

ZB# 07-02

Wellback Properties, Inc.

44-1-41.1

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 2-26-07

07-02
WELBACK PROPERTIES, INC.
(SIGN) 388 BLOOMING GROVE TPK
(44-1-41.1)

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 44-1-41.1

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

MEMORANDUM OF
DECISION GRANTING

LESLIE TOBACK (for Wellback Properties, Inc.)

SIGN

CASE #07-02
-----X

WHEREAS, LESLIE TOBACK (for Wellback Properties, Inc.), owner(s) of 388 Blooming Grove Turnpike, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for one (1) additional freestanding 48 sq. ft. sign at 388 Blooming Grove Tpk. in an NC Zone (44-1-41.1)

WHEREAS, a public hearing was held on February 26, 2007 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 commercial property located on a busy State Highway in an NC zone.
 - (b) Although the applicant seeks to erect the sign on its property, the sign is for the benefit of the commercial property immediately adjacent thereto. The sign will be far enough back from the roadway so that it will not interfere with the safe operation of motor vehicles on the adjacent highway, nor will it interfere with a motorist's vision on that highway.

- (c) In erecting the sign, the applicants will not be diverting the flow of water drainage nor creating the ponding or collection of water.
- (d) The sign will not be on top of, nor will it interfere with, any easements including, but not limited to, water or sewer easements.

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).

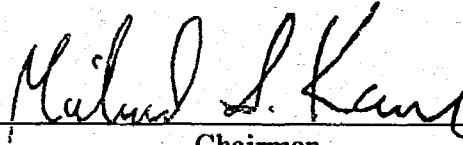
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a Request for one (1) additional freestanding 48 sq. ft. sign at 388 Blooming Grove Tpk. in an NC Zone (44-1-41.1) 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: February 26, 2007

A handwritten signature in black ink, appearing to read "Michael S. Kears", written over a horizontal line.

Chairman

**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: OCTOBER 4, 2007
SUBJECT: ESCROW REFUND

PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 369.60 TO CLOSE OUT ESCROW FOR:

ZBA FILE #07-02

NAME & ADDRESS:

**Wellback Properties, Inc.
1013 Forest Glen
New Windsor, NY 12553**

Check to 17 Oakwood Terrace LLC

Security enhanced document. See back for details.

	TOWN OF NEW WINDSOR TRUST AND AGENCY FUND 555 UNION AVE. NEW WINDSOR, NY 12553	4915
PAY TO THE ORDER OF	<i>17 Oakwood Terrace LLC</i>	DATE <i>10-23-07</i>
	TOWN OF NEW WINDSOR <i>369dol's 60cts</i>	\$ <i>369.60/100</i>
		DOLLARS
Bank of America ACH RT 021000322		<i>George A. Jean</i> <i>John Ferguson</i>
FOR <i>Refund ZBA #7-2</i>		
⑆004915⑆ ⑆021000322⑆ 005209000433⑆		



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



FILE #07-02 TYPE:SIGNTELEPHONE: 567-9898

APPLICANT:
Wellback Properties, Inc.
1013 Forest Glen
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>129</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: COMMERCIAL \$500.00 CHECK # 130



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

PRELIMINARY:	<u>4</u>	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: \$ 11.40

TOTAL: \$ 60.40 \$ 70.00



ESCROW POSTED: \$ 500.00
LESS: DISBURSEMENTS: \$ 130.40

AMOUNT DUE: \$ _____

REFUND DUE: \$ 369.60

Cc:

J.F. 10-04-07



RESULTS OF Z.B. MEETING OF: February 26, 2007

PROJECT: Wellback Prop. (Joback) ZBA # 07-02

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) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES
VARIANCE APPROVED: M) G S) LU VOTE: A 5 N 0.

GANN A
LUNDSTROM A
LOCEY A
TORPEY A
KANE A

CARRIED: Y _____ N _____

No public comment.

LESLIE_TOBACK_(FOR_WELLBACK_PROPERTIES,_INC.)_(07-02)

MR. KANE: Request for one additional freestanding 48 square foot sign at 388 Blooming Grove Turnpike.

Dr. and Mrs. Toback appeared before the board for this proposal.

MR. LUNDSTROM: If I may, Dr. Toback is a podiatrist for my mother, if the board would like me to recuse myself, I will.

MR. KANE: You feel you can be objective?

MR. LUNDSTROM: Yes.

MR. KANE: No problem. Thank you for clarifying. What you want to do, very similar to the preliminary, tell us what you want to do. Speak loud enough for that young lady to hear you.

MRS. TOBACK: I'm Leslie Toback, president of the Wellback Properties, Inc.

DR. TOBACK: Cliff Toback, vice president. And what we're proposing is a 4 foot by 6 foot freestanding sign on our property, it would be the second sign, the primary purpose for it is for Route 94 road frontage for the professional building behind us.

MR. KANE: The sign itself illuminated in any way?

MRS. TOBACK: No. It's on the corner of Route 94 and Oakwood.

MR. KANE: Not going to inhibit the view of any vehicles coming from either road?

MRS. TOBACK: No, we make a 4 x 6 board, plywood board sign there and took lots of pictures.

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DR. TOBACK: We made sure when you're coming out when you get to the stop sign it's before the stop sign so when you get to 94 you can see both ways, it doesn't hinder, we don't want it hindering our sign either so it's actually more on the property than towards 94.

MR. KANE: That's the approximate size of the sign that you're going to be putting?

DR. TOBACK: Yes, we had it down.

MRS. TOBACK: Yes.

MR. KANE: Now for the dumb questions. Not cutting down any trees, substantial vegetation in putting it up?

MRS. TOBACK: No.

MR. KANE: Creating any water hazards or runoffs?

MRS. TOBACK: No.

MR. KANE: Sign isn't going on any easements?

MRS. TOBACK: No.

MR. KANE: Okay, any quick questions? At this point, I will ask if there's anybody in the audience for this particular hearing? Don't believe there is, so we'll close, open and close the public portion of the hearing and ask Myra how many mailings we had?

MS. MASON: On February 13, I mailed out 43 envelopes and had no response.

MR. KANE: Any further questions? I'll accept a motion.

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MS. GANN: I'll make a motion that we grant Leslie Toback's request for one additional freestanding sign at the address stated on the Town of New Windsor Zoning Board of Appeals agenda for February 26, 2007.

MR. LUNDSTROM: I'll second that motion.

ROLL CALL

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

MR. KANE: Motion to adjourn?

MR. LUNDSTROM: So moved.

MS. GANN: Second it.

ROLL CALL

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

January 8, 2007

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LESLIE_TOBACK_(FOR_WELLBACK_PROPERTIES,_INC.)_(07-02)

Dr. and Mrs. Cliff Toback appeared before the board for this proposal.

