

ZB# 04-58

James Perrego

4-1-32.1

ZBA # **04-58** JAMES PERREGO (AREA)
44 STEELE RD. (4-1-32.1)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Approved 8-9-04

James Perrego 561-3209



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

October 26, 2004

James Perrego
44 Steele Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-58

Dear Mr. Perrego:

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

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

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

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

MEMORANDUM OF
DECISION GRANTING

JAMES PERREGO

AREA

CASE #04-58
-----X

WHEREAS, James and Mele Perrego, owner(s) of 44 Steele Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for variance for proposed garage to project closer to the road than existing house (300-11-A-(3) at 44 Steele Road in an R-4 Zone (4-1-32.1)

WHEREAS, a public hearing was held on August 9, 2004 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 Sentinel, 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.
 - (b) The garage that the applicants seek to build is similar in size and appearance to other garages in the neighborhood.
 - (c) The garage is not going to exceed the height of the other homes in the area.

- (d) In erecting the garage, the applicant will not remove any significant trees or substantial vegetation.
- (e) The building of the garage will not create the ponding or collection of water or divert the flow of water drainage.
- (f) The applicants seek to locate the garage in a place designated because of the practical configuration of the property.
- (g) The garage will be up a steep embankment from the roadway.
- (h) The garage will not be built on or interfere with any easements, including but not limited to, water, sewer or utility.
- (i) The garage will not interfere with the well on the property. Locating the garage on any other portion of the property will require major excavation and the removal of considerable vegetation and trees.

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

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

8. The interests of justice will be served by allowing the granting of the requested area variance(s).

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a variance for proposed garage to project closer to the road than existing house (300-11-A-(3) at 44 Steele Road in an R-4 Zone (4-1-32.1) 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: August 9, 2004



Chairman

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: **June 17, 2004**

APPLICANT: **James & Mele Perrego**
44 Steele Road
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: **6/16/04**

COPY

FOR : **Proposed 28x36 ft. detached 2 car garage.**

LOCATED AT: **44 Steele Road**

ZONE: **R-4 Sec/Blk/ Lot: 4-1-32.1**

DESCRIPTION OF EXISTING SITE: **Existing one-family house**

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. **Proposed detached 28x36ft. two (2) car garage will project closer to road than existing house.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: Bulk Tables 300-11-A-(3)

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

04-52

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 repaired before reinspection.

RECEIVED

JUN 16 2004

BUILDING DEPARTMENT

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, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2004-874

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 James & Mele Perrego

Address 44 Steele Rd New Windsor Phone # 561-3209

Mailing Address 44 Steele Rd New Windsor Fax # 562-5988

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

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

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the S side of Steele Rd
(N, S, E or W)
and approx 1000 feet from the intersection of Steele Rd + Rt 207

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

3. Tax Map Description: Section 4 Block 1 Lot 32.1

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

a. Existing use and occupancy 1 family res. b. Intended use and occupancy 1 family res w/ 2 cars

