

**ZB# 85-38**

**Anthony & Eileen Gatto**

**67-1-4**

Prelim.

9/23/85.

Public Hearing:

Oct. 28th.

Notice to Entreat

on 10/2/85. ✓

Variances  
Approved  
10/28/85.

Gatto, Anthony & Eileen  
# 85-38

# General Receipt

7013

**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, N. Y. 12550

Nov. 1 19 85

Received of Anthony Gatto \$ 25<sup>00</sup>/<sub>100</sub>

Twenty Five and 00/100 DOLLARS

For Z.B.A. fee 85-38

DISTRIBUTION

FUND	CODE	AMOUNT
Check	25.00	
#	90	

By Pauline J. Turner

Town Clerk  
Title

Williamson Law Book Co., Rochester, N. Y. 14609



For J. W. W. Co.

DISTRIBUTION:

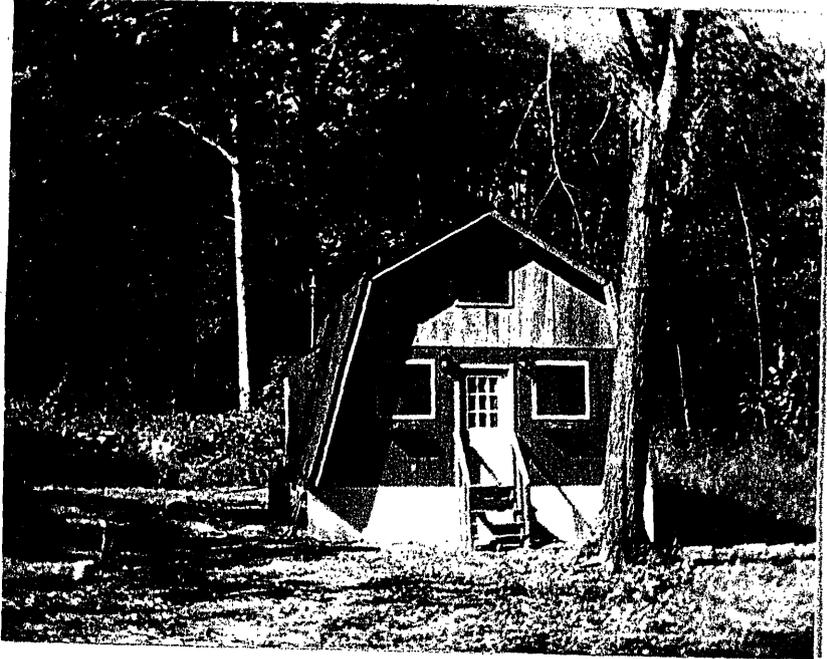
FUND	CODE	AMOUNT
Check # 2500		
# 390		

By

Pauline A. Trumery  
Trumery Clear<sup>Co</sup>

Title

Williamson Law Book Co., Rochester, N. Y. 14609



NEW WINDSOR ZONING BOARD OF APPEALS

-----X

In the Matter of the Application of  
ANTHONY GATTO AND EILEEN GATTO,

DECISION GRANTING  
AREA VARIANCE

#85-38.

-----X

WHEREAS, ANTHONY GATTO and EILEEN GATTO, Rt. #2, Box 267-A, Riley Road, New Windsor, New York 12550, have made application before the Zoning Board of Appeals for an area variance for the purpose of:

Varying the floor area (152 sq. ft. required) in order to obtain a Certificate of Occupancy to occupy a recently constructed residential dwelling;

in an R-4 zone.

WHEREAS, a public hearing was held on the 28th day of October, 1985 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the above applicants appeared in behalf of themselves; and

WHEREAS, the application was opposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicants obtained a building permit from the Town of New Windsor to construct a residential dwelling in an R-4 zone.

3. The evidence presented by the applicants shows that a residential dwelling was constructed in accordance with Building Permit #2615 filed in Town of New Windsor Building Inspector's Office.

4. The evidence shows that the newly-appointed building inspector refused to issue a Certificate of Occupancy to applicants, due to the fact that they did not meet the bulk requirements as to minimum floor area for a residential dwelling.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. The evidence shows that the applicant will encounter practical difficulty if the area variance requested is not granted.

2. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

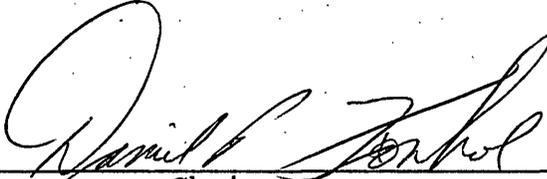
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT the requested area variance as applied for herein.

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 applicant.

Dated: November 25, 1985.

  
Chairman

Pat

# Legal Notice

PUBLIC NOTICE  
OF HEARING BEFORE  
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 pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 38  
Request of Anthony and Ellen Gatto for a VARIANCE of the regulations of the Zoning Ordinance of permit area variance for insufficient floor area of residential dwelling

being a VARIANCE of Section 48-12 Table of Bulk Regulations Col. 11 for property situated as follows:

267A Riley Road, New Windsor, NY known and designated as Section 67-Blk 1-Lot 4.

SAID HEARING will take place on the 28th day of October, 1985, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, NY beginning at 7:30 o'clock p.m.

DANIEL P. KONKOL  
Chairman  
By: Patricia Delio  
Secretary

State of New York

County of Orange, ss:

Everett W. Smith, being duly sworn

disposes and says that he is

Publisher 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, and that

the notice of which the annexed is

a true copy was published ONCE

in said newspaper, commencing on

the 10<sup>th</sup> day of October A.D., 1985

and ending on the 16<sup>th</sup> day of October

A.D. 1985

Subscribed and shown to before me

this 24<sup>th</sup> day of Jan., 1986.

Patricia Delio

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

My commission expires 3/30/87.

PATRICIA DELIO  
NOTARY PUBLIC, State of New York  
No. 5970776  
Qualified in Orange County  
Commission Expires March 30, 1987.



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

*file*

October 29, 1985

1763

Mr. and Mrs. Anthony Gatto  
Rt. #2, Box 267-A  
Riley Road  
New Windsor, N. Y. 12550

RE: APPLICATION FOR AREA VARIANCE - #85-38

Dear Mr. and Mrs. Gatto:

This is to confirm that a public hearing was held regarding the above-entitled application before the Zoning Board of Appeals. The Board voted to GRANT your request for an area variance at the October 28, 1985 meeting.

Formal decision will be drafted at a later date and acted upon by the Board. You will be receiving a copy by return mail.

Very truly yours,

PATRICIA DELIO  
Secretary to Zoning Bd. of Appeals

/pd

cc: Town Building Inspector  
Planning Board

# Town of New Windsor - Building Permit

No. 2615 October 11, 1984

Owner's Name Morton Schoenberb/Milton Aronauer

Address RD 1 Bx. 13E. South Salem NY

Architect's Name Cassell Building Corp.

Address RD 5 Weld Road Middletown

Builder's Name John Cascardi Cassell Bldg. Corp.

Address RD 5 Weld Rd. Mdletn.

Location of Building W. side Riley Rd.

Description One family frame dwelling

## APPROVALS INIT.

WATER DEPT. \_\_\_\_\_

Approved

SANITATION DEPT. \_\_\_\_\_

  
Building Inspector

FOUNDATION INSP. \_\_\_\_\_

FRAMING INSP. \_\_\_\_\_

HIGHWAY DEPT. \_\_\_\_\_

# IMPORTANT

**This card must be kept in a conspicuous place until building is finished.**

A permit under which no work is commenced within 12 months after issuance shall expire by limitation and a new permit shall be secured before work is started.

Building Permit Zoning Ordinance  
Article VIII-G

Nº 2615

.....October 11....., 19.84..

**BUILDING PERMIT**

FEE: \$75.00

A permit is hereby given by the Zoning Officer of the Town of New Windsor, Orange County, N. Y., for building as described:

Owner's Name Morton Schoenberg & Milton Aronauer.....

Address RD. 1... Box 13E... South Salem... NY... 10590.....

Architect's Name Cassell Building Corp......

Address RD 5 Weld Rd. Middletown.....

Builder's Name John Cascardi..... Cassell Bldg. Corp......