MR. KANE: Request for one (1) additional freestanding 48 sq. ft. sign at 388 Blooming Grove Turnpike.

DR. TOBACK: That's correct, it's 24 square feet, I made a mistake in my calculations.

MR. KANE: For an additional 24 square foot sign, so it is going to be, Mike, do we cover both sides of sign with the 48, is that why it might be written up that way? I just want to make sure.

MR. BABCOCK: Yes, it's two sided so it's 48 square feet total.

MR. KANE: That's how they write it up.

MS. TOBACK: I'm Leslie, just so you know, I'm president, this is Cliff Toback, vice president of the corporation that owns the lot. This is Mr. Gerald Crisberg (phonetic.)

MR. CRISBERG: We built the building alongside the Tobacks' building and they're on 94 so we're looking for a sign out on 94.

MR. KANE: Okay, tell us exactly what you want to do.

DR. TOBACK: We want to put a sign on our property because they did build a professional building, they did a very nice job right behind us and due to the traffic as you're going down 94 you wouldn't know when to turn to get to this professional building. So we want to put something on our property saying whatever the name of their building will be, you know, an arrow showing the direction to their lot, to their

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professional building so people know where it is.

MR. CRISBERG: That's the building we built on Oakwood Terrace.

MR. KANE: The sign itself you're proposing to put about 15, is that 10 feet or--

MS. TOBACK: Approximately from the curb, there's a curb that the town owns and that our property lot is two feet in from that and then it would be in I think which way from Oakwood?

MR. KANE: From Oakwood 10 feet.

MS. TOBACK: Ten feet from the road.

MR. KANE: We'll go by that, and on the other side you're going to be 14 feet approximately from 94?

MS. TOBACK: There's a grassy area between us and then our lot.

MR. KANE: And the existing sign is over here?

DR. TOBACK: Correct.

MR. KANE: Will the sign impede the vision of any traffic coming down from Oakwood Terrace or 94?

DR. TOBACK: No, I looked at that already.

MS. TOBACK: We had a mock 4 x 6 sign made up and placed there and checked it to, we also don't want it blocking our sign, so we checked it. I drove up and down both ways, we turned, we went to the stop sign, it doesn't seem as if it would block anything.

MR. KANE: From the pictures that I was looking at, the pictures are good, so we have them for the public

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hearing. The sign illuminated in any way?

MS. TOBACK: No.

MR. KANE: So no internal illumination, no nighttime illumination whatsoever?

DR. TOBACK: No.

MR. LUNSTROM: The sign that's currently there, what's the size of that, height and width?

MS. TOBACK: I don't know, I'd have to check our C.O. on that.

MR. KANE: I think it's permitted 164 square foot sign so already exists but that doesn't mean it's that size.

MR. CRISBERG: This is the sign that's there?

MR. LUNSTROM: Yeah.

MS. TOBACK: I don't know the dimensions, I'd have to look at my C.O.

MR. CRISBERG: I think it's 6 x 10.

MS. TOBACK: I think it's a little wider than 6.

MR. KANE: Both building are on the same property?

DR. TOBACK: No.

MS. TOBACK: No.

DR. TOBACK: But putting the sign on our property so they know where they turn. They're going to end up coming to ours and--

MR. KANE: And you'll be handing out maps.

January 8, 2007

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DR. TOBACK: Yes.

MR. CRISBERG: We call our building 17 Oakwood Terrace and that's what the sign probably will be with an arrow.

MR. KANE: Any further questions? So you guys know, we have already received two letters from neighbors with no objections whatsoever but that we'll bring into the record in the public portion of the hearing. Any further question, guys? I'll accept a motion.

MR. LUNSTROM: I will make a motion that Dr. and Leslie Toback's application as presented on the agenda be allowed to go forward to a public hearing.

MS. LOCEY: I'll second that motion.

ROLL CALL

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

17 AKWOOD TERRACE

**AVAILABLE FOR RENT
PROFESSIONAL SPACE**

7567 sq. foot building

Approximately 1800 sq. foot minimum

4 units possible

Fully sprinkled

Parking for 51 vehicles

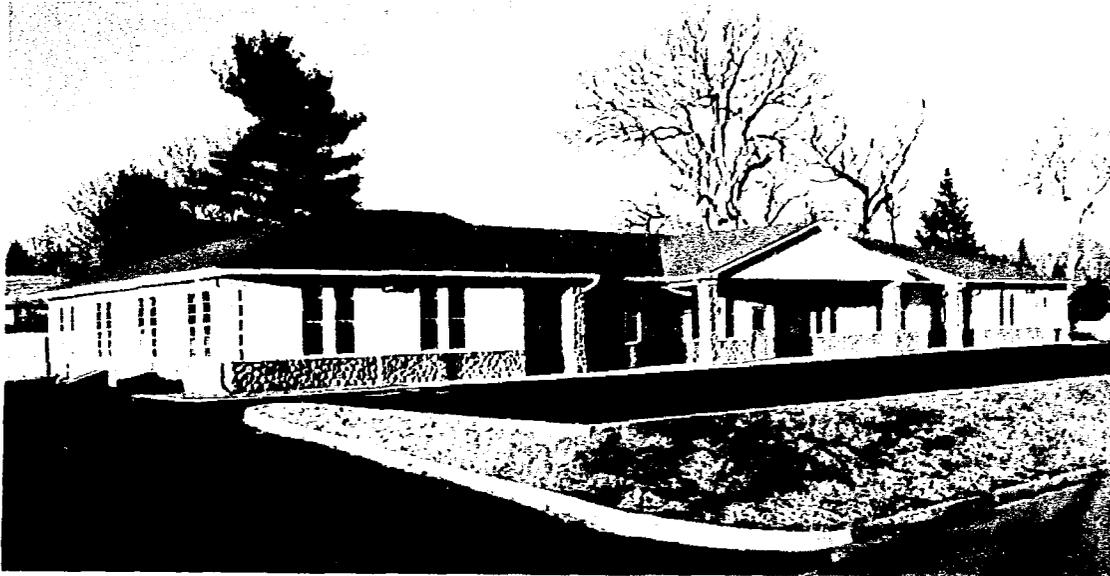
Exterior site lighting

Easy access from Rt. 94 and minutes from 9W

Built on 3' crawl space so custom finish will not be a problem

Town sewer and water

200 Amp electric services



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:

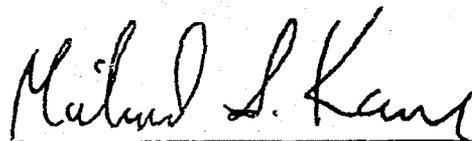
Appeal No. 07-02

Request of LESLIE TOBACK (for Wellback Properties, Inc.)

for a VARIANCE of the Zoning Local Law to Permit:

Request for one (1) additional freestanding 48 sq. ft. sign at 388 Blooming Grove Tpk. in an NC Zone (44-1-41.1)

PUBLIC HEARING will take place on FEBRUARY 26, 2007
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.



