

**ZB# 07-43**

**Vanessa Gillmeier**

**18-3-12**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
Granted 18-22-07

07-43

Vanessa Gillmeier  
112 Cedar Ave.  
(18-3-12)



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

MEMORANDUM OF  
DECISION GRANTING

**ANTHONY & VANESSA GILLMEIER**

**AREA**

CASE #07-43  
-----X

**WHEREAS, Mr. Anthony Gillmeier**, owner(s) of 112 Cedar Avenue, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 4.5ft side yard setback and; 6ft rear yard setback for existing shed at 112 Cedar Avenue in an R-4 zone (18-3-12)

**WHEREAS**, a public hearing was held on October 22, 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 residential property located in a neighborhood of residential properties in an R-4 zone.
  - (b) The topography of the premises makes location of the shed, other than in its present location, infeasible.
  - (c) In construction of the shed, the applicant did not remove any trees or substantial vegetation.

- (d) The shed, was not built on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements
- (e) In the construction of the shed, the applicant did not create the ponding or collection of water or divert the flow of water drainage.
- (f) The shed is similar in size and nature to other sheds in the neighborhood.
- (g) Since the shed has been constructed, there have been no complaints, either formal or informal, about the shed.
- (h) When the shed was originally constructed, the applicant was erroneously advised that it was placed properly.

**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).

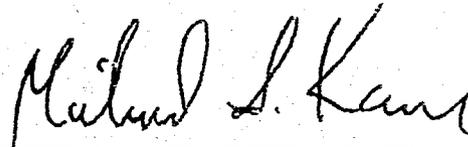
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a ) Request for 4.5ft side yard setback and; 6ft rear yard setback for existing shed at 112 Cedar Avenue in an R-4 zone (18-3-12) 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: October 22, 2007



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Chairman

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

**MEMORANDUM**

**TO: JACK FINNEGAN, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: 12-28-07**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 181.13 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #07-43**

**NAME & ADDRESS:**

**Vanessa Gillmeier  
112 Cedar Avenue  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**J.F.12-28-07**



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



FILE #07-43      TYPE:AREA      TELEPHONE: 845-569-4167

APPLICANT:  
Vanessa Gillmeier  
112 Cedar Avenue  
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK #1379
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:            RESIDENTIAL \$300.00            CHECK #1380



<u>DISBURSEMENTS:</u>		<u>MINUTES</u>	<u>ATTORNEY</u>
		<u>\$7.00 / PAGE</u>	<u>FEE</u>
PRELIMINARY:	<u>2</u> PAGES	\$ <u>14.00</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	<u>   </u> PAGES	\$ <u>      </u>	\$ <u>      </u>
PUBLIC HEARING:	<u>3</u> PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	<u>   </u> PAGES	\$ <u>      </u>	\$ <u>      </u>

LEGAL AD: Publish Date:10-12-07            \$ 13.87

TOTAL:            \$ 48.87            \$ 70.00



ESCROW POSTED:            \$ 300.00  
LESS: DISBURSEMENTS:    \$ 118.87

AMOUNT DUE:              \$       

REFUND DUE:              \$ 181.13

Cc:

L.R. \_\_\_\_\_

October 22, 2007

28

PUBLIC HEARINGS:

ANTHONY\_GILLMEIER\_(07-43)

MR. KANE: Request for 4.5 foot side yard setback and 6 foot rear yard setback for existing shed at 112 Cedar Avenue.

Mr. Anthony Gillmeier appeared before the board for proposal.

MR. GILLMEIER: Good evening, ladies and gentlemen of the board, Anthony Gillmeier, 112 Cedar Avenue, New Windsor requesting as you mentioned the setback for the 4 1/2 foot side and 6 foot rear setback for existing shed. I was here as part of the preliminary, you have all the pictures. Any questions? I'm not sure what I should do.

MR. KANE: Again, cut down any trees, substantial vegetation?

MR. GILLMEIER: No.

MR. KANE: Create any water hazards or runoffs?

MR. GILLMEIER: No.

MR. KANE: Any easements running through where the deck is located?

MR. GILLMEIER: No.

MR. KANE: The shed rather. Shed's similar in size and nature to other sheds in your neighborhood?

MR. GILLMEIER: Yes.

MR. KANE: How long has the shed been existing?

October 22, 2007

29

MR. GILLMEIER: Four years or so.

MR. KANE: Has there been any complaints formally or informally about the shed?

MR. GILLMEIER: There have not.

