

ZB# 07-20

Brian Maxwell

39-5-26

07-20

Brian Maxwell (Area)
13 Hudson Dr. (39-5-2)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 6-25-07

07-20

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 39-5-26

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

BRIAN MAXWELL

AREA

CASE #07-20

WHEREAS, Mr & Mrs. Brian Maxwell, owner(s) of 13 Hudson Drive, New Windsor, New York, 12553; has made application before the Zoning Board of Appeals for a/an Request for 10 ft. Rear Yard Setback for proposed pool and; Request for 22 ft. 9 inches Rear Yard Setback for proposed addition at 13 Hudson Drive in an R-4 Zone (39-5-26)

WHEREAS, a public hearing was held on June 25, 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 applicant proposes to add an addition to their property measuring approximately 16 ft. X 25 ft. and having no basement.
 - (c) In constructing the pool and addition, the applicant will not remove any trees or substantial vegetation.

- (d) In building the pool and addition the applicant will not build 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 building the pool and addition the applicant will not create the ponding or collection of water or divert the flow of water drainage.
- (f) With the pool and addition, the house will be similar in size and nature to other houses in the neighborhood.

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

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

NOW, THEREFORE, BE IT

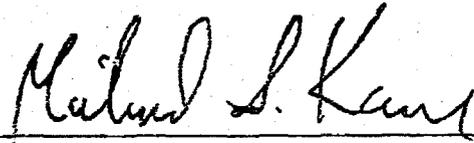
RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 10 ft. Rear Yard Setback for proposed pool and; Request for 22 ft. 9 inches Rear Yard Setback for proposed addition at 13 Hudson Drive in an R-4 Zone (39-5-26) as sought by the

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: June 25, 2007



Chairman

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

1 of 2

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: April 12, 2007

APPLICANT: Brian Maxwell

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: April 11, 2007

FOR: Proposed In-Ground Pool

LOCATED AT: 13 Hudson Drive

ZONE: R-4 Sec/Blk/ Lot: 39-5-26

DESCRIPTION OF EXISTING SITE: One Family House

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed in-ground pool will not meet minimum 10' rear yard set-back.**


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:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD: 300-24-A 10' 5' 9" 4' 3"

REQ'D FRONTAGE:

MAX FENCE HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

COPY

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

4/25/07 Sent Applicant.

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

IMPORTANT

MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

APR 10 2007

FOR OFFICE USE ONLY:
Building Permit #: _____

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 Brian W. + Angela Maxwell

Address 13 Hudson Drive, New Windsor, NY Phone # 512-9037 (H)
845-639-6977 (C)

Mailing Address Same Fax # _____

Name of Architect Coppola Associates

Address 3 Washington Center, Second Floor, Newburgh, NY Phone 516-3559

Name of Contractor addition - (Ray Packer) Reliable Construction Corp Pool - George Fotiadis, II

Address 20 Lakeview Trail, Salisbury Mills, NY Phone 212-6358
12577 569-4622
27 Jay Street
New Windsor

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

applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the North side of 13 Hudson Drive
and 150 yards ^(N, S, E or W) feet from the intersection of Hudson Drive & St. Anne
2. Zone or use district in which premises are situated _____ is property a flood zone? Y _____ N
3. Tax Map Description: Section 39 Block 5 Lot 26
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy primary home b. Intended use and occupancy _____
5. Nature of work (check if applicable) New Bldg. Addition Alteration Repair Removal Demolition Other + Pool
6. Is this a corner lot? No
7. Dimensions of entire new construction. Front 16' Rear 16' Depth 23' 4" Height 12' 9" No. of stories 1
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
Number of bedrooms 3 Baths 2 Toilets 2 Heating Plant: Gas Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars 1
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee _____

ZONING BOARD

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louie Kryshear
New Windsor Town Hall
856 Union Avenue
New Windsor, New York 12553
(845) 583-4818
(845) 563-4888 FAX

Std 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.

