

**ZB# 84-20**

**Michael Engenito**

**44-1-66**

#84-20 - Engenito, Michael &  
Dorothy.

Prelim.

Sept. 24, 1984.

Public Hearing:

Nov. 26, 1984.

Notice to Sentinel:  
(mailed on: 10/1/84.)

Published Twice:

① 10/4/84

② 11/15/84

Collect \$25.00

Hold File

# General Receipt

6197

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

Jan. 16 19 81

Received of Michael Engerito \$ 25<sup>00</sup>/<sub>100</sub>  
Twenty Five and 00/100 DOLLARS

For Variance 84-20

DISTRIBUTION:

| FUND                | CODE         | AMOUNT |
|---------------------|--------------|--------|
| <u>Check # 1283</u> | <u>25.00</u> |        |
|                     |              |        |
|                     |              |        |

By Pauline A. Townsend  
Town Clerk  
Title

PAT'S COPY.

**PUBLIC NOTICE OF HEARING BEFORE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR**  
**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Ordinance on the following proposition:  
 Appeal No. 20  
 Request of MICHAEL ENGENITO for a VARIANCE of the regulations of the Zoning Ordinance to permit construction of 15 x 20 ft. addition to residence with insufficiently set back VARIANCE of Section 48-12 Table of Bulk Regs. Code for property situated as follows:  
 20 St. Anne Drive, New Windsor, NY (Section 44 Block 1 Lot 66)  
 SAID HEARING will take place on the 26th day of November, 1984, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, NY beginning at 7:30 o'clock p.m.  
**DANIEL P. KONKOL** Chairman  
 By **PATRICIA DELIO** Secretary

State of New York  
County of Orange, ss:

Everett W. Smith, being duly sworn

disposes and says that he is Publisher of the E.W. Smith Publishing Company, Inc. publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, and that the notice of which the annexed is a true copy was published ONCE

in said newspaper, commencing on the 4<sup>th</sup> day of October A.D., 1984 and ending on the 4<sup>th</sup> day of October A.D. 1984

Subscribed and shown to before me this 23rd day of Jan., 1985.

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

My commission expires March 30, 1985

PATRICIA DELIO  
NOTARY PUBLIC, State of New York  
No. 5970775  
Qualified in Orange County  
Commission Expires March 30, 1985

NEW WINDSOR ZONING BOARD OF APPEALS

-----x

In the Matter of the Application of

MICHAEL ENGENITO,

DECISION GRANTING  
VARIANCE

# 84-20.

-----x

WHEREAS, MICHAEL ENGENITO of 20 St. Anne's Drive,  
New Windsor, N. Y. 12550 (R-4), has made application before the  
Zoning Board of Appeals for an area variance for the purposes of:  
construction of a 15 x 20 ft. frame addition to his residence above;  
and

WHEREAS, a public hearing was held on the 26th day of  
November, 1984 before the Zoning Board of Appeals at the Town Hall,  
New Windsor, New York; and

WHEREAS, the applicants appeared in behalf of himself  
\_\_\_\_\_ ; and

WHEREAS, the application was unopposed ; and

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

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

2. The evidence shows: existing dwelling, which predates  
zoning, is 8.9 ft. off sideyard

3. The evidence shows applicant cannot purchase additional  
land in order to meet the sideyard requirements of zoning

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

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

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

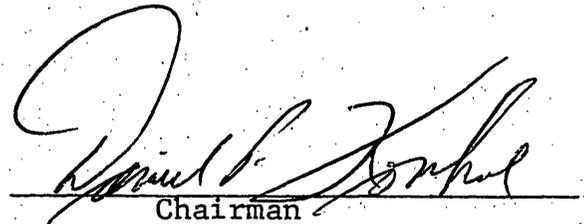
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grants 10.5 ft. sideyard variance  
in accordance with plans submitted 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 applicant.

Dated: December 10, 1984.

  
Chairman

11/26/84 - Public Hearing - Engenito, Michael & Dorothy

Name:

Stanley Deming

Address:

29 Hudson Dr

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 89-20.

Date: 10/1/84.

I.  Applicant Information:

- (a) Engonito, Michael - 20 St. Anne Drive, New Windsor  (Owner)  
(Name, address and phone of Applicant)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of broker)

II. Application type:

- Use Variance  Sign Variance
- Area Variance  Special Permit

III.  Property Information:

- (a) R-4 20 St. Anne Drive, New Windsor 44-1-66. 100 X 256 ±  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 1960
- (e) Has property been subdivided previously? NO When? -
- (f) Has property been subject of variance or special permit previously? NO When? -
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? Yes - 9/6/84
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A.