MR. KANE: And you understand that if it does pass you still need to meet all the building department's requirements for the shed if it does pass?

MR. GILLMEIER: I am.

MR. KANE: And obviously the shed is up on blocks?

MR. GILLMEIER: It's up on the appropriate blocks and Item 4.

MR. KANE: Would you consider it a hardship to move the shed into an area that doesn't require a variance?

MR. GILLMEIER: Yes, because otherwise I'd have done that rather than go through this process, all due respect. That's what my real estate agent said, just move it. I said well, I'd rather not.

MR. KRIEGER: Why not other than the difficulty of an expense of moving it but why was it put there as opposed to--

MR. GILLMEIER: It was my understanding that I needed to be three foot off of my property line, so I was misinformed as to where it needed to be. And I obviously provided more than enough clearance of three foot believing that was in fact the right number and I was told that by someone who actually I thought knew what they were talking about so that's two errors.

MR. KANE: Anybody in the audience for this particular hearing? Seeing as there's not, I will ask Myra, we'll

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open and close the public portion, ask Myra how many mailings we had.

MS. MASON: On the 9th day of October, I mailed out 64 addressed envelopes and had none returned.

MR. KANE: Bring it back to the board. Any further questions from the board?

MR. TORPEY: No.

MR. KANE: I'll accept a motion.

MS. GANN: I will offer a motion that we grant the variance for Anthony Gillmeier's request for 4.5 foot side yard setback and 6 foot rear yard setback for existing shed.

MR. TORPEY: I'll second that.

ROLL CALL

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



RESULTS OF Z.B.A. MEETING OF: October 32, 2007

PROJECT: Anthony Hillmeier ZBA # 07-43  
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) \_\_\_\_\_ 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) I VOTE: A4 N0.

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

CARRIED: Y ✓ N \_\_\_\_\_



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

**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. 07-43  
Request of ANTHONY GILLMEIER for a VARIANCE of the Zoning Local Law to Permit:  
Request for 4.5ft side yard setback and 6ft rear yard setback for existing shed at 112 Cedar Avenue in an R-4 zone (18-3-12)  
PUBLIC HEARING will take place on OCTOBER 22, 2007 at the New Windsor Town Hall 555 Union Avenue New Windsor, New York beginning at 7:30 P.M.  
Michael Kane, Chairman

13.87

State of New York  
County of Orange, ss:  
Kathleen O'Brien 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, 1 time (s) commencing on

the 12th day of Oct. A.D., 2007 and ending on the 12th day of Oct. A.D. 2007

Kathleen O'Brien  
Subscribed and shown to before me this 23<sup>rd</sup> day of Oct., 2007.

Deborah Green  
Notary Public of the State of New York  
County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
#4984065  
Commission Expires July 15, 2011

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



# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

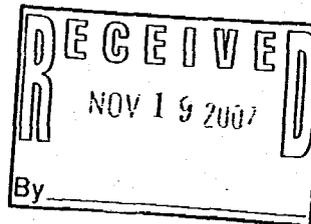
## Invoice

Date	Invoice #
10/29/2007	919

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

P.O. No.	Terms	Project

Issue Date	Description	Rate	Amount
10/23/2007	LEGAL ADS: PHN - VERDIGLIONE 07-50 ✓ 1 AFFIDAVIT	10.66 4.00	10.66 4.00
10/23/2007	LEGAL ADS: EDWARDS 07-55 1 AFFIDAVIT	11.06 4.00	11.06 4.00
<b>Total</b>			\$29.72



**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. (07-50)

Request of DONNA VERDIGLIONE

for a VARIANCE of the Zoning Local Law to Permit:

Request for 20 ft. Rear Yard Setback for existing 10 ft. X 20 ft. screen room at 34 Knox Drive in an R-4 Zone (6-4-11)

PUBLIC HEARING will take place on NOVEMBER 5, 2007 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 PM.

Michael Kane, Chairman

State of New York  
County of Orange, ss:

Kathleen O'Brien 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, 1 time (s) commencing on the 23rd day of Oct. A.D., 2007 and ending on the 23rd day of Oct. A.D. 2007

*Kathleen O'Brien*

Subscribed and shown to before me this 14<sup>th</sup> day of Nov, 2007.