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

6. Is this a corner lot? NO

detached garage

7. Dimensions of entire new construction. Front 28 Rear 28 Depth 36 Height 15' No. of stories 1

8. If dwelling, number of dwelling units: n/a Number of dwelling units on each floor n/a

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars 2 car

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use n/a

10. Estimated cost \$15,000- Fee \$ 50- ZONING BOARD OK

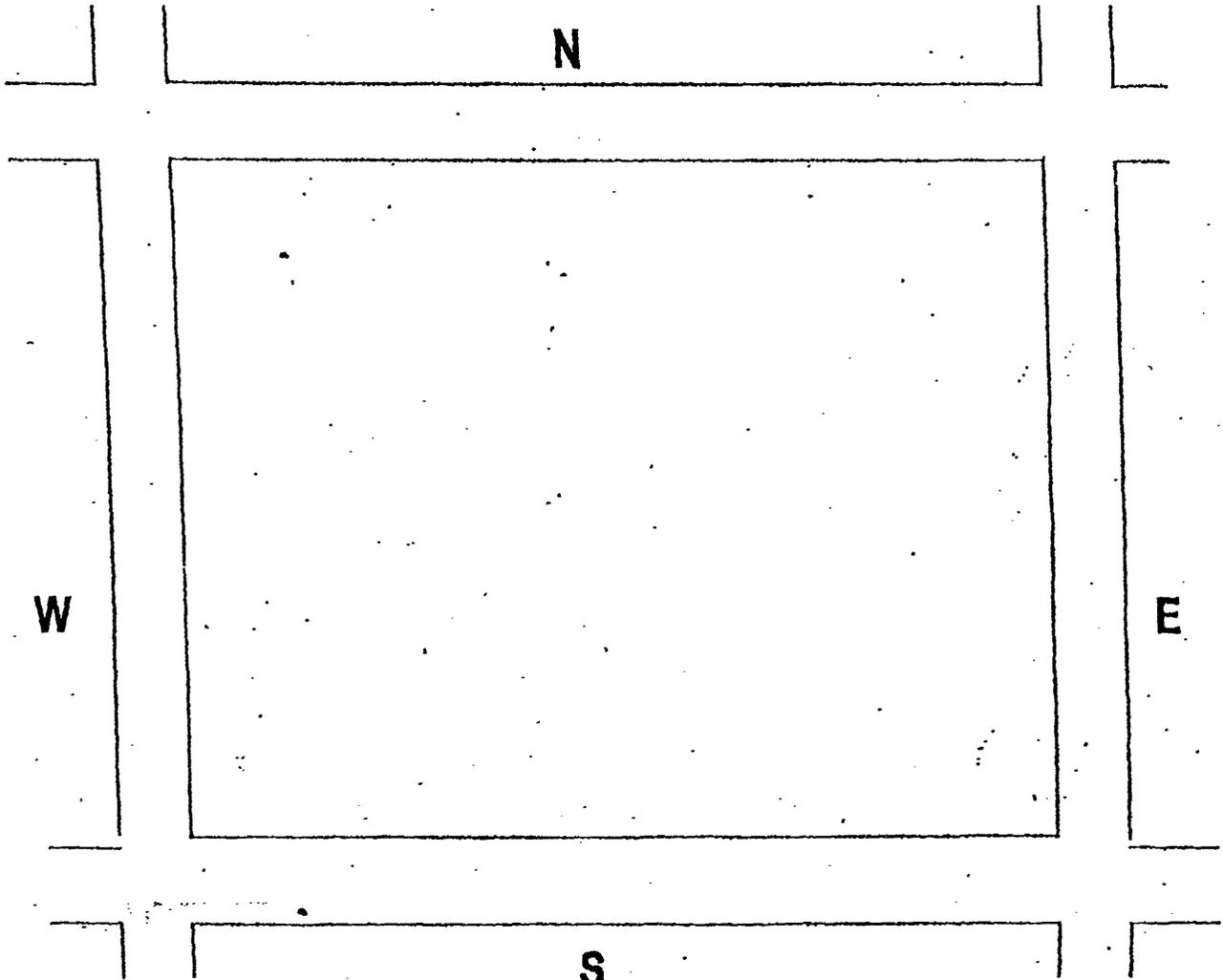
CH# 7277

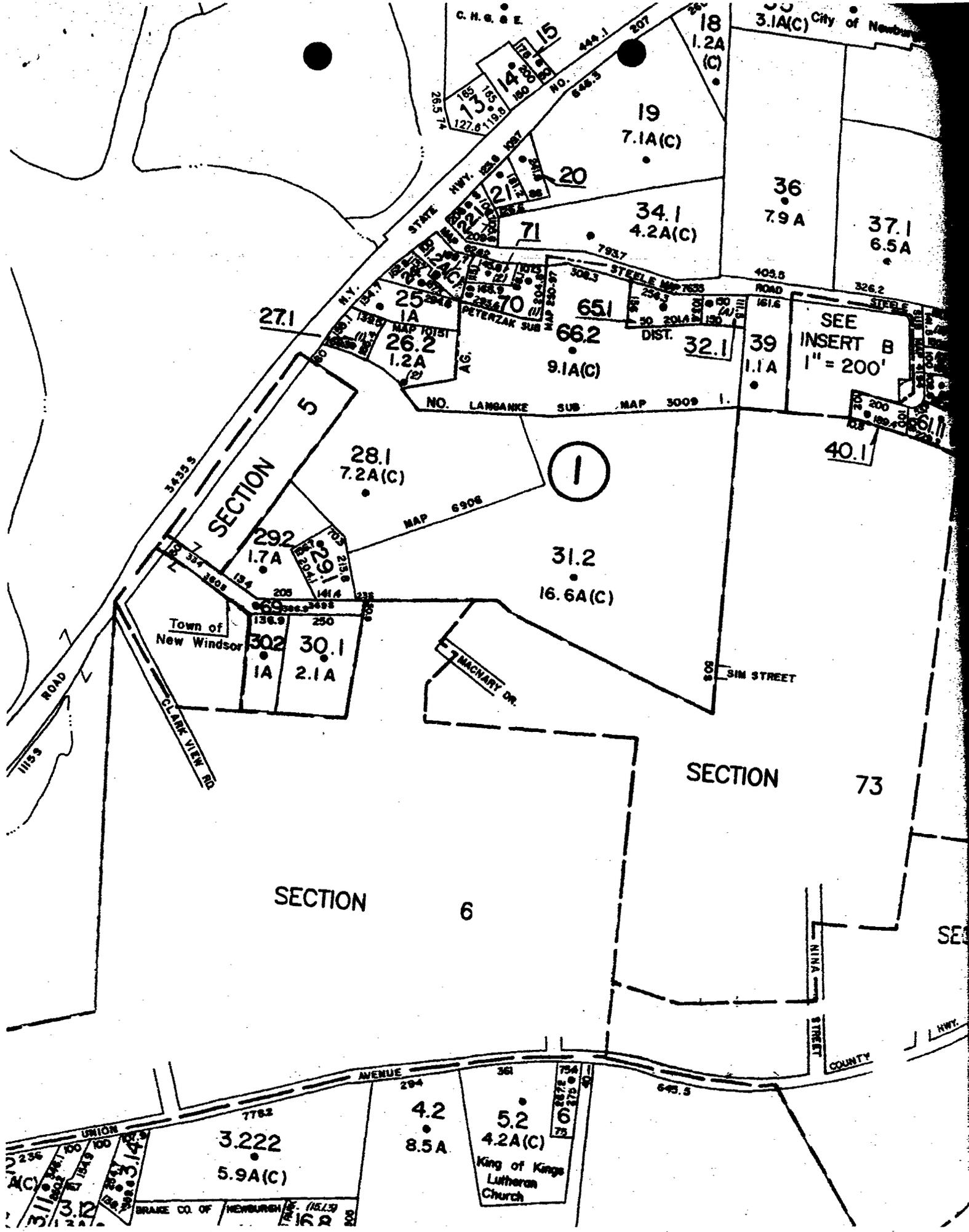
(Owner's Signature)

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.





City of Newburgh
3.1A(C)

C.H.E.E.

36
7.9 A

34.1
4.2A(C)

19
7.1A(C)

37.1
6.5A

71

27.1

65.1

32.1

39
1.1A

SEE
INSERT B
1" = 200'

NO. LANGANKE SUB. MAP 3009

SECTION
5

28.1
7.2A(C)

1

31.2
16.6A(C)

29.2
1.7A

30.1
2.1A

Town of
New Windsor

MAGNARY DR.

SIM STREET

SECTION
73

SECTION
6

STREET
NINA

COUNTY

AVENUE

4.2
8.5A

5.2
4.2A(C)
King of Kings
Lutheran
Church

3.222
5.9A(C)