Angela Maxwell 13 Hudson Drive, New Windsor, NY
(Signature of Applicant) (Address of Applicant)

(Owner's Signature)

PLOT PLAN

(Owner's Address)

(J):

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

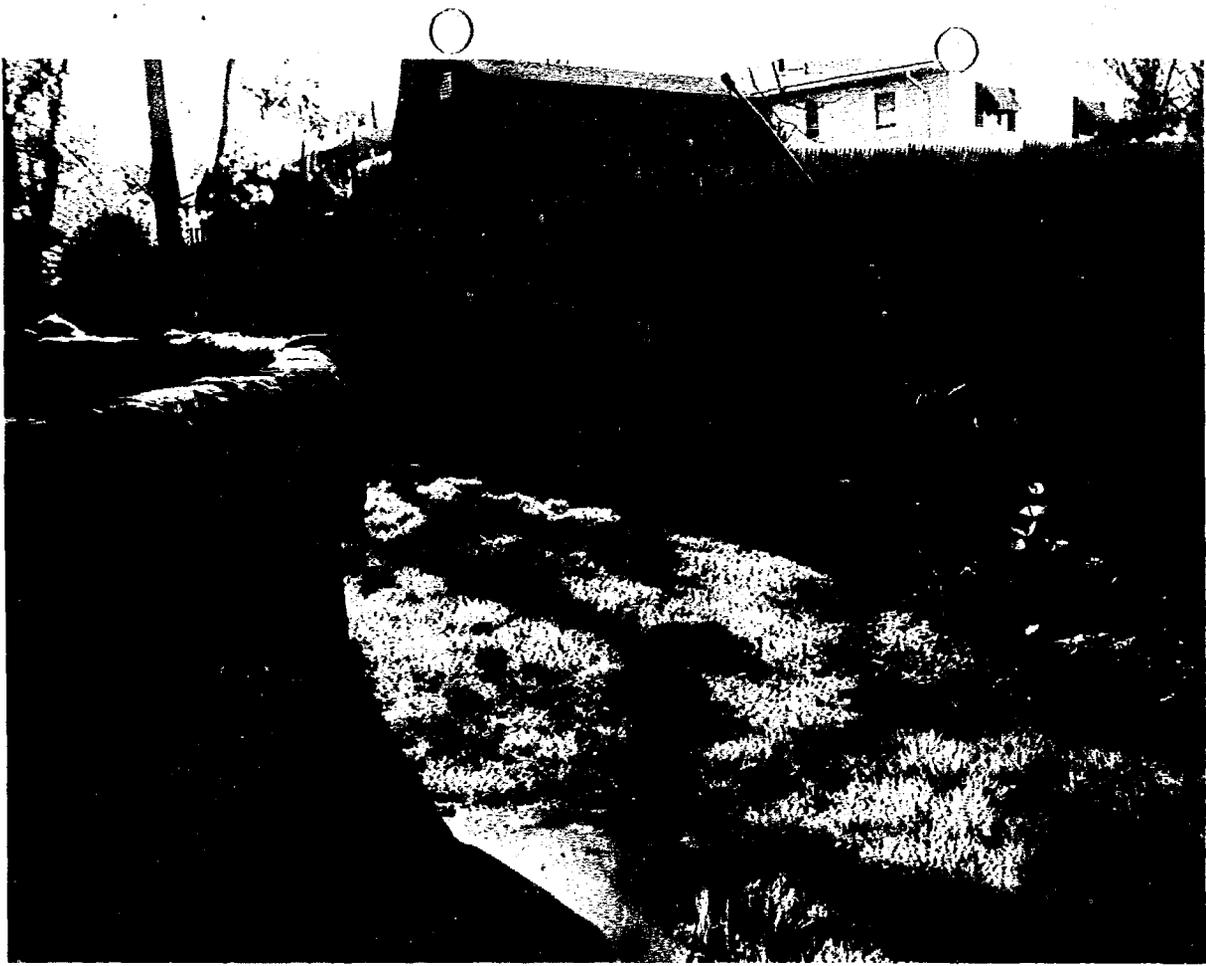
N

See blueprint

W

E

S















**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: 11/08/07
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 167.52 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #07-20

NAME & ADDRESS:

**Brian & Angela Maxwell
13 Hudson Drive
New Windsor, NY 12553**

THANK YOU,

MYRA

J.F.11/08/07



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



FILE #07-20 TYPE:AREA TELEPHONE: 562-9037

APPLICANT:
Brian & Angela Maxwell
13 Hudson Drive
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>5632</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 5633