*Deborah Green*

Notary Public of the State of New York  
County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
#4984065  
Commission Expires July 15, 2011

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



# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

## Invoice

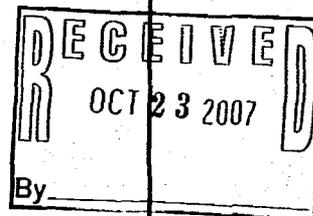
Date	Invoice #
10/22/2007	897

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

*Myer*

P.O. No.	Terms	Project

Issue Date	Description	Rate	Amount
10/12/2007 ✓	LEGAL ADS: GILLMEIER - 07-43 1 AFFIDAVIT	9.87 4.00	9.87 4.00
10/12/2007 ✓	LEGAL ADS: DUNKO - 07-48 1 AFFIDAVIT	11.45 4.00	11.45 4.00
10/12/2007 ✓	LEGAL ADS: HALES 07-51 1 AFFIDAVIT	12.24 4.00	12.24 4.00
10/12/2007 ✓	LEGAL ADS: MANGIARACINA 07-52 1 AFFIDAVIT	13.82 4.00	13.82 4.00
10/12/2007 ✓	LEGAL ADS: LAPIDUS/KOCH 1 AFFIDAVIT	11.85 4.00	11.85 4.00
10/12/2007 ✓	LEGAL ADS: GODFREY 07-49 1 AFFIDAVIT	13.03 4.00	13.03 4.00
<i>Posted ✓</i>			
<b>Total</b>			\$96.26







# Town of New Windsor

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

## Assessor's Office

August 15, 2007

Vanessa Gillmeier  
112 Cedar Avenue  
New Windsor, NY 12553

Re: 18-3-12            ZBA#07-43    (65)

Dear Ms. Gillmeier:

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 \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley  
Sole Assessor

JTW/lrd  
Attachments

CC: Myra Mason, ZBA



18-1-3  
Frank & Janet Malloy  
96 Cedar Avenue  
New Windsor, NY 12553

18-2-9  
Ramon & Lourdes Velez  
11 Walnut Street  
New Windsor, NY 12553

18-2-22  
David & Denise Wolfe  
12 Locust Avenue  
New Windsor, NY 12553

18-1-4  
Edward McCarvel  
Ondrea Sharp-McCarvel  
6 Walnut Street  
New Windsor, NY 12553

18-2-10  
Shaen & Allison McGrath  
9 Walnut Street  
New Windsor, NY 12553

18-2-24  
Ronald & Cheryl Herbert  
16 Locust Avenue  
New Windsor, NY 12553

18-1-5  
Andrew & Suzanne Bederka  
8 Walnut Street  
New Windsor, NY 12553

18-2-11  
John & Irene Clark  
5 Walnut Street  
New Windsor, NY 12553

18-2-26  
Gordon & Barbara Ray  
18 Locust Avenue  
New Windsor, NY 12553

18-1-6  
Deborah Hurd  
10 Walnut Street  
New Windsor, NY 12553

18-2-12  
Thomas Jannotti  
102 Cedar Avenue  
New Windsor, NY 12553

18-3-5  
John & Marilyn Mellon  
17 Locust Avenue  
New Windsor, NY 12553

18-1-7  
Maryann Corbett  
12 Walnut Street  
New Windsor, NY 12553

18-2-13  
Joseph & Susan Dabroski  
104 Cedar Avenue  
New Windsor, NY 12553

18-3-6  
Thomas & Mary Ann Cimorelli  
15 Locust Avenue  
New Windsor, NY 12553

18-1-8  
Richard & Eva Ekizian  
14 Walnut Street  
New Windsor, NY 12553

18-2-14  
Eric Czarnecki  
106 Cedar Avenue  
New Windsor, NY 12553

18-3-7  
William Farrenkopf  
13 Locust Avenue  
New Windsor, NY 12553

18-2-5  
James & Susan Stankiewicz  
19 Walnut Street  
New Windsor, NY 12553

18-2-15  
Charles & Melissa Broe  
108 Cedar Avenue  
New Windsor, NY 12553

18-3-8  
Mary Rall  
Matthew & Alyson Szymanski  
11 Locust Avenue  
New Windsor, NY 12553

18-2-6  
Jose & Felicita Figueroa  
17 Walnut Street  
New Windsor, NY 12553

18-2-18.1  
Sarah Lucas  
6 Locust Avenue  
New Windsor, NY 12553

18-3-10  
Floyd & Margaret Farbert  
9 Locust Avenue  
New Windsor, NY 12553

18-2-7  
Kenneth & Vivian Milczarski  
15 Walnut Street  
New Windsor, NY 12553

18-2-19  
Christopher & Sabrina Deets  
8 Locust Avenue  
New Windsor, NY 12553

18-3-11  
Margaret DelPup  
C/o Jean Bell  
14 Pommel Drive  
Newburgh, NY 12550

18-2-8  
Leonard & Virginia Golino  
13 Walnut Street  
New Windsor, NY 12553

18-2-20  
Donald Fanning  
Catherine & James Shoop  
10 Locust Avenue  
New Windsor, NY 12553