BRANCE CO. OF NEWBURGH

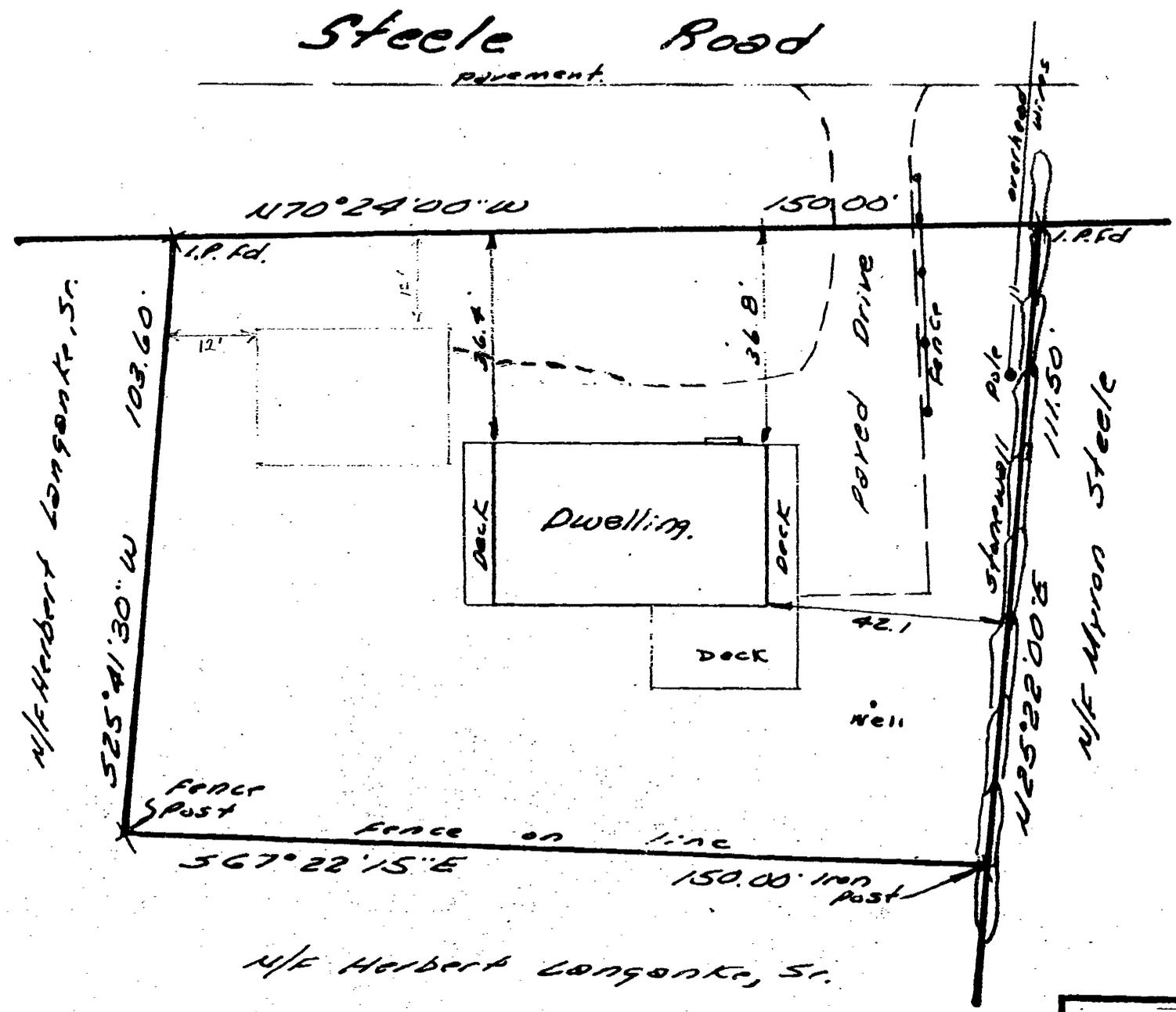
UNION
3.11
3.12
3.14

practice for
New York
Land
shall run
survey is
the title
ncy and
1, and to
stitution.
e to add-
owners."

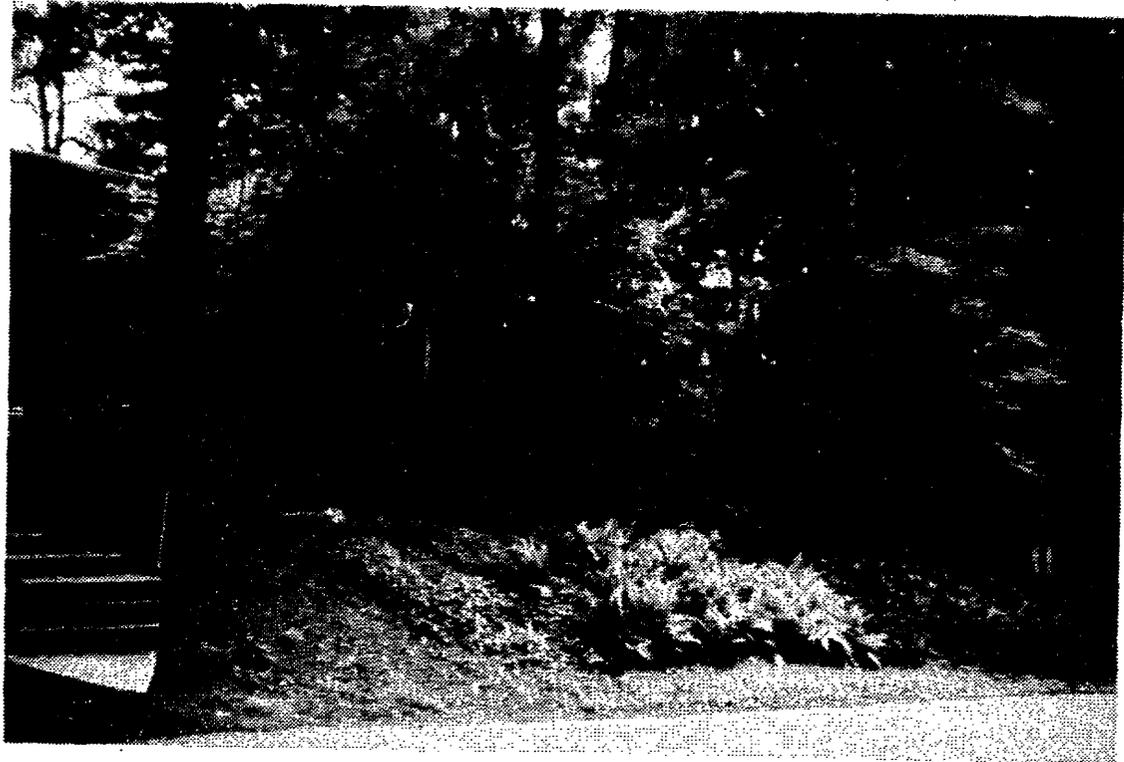
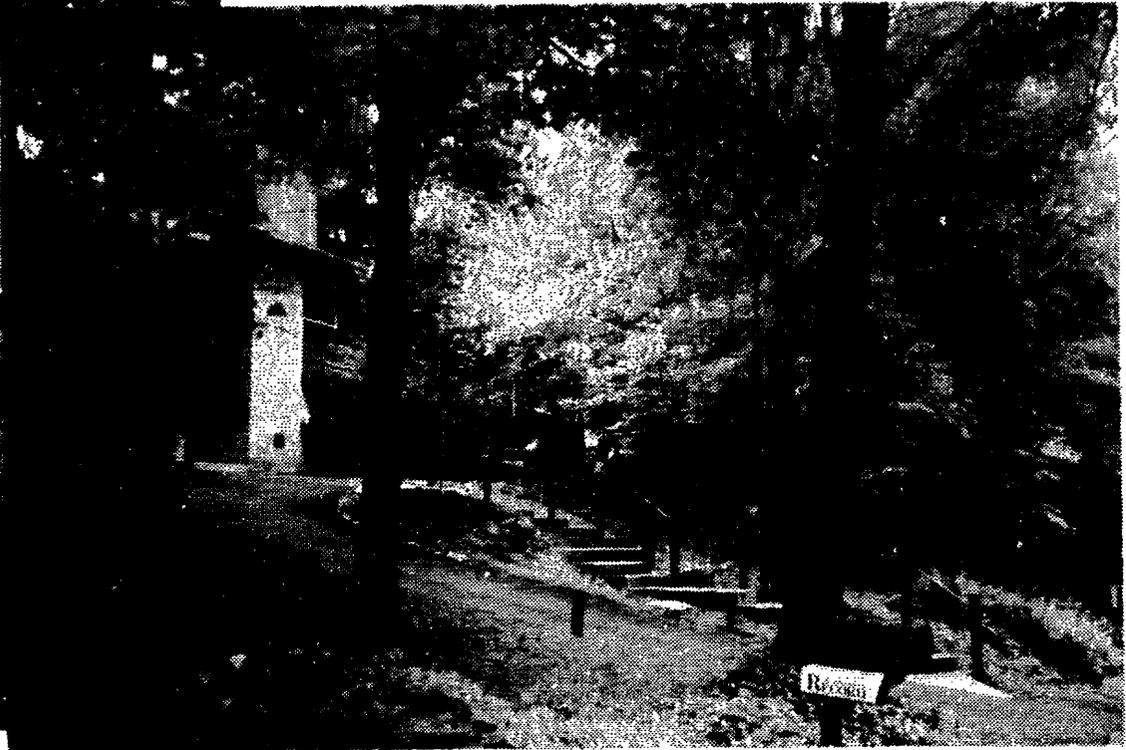
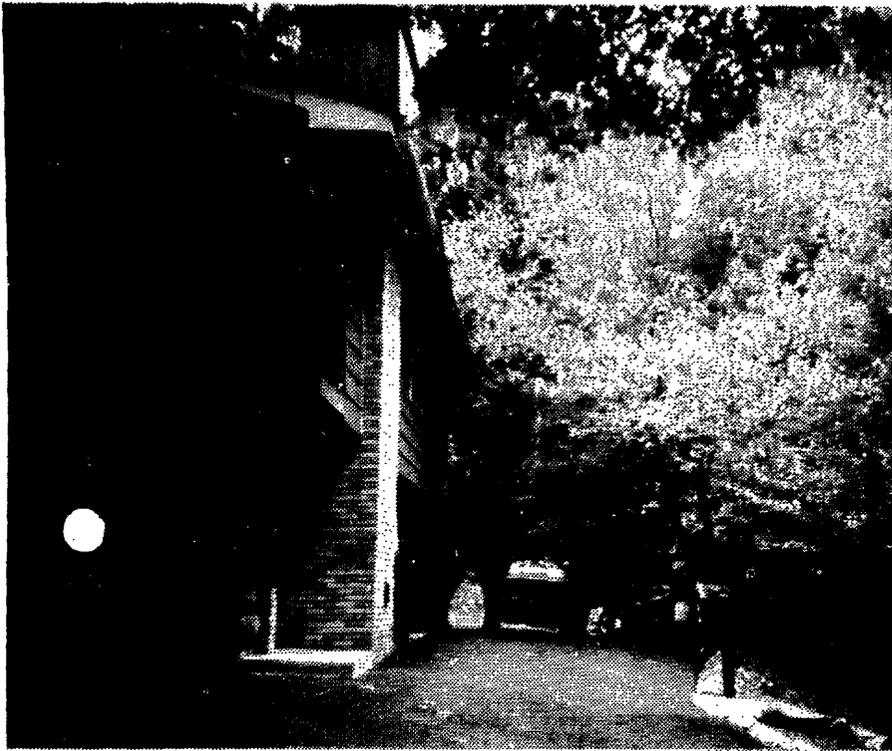
of this sur-
f the and
crossed seal
valid true