Address RD. 5... Weld Rd... Mdletn......

Location of Building W. side Riley Road..... 67-1-4

Material Frame..... Number of Stories 1½..... Number of Families 1.....

Dimensions of Building 20x20x24x18..... Dimensions of Lot 207x325x430.....

Use of Building Dwelling..... Number of Bedrooms 1.....

Number of Toilets 1..... Number of Baths 1.....

Heating Plant Oil.....

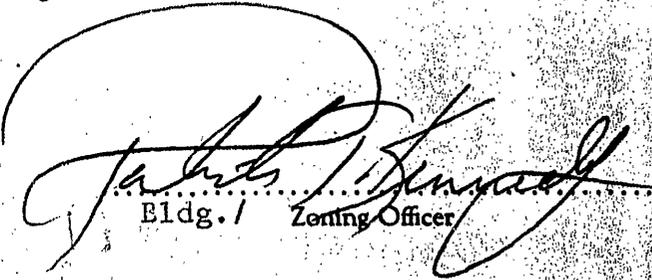
I am familiar with the Zoning Ordinance of the Town of New Windsor.

Remarks: One family frame dwelling.....

Signature of Applicant 

Approximate Cost \$ 20,000..

- Action of -
- Planning Board .....
- Highway .....
- Water .....
- Sewer .....
- Zoning Board of Appeals ....

  
Bldg. Zoning Officer

**IMPORTANT**

A permit under which no work is commenced within 6 months after issuance shall expire by limitation and a new permit shall be secured before work is started.

It is the responsibility of the owner and/or the contractor to comply with all applicable township ordinances and to call for the required inspections one day in advance.

SCHEDULE OF BUILDING PERMIT FEES

ALL CHECKS PAYABLE TO TOWN OF NEW WINDSOR

NO FEE UNDER \$1,000.00

Demolition fee...\$10.00

\$1,000.00 to \$2,000.00.....\$15.00

\$2,001.00 to \$8,000.00.....\$25.00

\$8,001.00 to \$15,000.00.....\$50.00

\$15,001.00 to \$20,000.00.....\$75.00

\$20,001.00 to \$50,000.00.....\$75.00 plus \$3.00 per thousand over \$20,000

\$50,001.00 and above.....\$225.00 plus \$2.00 per thousand over \$50,000.

CERTIFICATE OF OCCUPANCY FEE....\$15.00

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION: 24 hour NOTICE MANDATORY

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS....565-8807

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 is completed and before it is covered from inside and Plumbing rough-in.
5. Insulation - When insulation is complete before sheetrock.
6. Plumbing final and final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters and final certified plot plan.
7. Building is to be complete at this time.
8. Affidavit of Final Cost to be filed prior to final inspection for Certificate of Occupancy.

10/23/85 Public Hearing - Gatto, Anthony

Name:

Address:

James J. Davis

Rt 22 Box 162 Riley, MO 64500

(objection)

Rajat Harris

Garnie Wilson R. D. 2 Riley Tl Box 266

Sam Wilson R. D. 2 Riley MO. Box 266

Andy Stahl 166 Riley Rd.

William J. McGrath 23 Ambassador Lane  
Nearburg

TOWN OF NEW WINDSOR  
COUNTY OF ORANGE

555 Union Avenue  
New Windsor, New York 12550  
Telephone 565-8807

Building Department

Permit No. 2615.....

Location: ..... W. Side of Riley Road .....

Map No.: ..... Section: 67 ..... Block: 1 ..... Lot: 4 .....

**Affidavit of Final Cost of Construction—  
Application for Certificate of Occupancy**

State of New York }  
County of Orange } ss.:

..... Mrs. Eileen Gatto ..... being duly sworn, deposes and says:  
(Applicant or Agent)

that he (she) is the applicant (or agent of the applicant) named in the Application for Building Permit dated  
..... Oct. 11, 1985 ..... relating to construction or other work to be performed on, or in connection  
with, the premises located as indicated above; that the estimated cost stated in said application of the con-  
struction or other work described therein was ..... Twenty Thousand ..... Dollars (\$ 20,000.00 );  
that the actual final cost of such construction or other work was ..... Twenty  
Thousand ..... Dollars (\$ 20,000.00 ).