IV. ~~Use Variance:~~

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

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

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

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Bulk Regs., Col. 3 6.

| Requirements                | Proposed or Available | Variance Request   |
|-----------------------------|-----------------------|--------------------|
| Min. Lot Area               | _____                 | _____              |
| Min. Lot Width              | _____                 | _____              |
| Reqd. Front Yd.             | _____                 | _____              |
| Reqd. Side Yd. <u>15/30</u> | <u>15/4.5 ft.</u>     | <u>15/10.5 ft.</u> |
| Reqd. Rear Yd.              | _____                 | _____              |
| Reqd. Street Frontage*      | _____                 | _____              |
| Max. Bldg. Hgt.             | _____                 | _____              |
| Min. Floor Area*            | _____                 | _____              |
| Dev. Coverage* %            | _____ %               | _____ %            |
| Floor Area Ratio**          | _____                 | _____              |

\* Residential Districts only

\*\* Non-residential districts only

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

Patio was constructed prior to zoning.  
Applicant intended to construct addition  
at that time. It has now become  
necessary to go ahead with project.

VI. Sign Variance:

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

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

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

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

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

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

VII. Special Permit:

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

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

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

VIII. Additional comments:

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

*Addition will be constructed of a comparable material with the residence. Will be in conformance with neighboring lands.*

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

IX. Attachments required:

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

X. AFFIDAVIT

Date 10/1/84.

STATE OF NEW YORK )  
                          ) SS.:  
COUNTY OF ORANGE )

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

*[Signature]*  
(Applicant)

Sworn to before me this

1st day of October, 1984.

*Com. in Exps. 3/30/85 - Patricia Delio*

XI. ZBA Action:

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

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

*Memo* FROM:

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12550

TO:

(  
TOWN PLANNING BOARD  
TOWN BUILDING/ZONING OFFICER  
)

DATE: 11/28/84

SUBJECT: PUBLIC HEARINGS BEFORE ZBA - 11/26/84

---FOLD HERE---

For your information, please be advised that the following actions were taken by the ZBA on 11/26/84:

1. ENGENITO, MICHAEL & DOROTHY - Application approved (area variance)
2. TERSILLO, CAROL - Application approved (use variance)
3. ZETA HOLDING CORP. - Application approved in part (sign variance denied due to lack of plan.) Use and area variances approved.

Formal decisions will follow.

/pd  
cc: M. Engenito  
Elias Grevas, L. S.

by Patricia Delio, Secretary

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

Prelim.  
Sept. 24th (2)

84-20.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. ....

Date September 6, 1984

To Michael J. & Dorothy A. Esposito  
20 St. Anne Drive  
New Windsor, N.Y. 12550

(561-4244)

PLEASE TAKE NOTICE that your application dated September 6, 1984  
for permit to construct a 15'x20' Frame addition  
at the premises located at 20 St. Anne Drive  
Tax Map Section 44, Block 1, Lot 66

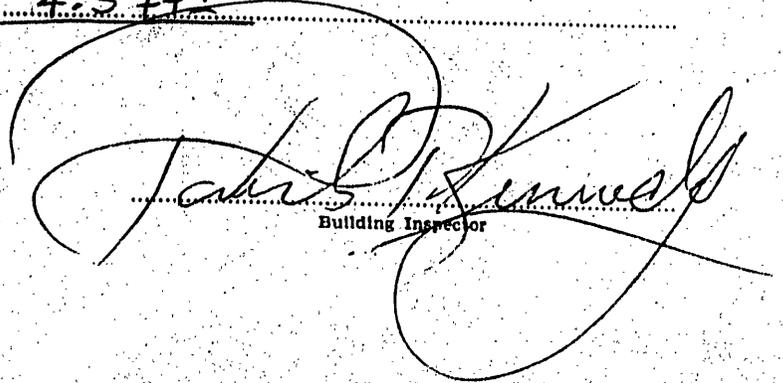
is returned herewith and disapproved on the following grounds:

R-4 Zone: Required side yard - 15 ft.