dition to a
land sur-
tion 7209,
York State

20.
2 Ke, Jr.



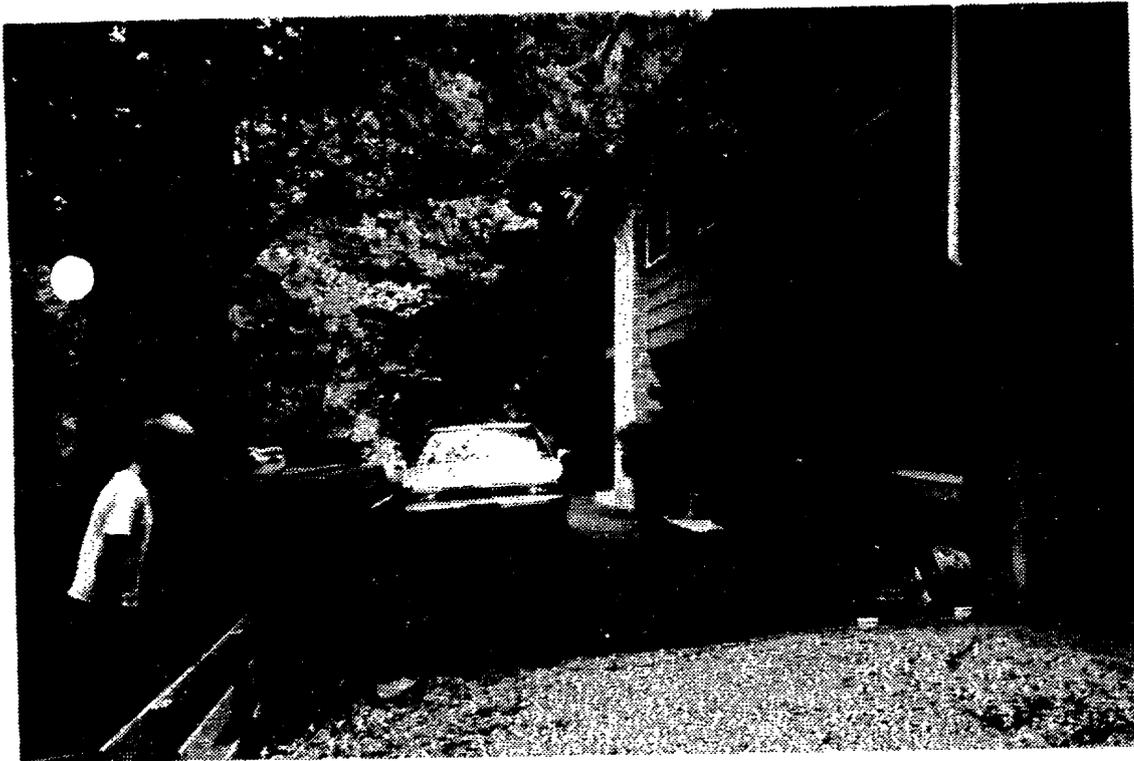
N/E Herbert Longenke, Sr.



44 Steele Rd
From Driveway &
Road looking back
to site



44 Steele Rd
Views from site
to road + back towards
house.



44 Steele Rd

Views From road.



