

ZB# 89-6

George Chaleff

35-1-44

89-6 - Chaleh, George - use Variance

Prelim.

2/27/89.

2/27/89 - Cap. requested
to review use
variance criteria
& then contact
Secy. for another
Prelim meeting.
ZBA members
were going to
visit the site.

35-1-44.

2nd Prelim.

4/10/89.

Motion to table ~~to~~ ^{on agenda}
pending further info. to be
submitted at further Prelim.

1/11/89 - Ordered Assessor's list

Public Hearing:

Sept. 17th, 1989.

Notice to Sentinels
on 8/15/89.

Fee paid

Application Variance ^{Use}
Approved -
with instructions 9/11/89
(see Journal Doc.)

General Receipt

10877

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

Sept. 13 19 89

Received of Bloom & Bloom, P.C. \$ 50.⁰⁰

Defty and 00
100 DOLLARS

For Young Braid App. Dec #89-6

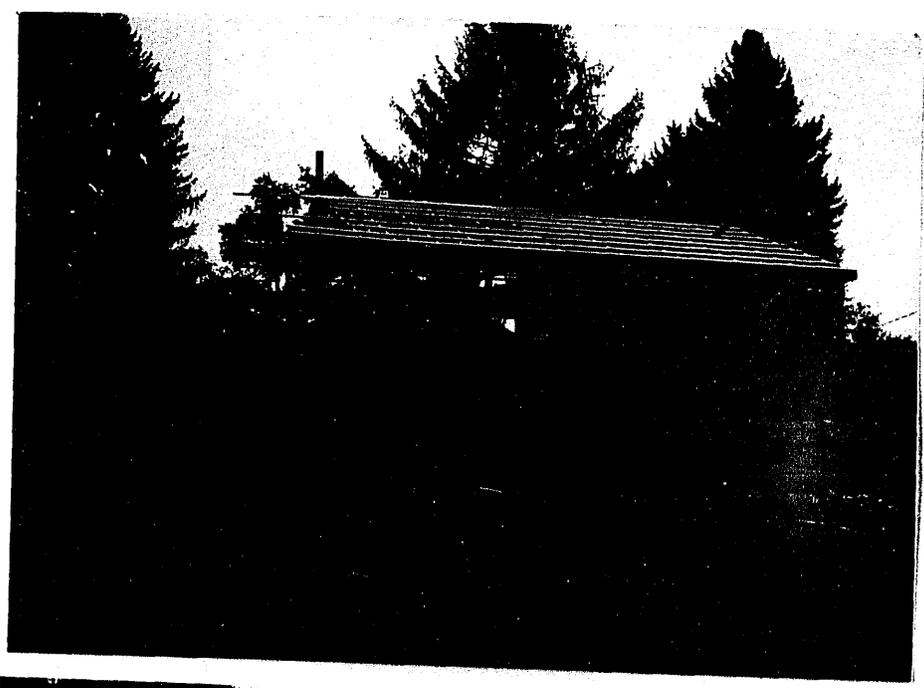
DISTRIBUTION:

FUND	CODE	AMOUNT
CE 17836		50.00

By Pauline M. Townsend
es

Town Clerk
Title

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



General Receipt

10577

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

Sept. 13 19 89

Received of Bloom & Bloom, P.C. \$ 50.⁰⁰
~~74~~

Defty and 100 DOLLARS
~~100~~

For Young Braid App. Dec # 89-6

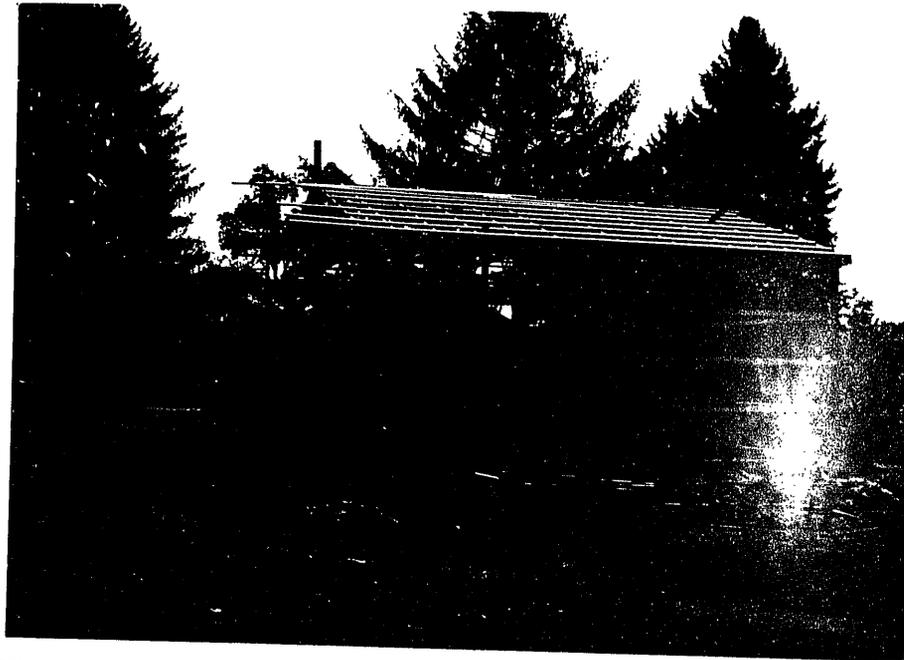
DISTRIBUTION

FUND	CODE	AMOUNT
<u>CE 17836</u>		<u>50.00</u>

By Pauline H. Townsend
es

Town Clerk
Title

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



Chaff:

1. The br. $\phi = 98''$

2. U, dated: 4/1/88 -

owner: G. G. / Bail Hoser -

3. Operator: $\dot{V}_1 = 98''$ U, U, U

50 (in ^{power hydraulic} \dot{V}_1 \dot{V}_2 \dot{V}_3)

\dot{V}_1 \dot{V}_2 \dot{V}_3

2. \dot{V}_1 \dot{V}_2 \dot{V}_3 \dot{V}_4 \dot{V}_5 \dot{V}_6

1. \dot{V}_1 \dot{V}_2 \dot{V}_3 \dot{V}_4 \dot{V}_5 \dot{V}_6

2. \dot{V}_1 \dot{V}_2 \dot{V}_3 \dot{V}_4 \dot{V}_5 \dot{V}_6

3. \dot{V}_1 \dot{V}_2 \dot{V}_3 \dot{V}_4 \dot{V}_5 \dot{V}_6

4. \dot{V}_1 \dot{V}_2 \dot{V}_3 \dot{V}_4 \dot{V}_5 \dot{V}_6

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

-----x
In the Matter of the Application of
GEORGE CHALEFF

DECISION GRANTING
USE VARIANCE

#89-6.
-----x

WHEREAS, GEORGE CHALEFF, residing at 266 Windsor Highway, New Windsor, N. Y. 12550, has made application before the Zoning Board of Appeals for a use variance for the purposes of:

Construction of an automotive repair shop at the above location in a PI zone; and

WHEREAS, a public hearing was held on the 11th day of September, 1989 before the ZBA at the Town Hall, 555 Union Avenue, New Windsor, New York; and

WHEREAS, Applicant was represented by Daniel J. Bloom, Esq., 530 Blooming Grove Tpk., New Windsor, N. Y.; and

WHEREAS, the application was unopposed;

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

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

2. The evidence shows that applicant has applied to the ZBA for a use variance to allow an automotive repair shop in a PI zone.

3. The evidence shows that the zone district boundary between the C and PI zones goes through the Applicant's property.

4. The use of the premises as a service repair garage for motor vehicles is a use permitted by special permit in the C zone. Said use is prohibited in the PI zone.

5. The evidence shows that the Applicant seeks to expand his existing automotive repair shop on that part of his property which is zoned PI.

6. The evidence further shows that expansion of the existing shop solely within the portion of Applicant's property zoned C is impractical given the existing location of the buildings and the multiple uses already on the site.