Application is hereby made for the issuance of a Certificate of Occupancy for the structure on these premises.  
Applicant states that he has examined the approved plans and that to the best of his knowledge and belief, the  
structure has been erected in accordance therewith and in accordance with the applicable provision of law.

Applicant further states that he was the (Note: Strike out items a, b, or c, not applicable)

(a) Licensed Architect, or (b) Professional Engineer, or  
(c) Superintendent of construction who supervised the said construction or other work and that by reason of  
his experience he is qualified to supervise such work on the structure for which a Certificate of Occupancy  
is requested.

Sworn to before me

this 12 day of Sept 1985

*Jean M. Van Voorhis*  
Notary Public  
JEAN M. VAN VOORHIS  
Notary Public, State of New York  
No. 4504952  
Qualified in Orange County  
My Commission Expires 8/7

*Eileen Gatto*  
\_\_\_\_\_  
(Applicant or Agent)

Filed Cost	\$ 20,000.00
Permit Fee Paid	\$ 75.00
Additional Fee	\$ 0-

(Costs for the work described in the Application for Building Permit include the cost of all of the con-  
struction and other work done in connection therewith, exclusive of the cost of the land. If the final  
cost is less than the estimated cost stated in the Application for Building Permit, no portion of the  
fee paid upon the filing of the application will be refunded.)

**INFORMATION FOR BUILDING DEPARTMENT**

WE ARE IN THE PROCESS OF ISSUING A CERTIFICATE OF COMPLIANCE FOR THE ELECTRICAL INSTALLATION AS COVERED IN AN APPLICATION FILED WITH OUR DISTRICT OFFICE.

*Rilet Road*  
*9/4/85* *Pat Mc Kenna*

**THE NEW YORK BOARD OF FIRE UNDERWRITERS  
 BUREAU OF ELECTRICITY**

**Electrical wiring in this building has been inspected and found to comply with the electrical code so far as completed.**

RESIDENCE  SERVICE

LOCATION

*Rilet Road*

REMARKS

*[Handwritten signature]*  
 NOTE: - Above approval is not a permit for the use of electricity. Covers only the scheduled wiring.

DATE

INSPECTOR

FD-44 (1-7-80)

OFFICE OF THE TOWN ENGINEER  
 TOWN OF NEW WINDSOR  
 555 UNION AVENUE NEW WINDSOR, NEW YORK 12550  
 PHONE 565-8802

No. *210/85* Date *9/10/85*  
 Rec'd from *Anthony J. Datto*  
 Amount *Twenty five and 00/100 dollars*  
 For *elec permit*  
 Signature *Pat D. Budget*  
*for Anthony J. Datto*  
*Pres / zoning Dept*  
*475-00*

**OFFICE OF THE TOWN ENGINEER  
 TOWN OF NEW WINDSOR**

555 UNION AVENUE NEW WINDSOR, NEW YORK 12550  
 PHONE 565-8802

No. *210/85*  
 Date *Feb 20, 85*  
 Rec'd from *Anthony Datto*  
 Amount *Twenty five dollars*  
 For *elec permit*  
 Signature *Anthony Datto*

**General Receipt**

TOWN OF NEW WINDSOR  
 555 Union Avenue  
 New Windsor, N. Y. 12550

Received of

*Anthony Datto* *Sept 30 19 85*  
 \$ *55.00*

*Wilek Road*  
*9/11/85* *Pat Mc*

THE NEW YORK BOARD OF FIRE UNDERWRITERS  
 BUREAU OF ELECTRICITY

Electrical wiring in this building  
 has been inspected and found to  
 comply with the electrical code so  
 far as completed.

RESIDENCE  SERVICE

LOCATION *Wilek Road*

REMARKS

NOTE: - Above approval is not a permit for the use of electricity.  
 Covers only the concealed wiring.

*6/16/85* *Pat Mc*

DATE

INSPECTOR

FORM 61 (1/78)

OFFICE OF THE TOWN ENGINEER

TOWN OF NEW WINDSOR

NEW WINDSOR, NEW YORK 12550

555 UNION AVENUE

PHONE 565-8802

No.