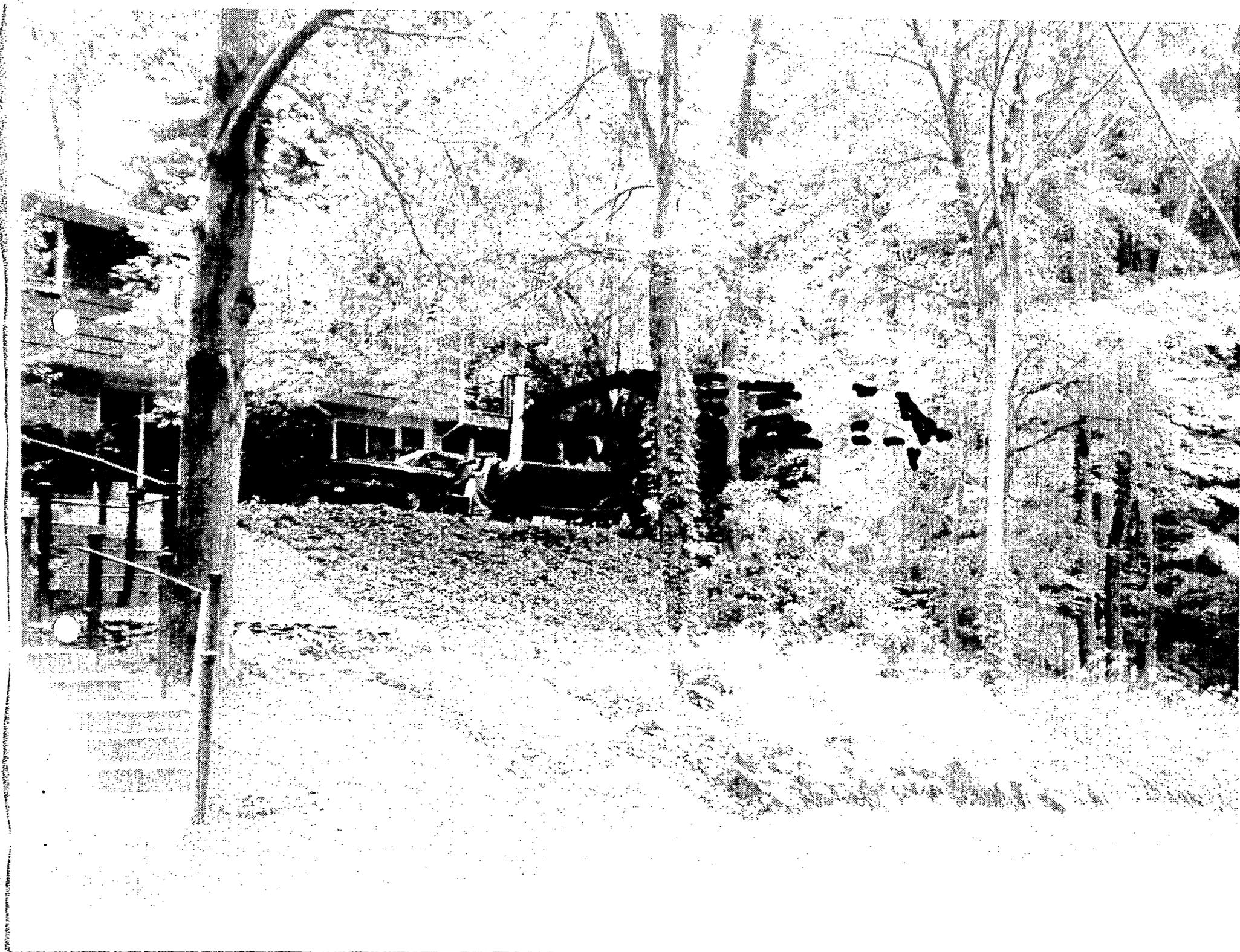
From road directly
below site

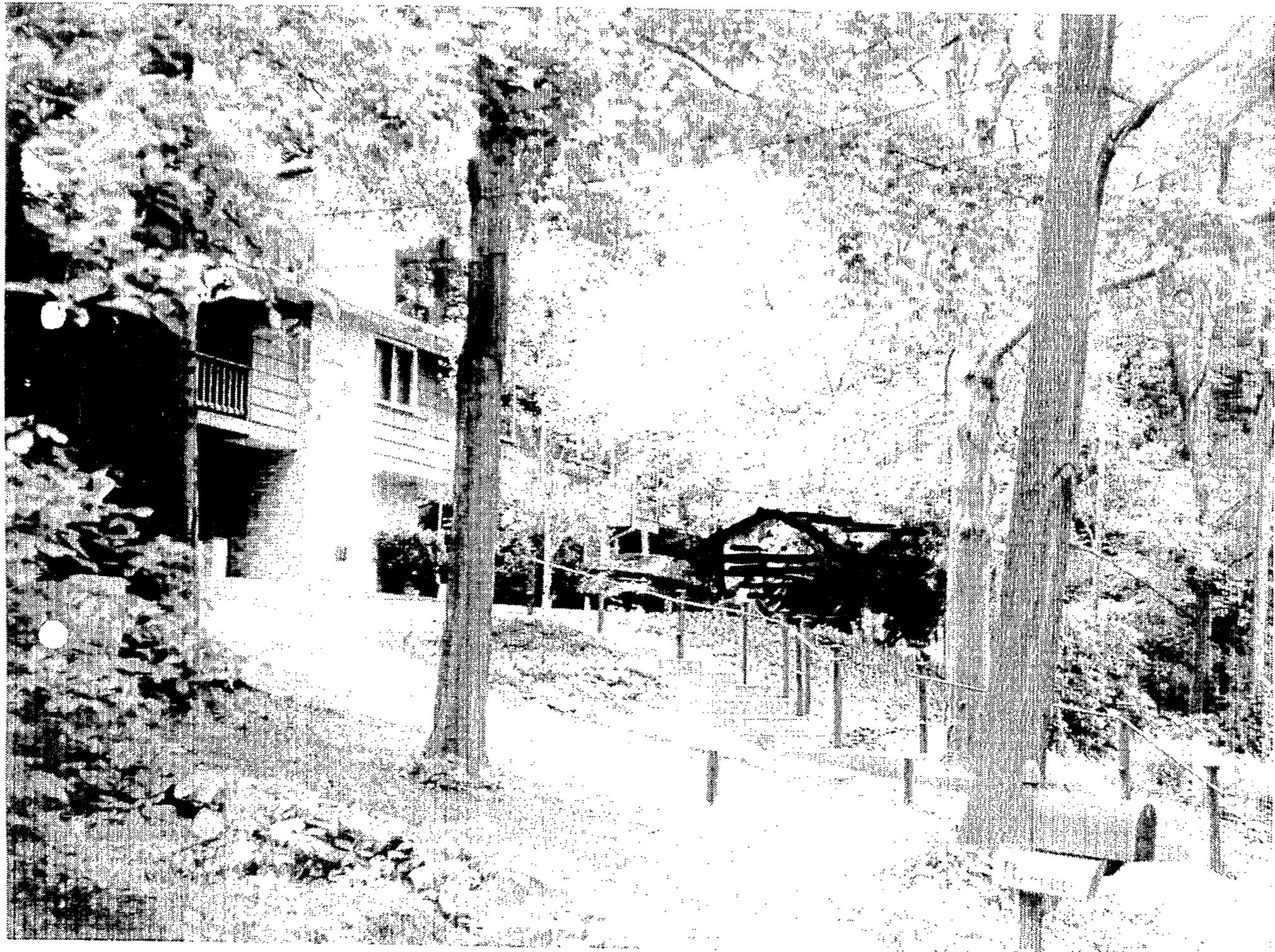
Property line
Just to right



From Road - looking UP at site - son standing









**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 18, 2004
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 169.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-58