18-3-13  
Wilma Edwards  
114 Cedar Avenue  
New Windsor, NY 12553



18-3-14  
Dana Tripodo  
116 Cedar Avenue  
New Windsor, NY 12553

18-3-26  
Terrance Berean  
22 Hickory Avenue  
New Windsor, NY 12553

19-4-99  
Karen O'Dell  
Kristian Orr  
111 Cedar Avenue  
New Windsor, NY 12553

18-3-15 & 18-3-16  
Ruth S. Cherry  
118 Cedar Avenue  
New Windsor, NY 12553

19-4-77  
St. Francis Church  
145 Benkard Aevnue  
Newburgh, NY 12550

19-4-100  
Giovanni Forte  
31 Willow Parkway  
New Windsor, NY 12553

18-3-17  
Anna Thompson  
6 Hickory Avenue  
New Windsor, NY 12553

19-4-87 & 19-4-88  
Mary Silvagni  
129 Cedar Avenue  
New Windsor, NY 12553

19-4-101  
Scott & Tracy McCormick  
103 Cedar Avenue  
New Windsor, NY 12553

18-3-18  
Jonathan & Eileen Stein  
8 Hickory Avenue  
New Windsor, NY 12553

19-4-89  
Rosemary Ellingsen  
125 Cedar Avenue  
New Windsor, NY 12553

19-4-102  
Leo Cintron  
10 Regina Drive  
Highland Mills, NY 10930

18-3-19  
Harry & John Toromanides  
10 Hickory Avenue  
New Windsor, NY 12553

19-4-90  
Nephtali & Magdeline Hernandez  
123 Cedar Avenue  
New Windsor, NY 12553

21-3-3  
Susan Ann Carter  
17 Hickory Avenue  
New Windsor, NY 12553

18-3-21  
Anthony & Ann Marie DeMarco  
Mary Lou Dooley  
12 Hickory Avenue  
New Windsor, NY 12553

19-4-92  
Glen Marshall  
121 Cedar Avenue  
New Windsor, NY 12553

21-3-5  
Helen Tucker  
13 Hickory Avenue  
New Windsor, NY 12553

18-3-22  
Edward DeMatteis  
14 Hickory Avenue  
New Windsor, NY 12553

19-4-94  
Cosimo Randazzo  
119 Cedar Avenue  
New Windsor, NY 12553

21-3-6 & 21-3-7  
Hamin & Melody Rashada  
11 Hickory Avenue  
New Windsor, NY 12553

18-3-23  
Joseph & Donna Hall  
16 Hickory Avenue  
New Windsor, NY 12553

19-4-95 & 19-4-96  
Bernadette New  
79 Sarah Wells Trail  
Campbell Hall, NY 10916

21-3-8  
Kim & Kevin McDonnell Sr.  
9 Hickory Avenue  
New Windsor, NY 12553

18-3-24  
Eleni Servos & Martha Mylonas  
C/o Achilles Mantzanas  
18 Hickory Avenue  
New Windsor, NY 12553

19-4-97  
Daniel & Nancy Spreer  
115 Cedar Avenue  
New Windsor, NY 12553

21-3-9  
Mary Mussari  
5 Hickory Avenue  
New Windsor, NY 12553

18-3-25  
Julia Dayton  
C/o Julia Araiza  
20 Hickory Avenue  
New Windsor, NY 12553

19-4-98  
Donald Starkey  
Linda Lawrance  
113 Cedar Avenue  
New Windsor, NY 12553

21-3-10  
Donald & Chin Quicksell  
122 Cedar Avenue  
New Windsor, NY 12553

Easy Peel Labels  
Avery® TEMPLATE 5160®



Fee

21-3-11  
Richard & Jeannette Voellmann  
124 Cedar Avenue  
New Windsor, NY 12553

21-3-12.1  
Patrick Cusak  
126 Cedar Avenue  
New Windsor, NY 12553

21-3-13  
Junghee Lee  
Min Hwang  
6 Woodlawn Avenue  
New Windsor, NY 12553

21-3-14  
Veronica & Richard Casnocha  
8 Woodlawn Avenue  
New Windsor, NY 12553

