

ZB# 69-2

Cornell Homes, Inc.

(no SBL given)

69-2 A

Cornell Homes, Inc.

Filed 2-28-69

3:10 p.m. JWS

APPLICATION is hereby made for the following;

Agenda Service

1. Name CORNELL HOMES INC.

Address RT. 94 NEW WINDSOR N.Y.

Telephone Number 562.5300

Are you the owner of the property? YES

2. Briefly describe intention (or attach) and location of property:

CORNER'S LANE ADJOINING RHODES
CONSTRUCT FOUR FAMILY RESIDENCE

3. PLANNING BOARD

Site Plan Preliminary Meeting

Subdivision Preliminary Meeting

Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

Interpretation of Ordinance or Map

Variance (Notify P/B - Plans if necessary)

Informational Meeting

AGENDA DATE _____

5. BUILDING PERMIT

Planning Board action needed

Z.B.A. action needed

Site Plan needed

Subdivision approval needed

Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this project.

1. Name CORNELL HOMES INC.

Address RT. 94 NEW WINDSOR N.Y.

Telephone Number 562.5300

Are you the owner of the property? YES

2. Briefly describe intention (or attach) and location of property:

CORNELL'S LAW ADJOINING RHOES
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_____ Interpretation of Ordinance or Map

x _____ Variance (Notify P/B - Plans if necessary)

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5. BUILDING PERMIT

_____ Planning Board action needed

x _____ Z.B.A. action needed

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Murray Kohen

PUBLIC NOTICE OF HEARING BEFORE THE ZONING BOARD OF APPEALS

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 48-33A of the Zoning Ordinance on the following proposition:

Appeal No. 13
Request of Cornell Homes, Inc. for a variance of the regulations of the zoning ordinance, to permit construction of two, four-family dwellings, being a variance of Article II, Section 42.7, for property owned by him situated as follows: North side of Caesars Lane, Town of New Windsor, bounded on the north by lands now or formerly of Mozziel, on the south by Caesars Lane, bounded on the east by lands now or formerly of Abby Lumber and on the west by lands now or formerly of Dr. Rhodes (or other description of requested action by the Board of Appeals.)

SAID HEARING will take place on the 3rd day of February, 1969, at the New Windsor School, beginning at 8 o'clock P.M.

LOUIS A. BUDNEY
Chairman

Jan. 23

**State of New York
County of Orange, ss:**

Hugh V. Nocton, being duly sworn deposes and says that he is Principal Clerk of Newburgh-Beacon News Co., Inc., Publisher of The Evening News, a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published One Time

in said newspaper, commencing on the 23rd day of January A.D., 1969, and ending on the 23rd day of January A.D., 1969

Subscribed and sworn to before me this 23rd day of January 1969

Hugh V. Nocton
Louis A. Budney

Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 1969



Adopted 12/20/65

PLEASE PREPARE IN DUPLICATE

APPLICATION FOR VARIANCE

APPLICATION NO. 69-2

DATE: January 10, 1969

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (we) CORNELL HOMES, INC. of (no number) Route 94
New Windsor, N.Y. (Street & Number)

HEREBY MAKE

(State)

APPLICATION FOR A VARIANCE:

A. LOCATION OF THE PROPERTY North Side of
Cesar's Lane, RB
(Street & Number) (Use District on Zoning Map)

B. PROVISION (S) OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance: _____)

Section 48-32-B(1)

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: _____

The terrain of the land is extremely rough as con-

trasted to adjoining parcels

2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: _____

Due to rough terrain cost of site preparation for

one family dwelling is prohibitive

3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Ordinance because: _____

Applicant purchased the land on basis of agreement with
a third party for whom applicant was going to construct a
one-family residence. The agreement fell through and
applicant was left with the property.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this ordinance because:

Use is still residential in nature in accordance with the zoning classification in which the land is located.

5. Relief, if approved will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because:

Use is still residential in nature. Land across the street is zoned GI

D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

See attached map.

E. Application to be accompanied by a check, payable to the Town of New Windsor, in the amount of \$10.00. Application to be returned to: ~~Magno Sloan~~, Chairman, New Windsor Zoning Board of Appeals, ~~W.D. 29, Rt. Britain Rd.~~, Newburgh, N. Y.

F. NOTICE OF HEARING.

Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the ordinance.

G. If the property in question is located within 500 ft. of an adjoining municipality, the Bd. should be notified.

Dated: January 10, 1969

CORNELL HOMES INC.,
BY: Wayne Posen
Signature of Applicant

STATE OF NEW YORK)
COUNTY OF ORANGE) SS
Sworn to this

Alfred F. Cavalara
day of Jan 1969

Rt 96 New Windsor
Address

(Notary Public)
ALFRED F. CAVALARA
Notary Public in the State of New York
Residing in and for Orange County
Commission expires March 30, 1979

562.5300
Telephone No.

DO NOT WRITE IN THIS SPACE

Application No. 69-2
Date of Hearing Feb. 3/69
Date of Decision Feb. 17/69

Date Received Jan. 10/69
Notice Published Jan. 23/69

Decision: Decision denied - not proper notification to adjacent property owners. New hearing would be scheduled.

N/F LANDS OF E. MOZGIEL

S 82°-58'-30" E - 201.98

100.0'

101.98'

N/F LANDS OF ABBY LUMBER

N 7°-01'-30" E - 229.02'

23,622 SQ. FT.