<u>DISBURSEMENTS:</u>		<u>MINUTES</u>	<u>ATTORNEY</u>
		<u>\$7.00 / PAGE</u>	<u>FEE</u>
PRELIMINARY:	<u>3</u>	PAGES	\$ <u>21.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	\$ <u>28.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____

LEGAL AD: Publish Date:06-15-07 \$ 13.48

TOTAL: \$ 62.48 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 132.48

AMOUNT DUE: \$ _____

REFUND DUE: \$ 167.52

Cc:

J.F. 11/08/07

RESULTS OF Z.B.A. MEETING OF: June 25, 2007

PROJECT: Brian Maxwell ZBA # 07-20
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) Lo S) Lu VOTE: A 4 N 0.

GANN A
LUNDSTROM A
LOCEY A
TORPEY A
~~KANE~~ _____

CARRIED: Y N _____

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June 25, 2007





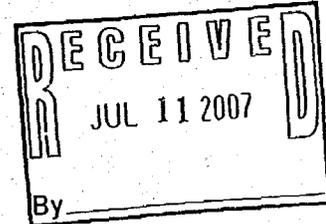
THE SENTINEL

P.O. BOX 406
VAILS GATE, NY 12584

Invoice

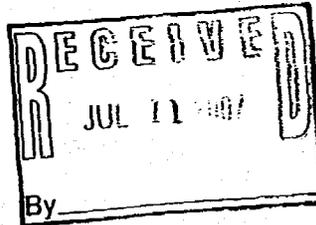
Date	Invoice #
6/25/2007	495

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



P.O. No.	Terms	Project
49758		

Issue Date	Description	Rate	Amount
6/15/2007	LEGAL ADS: APPEAL NO. 07-20 - MAXWELL	9.48	9.48
	1 AFFIDAVIT	4.00	4.00
Total			\$13.48



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. (07-20)
Request of **B R I A N & ANGELA MAXWELL** for a VARIANCE of the Zoning Local Law to Permit
1. Request for 10 ft. Rear Yard Setback for proposed pool and; Request for 22 ft. 9 inches Rear Yard Setback for proposed addition at 13 Hudson Drive in an R-4 Zone (39-5-26)
PUBLIC HEARING will take place on **JUNE 25TH, 2007** at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.
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 15th day of June A.D., 2007 and ending on the 15th day of June A.D. 2007

Kathleen O'Brien

Subscribed and shown to before me this 10th day of July, 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 _____.

BRIAN & ANGELA MAXWELL (07-20)

Mr. and Mrs. Brian Maxwell appeared before the board for this proposal.

MS. GANN: Request for 10 foot rear yard setback for proposed pool and request for 23 foot 9 inch rear yard setback for proposed addition at 13 Hudson Drive.

MS. GANN: Give us your name and address please.

MR. MAXWELL: Brian Maxwell, 13 Hudson Drive, New Windsor.

MS. GANN: Tell us what you want to do, why you're here again.

MR. MAXWELL: For an addition on my house and an inground pool.

MS. GANN: How large is the addition?

MR. MAXWELL: It's 16 x 25 or 22, something like that.

MS. GANN: What are you using the addition for?

MR. MAXWELL: Just a Florida room.

MR. TORPEY: No basement?

MR. MAXWELL: No basement.

MR. TORPEY: You know you're not in Florida.

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

MR. MAXWELL: No.

MS. GANN: Creating any water hazards?

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MR. MAXWELL: No.

MS. GANN: Cutting down any substantial vegetation?

MR. MAXWELL: You asked that.

MS. GANN: I'm sorry. Does this go over any easements that you know of?

MR. MAXWELL: No easements.

MR. KRIEGER: Once the house is completed, will it be similar in size and appearance to other houses in the neighborhood?

MR. MAXWELL: Yes.

MR. KRIEGER: Won't make it unduly large?

MR. MAXWELL: No.

MS. GANN: And the pool is coming down you mentioned?

MR. MAXWELL: Yes.

MS. GANN: Will you have anything there in terms of walking out of the building, walking out of the home and stepping down, will there be any sort of decking there?

MR. MAXWELL: A step.

MS. GANN: There will just be a step there?

MRS. MAXWELL: Yes.