21-3-15  
Ruth A. Coe  
12 Woodlawn Avenue  
New Windsor, NY 12553

**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:

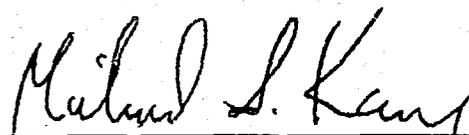
**Appeal No. 07-43**

**Request of ANTHONY GILLMEIER**

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

**Request for 4.5ft side yard setback and; 6ft rear yard setback for existing shed at 112 Cedar Avenue in an R-4 zone (18-3-12)**

**PUBLIC HEARING will take place on OCTOBER 22, 2007**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**

---

**Michael Kane, Chairman**



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

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

**DATE: June 21, 2007**

**APPLICANT: Anthony Gillmeier  
112 Cedar Avenue  
New Windsor, NY 12553**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 06/20/07**

**FOR: Existing Shed**

**LOCATED AT: 112 Cedar Avenue**

**ZONE: R-4      Sec/Blk/ Lot: 18-3-12**

**DESCRIPTION OF EXISTING SITE: One Family House**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. Existing shed does not meet minimum 10' side and 10' rear yard set-back.**

*Frank Jim*  
BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-4    USE: Bulk Tables			
MIN LOT AREA:			
MIN LOT WIDTH:			
REQ'D FRONT YD:			
REQ'D SIDE YD: 300-11 A-1-B	10'	5.5'	4.5'
REQ'D TOTAL SIDE TD:			
REQ'D REAR YD: 300-11-A-1-B	10'	4'	6'
REQ'D FRONTAGE:			
MAX BLDG HT:			
FLOOR AREA RATIO:			
MIN LIVABLE AREA:			
DEV COVERAGE:			

**COPY**

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

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 underslab 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 and Tax Parcel ID #, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Water and Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc 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 there is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: 497

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

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

X Owner of Premises Anthony and Vanessa Gillmeier

L Address 112 Cedar Avenue Phone # 569-4147

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

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

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

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

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

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

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 W side of Cedar Ave.  
and 200 (N,S,E or W) feet from the intersection of Union Ave & Cedar Ave.

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

3. Tax Map Description: Section 18 Block 3 Lot 12

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 Existing Shed

6. Is this a corner lot? Yes

7. Dimensions of ~~entire new construction~~ Shed. Front 14 Rear \_\_\_\_\_ Depth 10 Height 7 No. of stories 0 SHED

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

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_

Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

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

10. Estimated cost \$1,800 Fee #1370

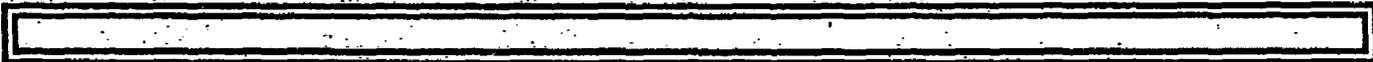
**PAID**  
*1/12/20*

6, 20, 07  
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 Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 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.