7. The Applicant presented "dollars and cents" proof or affidavit and by written, expert appraisal opinion concerning the present value of the property acquisition/buy out costs, taxes, mortgage, and financial statements showing the income derived from the present use (which is limited by the undersized building and the absence of a power-assisted automobile lift).

8. The Applicant presented "dollars and cents" proof that the subject lands cannot yield a reasonable return if used only for the permitted uses in the PI zone.

9. The evidence presented by Applicant indicated that the proposed use would not alter the essential character of the neighborhood which is commercial.

10. The evidence presented by the Applicant indicates that the plight of the Applicant is unique in that his parcel is located partially in a C zone and partially in a PI zone, the C zone being the front portion along NYS Route 32.

WHEREAS, the Zoning Board of Appeals of the Town of Windsor makes the following conclusions of law in this matter:

1. The land in question cannot yield a reasonable return if used only for purposes allowed in the PI zone.

2. The use of the premises for an automotive repair shop will not alter the essential character of the locality which is devoted to commercial uses.

3. The plight of the applicant is unique as to this parcel and is not general throughout the zoning district.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a use variance to the applicant for an automotive repair shop in the PI zone with the following restrictions:

(1) Hours of operation: 9 a.m. to 5 p.m.-Monday thru Friday
1/2 day on Saturday;

(2) No overnight, outside storage of vehicles other than in the specified parking spaces shown on the plan. (10).

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 the applicant.

Dated: September 25, 1989.

(ZBA DISK#1-061785.FD)


Chairman



Louis Helmbach
County Executive

Rec'd TA/2BA
Office - 9/15/89 (PMS)

CC: Dan
Bloom

**Department of Planning
& Development**

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

September 12, 1989

Mr. James Nugent, Chairman
Town of New Windsor ZBA
555 Union Avenue
New Windsor, New York 12550

Re: Application of George S. Chaleff

Dear Mr. Nugent:

I am in receipt of a copy of your Public Notice of Hearing on the above-referenced application. It is not clear from the Notice what the purpose(s) is (are) for the relief being sought.

Please supply this information, along with a site plan. Thank you.

Sincerely,

Peter Garrison
Commissioner of
Planning and Development

PG:cmd



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

July 26, 1989

George Chaleff
266 Windsor Hwy.
New Windsor, N.Y. 12550

Re: Tax Map 35-1-44

Variance List 500 Ft.

Dear Mr. Chaleff,

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

The charge for this service is \$135.00 minus your deposit of \$25.00.

Please remit same to the Town Clerk, Town of New Windsor, N.Y.

Very truly yours,

Leslie Cook (kaf)