MS. GANN: Any other questions from the board? Is there anyone here for this public hearing? Seeing that there's not, I'm going to close the public portion and

ask Myra how many mailings we had.

MS. MASON: On June 12, I mailed out 80 envelopes and had no response.

MR. KRIEGER: How will the pool be enclosed?

MR. MAXWELL: With a cover.

MR. KRIEGER: I mean--

MS. GANN: They're taking it down.

MR. MAXWELL: A fence, oh, a fence.

MR. KRIEGER: And you're aware that the fact that you need a self-closing, self-locking gate on the fence?

MR. MAXWELL: Yes.

MR. KRIEGER: Even if a variance is granted by this board for the pool, you're still going to have to comply with all state and local laws in erecting the pool.

MR. MAXWELL: Sure.

MR. KRIEGER: How far will the pool be from the property line to the property with the variance?

MR. MAXWELL: Ten, seven, looking at the house on the right and I believe you have the plans here on the back side of the property it's like--

MR. LUNDSTROM: I don't have detailed plans here, no.

MR. MAXWELL: The plans were submitted to you and you had them last time we were here.

MS. MASON: The building inspector had them and he's

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not here.

MR. MAXWELL: I thought that was you, I'm sorry. I think it's 8 or 9 feet.

MR. KRIEGER: Even if the variance is granted, there will still be 8 or 9 feet also?

MR. MAXWELL: Yes.

MR. KRIEGER: It's not really on the property line.

MR. MAXWELL: No.

MS. GANN: I'll accept a motion.

MS. LOCEY: I will offer a motion to approve the requested variances on the application of Brian and Angela Maxwell for a 10 foot rear yard setback for proposed pool and 22 foot 9 inch rear yard setback for proposed additional at 13 Hudson Drive in an R-4 zone.

MR. LUNDSTROM: I'll second that motion.

ROLL CALL

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



Town of New Windsor

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

Assessors Office

May 18, 2007

Brian & Angela Maxwell
13 Hudson Dr.
New Windsor, NY 12553

Re: 39-5-26 ZBA#: 07-20 (80)

Dear Mr. & Mrs. Maxwell:

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

The charge for this service is \$95.00 minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

A handwritten signature in cursive that reads "J. Todd Wiley" with a circled "W" at the end.