Date

*Anthony J. Datto*

Rec'd from

Amount

For

Signature

*\$75.00*

OFFICE OF THE TOWN ENGINEER

TOWN OF NEW WINDSOR

555 UNION AVENUE

NEW WINDSOR, NEW YORK 12550

PHONE 565-8802

Rec'd from *Anthony Datto* Date *Feb 20 1985* No. *1*  
 Amount *Twenty Five Dollars*  
 For *City Dept*  
 Signature *Pat Mc*

*\$20.00*

General Receipt

TOWN OF NEW WINDSOR

555 Union Avenue

New Windsor, N. Y. 12550

Received of

*Anthony Datto*

\$

*55.00*

DOLLARS

For

*Fifty Five and 00/100*  
*Variance Dist*

DISTRIBUTION:

FUND	CODE	AMOUNT
<i>Check #346</i>	<i>55.00</i>	

By

*Pauline J. Trueman*  
*Trueman Clear*

Title

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 14 day of August nineteen hundred and eighty-five  
BETWEEN MORTON SCHOENBERG AND MILTON ARONAUER residing at RD1, Box 13E  
South Salem, New York

party of the first part, and

ANTHONY J. GATTO AND EILEEN K. GATTO, husband and wife, residing  
at RD2, Box 267A, Riley Road, New Windsor, New York 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars

(\$10.00) ----- dollars,

lawful money of the United States, Other Good and Valuable Consideration paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or  
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying  
and being in the Town of New Windsor, designated on the Orange County Tax Map  
as Section 67, Block 1, Lot 4.

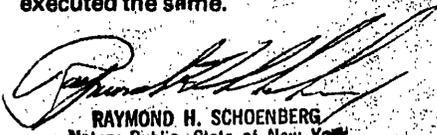
BEING a portion of premises conveyed by the County of Orange to the  
parties of the first part by deed dated September 23, 1982 recorded  
October 1, 1982 in the Orange County Clerk's Office in Liber 2234 cp. 55.

STATE OF NEW YORK, COUNTY OF ~~ORANGE~~ <sup>WESTCHESTER</sup> ss:

On the 14 day of AUG 19 85, before me personally came

MORTON SCHOENBERG

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.



RAYMOND H. SCHOENBERG  
Notary Public, State of New York  
No. 4698937  
Qualified in Westchester County  
Commission Expires March 30, 1987

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

**Bargain and Sale Deed**  
Without Covenant Against Grantor's Acts

Title No. \_\_\_\_\_

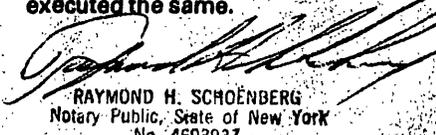
TO

STATE OF NEW YORK, COUNTY OF ~~ORANGE~~ <sup>WESTCHESTER</sup> ss:

On the 14 day of AUG 19 85, before me personally came

MILTON ARONAUER

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.



RAYMOND H. SCHOENBERG  
Notary Public, State of New York  
No. 4698937  
Qualified in Westchester County  
Commission Expires March 30, 1987

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

SECTION 67  
BLOCK 1  
LOT 4  
COUNTY OR TOWN ORANGE COUNTY  
TOWN OF NEW WINDSOR  
Recorded at Request of  
**USLIFE TITLE INSURANCE**  
Company of New York  
RETURN BY MAIL TO

Standard Form of New York  
Board of Title Underwriters  
Distributed by  
**USLIFE TITLE INSURANCE**  
Company of New York

Mrs. & Mrs. Anthony Ratto  
R.D. 2 Box 517 A  
Ridgely Rd New Windsor NY  
Zip No. 12552

Recording Office

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

*Raymond H. Schoenberg*  
RAYMOND H. SCHOENBERG  
Notary Public, State of New York  
No. 4698937  
Qualified in Westchester County  
Commission Expires March 30, 1982

STATE OF NEW YORK, COUNTY OF ss:

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn, did depose and say that he resides at No. \_\_\_\_\_

that he is the \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_ the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledges that he executed the same.