Michael Kane, Chairman



1763

Town of New Windsor

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

Assessors Office

January 24, 2007

Wellback Properties, Inc.
1013 Forest Glenn
New Windsor, NY 12553

Re: 44-1-41.1 ZBA#: 07-02 (43)

Dear Wellback Properties:

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 \$65.00 minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/rah
Attachments

CC: Myra Mason, Zoning Board

37-1-53
VSH REALTY INC.
777 DEDHAM ST.
CANTON, MASS. 02021

37-1-54
FORGE HILL GARDENS
C/O GARNET MANAGEMENT
131 JERICHO TPKE. STE 105
JERICHO, NY 11753

43-1-32
JOHN & CARYN MELE
11 ST. ANNE DR.
NEW WINDSOR, NY 12553

43-1-33
PATRICIA CAMACHO
9 ST. ANNE DR.
NEW WINDSOR, NY 12553

43-1-34
STEPHEN LITTIER
7 ST. ANNE DR.
NEW WINDSOR, NY 12553

43-1-35
WICKLINE LIFE EST.
5 ST. ANNE DR.
NEW WINDSOR, NY 12553

43-1-36
JAMES & DORALIES WRIGHT
3 ST. ANNE DR.
NEW WINDSOR, NY 12553

43-1-37
JUAN & LUZ MORALES
1 ST. ANNE DR.
NEW WINDSOR, NY 12553

43-1-38,43-1-41
LUIS ALDEBOT &
GRACE PANELLA
2 HEARTHSTONE WAY
NEW WINDSOR, NY 12553

43-1-39
GRACE PANELLA TRUST
CELIA PANELLA
2 HEARTHSTONE WAY
NEW WINDSOR, NY 12553

43-1-40
KR 412, LLC
412 BLOOMING GROVE TPKE.
NEW WINDSOR, NY 12553

43-1-42
LINDA DINEEN
4 HEARTHSTONE WAY
NEW WINDSOR, NY 12553

43-1-43
ROBERT & ANDREA MURPHY
6 HEARTHSTONE WAY
NEW WINDSOR, NY 12553

43-1-44
JAMES ELY
8 HEARTHSTONE WAY
NEW WINDSOR, NY 12553

43-1-45
PATRICIA MANGAN & KENNETH
STONG
10 HEARTHSTONE WAY
NEW WINDSOR, NY 12553

44-1-14
UPSTATE PROP. USA LLC
199 LEE AVE. STE. 277
BROOKLYN, NY 11211

44-1-37.1
OAKWOOD TERRACE
ATTN: JIM MCKILLOP RES.
367 WINDSOR HIGHWAY
NEW WINDSOR, NY 12553

44-1-38.1
JOHN O'CONNOR
PO. BOX 4078
NEW WINDSOR, NY 12553

44-1-39
OAKWOOD MALL INC
C/O VICTOR MEISELS
4 FILLMORE CT. #301
MONROE, NY 10950

44-1-41.2
17 OAKWOOD TERR. LLC
207 LAKE DR.
NEWBURGH, NY 12550

44-1-42
STONE WINDSOR REALTY
400 BLOOMING GROVE TPKE.
NEW WINDSOR, NY 12553

44-1-43
MIRO KRIL &
JO ANN POQUETTE
2 ST. ANNE DR.
NEW WINDSOR, NY 12553

44-1-44
KEVIN & LISA HORAN
4 ST. ANNE DR.
NEW WINDSOR, NY 12553

44-1-45
JOHN FROST
6 ST. ANNE DR.
NEW WINDSOR, NY 12553

44-147.1
STEPHEN &
JULIE MCCULLOUGH
863 LIGHTHOUSE AVE
PACIFIC GROVE, CA 93950

44-1-47.2
MARVIN & ANDREA WARNER
26 OAKWOOD TERRACE
NEW WINDSOR, NY 12553

44-1-49
ANN MARIE THOMPSON
8 ST. ANNE DR.
NEW WINDSOR, NY 12553

44-1-50
MICHAEL &
BENEVENUTA GROGAN
10 ST. ANNE DR.
NEW WINDSOR, NY 12553

44-1-51
ANDRES, ARLOTTA &
SIXTO REYES
2 JUDD CIRCLE
NEW WINDSOR, NY 12553

44-1-52
DAVID & COURTNEY SAGALA
4 JUDD CIRCLE
NEW WINDSOR, NY 12553

47-1-1
MICHELE R. VEGA
339 BLOOMING GROVE TPKE.
NEW WINDSOR, NY 12553

47-1-13
MATTHEW BROWER HUNT
C/O BANK OF NY
1 WALL ST. 5TH FLOOR
NEW YORK, NY 10286

47-1-2
JEANDAHLIN &
FRANK CARIONE LIFE EST.
PO BOX 508
VAILS GATE, NY 12584

47-1-14
DWAYNE BELL
190 CAESARS LANE
NEW WINDSOR, NY 12553

47-1-3
SHARI, PRIMCHAN &
KAVITA MOHAN
329 BLOOMING GROVE TPKE.
NEW WINDSOR, NY 12553

47-1-15
ALFRED &
MARGARET PALUMBO
186 CAESARS LN.
NEW WINDSOR, NY 12553

47-1-4
PETER &
ELIZABETH MULLARKEY
325 BLOOMING GROVE TPKE.
NEW WINDSOR, NY 12553

47-1-5
SEBASTIAN, KUTTY &
GRACE VARGHESE
323 BLOOMING GROVE TPKE.
NEW WINDSOR, NY 12553

47-1-6
SAM POLICANO JR.
319 BLOOMING GROVE TPKE.
NEW WINDSOR, NY 12553

47-1-7
JOHN & BARBARA TABASCO
315 BLOOMING GROVE TPKE.
NEW WINDSOR, NY 12553

47-1-10
RICHARD SR. &
SOMPORN TOOMBS
9 BUTTONWOOD DR.
NEW WINDSOR, NY 12553

47-1-11
DONALD &
BETTY MARY MAZZOCKI
7 BUTTONWOOD DR.
NEW WINDSOR, NY 12553

47-1-12
THOMAS ABBRUSCATO
32 MEMORIAL DR.
NEWBURGH, NY 12550



RESULTS OF Z.B. MEETING OF: January 8, 2007

PROJECT: Leslie Toback ZBA # 0702
P.B.# _____

USE VARIANCE: NEED: EAF PROXY _____

LEAD AGENCY: 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 _____

NEGATIVE DEC: 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) Lu S) Lo VOTE: A _____ N _____



~~GANN~~ GANN A
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 _____

Large empty rectangular box with horizontal lines, likely for additional notes or signatures.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 01-04-07

FOR: ESCROW 07-01

FROM:
Wellback Properties, Inc.
1013 Forest Glen
New Windsor, NY 12553

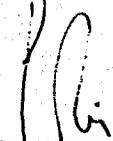
CHECK FROM:
SAME

CHECK NUMBER: 130

TELEPHONE: 567-9898

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

1-8-07
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 11/21/06

APPLICANT: Wellback Properties Inc.
1043 Forest Glen
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 11/7/06

FOR : Wellback Properties

LOCATED AT: 388 Blooming Gorge Turnpike

ZONE: NC Sec/ Blk/ Lot: 44-1-41.1

DESCRIPTION OF EXISTING SITE: Existing retail/office space

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-45 Permitted accessory signs—Nonresidential district NC zone. One freestanding sign 64sqft total permitted. Proposed second freestanding 48sqft sign will require a variance.