J. Todd Wiley, IAO
Sole Assessor

JTW/rah
Attachments

CC: Myra Mason, Zoning Board

43-1-15
ELIZABETH OCSKAY &
MARY LILIAN IRVINE
6 HUDSON DR.
NEW WINDSOR, NY 12553

43-1-16
MARK & DIANE WENTZEL
8 HUDSON DR.
NEW WINDSOR, NY 12553

43-1-17
CHARLES &
LINDA BARANSKI
10 HUDSON DR.
NEW WINDSOR, NY 12553

43-1-18
ALICE RAE KURMAN
12 HUDSON DR.
NEW WINDSOR, NY 12553

43-1-19
DAVID & DEBRA ALBRECHT
14 HUDSON DR.
NEW WINDSOR, NY 12553

43-1-20
JOY MONTE
16 HUDSON DR.
NEW WINDSOR, NY 12553

43-1-21
ELLEN & DAVID BAYLIS
18 HUDSON DR.
NEW WINDSOR, NY 12553

43-1-22
ELTON &
ESTELLE STANFORD
20 HUDSON DR.
NEW WINDSOR, NY 12553

43-1-24
FLOYD, JR &
MARIE SKAKEL
27 ST. ANNE DR.
NEW WINDSOR, NY 12553

43-1-25
ANDRES REYES
25 ST. ANNE DR.
NEW WINDSOR, NY 12553

43-1-26
WILLIAM & LILLIAN ROGERS
23 ST. ANNE ST.
NEW WINDSOR, NY 12553

43-1-27
KEVIN & JENNIFER JONES
21 ST. ANNE DR.
NEW WINDSOR, NY 12553

43-1-59
PAUL & CHERYL CIACCIO
4 CHIMNEY CORNER
NEW WINDSOR, NY 12553

43-1-60
CYNTHIA, KAREN, JENNIFER &
ERIKA BUTLER
6 CHIMNEY CORNER RD.
NEW WINDSOR, NY 12553

43-1-61
PEATRICE &
EVERETTE HENRY
5 CHIMNEY CORNER RD.
NEW WINDSOR, NY 12553

4-1-1
JASON & AMY MANIFOLD
24 HUDSON DR.
NEW WINDSOR, NY 12553

44-1-2
WILLIAM & GAETANA FEIGEL
26 HUDSON DR.
NEW WINDSOR, NY 12553

44-1-3
FRANCES SCHORNO
28 HUDSON DR.
NEW WINDSOR, NY 12553

44-1-66
MICHAEL &
DOROTHY ENGENITO
20 ST. ANNE DR.
NEW WINDSOR, NY 12553

44-1-67
CHARLES WILSON
22 ST. ANNE DR.
NEW WINDSOR, NY 12553



39-5-3
JANET PUGLIA
5 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-13
JAMES & FELICIA REID
25 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-23
STEPHANIE WAJDA
226 LESLIE AVE.
NEW WINDSOR, NY 12553

39-5-4
NAZIRE FUAT
7 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-14
MARGARET MAROON
27 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-24
GINA MAHONEY
17 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-5
TOMASZ &
DOROTA TRZESNIEWSKI
9 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-15
MARY FALENI
29 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-25
ROBERT & LINDA THOMPSON
15 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-6
ROSE SPART
11 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-16
ANITA GANDOLFO
33 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-26
BRIAN & ANGELA MAXWELL
13 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-7
OCTAVIO VELASQUEZ &
BLANCA IRIZARRY
13 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-17
JAMES & BETTY CAPICOTTO
31 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-27
MICHAEL &
FRANCES MAXWELL
11 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-8
WILLIAM & LYNN CORTI
15 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-18
STANLEY & JEAN DEMPSEY
29 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-28
RHODA SMITH
9 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-9
DIANE LOUGHRAN
17 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-19
GISELA CHRISLEY
27 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-29
KEITH CUOMO &
VERONICA CHEVERE
7 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-10
THOMAS &
PATRICIA SCHROEDER
19 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-20
GABRIEL DIAZ &
MARELYN RODAS
25 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-30
MANUEL & DIANA DESOUSA
5 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-11
THOMAS &
ZILLAH STACKLUM
21 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-21
AARON RILEY
23 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-31
RAYMOND &
JANET SULLIVAN
3 HUDSON DR.
NEW WINDSOR, NY 12553

39-5-12
MANFRED &
OFELIA MULLER
23 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-22
MICHAEL &
CATHERINE THOMPSON
21 HUDSON DR.
NEW WINDSOR, NY 12553

43-1-14
LEWIS & LILLIAN SMITH
4 HUDSON DR.
NEW WINDSOR, NY 12553



39-3-21
EDWIN, JR. &
JANET RODRIGUEZ
19 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-10
HERIBERTO VELEZ &
NORMA RODRIGUEZ
18 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-26
MATTHEW SATENBERG &
JACQUELINE BETZ
14 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-3-22
SALVATORE VECCHIO
17 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-11
EDWARD & ROBIN KLOUDA
20 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-27
MARY ANN WEISNER
3 HEATHER LANE
WALLKILL, NY 12589

39-3-23
WILLIAM &
ELEANORA HIGHTOWER
15 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-12
RICHARD &
KATHLEEN FENWICK
22 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-28
DEBORAH BRAND &
MICHAEL MUSANTE
10 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-3-24
JOHN & MICHELE BOLIN
13 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-13
ROSETTE ANDERSON
4 HARVEY WAY
NEWBURGH, NY 12550

39-4-29
LUCILLE COLEMAN
8 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-3-25
KENNETH & ROSALIE PARKER
11 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-20
ELIZABETH MULLIGAN
26 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-4-30
JOHN & EUNICE MCKEE
6 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-4-5
MARION RANDALL
8 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-21
IRVIN ROLLER
24 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-4-31
ELEANOR HARRIS
4 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-4-6
PHYLLIS SCHERF
10 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-22
BRENDA WINN &
JEANETTE GARCIA
22 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-4-32
HARRIET ODELL
2 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-4-7
RICHARD &
ANGELA COLLERY
12 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-23
CHARLES & ANN RHODES
20 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-4-33
ARLENE SWINT
1 HUDSON DR.
NEW WINDSOR, NY 12553