NAME & ADDRESS:

**James Perrego
44 Steele Road
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.10-18-04



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

FILE #04-58 TYPE:AREA

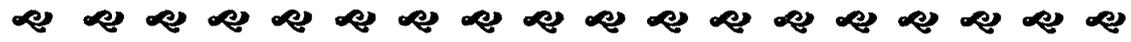
APPLICANT Name & Address:

**James Perrego
44 Steele Road
New Windsor, NY 12553**

TELEPHONE: 561-3209

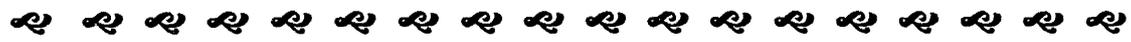
RESIDENTIAL:	\$ 50.00	CHECK # <u>134</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 135



<u>DISBURSEMENTS:</u>		<u>MINUTES</u>	<u>ATTORNEY</u>
		<u>\$5.50 / PAGE</u>	<u>FEE</u>
PRELIMINARY:	<u>5</u> PAGES	\$ <u>27.50</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	___ PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>6</u> PAGES	\$ <u>33.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	___ PAGES	\$ _____	\$ _____

TOTAL: \$ 60.50 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 130.50

AMOUNT DUE: \$ _____

REFUND DUE: \$ 169.50

Cc:

JAMES FERREGO (04-58)

MR. KANE: Request for variance for proposed garage to project closer to the road than existing house at 44 Steele Road in an R-4 zone.

Mr. and Mrs. James Ferrego appeared before the board for this proposal.

MR. KANE: Tell us what you want to do again.

MR. FERREGO: I want to build a garage 24 x 32 feet on the right front side of the house.

MR. KANE: The garage, yours is similar in size and shape to other garages that might be in your neighborhood that are detached?

MR. FERREGO: Yes, there's one right next to us.

MR. KANE: The height of the garage is not going to exceed the height of other homes in the area?

MR. FERREGO: No.

MR. KANE: Cutting down any trees or substantial vegetation with the building of this garage.

MRS. FERREGO: Would be one tree, it would be behind the garage that the excavator said might need to come down but it's behind from the public view.

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

MR. FERREGO: No.

MR. KANE: With the garage being in the front of the house and projecting closer to the road than your house, will it project closer to the road than other

homes in your neighborhood?

MRS. FERREGO: There are some homes that are closer but we're up a steep embankment.

MR. KANE: Nothing that's a noticeable situation?

MRS. FERREGO: I don't think it would be noticeable.

MR. REIS: The garage is on the topography on the right it rises on the right?

MR. FERREGO: Yes, looking up from the road it's probably 25 feet.

MRS. FERREGO: Some of the pictures were taken from the road.

MR. MINUTA: You do not currently have a garage?

MR. FERREGO: No.

MR. KANE: Are you on town water and sewer?

MRS. FERREGO: Just town sewer. We have a well.

MR. KANE: Any easements in the area where the garage is being proposed?

MR. FERREGO: No.

MR. KANE: At this point, I will open it up to the public and ask if there's anybody here for this particular meeting? Seeing as it's not, close it and ask Myra how many mailings.

MRS. FERREGO: Mr. Geraci was here.

MR. KANE: How many mailings did we have?

MS. MASON: On the 27th of July, I mailed out 13 envelopes and I had just this one response.

MR. FERREGO: Is that from Mrs. Steele?

MR. KANE: Yes.

MR. FERREGO: But he left.

MR. KANE: This was a letter authorizing him to speak for them so obviously you covered any questions that they had?

MR. FERREGO: Yes, he's our closest neighbor.

MR. KANE: Okay.

MR. KRIEGER: How big is this piece of property?

MR. FERREGO: The frontage is I believe 175 and the depth is about 111.

MR. KRIEGER: And you're screened from your other neighbors?

MRS. FERREGO: It's very wooded there, yeah.

MR. FERREGO: The one neighbor that we see would have a garage just like we do.

MR. KRIEGER: How far off the road will you be approximately?

MRS. FERREGO: Probably still about 30 feet, I think.

MR. FERREGO: At least.

MRS. FERREGO: Because the town property cuts into our, that line is the town property line, actually, that's to scale if you have--

MR. BABCOCK: Yeah, it's between 35 and 40 feet from the edge of pavement.

MR. FERREGO: And it's up above the road probably 20 feet at that point at the garage point.

MR. KANE: And it would be impractical to put it in another place on your property?

MR. FERREGO: Oh, yeah.

MRS. FERREGO: Any other location would require major excavation like if it was behind the house.

MR. KANE: Removing a lot of vegetation and trees?

MRS. FERREGO: Yes, substantial dirt, too.

MR. MINUTA: Do you have currently sewer?

MR. KANE: I covered that, town sewer with a well.

MRS. FERREGO: And other side of our house where the driveway initially goes up which would be behind the house if we built that there that would be a lot of excavation and the well is there too.

MR. FERREGO: And we had a driveway that would run right into it, the driveway's in front of the house.

MR. MINUTA: The existing large vegetation that's in the front that buffers the road from the proposed garage, will any of that be removed?

MR. FERREGO: None of it.

MR. KRIEGER: It stays?

MR. FERREGO: All of it.

MR. REIS: Mike, just a point, I didn't calculate it but developmental coverage is there an issue there?

MR. BABCOCK: They didn't say he needed that.

MRS. FERREGO: There would only be a small pad of cement connecting because we can't put the garage too close to the house so there'd be a small cement pad connecting our current driveway to the garage about ten feet, I think whatever it is.

MR. BABCOCK: Yeah. Most of the paving is there.

MR. BABCOCK: I personally didn't do the calculation, I'm not sure if anybody did but they didn't say anything if they did.

MR. REIS: Looks like it might be close, just wanted to clear it up if there's an issue.

MR. FERREGO: In front of the house there's a current driveway right now, it would be connecting the space about ten feet.

MR. MINUTA: Just for clarification on the developmental coverage that includes anything that's on the property that prohibits water from permeating the soil, so that would include driveway, existing dwelling, decks and so forth, just for clarification.