Existing Dwelling which predates zoning is 8.9 ft off side yard  
Proposed side yard 4.5 ft

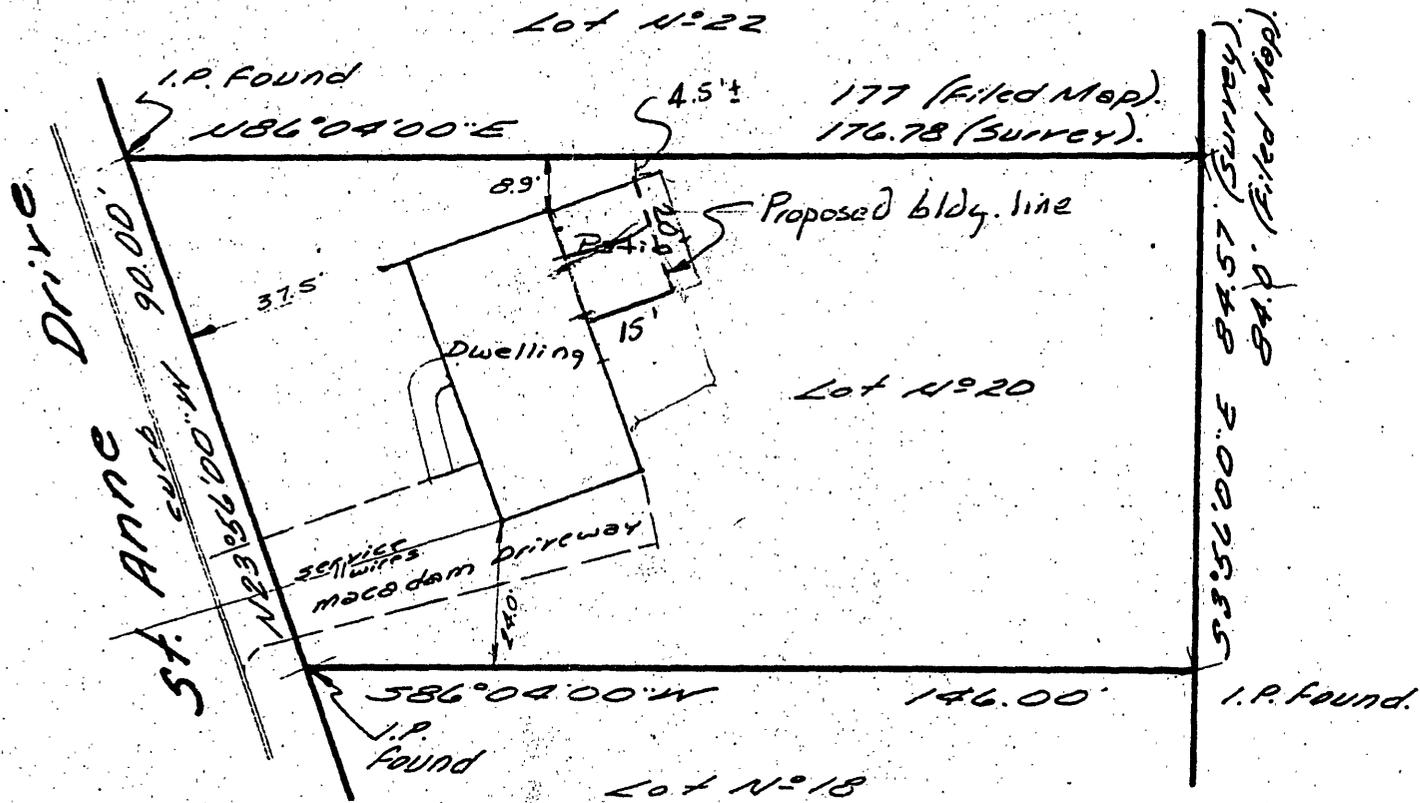
Note:

Proposed addition to be built  
over existing concrete patio  
Block Patio.

  
Building Inspector

$\frac{15}{8.9}$   
 $\frac{7}{1}$

Town of New Windsor;  
Section 44 Block 1  
Map Reference:  
"Willow Acres"  
Filed July 10, 1959  
Map No 1811



Survey Map for  
Michael J. Engenitz  
Dorothy A. Engenitz



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

October 9, 1984

58 on list.