39-4-8
MICHAEL &
JANICE SUCHOWIECKI
14 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-24
PHILIP &
JUDITH PETENDREE
18 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-1
ERIC & CELINE MAXWELL
1 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-4-9
KAREN &
BRIAN RUCKDESCHEL
16 VALEWOOD DR.
NEW WINDSOR, NY 12553

39-4-25
WARREN TAVETIAN
16 BIRCHWOOD DR.
NEW WINDSOR, NY 12553

39-5-2
JONAH &
FARRELL EISENBERG
3 BIRCHWOOD DR.
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:

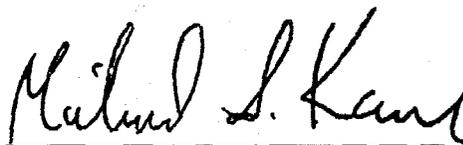
Appeal No. (07-20)

Request of BRIAN & ANGELA MAXWELL

for a VARIANCE of the Zoning Local Law to Permit:

- 1. Request for 10 ft. Rear Yard Setback for proposed pool and; Request for 22 ft. 9 inches Rear Yard Setback for proposed addition at 13 Hudson Drive in an R-4 Zone (39-5-26)**

PUBLIC HEARING will take place on JUNE 25TH, 2007 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.



Michael Kane, Chairman

May 14, 2007

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BRIAN & ANGELA MAXWELL (07-20)

Mr. and Mrs. Brian Maxwell appeared before the board for this proposal.

MR. KANE: Request for 10 foot rear yard setback for proposed pool and request for 22 foot 9 inches rear yard setback for proposed addition at 13 Hudson Drive. Just speak loud enough for this young lady to hear you and tell us what you want to do.

MR. MAXWELL: Put an addition on the back of the house, 16 x 22 and inground pool 16 x 32.

MR. KANE: Two story addition?

MR. MAXWELL: No.

MR. KANE: The addition is going to be used for bedrooms?

MR. MAXWELL: It's just a Florida room.

MR. KANE: No intent to use it as a rental space?

MR. MAXWELL: No.

MR. KANE: The 16 x 32 inground pool similar in size and nature to other pools that are in your particular neighborhood?

MR. MAXWELL: Yes.

MR. KANE: Going to be cutting down any trees, substantial vegetation in the building of either the pool or the addition?

MR. MAXWELL: No.

MR. KANE: Creating any water hazards or runoffs?

May 14, 2007

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MR. MAXWELL: No.

MR. KANE: Any easements running through the area where you're going to put either one of those?

MR. MAXWELL: No.

MR. KANE: How big was the addition?

MR. MAXWELL: It's 16 x 22.

MR. KANE: Sixteen out and 22?

MR. MAXWELL: Yes.

MR. KANE: I have no further questions.

MS. LOCEY: Just one comment, it says on the plot plan to see the blueprint, we don't have that blueprint.

MR. MAXWELL: Should have been there.

MRS. MAXWELL: I did drop it off.

MR. KANE: For the public hearing we'll make sure we have a copy of the blueprint.

MS. MASON: It's not attached. Did you give it with your building papers?

MRS. MAXWELL: Yes.

MR. KANE: You got one, Mike?

MR. BABCOCK: Yes.

MR. KANE: As long as we have it for the public hearing. Any further questions? I'll accept a motion.

May 14, 2007

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MR. LUNDSTROM: I will offer a motion that the application from Brian and Angela Maxwell for the variance as stated in the agenda of May 14 be scheduled for public hearing.

MR. TORPEY: I'll second that.

ROLL CALL

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

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

RECEIPT
#361-2007

05/14/2007

Maxwell, Brian

Received \$ 50.00 for Zoning Board Fees, on 05/14/2007. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

ZBA# 07-80



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



APPLICATION FOR VARIANCE

_____ Application Type: Use Variance Area Variance
Date Sign Variance Interpretation

I. **Owner Information:** Phone Number: (845) 562-9037
 Brian + Angela Maxwell Fax Number: () 564-4911
 (Name)
 13 Hudson Drive, New Windsor
 (Address)

II. **Applicant:** Same as above Phone Number: ()
 (Name) 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: 13 Hudson Drive
 Lot Size: _____ Tax Map Number: Section 39 Block 5 Lot 26
 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? 20 years - 1987
 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? there is a shed

******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.			
Reqd. Side Yd.			
Reqd. Rear Yd.	addition 50' pool 10'	27' 3" 5' 9"	23' 9" 4' 3"
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.