LESLIE COOK
Sole Assessor

LC/kaf
Attachments
cc:P.Barnhart

Consolidated Rail Corp.
6 Penn Center Plaza,
Philadelphia, Pa 19103

Dr. Mohammed H. Khan ETAL
16 Green Bower Lane
Spring Valley, N.Y. 10977

Rina & William Sangiacomo
38 Willow Parkway
New Windsor, N.Y. 12550

Katherine & George J. Smith
40 Willow Parkway
New Windsor, N.Y. 12550

Edvige & Santo Emmanuele
42 Willow Parkway
New Windsor, N.Y. 12550

Mary A & Carl Bargisen
44 Willow Parkway
New Windsor, N.Y. 12550

Joan & Michael Reis
48 Willow Parkway
New Windsor, N.Y. 12550

Marilyn R & Harold J. McMahon
9 Willow Lane
New Windsor, N.Y. 12550

Jacquelyn B Rose &
Robert J Toohey
7 Willow Lane
New Windsor, N.Y. 12550

John & Antonietta Guerriero
23 Willow Parkway
New Windsor, N.Y. 12550

Katherine M. & Joseph C. Accumanno
3 Willow Lane
New Windsor, N.Y. 12550

Donna M. Gamma
4 Scenic Drive
Newburgh, N.Y. 12550

Eliza H & Joseph Choi
27 Willow Parkway
New Windsor, N.Y. 12550

✓ Sac-Tac Inn Inc. ✓
30 Quassaick Ave.
New Windsor, N.Y. 12550

✓ Jennie & Sabatino Martinisi ✓
273 Windsor Hwy ✓
New Windsor, N.Y. 12550

✓ Debby A. & Richard C. Harris ✓
3 Burning Brush Court ✓
Pomona, N.Y. 10970

✓ Bertha K & Garrison Karpoff ✓
8 Willow Lane ✓
New Windsor, N.Y. 12550

✓ Joan M Mason &
Robert E. Mulno ✓
23 Spring Hollow ✓
Roslyn, N.Y. 11576

✓ Sally & Herman Ingram ✓
12 Willow Lane ✓
New Windsor, N.Y. 12550

✓ Thomas J. Hughes ✓
191 Overlook Drive ✓
Greenwich, Conn 06830

✓ George Ross ✓
Box 267 ✓
Central Valley, N.Y. 10917

✓ Francis A. & Clara Lander ✓
278 Windsor Hwy ✓
New Windsor, N.Y. 12550

✓ T & H Realty Inc. ✓
Rt. 32 ✓
New Windsor, N.Y. 12550

✓ Mary & Peter Notartomaso ✓
279 Windsor Hwy. ✓
New Windsor, N.Y. 12550

✓ Agnes E. Cavalari ✓
RD 2 Bethlehem Rd. ✓
New Windsor, N.Y. 12550

✓ Alred Friedman ✓
10th floor, SE 37th St. ✓
New York, N.Y. 10016

Ernest Carlisle &
Steven Jaffe ✓
435 Wildwood Road
Northvale, N. J. 07647

✓ John Gadonniex
2 Crown Hill Rd.
Wappingers Falls, N.Y. 12590 ✓

✓ Unit 401
Vishnu & Kailas Patel ✓
5 San Giacomo Drive
New Windsor, N.Y. 12550

✓ Unit 402
Carol Reuter ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 403
Judy & Steven H Rapisarda ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 404
Mary E Hartman &
Joseph A Jordan ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 405
Kelly A Martz &
Stacey Dedovich ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 406
Marilynne B & Ronald G Tronino ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 407
Catherine Doolan &
Peter Cuccinello, Jr. ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 408
Mary H & Thomas P Fico ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N. Y. 12550

T

Unit 501
Marie & Thomas J Fasulo
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 502
Brenda M Bowie
Continental manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 503
Alan & Debra Silver &
Phyllis & Edward Graybow
39 Parliment Dr.
New City, N.Y. 10956

Unit 504
Caludia & Michael A Caporale
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 505
George E Green, Jr.
14 Braement Ct.
New City, N.Y. 10956

Unit 506
Colleen M Brophy &
David F Moretto
Continental Mand
186 Temple Hill Rd.
New Windsor, N.y. 12550

Unit 601
Bardara & Kevin Butrick
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 602
Catherine A Kras
John J Julian
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 603
Melissa & Jeffrey Blumenfeld
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 604
Frances Inglese &
John Stranzl ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 605
Tara & Louis Arbia ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 606
Frank & Gail Havlonek &
Jan & John Laccopola ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 701
Maria T & Edward A Hoyos
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 702
Flora & Silvio De Luca ✓
P.O. Box 65
Congers, N.Y. 10920

✓ Unit 703
Gandharva Padmanbhan ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 704
Flora & Silvio De Luca
P.O. Box 65
Congers, N.Y. 10920

✓ Unit 705
William J Larkin ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 706
Cynthia & Steven Sotland ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 707

Linda & John Tartaglia
Hemlock Hollow Rd.
Armonk, N.Y. 10504

Unit 708

Arthur A Irushalmi
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1001

Annette M & Edward L Mennella
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1002

Kunjamma & Neelankal Cherian
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1003

Marguerite P & Gary A Berwick
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1004

Jill A Jacobson
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1005

Victoria & John Hans
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1006

Perrine Osborne Hernandez &
Richard Hernandez
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1007

Dawn M & Robert A Mistretta
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

63

✓ Unit 1008
✓ Nancy Lyttle
Continental Manor ✓
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 1101
✓ Hooshang & Fereydon Raissi
Continental Manor ✓
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 1103
✓ Eileen P Murphy
Continental Manor ✓
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 1105
✓ John & Margaret Seymour ✓
251 Edsall Terrace
Pearl River, N.Y. 10965