MR. KANE: Okay, any other questions? Kathy? Steve?

MR. RIVERA: No.

MR. KANE: All set?

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

August 9, 2004

29

MR. REIS: Make a motion that we grant James Ferrego his requested variance for proposed garage to project closer to the road than the existing house at 44 Steele Road.

MR. MINUTA: Second it.

ROLL CALL

MS. LOCEY	AYE
MR. RIVERA	AYE
MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE

Lois S. Musmann, DMA

975 Pizarro Lane, Foster City, California 94404

650.357.0814

August 2, 2004

New Windsor Zoning Board of Appeals
55 Union Avenue
New Windsor, New York 12553

Re: Public Hearing on Appeal No. 0458
To take place on August 9, 2004
New Windsor Town Hall

Dear Friends and Neighbors,

We write regarding the appeal for a variance requested by James and Mele Perrego of 44 Steele Road, New Windsor.

With this letter, we authorize Mrs. Lois M. Steele (our mother) of 54 Steele Road, New Windsor, to speak on our behalf, as she is the tenant of this property, and as we are currently unable to be present at the meeting.

We look forward to an outcome of the meeting that is amenable to all.

Please feel free to contact us as the need arises.

Very sincerely,



Dr. Lois S. Musmann
975 Pizarro Lane
Foster City, CA 94404
(650) 357-0814
Lmusmann@ndnu.edu



Richard A. Steele
837-B Little Bay Avenue
Norfolk, VA 23503
(707) 480-1904
Richard_8466@msn.com

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:

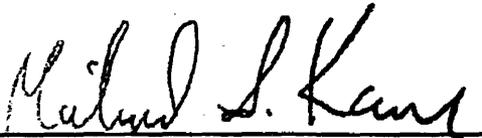
Appeal No. 04-58

Request of JAMES PERREGO

for a VARIANCE of the Zoning Local Law to Permit:

Request for variance for proposed garage to project closer to the road than existing house (300-11-A-(3) at 44 Steele Road in an R-4 Zone (4-1-32.1)

PUBLIC HEARING will take place on AUGUST 9, 2004
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) 563-4693

Assessors Office

July 9, 2004

James & Mele Perrego
44 Steele Road
New Windsor, NY 12553

Re: 4-1-32.1 ZBA#: 04-58

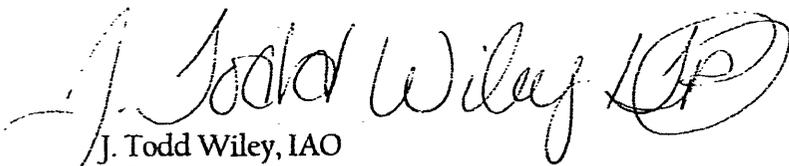
Dear Mr. & Mrs. Perrego:

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 \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,


J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

4-1-19,4-1-34.1,4-1-36,4-1-37.1
GretagMacBeth, LLC
ATT: Walter Buboltz, Compt.
617 Little Britain Road
New Windsor, NY 12553

4-1-61.22
Lois Musman & Richard Steele
c/o Lois Steele
54 Steele Road
New Windsor, NY 12553

4-1-65.1
Richard Rodriguez
36 Steele Road
New Windsor, NY 12553

73-2-8
Frank & Angela Carlone
350 Nina Street
New Windsor, NY 12553

4-1-31.2
Otto Scheible
c/o Newburgh Packing
677 Little Britain Road
New Windsor, NY 12553

4-1-63
Charles & Anna Maria Vakirtzis
64 Steele Road
New Windsor, NY 12553

4-1-66.2
CVC Capital Management
Money Purchase Plan
P.O. Box 2307
Newburgh, NY 12550

73-2-9
John & Kathryn McCrossen
348 Nina Street
New Windsor, NY 12553

4-1-39
Joseph & Myra Jean Geraci
50 Steele Road
New Windsor, NY 12553

4-1-64
William & Allison Duffy
58 Steele Road
New Windsor, NY 12553

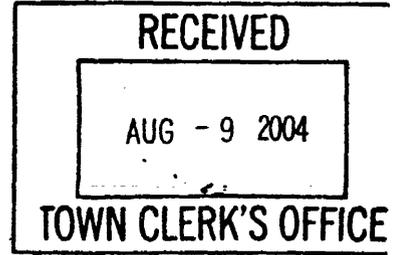
73-2-7
Robert & Margaret Mullins
352 Nina Street
New Windsor, NY 12553



TOWN OF NEW WINDSOR

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

cc: M. Mason



REQUEST FOR PUBLIC RECORDS

(Please specify or describe item (s) requested)

ZBA application for James Perrego

Date Records Requested: 8/9/04

Name: Stewart P. Allen

Address: One Corwin Court, Suite 100
Newburgh, NY 12550

Phone: (845) 561-8000

Representing: LOIS STEELE

Documents may not be taken from this office.



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

July 13, 2004

James Perrego
44 Steele Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-58

Dear Mr. Perrego:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

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

44 Steele Road
New Windsor, NY 12553

is scheduled for the AUGUST 9, 2004 agenda.

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

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

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

RECEIPT
#695-2004

07/07/2004

Perrego, James *ZBA # 04-58*

Received \$ 50.00 for Zoning Board Fees, on 07/07/2004. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 07-06-04

FOR: ESCROW (04-58)

FROM: JAMES PERREGO

44 STEELE ROAD

NEW WINDSOR, NY 12553

CHECK NUMBER: 135

TELEPHONE: 561-3209

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

7/6/09
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

JAMES PERREGO (04-58)

Mr. and Mrs. James Perrego appeared before the board for this proposal.

MR. KANE: Request for variance for proposed garage to project closer to the road than existing house at 44 Steele Road in an R-4 zone. Tell us what you want to do.

MR. PERREGO: We want to build a garage to the right side of the house facing it and the garage is in front of the house towards the road.

MRS. PERREGO: Our property is up a fairly steep embankment and the driveway goes up and round to the right and we'd like to put the garage at the end of that driveway.

MR. KANE: Will the garage be visible from the street?

MRS. PERREGO: Not very visible because of the incline and the vegetation, it's heavily wood there, for instance, this is from the street and if you see our son he's about 4 1/2 foot tall but you can barely see him and also no vegetation that we'd be cutting down to put the garage.

MR. KANE: So you won't be cutting down a substantial amount of vegetation?

MR. PERREGO: No.

MR. KANE: Won't be creating any water hazards on runoffs?

MRS. PERREGO: No.

MR. KANE: Is this going to be a single car garage or two car?

MR. PERREGO: Two car.

MR. KANE: No easements in the area where you're going to be bidding the garage?

MRS. PERREGO: No, none whatsoever.