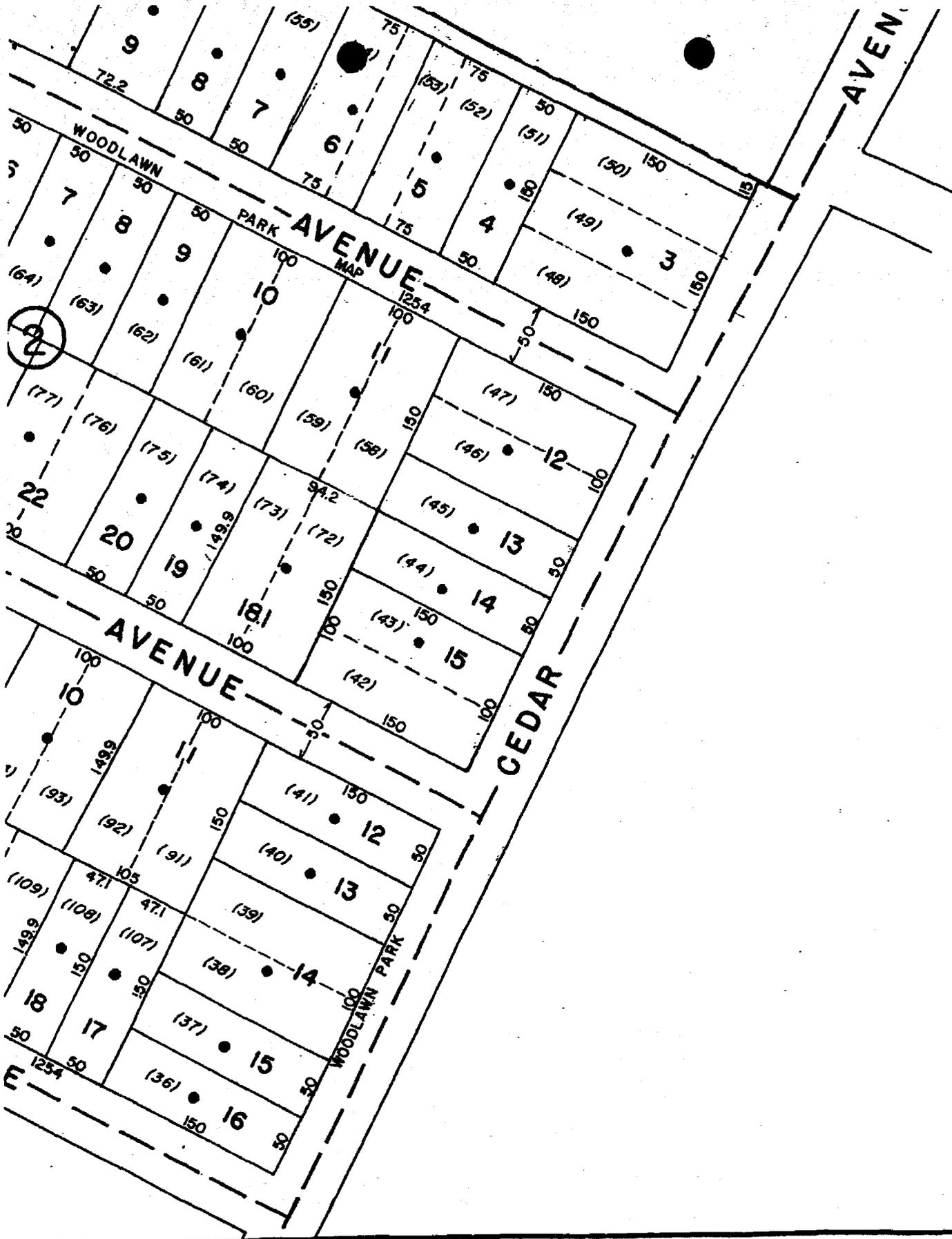
X AK Gillmore  
(Signature of Applicant)

112 Cedar Ave.  
(Address of Applicant)

X Vanessa T. Bellmore  
(Owner's Signature)

112 Cedar Ave





# WESTCHESTER COUNTY—NEW YORK

of Map 9-24-67 Date of Revision 3-1-03

August 13, 2007

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ANTHONY\_GILLMEIER\_(07-44)

MR. KANE: Request for 4.5 foot side yard setback and 6 foot rear yard setback for existing shed at 112 Cedar Avenue.

Mr. Anthony Gillmeier appeared before the board for this proposal.

MR. GILLMEIER: Good evening, hopefully I've learned from my predecessors. Anthony Gillmeier, 112 Cedar Avenue. I'm requesting a variance for an existing shed, trying to sell the home and it says here a 4 1/2 foot side yard and 6 foot yard setback for an existing shed. I believe you have pictures.

MR. KANE: Yes, we do. How long has the shed been up?

MR. GILLMEIER: I'm going to say about four years.

MR. KANE: Cut down any trees, substantial vegetation in the building of the shed?

MR. GILLMEIER: No.

MR. KANE: Create any water hazards or runoffs?

MR. GILLMEIER: No.

MR. KANE: Any easements going through where the shed is?

MR. GILLMEIER: No.

MR. KANE: Any complaints formally or informally about the shed?

MR. GILLMEIER: No.

MR. KANE: Shed's similar in size and nature to other

August 13, 2007

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sheds in your neighborhood?

MR. GILLMEIER: Very similar.

MR. KANE: What's the approximate size of the shed?

MR. GILLMEIER: I believe it's a 10 x 14.

MR. KANE: That's the one, the space behind your property?

MR. GILLMEIER: Yes, stone wall there.

MR. KANE: Let the record show there's a stone wall going up to a lawn for the property to the rear of the shed. Pretty straightforward. You also understand that if we do approve this at the public hearing that you're required to meet any of the building department's rules and regulations?