COPY


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: NC USE:

SIGN:

FREESTANDING: 1-64sqft

1-64sqft (already exists)
1-48sqft

1-Additional
48sqft sign

HEIGHT:

WIDTH:

WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

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

*mailed
out
on
12/9/06*

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT

MUST CALL FOR ALL REQUIRED INSPECTIONS OF CLERK'S OFFICE

1 / Oakwood
Terrace - sign

Changed
the size
of the
sign

those listed below must be made or Certificates of Occupancy may be withheld. Do not mistake
has an inspection report is left on the job indicating approval of one of these inspections it has
at point in the work. Any disapproved work must be re-inspected after correction.

re in place (before pouring)
ring and footing drains.
ceramic plumbing.
before being covered.

NOV 07 2006

on hand electrical inspection data and final certified plot plan. Building is to be
and engineer's certification letter for septic system required.
Highway Superintendent. A driveway bond may be required.
ation when.
schedule inspection.
board is posted.
ing permits for new houses.
drawing and pass test.

FOR OFFICE USE ONLY:
Building Permit #: _____

14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.
Clark's office.

**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 Wellback Properties, Inc.

Address 1013 Forest Glen Phone # 567-9898

Mailing Address New Windsor, NY 12553 Fax # 567-9898

Name of Architect N/A

Address _____ Phone _____

Name of Contractor Apprenticed contractors

Address 207 Lake Drive Nbg Phone 562-5090

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

If applicant is a corporation, signature of duly authorized officer Josiah Q. Soback, President
(Name and title of corporate officer)

1. On what street is property located? On the South side of Oakwood Terrace
(N, S, E or W)
and approx. 15 feet from the intersection of Rt 94

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

3. Tax Map Description: Section 44 Block 1 Lot 41.1

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy professional offices b. Intended use and occupancy same

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

6. Is this a corner lot? YES

7. Dimensions of entire new construction. Front 4' Rear 6' Depth 6" Height 6' No. of stories N/A

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms N/A Baths _____ Toilets _____ Heating Plant Gas _____ Oil _____
Electrical Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use new sign - professional
additional sign for lot - providing signage for new building adjacent to lot.

10. Estimated cost \$1,500- Fee _____

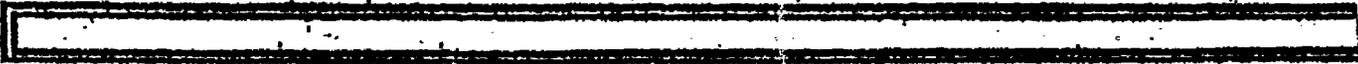
11 7 06

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 Kryshew
New Windsor Town Hall
855 Union Avenue
New Windsor, New York 12553
(845) 863-4818
(845) 863-4886 FAX

Blg 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.

Leah A. Soback
(Signature of Applicant)

1013 Forest Glen, New Windsor, NY 12553
(Address of Applicant)

* Leah A. Soback

SAME

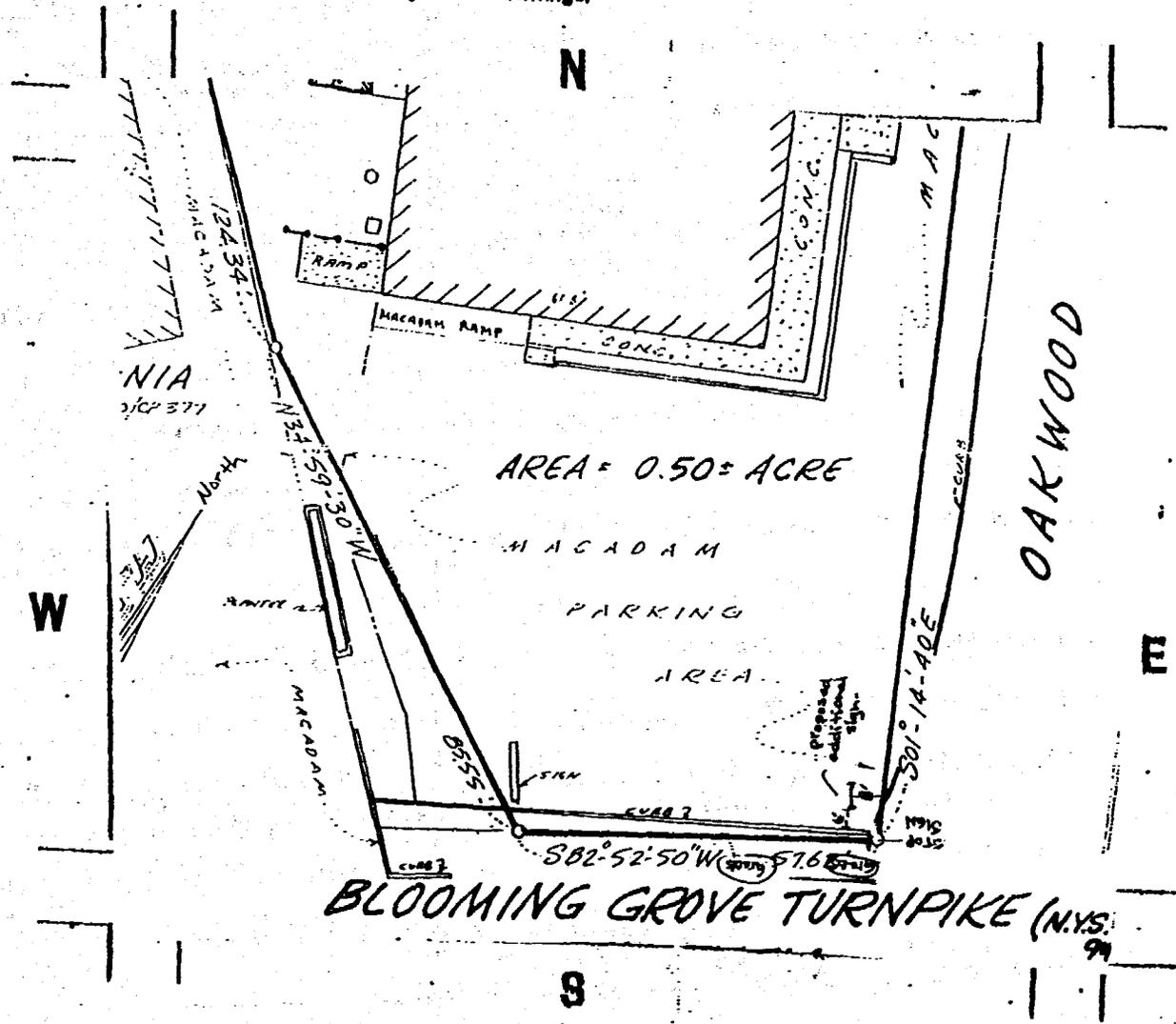
(Owner's Signature)