*Raymond H. Schoenberg*  
RAYMOND H. SCHOENBERG  
Notary Public, State of New York  
No. 4698937  
Qualified in Westchester County  
Commission Expires March 30, 1982

STATE OF NEW YORK, COUNTY OF ss:

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came \_\_\_\_\_ the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. \_\_\_\_\_

that he knows \_\_\_\_\_

\_\_\_\_\_ to be the individual described in and who executed the foregoing instrument, that he, said subscribing witness, was present and saw \_\_\_\_\_ execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

### Bargain and Sale Deed

Without Covenant Against Grantor's Acts

Title No. \_\_\_\_\_

TO

SECTION 67

BLOCK 1

LOT 4

COUNTY OR TOWN ORANGE COUNTY

TOWN OF NEW WINDSOR

Recorded at Request of

**USLIFE TITLE INSURANCE**

Company of New York

RETURN BY MAIL TO

Standard Form of New York  
Board of Title Underwriters  
Distributed by  
**USLIFE TITLE INSURANCE**  
Company of New York

*Mrs. & Mrs. Anthony Gallo*  
*RD 2 Box 57 A*  
*Ruby Rd New Windsor NY*  
Zip No. 12550

Reserve This Space For Use Of Recording Office

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the costs of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

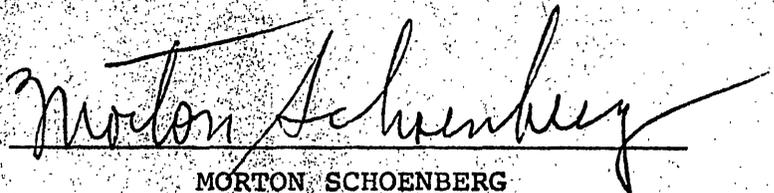
**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the costs of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.  
**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

In Presence of:

  
MORTON SCHOENBERG

  
MILTON ARONAUER



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

September 27, 1985

Re: 67-1-4

Dear Mr. and Mrs. Gatto:

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

The charge for this service is \$55.00. Please remit the same to the Town Clerk, Town of New Windsor.

Very truly yours,

*Christian E. Jahrling*  
JK

CHRISTIAN E. JAHRLING, IAO  
SOLE ASSESSOR

CEJ/jk  
Enc.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

Churchill Charlotte S  
Apt MD  
505 E 14th St  
New York NY 10009

Wilson Sam  
& Carrie  
RD 2 Riley Rd  
New Windsor NY 12550

X  
Harris Bryant  
& Ella M  
Box 525  
Vails Gate NY 12584

Peterson Alton  
& Alice  
RD 2 Riley Rd  
New Windsor NY 12550

Mc Nicholas Michael J  
& George Pares  
5 Ivy Lane  
Tenafly NJ 07670

Littier Michael J  
& Patricia M  
RD 2 Riley Rd  
New Windsor NY 12550

Mula Alice M  
Box 282  
Vails Gate NY 12584

Gatto Anthony Jr  
& Delores  
RD 2 Riley Rd  
New Windsor NY 12550

Illuzzi Joseph A  
& Lucy  
142 Park Ave  
Park Ridge NJ 07656

Petrillo Michael G  
RD 2 Riley Rd  
New Windsor NY 12550

Jollie Marion  
36 Westwood Dr  
Newburgh NY 12550

Di-Stefano Frances  
& John Stallone  
41 Knox Dr  
New Windsor NY 12550

Warren Dannie C  
& Sallie C  
PO Box 311  
Vails Gate NY 12584

County of Orange  
255-275 Main St  
Goshen NY 10924

Gadbois John A  
& Ann  
RD 2 Riley Rd  
New Windsor NY 12550

Mock George C  
& Delores  
RD 2 Riley Rd  
New Windsor NY 12550

Davis James L  
& Maria R  
RD 2 Riley Rd  
New Windsor NY 12550

Everett Jr Louis  
& Rhonda  
RD 2 Riley Rd  
New Windsor NY 12550



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

Adler William  
c/o Harold Adler  
Suite 2-B  
315 East 88th St  
New York NY 10128