MR. GILLMEIER: Yes, they've been out already so--

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

MR. LUNDSTROM: Mr. Chairman, I'll offer a motion that the application by Mr. Anthony Gillmeier be scheduled for a public hearing as presented on agenda of August 13, 2007 of the Zoning Board of Appeals.

MR. TORPEY: I'll second that.

ROLL CALL

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

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

DATE RECEIVED: 8/7/07

FOR: Escrow 07-43

FROM:

**Vanessa Gillmeier**  
**112 Cedar Avenue**  
**New Windsor, NY 12553**

CHECK FROM:

Same

CHECK NUMBER: 1380

TELEPHONE: 845-569-4167

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

J. Ferrigno 7-7-07  
NAME DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

ZBA 07-43

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

**RECEIPT**  
**#604-2007**

08/07/2007

Gillmeier, Anthony

Received \$ 50.00 for Zoning Board Fees, on 08/07/2007. 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



8/13  
Agenda

APPLICATION FOR VARIANCE

7/12/07  
Date

Application Type: Use Variance  Area Variance   
Sign Variance  Interpretation

e-mail address: br2vts@yahoo.com  
Phone Number: (845) 569-4167  
Fax Number: ( )

I. **Owner Information:**  
Vanessa T. Gillmeier  
(Name)  
112 Cedar Ave  
(Address)

II. **Applicant:**  
\_\_\_\_\_  
(Name) e-mail address: \_\_\_\_\_  
Phone Number: ( ) \_\_\_\_\_  
Fax Number: ( ) \_\_\_\_\_  
\_\_\_\_\_  
(Address)

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

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ( ) \_\_\_\_\_  
Fax Number: ( ) \_\_\_\_\_  
(Name)  
\_\_\_\_\_  
(Address)

V. **Property Information:**  
**Zone:** R-4 Property Address in Question: \_\_\_\_\_  
Lot Size: \_\_\_\_\_ **Tax Map Number, Section** 18 **Block** 3 **Lot** 12  
a. Is pending sale or lease subject to ZBA approval of this Application? \_\_\_\_\_  
b. When was property purchased by present owner? \_\_\_\_\_  
c. Has property been subdivided previously? \_\_\_\_\_ If so, When: \_\_\_\_\_  
d. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? \_\_\_\_\_

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

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

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

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department 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			
Min. Lot Width			
Reqd. Front Yd.	300-11 A1B 10'	5.5'	4.5'
Reqd. Side Yd.	10'	4'	6'
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

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

**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.

**PLEASE ANSWER EACH OF THE FOLLOWING QUESTIONS SPECIFICALLY:**

1. 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; NO other method feasible for applicant. Area Variance is the only method for the existing shed
2. Whether the requested area variance is substantial; The requested area variance is substantial. No other corner or area could the shed be placed.
3. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; There are no effects or impacts on the physical or environmental conditions of neighborhood.
4. Whether the alleged difficulty was self-created. The alleged difficulty was not self-created. Shed company suggested the area. Only area for shed to be placed. Area does not interfere w/ neighbors next to and behind.

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

The ZBA should grant us the Area Variance because the shed was placed in the only corner of the back yard away from road, and it does not interfere w/ neighbors.

**PLEASE NOTE:**

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

**XII. ADDITIONAL COMMENTS:**

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

**XIII. ATTACHMENTS REQUIRED:**

- Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- Copies of signs with dimensions and location.
- Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- One in the amount of \$ 300.00 or 500.00 , (escrow)
- One in the amount of \$ 50.00 or 150.00 , (application fee)
- One in the amount of \$ 25.00 , (Public Hearing List Deposit)
  
- Photographs of 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)

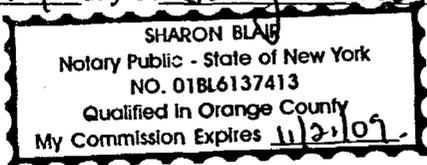
) SS.:

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 July 2007.