Mr. Michael J. Engenito  
20 St. Anne Drive  
New Windsor, NY 12550

Re: 44-1-66

Dear Mr. Engenito:

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

The charge for this service is \$80.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

CHRISTIAN E. JAHLING  
SOLE ASSESSOR  
Town of New Windsor

CEJ/po  
Attach.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

- ✓ Grogan, Michael D. & Benevenuta F.  
10 St. Anne Drive  
New Windsor, NY 12550
- ✓ Perez, Andre & Amelia  
2 Judd Circle  
New Windsor, NY 12550
- ✓ Pita, Jose R. & Agostinha  
4 Judd Circle  
New Windsor, NY 12550
- ✓ Schisano, Robert  
6 Judd Circle  
New Windsor, NY 12550
- ✓ Bivona, Joseph L.  
8 Judd Circle  
New Windsor, NY 12550
- ✓ Cocchia, Nicholas A.  
10 Judd Circle  
New Windsor, NY 12550
- ✓ Trotta, Nicholas M.  
213 Monroe Avenue  
Edison, NJ 08820
- ✓ May, Thomas G. & Laura  
9 Judd Circle  
New Windsor, NY 12550
- ✓ Perrego, Virginia M.  
7 Judd Circle  
New Windsor, NY 12550
- ✓ Cunningham, William J. & Nellie Mae  
5 Judd Circle  
New Windsor, NY 12550
- ✓ Homuth, Ewald C. & Anne Marie  
3 Judd Circle  
New Windsor, NY 12550
- ✓ Puccio, Jess A.  
1 Judd Circle  
New Windsor, NY 12550
- ✓ Cox, Kenneth R., Jr. & Theresa  
12 St. Anne Drive  
New Windsor, NY 12550
- ✓ Komonchak, John T. & Elizabeth  
14 St. Anne Drive  
New Windsor, NY 12550
- ✓ Hovey, Richard A. & Patricia M.  
16 St. Anne Drive  
New Windsor, NY 12550
- ✓ Terwilliger, Richard L.  
18 St. Anne Drive  
New Windsor, NY 12550
- ✓ Wilson, Charles O.  
22 St. Anne Drive  
New Windsor, NY 12550
- ✓ Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12550
- ✓ Callahan, Thomas J. & Dorothy A.  
24 Hudson Drive  
New Windsor, NY 12550
- ✓ Kutwas, Alexander E. & Dolores E.  
26 Hudson Drive  
New Windsor, NY 12550



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

- ✓ Schorno, Edmund J. & Frances  
28 Hudson Drive  
New Windsor, NY 12550
- ✓ Lodato, Anthony J. & Jilda P.  
30 Hudson Drive  
New Windsor, NY 12550
- ✓ Rudis, Alexander & Peggy Anne  
32 Hudson Drive  
New Windsor, NY 12550
- ✓ Moran, James F. & Patricia A.  
34 Hudson Drive  
New Windsor, NY 12550
- ✓ King of Kings  
Lutheran Church  
543 Union Avenue  
New Windsor, NY 12550
- ✓ Reiff, Sol & Geraldine  
14 Hudson Drive  
New Windsor, NY 12550
- ✓ Mazzarelli, Frank C. Jr. &  
Kathleen M.  
16 Hudson Drive  
New Windsor, NY 12550
- ✓ Wilkins, Richard E. & Ellen J.  
18 Hudson Drive  
New Windsor, NY 12550
- ✓ Stanford, Elton V. & Estelle I.  
20 Hudson Drive  
New Windsor, NY 12550
- ✓ Urban, Kenneth J. & Virginia L.  
22 Hudson Drive  
New Windsor, NY 12550
- ✓ Skakel, Floyd H., Jr. & Marie J.  
27 St. Anne Drive  
New Windsor, NY 12550
- ✓ Guinn, Christine M.  
25 St. Anne Drive  
New Windsor, NY 12550
- ✓ McShane, Shirley R.  
c/o William J. Rogers  
23 St. Anne Drive  
New Windsor, NY 12550
- ✓ Ciaccio, William G. & Anne M.  
21 St. Anne Drive  
New Windsor, NY 12550
- ✓ Feldman, William & Sydell  
19 St. Anne Drive  
New Windsor, NY 12550
- ✓ Ceriello, Frank J. & Geraldine P.  
17 St. Anne Drive  
New Windsor, NY 12550
- ✓ Wutton, Joyce  
15 St. Anne Drive  
New Windsor, NY 12550
- ✓ Stevens, William F. & Sylvia  
13 St. Anne Drive  
New Windsor, NY 12550
- ✓ Vance, Robert G. & Lynn M.  
14 Hearthstone Way  
New Windsor, NY 12550