Miele Oniello  
25 Seven Lakes Rd  
Sloatsburg NY 10974

Maceli Mae  
RD2 Riley Rd  
New Windsor NY 12550

Rieber Kay  
ETAL  
43 Knox Dr  
New Windsor NY 12550

Consolidated Rail Corp.  
6 Penn Center Plaza  
Philadelphia PA 19103

Allen Joseph W  
& Julia  
PO Box 454  
Vails Gate NY 12584

Casino Louis  
Cassaccio Paul  
4 Alder Drive RD 4  
New Windsor NY 12550

Patane Henry  
Box 13  
Vails Gate NY 12584

Salamone Alice Kathleen  
c/o Laden  
Box 122  
Vails Gate NY 12584

Fitzpatrick Richard P  
& Marie  
RD 2 Riley Rd Box 168  
New Windsor NY 12550

Brandon Alfred  
& Barbara Joan  
PO Box 922  
Vails Gate NY 12584

West Joseph  
& Delores  
Apt 51  
1003 St Nicholas Ave  
New York NY 10032

Reed Harvey  
& Ruby E  
PO Box 185  
Vails Gate NY 12584

Scheible Frederick  
PO Box 384  
Vails Gate NY 12584

Gerow Walter L  
& Corliss Mary  
1729 13 Ave S  
St Cloud Minn 56301

County of Orange  
c/o Frank D Purdy  
ETAL  
RD 2 Rt 94 Box 108  
Newburgh NY 12550

Benedict H Franklin  
RD 2 Rt 94  
New Windsor NY 12550

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85-38

TOWN OF NEW WINDSOR  
ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. .... Date SEPT 18, 1985

To MR. + MRS. EILEEN GATTO - 561-6294  
RILEY ROAD  
NEW WINDSOR N.Y.

PLEASE TAKE NOTICE that your application dated OCT 11, 1985  
for permit to BUILD HOUSE  
at the premises located at W SIDE OF RILEY ROAD

is returned herewith and disapproved on the following grounds:

1) MIN FLOOR AREA, HOUSE IS ~~NOT~~  
DONE READY FOR C-O

Michael Babak  
Building Inspector

20' X 24' FRIST FLOOR  
16' X 23' LOFT

TOTAL 848 SQ FT

Requirements	Proposed or Available	Variance Request
Min. Lot Area	_____	_____
Min. Lot Width	_____	_____
Reqd. Front Yd.	_____	_____
Reqd. Side Yd.	_____	_____

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DONE READY FOR C-O

*Michael Babak*  
 Building Inspector

20' X 24' FRIST FLOOR  
 16' X 23' LOFT

TOTAL 848 SQ FT

Requirements	Proposed or Available	Variance Request
Min. Lot Area	_____	_____
Min. Lot Width	_____	_____
Reqd. Front Yd.	_____	_____
Reqd. Side Yd.	<u>1</u>	<u>1</u>
Reqd. Rear Yd.	_____	_____
Reqd. Street Frontage*	_____	_____
Max. Bldg. Hgt.	_____	_____
Min. Floor Area*	<u>4,000 SQ FT</u>	<u>848 SQ FT</u>
Dev. Coverage*	<u>10%</u>	<u>10%</u>
Floor Area Ratio**	_____	_____

\* Residential Districts only  
 \*\* Non-residential districts only

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD  
TOWN BUILDING/ZONING INSPECTOR BABCOCK

FROM: ZONING BOARD OF APPEALS

RE: PUBLIC HEARINGS BEFORE THE ZBA - October 28, 1985

DATE: October 17, 1985

Please be advised that the following public hearings will be heard before the Zoning Board of Appeals on the above date:

GATTO, ANTHONY & EILEEN - Area Variance  
ELAKKADE, SAMIR - Area Variance

I have attached hereto copies of the pertinent applications together with public hearing notices which were published in The Sentinel.