PLOT PLAN

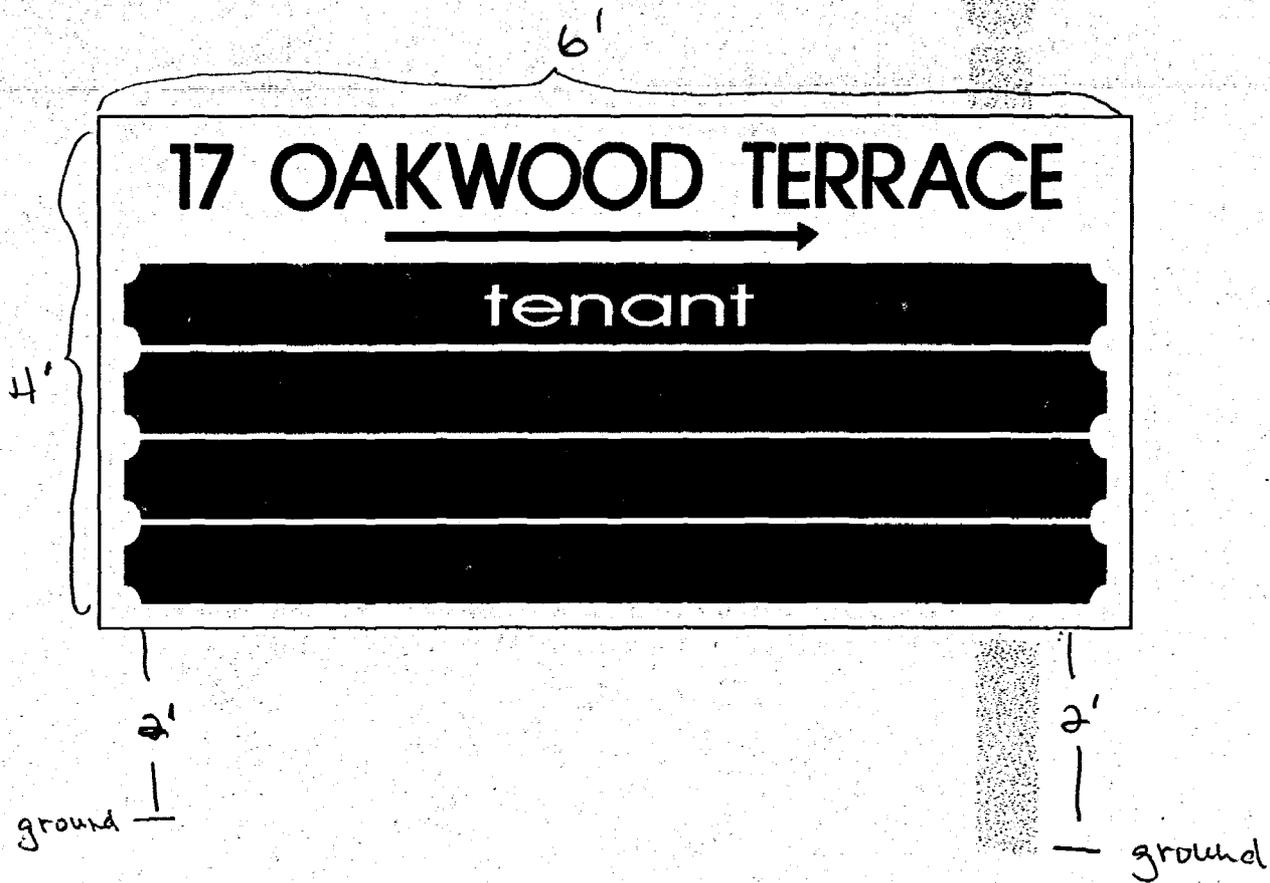
(Owner's Address)

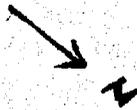
NOTE:

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

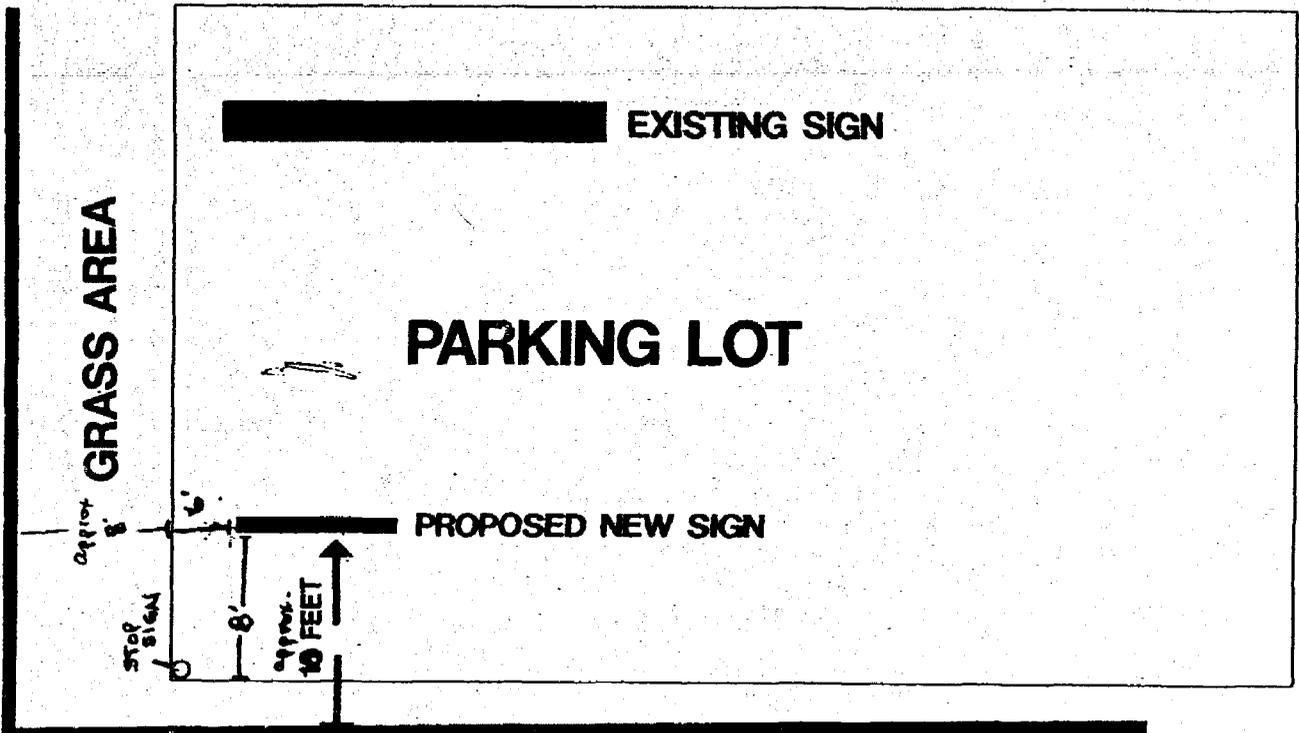


PROPOSED NEW SIGN





RT. 94



OAKWOOD TERRACE

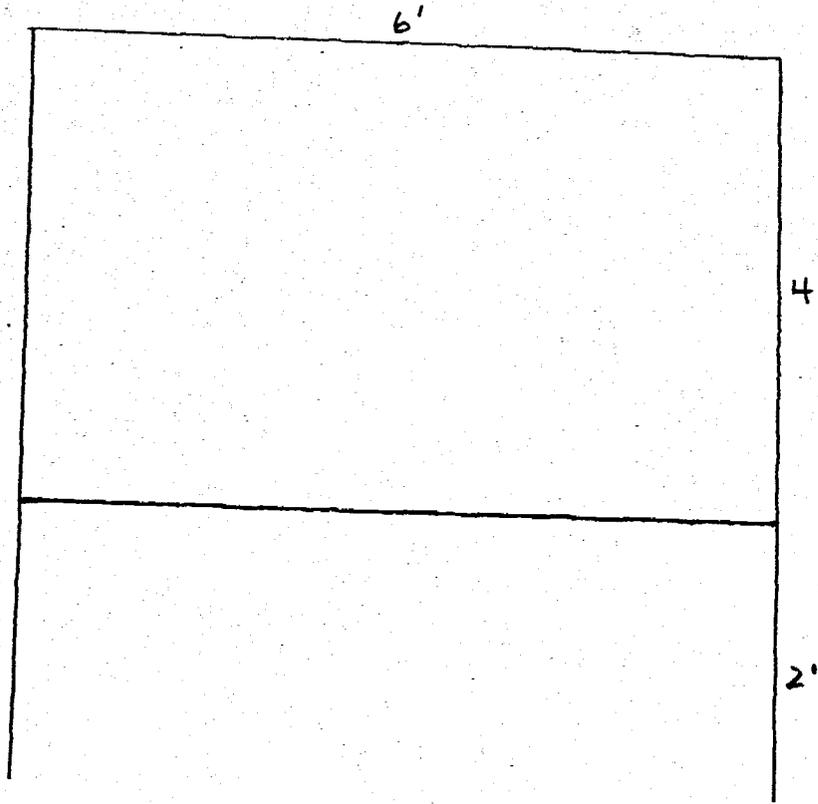
NOT TO SCALE

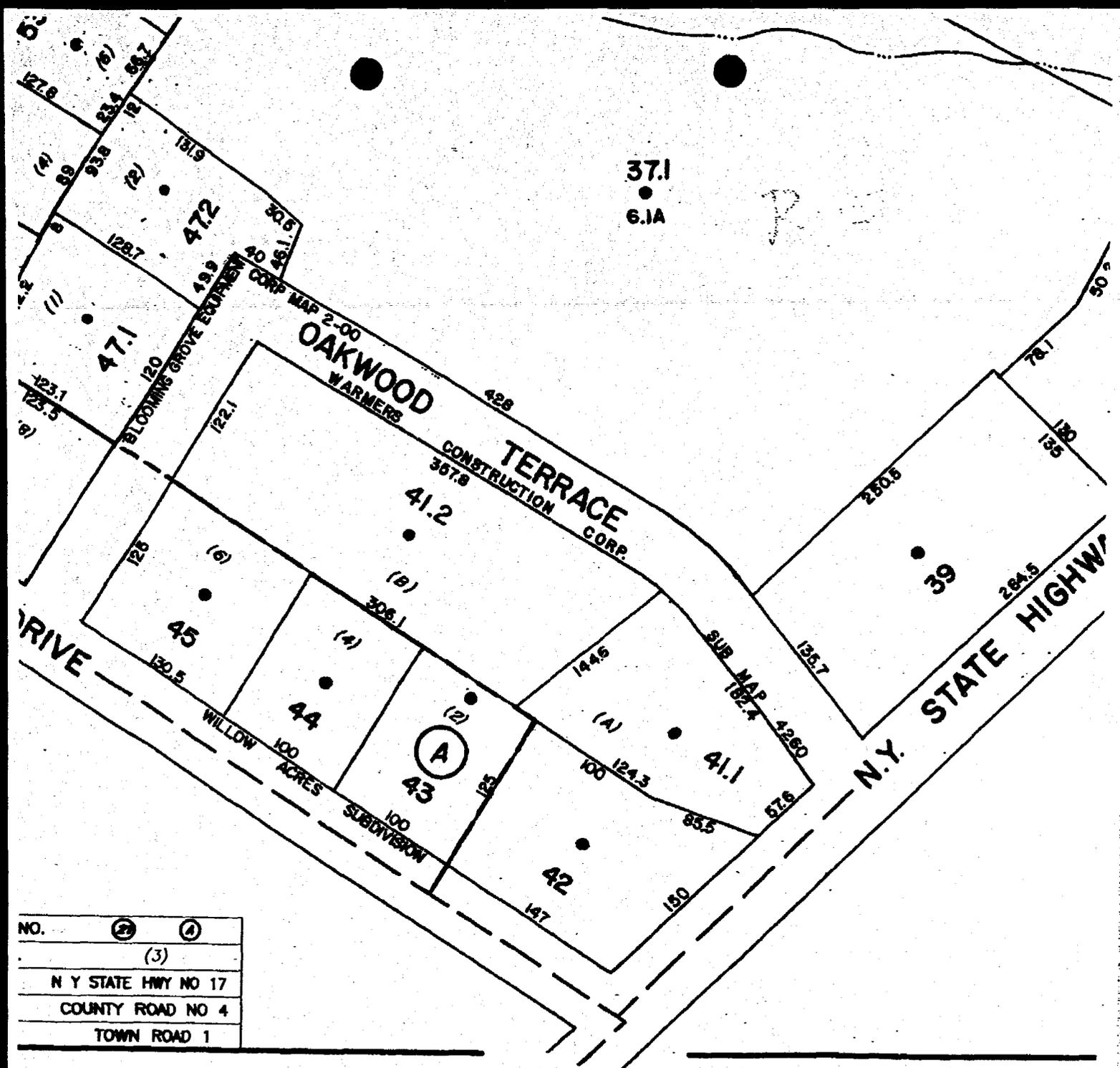
Wellback Properties, Inc.