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

✓ Crose, Willard W. & Juliana  
16 Hearthstone Way  
New Windsor, NY 12550

✓ Pointer, Samuel F. & Pearl H.  
18 Hearthstone Way  
New Windsor, NY 12550

✓ Brickhouse, Mary  
PO Box 4411  
New Windsor, NY 12550

✓ Ferrino, Rose  
4 Spring Rock Road  
New Windsor, NY 12550

✓ Spart, Philip C. & Rose M.  
11 Birchwood Drive  
New Windsor, NY 12550

✓ Norton, Bradford A. & Loraine M.  
13 Birchwood Drive  
New Windsor, NY 12550

✓ Horwath, Nelson & Phyllis R.  
15 Birchwood Drive  
New Windsor, NY 12550

✓ Andrews, Thomasina E.  
17 Birchwood Drive  
New Windsor, NY 12550

✓ Troy, Arthur J. & Mary C.  
19 Birchwood Drive  
New Windsor, NY 12550

✓ Stacklum, Thomas W. & Zillah G.  
21 Birchwood Drive  
New Windsor, NY 12550

✓ Chrisley, Gisela  
27 Hudson Drive  
New Windsor, NY 12550

✓ Wack, Robert B. & Dorothy W.  
25 Hudson Drive  
New Windsor, NY 12550

✓ McChesney, Andrew A. & Caroline S  
23 Hudson Drive  
New Windsor, NY 12550

✓ Youngberg, Edwin J. & Marion E.  
21 Hudson Drive  
New Windsor, NY 12550

✓ Patta, Rosario & Letteria  
19 Hudson Drive  
New Windsor, NY 12550

✓ Brown, Leo  
PO Box 4027  
New Windsor, NY 12550

✓ Thompson, Robert B., Jr. &  
Linda M.  
15 Hudson Drive  
New Windsor, NY 12550

✓ Einhaus, Otto A.  
13 Hudson Drive  
New Windsor, NY 12550

✓ Maxwell, Michael E. & Frances E.  
11 Hudson Drive  
New Windsor, NY 12550

PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

*Received &  
filed  
11/8/84 -  
ed.*

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Ordinance on the following proposition:

Appeal No. 20

Request of MICHAEL ENGENITO

for a VARIANCE ~~SPECIAL PERMIT~~ of the regulations of the Zoning Ordinance to permit construction of 15 x 20 ft. addition to residence with insufficient sideyard being a VARIANCE ~~SPECIAL PERMIT~~ of Section 48-12 - Table of Bulk Regs. - Col. 6 for property situated as follows:

20 St. Anne Drive, New Windsor, N. Y.

(Section 44- Block 1- Lot 66)

SAID HEARING will take place on the 26th day of November, 1984, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 7:30 o'clock P. M.

DANIEL P. KONKOL  
Chairman

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD  
BUILDING/ZONING OFFICER KENNEDY

FROM: ZONING BOARD OF APPEALS

SUBJECT: PUBLIC HEARINGS BEFORE ZBA - 11/26/84

DATE: 11/13/84

Please be advised that the following public hearings will be heard before the ZBA on Monday evening, November 26, 1984 at 7:30 p.m.:

- (1) ENGENITO, MICHAEL & DOROTHY
- (2) ZETA HOLDING CORP./NEWBURGH HEALTH CLUB
- (3) TERSILLO, CAROL SUE

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

Patricia Delio, Secretary

/pd  
Attachments - (2)

Pat. Delio's Copy

**PUBLIC NOTICE OF HEARING**  
**BEFORE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**  
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SAID HEARING will take place on the 26th day of November, 1984, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 7:30 o'clock p.m.  
DANIEL P. KONKOL  
Chairman  
By: PATRICIA DELIO  
Secretary

State of New York  
County of Orange, ss:

Ererett W. Smith, being duly sworn disposes and says that he is Publisher of the E.W. Smith Publishing Company, Inc. publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, and that the notice of which the annexed is a true copy was published ONCE

in said newspaper, commencing on the 25<sup>th</sup> day of October A.D., 1984 and ending on the 25<sup>th</sup> day of October A.D. 1984

Subscribed and shown to before me this 3rd day of Jan., 1985

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

My commission expires March 30, 1985

PATRICIA DELIO  
NOTARY PUBLIC, State of New York  
No. 5970775  
Qualified in Orange County  
Commission Expires March 30, 1985