Patricia Delio, Secretary  
Zoning Board of Appeals

/pd

Attachments

PUBLIC NOTICE OF HEARING BEFORE  
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 pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 38

Request of ANTHONY AND EILEEN GATTO

for a VARIANCE ~~SPECIAL PERMIT~~ of  
the regulations of the Zoning Ordinance to  
permit area-variance for insufficient floor  
area of residential dwelling

being a VARIANCE ~~SPECIAL PERMIT~~ of  
Section 48-12 - Table of Bulk Regulations-Col. 11  
for property situated as follows:

267A Riley Road, New Windsor, N. Y.

known and designated as Section 67-Blk.1-Lot 4

SAID HEARING will take place on the 28th day of  
October, 19 85, at the New Windsor Town Hall,  
555 Union Avenue, New Windsor, N. Y. beginning at  
7:30 o'clock P. M.

DANIEL P. KONKOL  
Chairman

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 85-38.

Date: 10/2/86.

I. ✓ Applicant Information:

914-763-3082

- (a) Morton Schpenberg/Milton Aronauer, RD1, Bx. 13E South Salem N.Y.  
(Name, address and phone of Applicant) Owner
- (b) Anthony and Eileen Gatto RD2 Riley Rd Box 267A 564-3078  
(Name, address and phone of purchaser or lessee) Applicant
- (c) NONE  
(Name, address and phone of attorney)
- (d) NONE  
(Name, address and phone of broker)

II. ✓ Application type:

- Use Variance  Sign Variance
- Area Variance  Special Permit

III. ✓ Property Information:

- (a) R-4 RD2 Riley Rd Box 267A N.W. 67-1-4 1.7 AC  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? (Same as above)
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? Oct. 1, 1982
- (e) Has property been subdivided previously? NO When? \_\_\_\_\_
- (f) Has property been subject of variance or special permit previously? NO When? \_\_\_\_\_
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? Yes - 9/8/85.
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A.

IV. ~~Use Variance:~~

- ~~(a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow:  
(Describe proposal)~~

(b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Bulk Regs., Col. 11

Requirements	Proposed or Available	Variance Request
Min. Lot Area	_____	_____
Min. Lot Width	_____	_____
Reqd. Front Yd.	_____	_____
Reqd. Side Yd.	_____ / _____	_____ / _____
Reqd. Rear Yd.	_____	_____
Reqd. Street Frontage*	_____	_____
Max. Bldg. Hgt.	_____	_____
Min. Floor Area* 1,000 s.f.	888 s.f.	112 s.f.
Dev. Coverage* %	_____ %	_____ %
Floor Area Ratio**	_____	_____

\* Residential Districts only  
\*\* Non-residential districts only

(b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

Applicant GATTO was issued a legal building permit to construct residence. Residence was constructed and applicant applied for Certificate of Occupancy. Building Inspector denied the issuance of a C.O., stating that applicant did not have sufficient floor area to occupy the premises.

VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_

	Requirements	Proposed or Available	Variance Request
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

VII. Special Permit:

(a) Special Permit requested under New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

(b) Describe in detail the use and structures proposed for the special permit.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VIII. 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, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Applicant GATTO constructed a residential dwelling on a residential building lot with a legal building permit. No changes to the neighboring lands will be effected.

\_\_\_\_\_  
\_\_\_\_\_

IX. Attachments required:

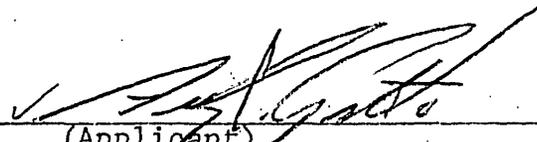
- Copy of letter of referral from Bldg./Zoning Inspector.
- Copy of tax map showing adjacent properties.
- Copy of contract of sale, lease or franchise agreement.
- Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- Copy(ies) of sign(s) with dimensions.
- Check in the amount of \$ 25.00 payable to TOWN OF NEW WINDSOR.
- Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date Oct. 2, 1985.

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 knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

  
\_\_\_\_\_  
(Applicant)

Sworn to before me this  
2nd day of October, 1985.

PATRICIA DELIO  
NOTARY PUBLIC, State of New York  
No. 5970775  
Qualified in Orange County  
Commission Expires March 30, 1987.

XI. ZBA Action:

- (a) Public Hearing date \_\_\_\_\_
- (b) Variance is \_\_\_\_\_  
Special Permit is \_\_\_\_\_
- (c) Conditions and safeguards: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY  
RESOLUTION OF ZONING BOARD OF APPEALS.