	N/A	N/A	none
Parking Area	2	2	none

\*Residential Districts Only

\*\*Non-Residential Districts Only

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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:

This application is for an addition to an existing 1,036sf residence located in the R-4 zone. We are requesting a permit to construct a 477sf addition, directly of the back, eliminating the existing deck. The proposed rear side of the addition will be approximately equal to the adjoining lot on the same side of the street. Due to the age of the subdivision from which this lot was created the current minimum zoning cannot be met. We are requesting a variance for the ~~rear~~ rear & side yard to expand an existing bedroom. Due to the location and size of the addition, no adverse effects or impacts to the neighborhood or environment will be created.

**PLEASE NOTE:**

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COMPLETE THIS PAGE

**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 area that variance(s) is/are being requested for showing relationship to property lines (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:

16th day of October 2007,  
 Notary Public, State of New York  
 Qualified in Orange County  
 Registration No. 01H06921312  
 Commission Expires January 31, 2007

Brentus W. Hodge  
 Signature and Stamp of Notary

Karen Jeffers  
 Owner's Signature (Notarized)

Karen Jeffers  
 Owner's Name (Please Print)

Applicant's Signature (If not Owner)

**PLEASE NOTE:**

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COMPLETE THIS PAGE

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Karen Jeffers, deposes and says that he resides  
(OWNER)  
at 33 Merline Ave. New Windsor in the County of Orange  
(OWNER'S ADDRESS)  
and State of New York and that he is the owner of property tax map  
(Sec.      Block      Lot     )  
designation number (Sec. 13 Block 12 Lot 17) which is the premises described in  
the foregoing application and that he authorizes:

\_\_\_\_\_  
(Applicant Name & Address, if different from owner)

Taconic Design Consultants

\_\_\_\_\_  
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: Oct 16, 2006

\*\*  
Karen Jeffers  
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:  
16th day of October 2006

BRUTUS W. HODGE  
Notary Public, State of New York  
Qualified in Orange County  
Registration No. 01HO6921312  
Commission Expires January 31, 2007

\_\_\_\_\_  
Applicant's Signature (If different than owner)

Brutus W. Hodge  
Signature and Stamp of Notary

\_\_\_\_\_  
Representative's Signature

**THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.**

**\*\* PLEASE NOTE:  
ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

COMPLETE THIS PAGE

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

**SHORT ENVIRONMENTAL ASSESSMENT FORM**

For UNLISTED ACTIONS Only

**PART I—PROJECT INFORMATION** (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <i>Karen Jeffers / Taconic Design</i>	2. PROJECT NAME
3. PROJECT LOCATION: Municipality <i>New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>33 Merline Avenue, New Windsor, SBL 13-12-17</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:  <i>4.77 ± sf addition to an existing residence</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>0.12</i> acres    Ultimately <i>0.12</i> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If yes, list agency(s) and permit/approvals  <i>New Windsor zoning board for Variance</i>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If yes, list agency name and permit/approval  <i>New Windsor Planning board building permit</i>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>Karen Jeffers</i>	Date: <i>10-16-06</i>
Signature: <i>Karen Jeffers</i>	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.  
 Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  
 Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: *none*

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: *none*

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: *none*

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: *none*

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: *none*

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: *none*

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: *none*

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
 Yes  No If Yes, explain briefly