Sign application

lot 44-1-41.1

proposed sign (not to scale)





NO.	(2)	(4)
	(3)	
N Y STATE HWY NO 17		
COUNTY ROAD NO 4		
TOWN ROAD 1		

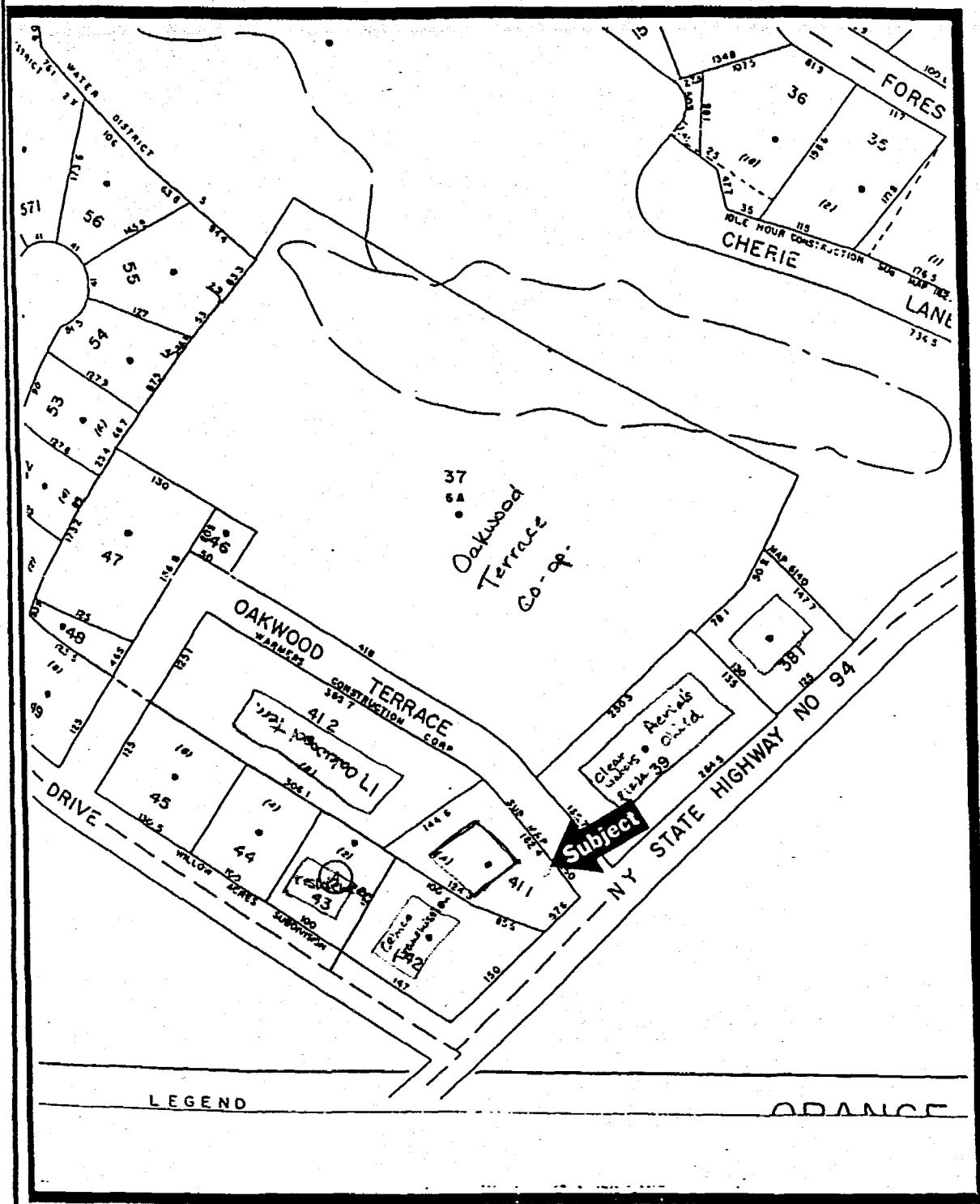
COMMERCIAL PURPOSES
ONLY
EVIDENCE

ORANGE COUNTY

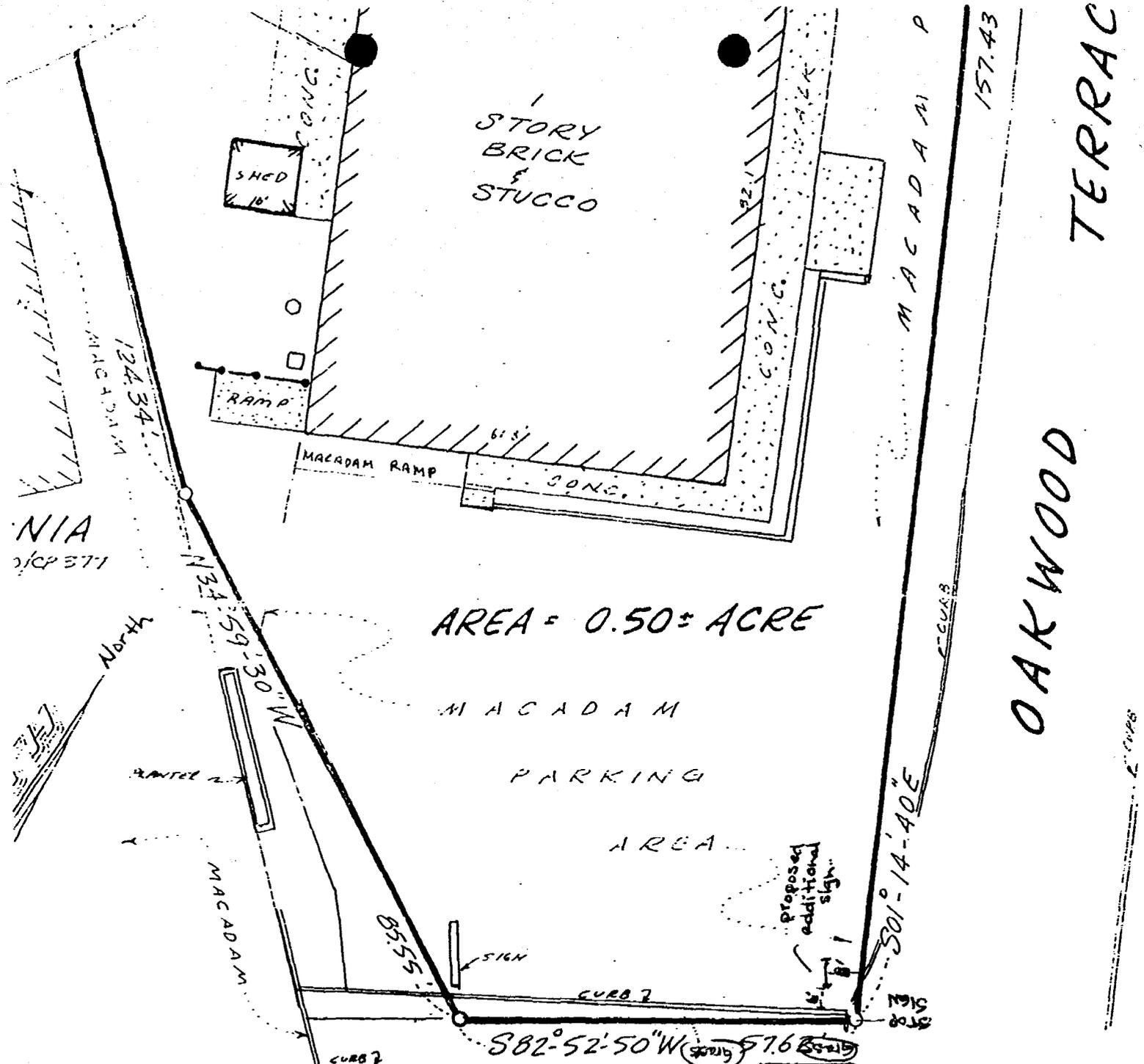
Date of Map 9-24-67

Scale 1" = 100

Date of Map



Assessor's Map



BLOOMING GROVE TURNPIKE (N.Y.S. R. 94)
MAP OF SURVEY
OF PARCEL A ON A MAP ENTITLED

' SUBDIVISION, LANDS OF WARMERS CONSTRUCTION CORP

IN OF NEW WINDSOR REVISED: ORANGE COUNTY, NY
 SCALE: 1" = 20' APRIL 22, 1999

IS HEREBY CERTIFIED THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS INC.

**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:

A second free-standing sign is being requested on this lot to be used by the professional building being constructed on an adjacent lot, at 17 Oakwood Terrace. It would benefit the health, safety and welfare of the neighborhood as it would allow clients of that building to know where to safely turn off busy Route 94 onto Oakwood Terrace, so they may slow down and signal their intent without the turn suddenly upon them. The neighbor is mostly commercial in nature, so the sign would not be an undesirable change to the neighborhood. The other free standing sign already on this lot is at the corner opposite the turn from Route 94 onto Oakwood Terrace. It is too far away from the corner to be an acceptable location to indicate the new building. The sign requested is 4 feet by 6 feet. Given the speed limit on Route 94 of 40 mph, this size is able to be seen in time for motorists to be aware of the turn with sufficient time to indicate their intention.

PLEASE NOTE:

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

**OWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

X. SIGN VARIANCE:

- (a) Variance requested from New Windsor Zoning Local Law, Section 300 - 45, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	<u>existing</u>		
Sign #2	<u>1 - 64 sq. ft.</u>	<u>48 sq. ft.</u>	<u>48 sq. ft.</u>
Sign #3			
Sign #4			

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

Request an additional free-standing sign
to allow adjacent professional building a
main road-front sign.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs 164 ?

XI. INTERPRETATION:

- (a) Interpretation requested of New Windsor Zoning Local Law, Section 300 - 45

- (b) Describe in detail the proposal before the Board:

A new professional building is being built
in the lot adjacent to this lot, at Oakwood
Terrace. Route 94 is the main cross-road. This
new free standing sign is for their use, as it
allows them a main road-front sign so their clients
know where to turn.

**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 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:

19 day of December 2006,

Leslie A. Toback
Owner's Signature (Notarized)

Mary Cranker
Notary Public, State of New York
No. 01CR6123574
Qualified in Orange County
My Commission Expires March 7, 2009

Leslie A. Toback
Owner's Name (Please Print)

Mary Cranker
Signature and Stamp of Notary

Applicant's Signature (If not Owner)

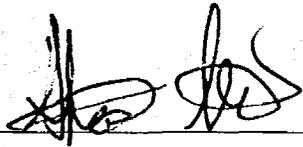
**PLEASE NOTE:
THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