MR. KANE: Garage is going to be similar in size to other garages that are in your neighborhood.

MR. PERREGO: I think so.

MR. KANE: Not overly big? What's the measurements on the garage?

MR. PERREGO: 24 x 32.

MR. BABCOCK: Mr. Chairman, the application is for a 28 x 36, have those numbers changed?

MRS. PERREGO: It's scaled down and I wasn't sure when we filled the original paperwork out.

MR. BABCOCK: That's okay, just want to straighten it out.

MR. KANE: Make sure all the numbers are right.

MR. BABCOCK: What were the numbers?

MRS. PERREGO: 24 x 32.

MR. KANE: Height of the garage going to be a peaked roof?

MR. PERREGO: Yes.

MR. KANE: At the highest point?

MRS. PERREGO: About 12 foot but--

MR. KANE: Is that in your plans?

MR. BABCOCK: They're allowed 15 foot maximum.

MR. KANE: And you understand that if it's approved by the board that you have to pass all the requirements of the building department?

MRS. PERREGO: Yes.

MR. KANE: Gentlemen, do you have any other questions and lady?

MR. MINUTA: Will the garage be attached?

MR. PERREGO: No.

MR. KANE: Going to be heated?

MR. PERREGO: No.

MR. KANE: Electric?

MR. PERREGO: Yes.

MR. BABCOCK: Maybe I could ask the proposal you're going to be driving into your existing driveway, go through in front of your house into this garage?

MR. PERREGO: Yes.

MR. BABCOCK: Okay.

MR. REIS: Will there be any other utilities in the garage besides electric?

MR. PERREGO: No.

MR. KANE: That's the way it's shown right there, Mike, you have the little drawing?

MR. BABCOCK: Yes, okay.

MR. REIS: Accept a motion?

MR. KANE: Michael, we're going to do projected to the road than the existing house, do we need to have specific numbers for that?

MR. BABCOCK: No, it says that's exactly what the code says it cannot project so it's actually the number.

MR. KANE: As long as we give them approval to project closer.

MR. BABCOCK: We're giving him relief of Section 300-11-A-3 which says that it cannot project closer to the street than the principle building.

MR. KANE: What about the side yard, it looks like they have 12 foot there, is that okay?

MR. BABCOCK: This is fine, 10 foot is for an accessory structure.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Make a motion that we pass James Perrego to a public hearing for his requested variance for proposed garage to project closer to the road than existing house at 44 Steele Road.

MR. RIVERA: Second it.

ROLL CALL

July 12, 2004

18

MR. MINUTA	AYE
MS. LOCEY	AYE
MR. REIS	AYE
MR. RIVERA	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: July 12, 2004

PROJECT: James Perrego

ZBA # 04-58
P.B.#

USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) R3 S) Rv VOTE: A 5 N 0

Hoag
RIVERA A
MCDONALD A
REIS A
MINUTA A
KANE A

CARRIED: Y N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____.

RIVERA _____
MC DONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y _____ N _____.

Change size of Garage to 24' x 32'



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

July 6, 2004

James Perrego
44 Steele Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-58

Dear Mr. & Mrs. Perrego:

This letter is to inform you that you have been placed on the July 12, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

44 Steele Road
New Windsor, NY

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

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

DATE: 07-06-04 PROJECT NUMBER: ZBA# 04-58 P.B. # _____

APPLICANT NAME: JAMES PERREGO

PERSON TO NOTIFY TO PICK UP LIST:

JAMES OR MELE PERREGO
44 STEELE ROAD
NEW WINDSOR, NY 12553

TELEPHONE: 561-3209

TAX MAP NUMBER: SEC. 4 BLOCK 1 LOT 32.1
 SEC. BLOCK LOT
 SEC. B LOCK LOT

PROPERTY LOCATION: 44 STEELE ROAD
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

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

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

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



NEW WINDSOR ZONING BOARD XXX

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



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 136

TOTAL CHARGES: _____



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



APPLICATION FOR VARIANCE

6-28-09
Date

Application Type: Use Variance Area Variance
Sign Variance Interpretation

I. Owner Information:

Phone Number: (845) 561-3209
Fax Number: (845) 562-5988
James + Mele Perrego
(Name)
44 Steele Rd New Windsor NY 12553
(Address)

II. Applicant:

Phone Number: (845) 561-3209
Fax Number: (845) 562-5988
James + Mele Perrego
(Name)
44 Steele Rd New Windsor NY 12553
(Address)

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

Phone Number: (845) 561-3209
Fax Number: (845) 562-5988
James + Mele Perrego
(Name)
44 Steele Rd New Windsor NY 12553
(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number () _____
Fax Number () _____

(Name)

(Address)

V. Property Information:

Zone: R-4 Property Address in Question: 44 Steele Rd
Lot Size: 150 x 104 Tax Map Number: Section 4 Block 1 Lot 32.1
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? no
c. When was property purchased by present owner? Dec 1986
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? proposed

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

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

04-58

COMPLETE THIS PAGE

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

APPLICATION FOR VARIANCE - continued

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

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

We are applying for a variance to build an extended 2 car garage in order to store, not only our vehicles but also valuable equipment such as snow blowers lawn mower and other yard ^{maintenance} equipment. The garage would also provide a workshop area that is not possible to locate in our home. There is no other location feasible due to the layout, size and terrain of our property.

We do not feel that the area variance to place the garage closer to the road than the house is substantial, nor do we feel that it would have a negative impact on the neighborhood since the terrain is heavily wooded and substantially elevated above the road. We feel that, if anything, the neighborhood would benefit as our outdoor equipment & materials could then be stored out of sight and not in public view. We feel that it would also enhance our home & property and neighborhood.

The difficulty causing us to request a variance is not due to our efforts, but only inherent to the properties terrain.

PLEASE NOTE:

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

04-58

COMPLETE THIS PAGE

XII. ADDITIONAL COMMENTS:

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

XIII. ATTACHMENTS REQUIRED:

- Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- Copies of signs with dimensions and location.
- Three checks: (each payable to the TOWN OF NEW WINDSOR)
- One in the amount of \$ 300.00 or 500.00 , (escrow)
- One in the amount of \$ 50.00 or 150.00 , (application fee)
- One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT THREE(3) 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:

28th day of June 2004,

Mele A. Perrego
 Owner's Signature (Notarized)

Jennifer Mead
 Signature and Stamp of Notary

Mele A. Perrego
 Applicant's Name (Please Print)
 JENNIFER MEAD
 Notary Public, State Of New York
 No. 01ME6050024
 Qualified in Orange County
 Commission Expires 10/30/ 2006

Applicant's Signature (If not Owner)

PLEASE NOTE:

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

COMPLETE THIS PAGE

04-58



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



ZONING BOARD PROCEDURES

PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION 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

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

*

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

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"



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