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

\_\_\_\_\_  
 Name of Lead Agency

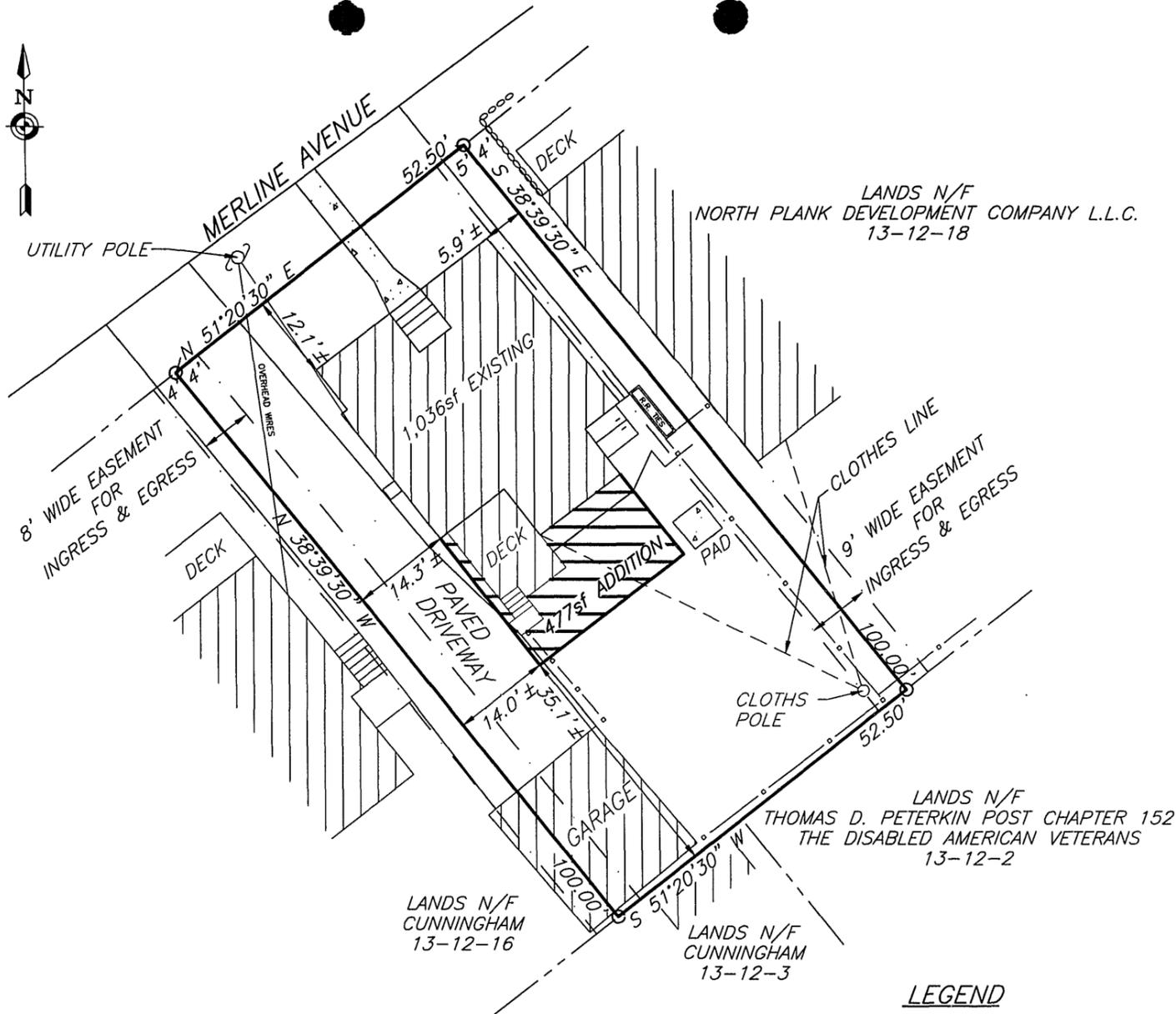
\_\_\_\_\_  
 Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
 Title of Responsible Officer

\_\_\_\_\_  
 Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
 Signature of Preparer (if different from responsible officer)

\_\_\_\_\_  
 Date



**ZONING SCHEDULE**

ZONE: R-4

	<u>REQUIRED</u>	<u>EXISTING</u>	<u>PROPOSED</u>
MINIMUM LOT AREA	43,560sf.	*5,250sf.	*5,250sf.
MINIMUM YARDS (feet)			
FRONT	45'	*12'	*12'
REAR	50'	*42'	**34.5'
SIDE			
ONE	20'	*6'	**6'
BOTH	40'	*20'	**20'
MINIMUM LOT WIDTH (feet)	125'	*53'	*53'
MAXIMUM DEVELOPMENT COVERAGE (%)	20%	47%	56%
MAXIMUM BUILDING HEIGHT	35'	20'	20'

\*= EXISTING NON-CONFORMING  
 \*\*= VARIANCE REQUIRED

**MAP REFERENCE**

ALL EXISTING FEATURE INCLUDING PROPERTY LINES AND STRUCTURES ARE A PER A SURVEY ENTITLED "KAREN JEFFERS" PREPARED BY WILLIAM B. HILDRETH LS., COMPLETED ON JULY 2006

**LEGEND**

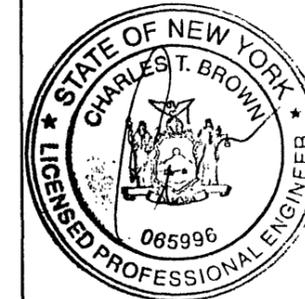
- PROPERTY LINE
- PROPERTY LINE ADJOINING
- EASEMENT EXISTING
- BUILDING EXISTING
- BUILDING EXISTING TO BE REMOVED
- BUILDING PROPOSED
- STOCKADE FENCE

REVISED 10/09/06: PER ZONING VARIANCE APPLICATION

**TACONIC DESIGN CONSULTANTS**

633 GIDNEY AVENUE  
 NEWBURGH, NY 12550  
 845-569-8400  
 845-569-4583 (fax)

ENGINEER



**CHARLES T. BROWN P.E.**  
**WILLIAM J. MOREAU, P.E.**

1 GARDNERTOWN ROAD  
 NEWBURGH, NY 12550  
 (845)-561-2582

SITE PLAN FOR:  
**JEFERS**

S.B.L:13-12-17,(LOTS 353& 354) "CITY PARK"  
 FM # 647, 33 MERLINE AVENUE  
 NEW WINDSOR ORANGE COUNTY, NEW YORK

DATE	SCALE	JOB NUMBER	SHEET NUMBER
08/14/06	1"=20'	06189-JEF	1 OF 1