17 OAKWOOD TERRACE, LLC.
207 LAKE DRIVE
NEWBURGH, NY 12550
(845) 562-5090
(845) 562-0304 FAX

December 20, 2006

I have no problem with 17 Oakwood Terrace, LLC erecting an additional sign subject to the Town, on the Wellback property.

400 Blooming Grove.

A handwritten signature in black ink, appearing to read "Shawn White", written over a horizontal line.

Shawn White
New Windsor Realty

17 OAKWOOD TERRACE, LLC.
207 LAKE DRIVE
NEWBURGH, NY 12550
(845) 562-5090
(845) 562-0304 FAX

December 20, 2006

I have no problem with 17 Oakwood Terrace, LLC erecting an additional sign, subject to the Town, on the Wellback property.

A handwritten signature in black ink, appearing to be "John", written over a horizontal line.

PRESIDENT CLEARWATER PIZZERIA



TOWN OF NEW WINDSOR

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



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 (PRELIMINARY) 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). BRING ENOUGH ENVELOPES PREPARED WITH YOUR RETURN ADDRESS AND A REGULAR \$.39 STAMP WITH YOU....**YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.**
3. WHEN YOU COME IN TO PICK UP YOUR LIST, **ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL.** YOU WILL BE GIVEN ENOUGH "NOTICES OF PUBLIC HEARING" TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
4. **BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.**

NOTE:

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

PAGE 2

READ THIS PAGE CAREFULLY

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 Wellback Properties, Inc.	2. PROJECT NAME additional sign
3. PROJECT LOCATION: Municipality New Windsor, NY County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 388 Blooming Grove Turnpike (Rt 94) Corner of route 94 and Oakwood Terrace.	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Sign to allow clients of adjacent property to know when to turn.	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres (sign: 4' x 6')	
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 additional free standing sign, 1 allowed.	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: Professional building	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
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: Leslie A. Toback, President	Date: 12/20/06
Signature: <u>Leslie A. Toback</u>	

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

OVER

1

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:
No.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
No.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
No.

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:
No.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.
No.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.
No.

C7. Other Impacts (including changes in use of either quantity or type of energy)? Explain briefly.
No.

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

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

RECEIPT
#16-2007

01/08/2007

17 Oakwood Terrace LLC
207 Lake Drive
Newburgh, NY 12550

Received \$ 150.00 for Zoning Board Fees, on 01/08/2007. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

2BA # 07-02