Sharon Blair  
Signature and Stamp of Notary

Carissa T. Gilchrist  
Owner's Signature (Notarized)

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

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

**PLEASE NOTE:**

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

PROJECT I.D. NUMBER

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>Vanessa &amp; Anthony Gillmeier</i>	2. PROJECT NAME
3. PROJECT LOCATION: Municipality _____ County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>112 Cedar Ave. New Windsor, NY</i>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Existing Shed on property</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>less than .17</i> acres    Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input 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: <i>One Family House</i>	
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>Building Permit</i>	
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: <i>Vanessa T. Gillmeier</i>	Date: <i>7/12/07</i>
Signature: _____	

**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)**

<p><b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</b>      If yes, coordinate the review process and use the FULL EAF.</p> <p><input type="checkbox"/> Yes      <input type="checkbox"/> No</p>
<p><b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8?</b>      If No, a negative declaration may be superseded by another involved agency.</p> <p><input type="checkbox"/> Yes      <input type="checkbox"/> No</p>
<p><b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</b></p> <p>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:</p>  <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p>  <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p>  <p>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:</p>  <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:</p>  <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:</p>  <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:</p>
<p><b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b></p> <p><input type="checkbox"/> Yes      <input type="checkbox"/> No      If Yes, explain briefly</p>

**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.

<p><input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.</p> <p><input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:</p>	
<p>_____ Name of Lead Agency</p>	
<p>_____ Print or Type Name of Responsible Officer in Lead Agency</p>	<p>_____ Title of Responsible Officer</p>
<p>_____ Signature of Responsible Officer in Lead Agency</p>	<p>_____ Signature of Preparer (If different from responsible officer)</p>
<p>_____ Date</p>	



# TOWN OF NEW WINDSOR

(845) 563-4615 (MYRA MASON)

## ZONING BOARD APPLICATION PACKAGE



PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (**COMPLETE ONLY THE PAGES WITH HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE**) AND RETURN ONE ORIGINAL AND ONE COPY OF ALL PAPERWORK (unless otherwise specified) 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**

THIS 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

PAGE 1

**COMPLETE ONLY THE PAGES WITH CHECKED BOX IN CORNER OF PAGE. PLEASE SUBMIT ONE ORIGINAL AND ONE COPY OF ALL PAPERWORK (unless otherwise specified).**

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



# Town of New Windsor

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

## ZONING BOARD OF APPEALS

TO ALL ZONING BOARD OF APPEALS APPLICANTS:

Please note the attached letter from Orange County Department of Planning asking that referrals be made to their office for review.

Due to this request, your application will be sent to Orange County Department of Planning for review. We are hoping to do this in a way that does not add to the time it normally takes to seek a variance.

Thank you for your cooperation in this matter.

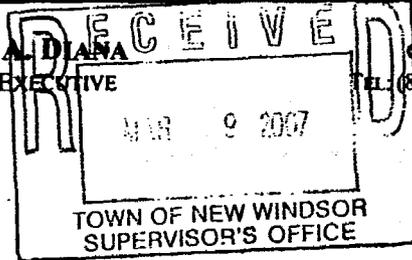
ZONING BOARD OF APPEALS

**COUNTY OF ORANGE****DEPARTMENT OF PLANNING**

EDWARD A. DIANA  
COUNTY EXECUTIVE

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DAVID CHURCH, A.I.C.P.  
COMMISSIONER



5 March, 2007

**POLICY REMINDER****REFERRAL OF CERTAIN MUNICIPAL PERMITS AND ACTIONS**

to COUNTY PLANNING as per NYS GENERAL MUNICIPAL LAW §239 L, M & N

**NEW POLICY GUIDEBOOK ATTACHED**

As an essential part of Orange County's renewed interest and involvement in planning and development policy, the Planning Department continues to gain staff capability and expertise. The Orange County Planning Department reviews all projects that meet the requirements of Section 239 of the NYS General Municipal Law (GML §239) for County referrals. Please be sure that your municipality is sending the required applications that come under the provisions of GML § 239. Keep in mind that if there is a project that falls under the non-mandatory review requirement, we will be glad to review it upon request of a municipal official.

**A new guidebook is attached detailing the NYS GML §239 referral process here in Orange County. Additional copies of this guidebook can be downloaded at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).**

As a refresher, prior to making a decision on certain permits or actions, GML § 239 requires that you send to County Planning a copy of the complete application for the following "proposed actions" that are within 500 feet of the properties or thresholds listed in the statute (GML § 239-m (3)):

1. The adoption of a municipal comprehensive plan, zoning ordinance or law, or an amendment to either one;
2. The granting of a use or area variance;
3. The issuance of special use permits;
4. Site plans for residential uses;
5. Site plans for non-residential uses;
6. Subdivisions plats;
7. Other authorizations which a referring body may issue under the provisions of any zoning ordinance or local law.

Proposed "actions" must be referred to County Planning prior to your decision if they apply to real property within five hundred (500) feet of the following:

1. The boundary of any city, village or town;
2. The boundary of any existing or proposed county or state park or any other recreation area;