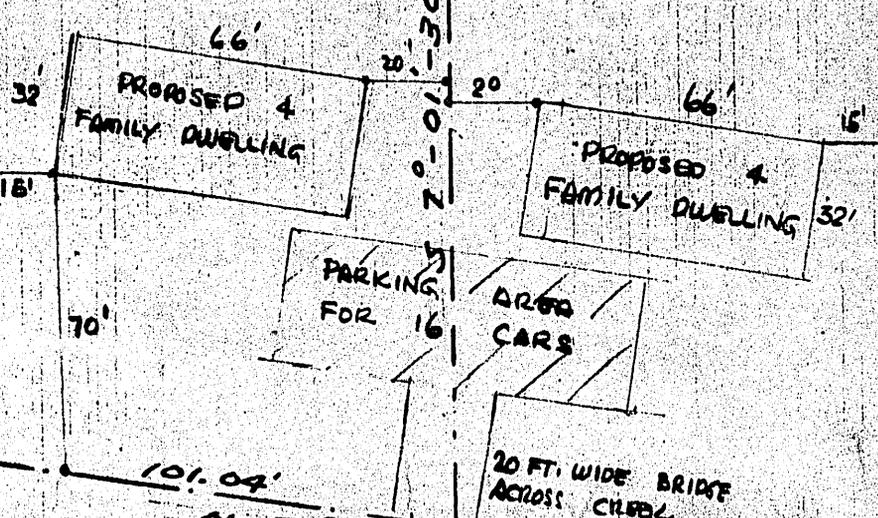
27,011 SQ. FT.

N 2°-01'-30" W - 243.49'

S 90°-35'-00" W - 260.06'

N/F LANDS OF DR. RAHDES

NORTH



PIPE
TO RT. 94

101.04'
N 79°-45'-00" W - 215.28'
CAESAR'S LANE

STONE DAM
TO RT. 9W

PLAN

LANDS OF

JOSEPH G. PARISI

TO BE CONVEYED TO

CORNELL HOMES, INC.

TOWN OF NEW WINDSOR ORANGE CO. NY

SCALE - 1" = 40'

MAY 14, 1969

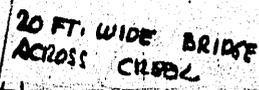
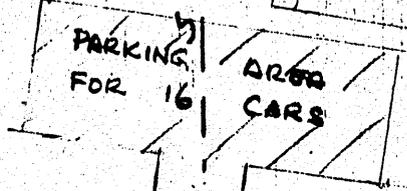
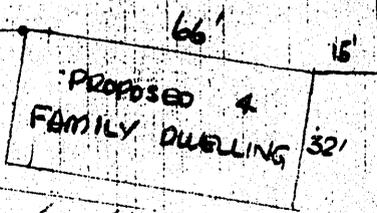
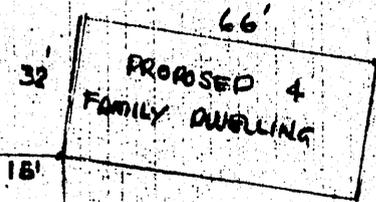
N/F LANDS OF ABBY LUMBER

N 7° 01' - 30" E - 229.02'

23,622 SQ. FT

N 7° 01' - 30" W - 243.48'

27,011 SQ. FT.



10' DRAINAGE EASEMENT

S 40° 35' - 00" W - 260.06'

N/F LANDS OF DR. RIDGES HILTON

PIPE TO RT. 94

101.04' N 79° 45' - 00" W - 215.28' CAESAR'S LANE

STONE MON. TO RT. 94W

PLAN

LANDS OF

JOSEPH G. PARISI

TO BE CONVEYED TO

CORNELL HOMES, INC.

TOWN OF NEW WINDSOR ORANGE CO. N.Y.

SCALE - 1" = 40'

MAY 14, 1968

EUSTANCE E. HOROWITZ, ENGRS.
CIRCLEVILLE, N.Y. 10919

Spectators (Cornell Homes)

2/3/69

Name:

Address:

Edward Mozejew & Louise Dr.

Emilio Banello

410 Bloomington Tpls.

Joseph Sacco

76 Courtwright Dr.

Alfred J. Cavalari

ATTORNEY AT LAW

P. O. Box 276

VAILS GATE, NEW YORK 12584

TELEPHONE AREA CODE 914 JO 1-5969

January 15, 1969

Mrs. Louise Budney,
Chairman, New Windsor Zoning Board,
Veronica Ave., M.D. 16
New Windsor, N.Y.

Dear Mrs. Budney®

Enclosed in behalf of Cornell Homes is application for Variance in duplicate, and check for \$10.00, photo-copy of application for building permit, and Notice of disapproval therefor. I also enclose three copies of public hearing for your approval. When the hearing date is set, would you kindly return one copy to me indicating thereon the date, time and place, so that I may send notice to adjoining land owners.

If it is your practice, would you kindly have another copy of the Notice published as required by the zoning ordinance in the Evening News, charging same to Cornell Homes, Inc.

We would greatly appreciate having the hearing date set as soon as possible.

Very truly yours,

Alfred J. Cavalari
per g u

/gw

Encls:

CC: Cornell Homes, Inc.

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No 1-69

Date JAN 6, 1969

To CORNELL HOMES INC
ROUTE 94
NEW WINDSOR

PLEASE TAKE NOTICE that your application dated JAN 3, 1969
for permit to BUILD A 4 FAMILY RESIDENCE
at the premises located at CAESARS LANE ADJOINING
IHUE'S PROPERTY

is returned herewith and disapproved on the following grounds

- AREA ZONE R/B. ONE FAMILY RES. 48-7
1/ NEED ZONING VARIANCE FOR NON CONFORMING USE
2/ SITE PLAN APPROVAL BY PLANNING BOARD
3/ IF APPROVED 2 COPIES OF SITE PLAN

Laura Jones
Building Inspector