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:

I am looking to expand on my home and increase the value of it, which in effect increases the value of the other homes in my neighborhood. It will also improve the appearance of my home.

PLEASE NOTE:

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

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.)

Security will go around pool to ensure safety

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:

2nd day of May 2007.

Jennifer Gallagher
Signature and Stamp of Notary

JENNIFER GALLAGHER
Notary Public, State of New York
No. 01GA6030024
Qualified in Orange County
Commission Expires 10/30/06

Angela Maxwell
Owner's Signature (Notarized)

Angela Maxwell
Owner's Name (Please Print)
DL# 547-036-612 exp. 10-21-10

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>Angela + Brian Maxwell</i>	2. PROJECT NAME
3. PROJECT LOCATION: Municipality <i>New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>13 Hudson Drive, New Windsor</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>an addition of a sun room and an inground swimming pool.</i>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <i>The distance to back property line falls short</i>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>Angela Maxwell</i>	Date: _____
Signature: <i>Angela Maxwell</i>	

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



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

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

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? If No, a negative declaration may be superseded by another involved agency.
 Yes No

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

C1. Existing air quality; surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

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:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other Impacts (including changes in use of either quantity or type of energy)? Explain briefly:

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

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

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

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

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

_____ Name of Lead Agency

_____ Print or Type Name of Responsible Officer in Lead Agency _____ Title of Responsible Officer

_____ Signature of Responsible Officer in Lead Agency _____ Signature of Preparer (if different from responsible officer)

_____ Date



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



ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION(LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

- RESIDENTIAL: (Three Separate Checks Please)**
 - APPLICATION FEE: \$ 50.00
 - *ESCROW: \$300.00
 - **DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

- MULTI-FAMILY: (Three Separate Checks Please)**
 - APPLICATION FEE: \$150.00
 - *ESCROW: \$500.00
 - **DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

- COMMERCIAL: (Three Separate Checks Please)**
 - APPLICATION FEE: \$150.00
 - *ESCROW: \$500.00
 - **DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

- INTERPRETATION: (Three Separate Checks Please)**
 - APPLICATION FEE: \$150.00
 - *ESCROW: \$500.00
 - **DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST (PRELIMINARY) MEETING.

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

** **LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:**

APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME

PUBLIC HEARING LIST OF PROPERTY OWNERS

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE). BRING ENOUGH ENVELOPES PREPARED WITH **YOUR** RETURN ADDRESS AND A REGULAR \$.39 STAMP WITH YOU.... **YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.**
3. WHEN YOU COME IN TO PICK UP YOUR LIST, **ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL.** YOU WILL BE GIVEN ENOUGH "**NOTICES OF PUBLIC HEARING**" TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
4. **BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.**

NOTE:

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

PAGE 2

READ THIS PAGE CAREFULLY



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.

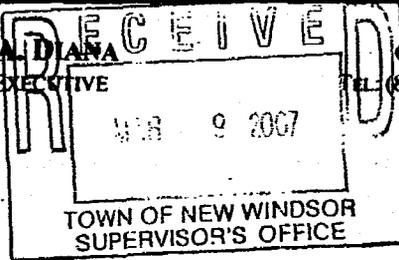
Due to this request, your application will be sent to Orange County Department of Planning for review. We are hoping to do this in a way that does not add to the time it normally takes to seek a variance.

Thank you for your cooperation in this matter.

ZONING BOARD OF APPEALS

Please Read



**COUNTY OF ORANGE****DEPARTMENT OF PLANNING****EDWARD A. DIANA**
COUNTY EXECUTIVE124 MAIN STREET
GOSHEN, NEW YORK 10924-2124
TEL: (845)291-2318 FAX: (845)291-2533**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.

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;

Orange County Planning Commissioner
March 5, 2007 Memorandum on GML § 239 Referrals
page 1 of 2 plus attachment

Please Read