✓ Unit 1107
✓ Daniel J & Bernard P Morgan ✓
203 Rockland Rd.
Pearl River, N.Y. 10965

✓ Unit 1109
✓ Deborah A & James P Quinn ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 1111
✓ Elizabeth & Nicholas Antonelli ✓
225 Garden St.
New Windsor, N.Y. 12550

✓ Unit 1113
✓ Bernard P & Daniel Morgan ✓
203 Rockland Rd.
Pearl River, N.Y. 10965

✓ Unit 1115
✓ Anna & Gregory Rodstrom ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

✓ Unit 1117
✓ John S & Desiree C. Lacush ✓
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1119
R & J Holding of Dutchess Inc.
PO Box 604
Hopewell Junction, N.Y. 12533

Unit 1102
Patricia Noone
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1104
Janet DiBlasi
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1106
Alice C Nelson &
John M Devito
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1108
Barbara J Olsen &
Kenneth D Whiting
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1110
Ann K Mc Guinness
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1112
Edilberto Martinez
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1114
Shelley A & Bruce Paul
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1116
Lisa Eichlinger &
Paul Felicissimo
9 Clearwater Ct.
Nanuet, N.Y. 10954

Unit 1118
Glenn Lauder
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1120
Roya Honarbakhsh &
Jamshid Raissi
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1201
Catherine & Estes Malone
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1202
Barbara Malley
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1203
Elizabeth C & Nicholas Antonelli
225 Garden St.
New Windsor, N.Y. 12550

Unit 1204
Margaret & Jorge Acosta
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1205
John A & Renee Schivera
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1206
Joseph B & Joan Knob
76 Derrick Rd.
Fishkill, N.Y. 12524

Unit 1207
Greta & Ralph Muller
16 Alpine Dr.
Hopewell Junction, N.Y. 12533

Unit 1208
Debra Fazio Irushalmio
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1301
Catherine & Joseph Fazio
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1302
Lois J & Walter W Haase, Jr.
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1303
Diane & Alfred Gagne
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1304
Olga & Raymond Nastasi
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1305
Kathleen F. Lynch
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1306
Della & Thomas Mc Gregor
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1307
Katherine M & James J Lynch
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1308
Randolph Tompkins
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

T

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Unit 1401
Hartley M. Lubin
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1402
Flora & Silvio De Luca
PO Box 65
Congers N.Y. 10920

Unit 1403
Lorraine T & William K Durrenberger
124 Geneva Dr.
Hopewell Jct., N.Y. 12533

Unit 1404
Ernest Jensen
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1405
Lynn A Holland &
Anthony Tagliaferro
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1406
Ray D Armstrong
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1407
Barbara J Valois &
Frank J Denore
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1408
Kathleen Crowley Black &
Samuel M Black
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1501
Anita & Paul Caruso
7 Meore Way
Washingtonville, N.Y. 10972

Unit 1503
Gail & Kenneth Fliesser
104 Bellows Lane
New City, N.Y. 10956

Unit 1505
Eileen & David Silverman
23 Brookline Way,
New City, N.Y. 10956

Unit 1507
Arthene E Halstead
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1509
Mary & Patrick Quinn
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1511
Patricia Laporta
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Start

Unit 1513
Judith & Sidney Kantor &
Ruthann B Solomon
5 Carlton Court
New City, N.Y. 10956

Unit 1515
Greta & Ralph C Muller
Alpine Drive
Hopewell Junction, N.Y. 12533

Unit 1517
Barbara & Paul Grima
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1519
Fox Hill Condos
4-6 Bridle Path
Ossining, N.Y. 10562

Unit 1502
Maria & Philip McIntyre
40 Clinton St.
Cornwall, N.Y. 12520

T

Unit 1504
Linda & Richard Temple
221 Riley Rd.
New Windsor, N.Y. 12550

Unit 1506
Anthony J Scalise
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1508
Judy & Martin Stogdew
559 Retreat Lane
PO Box 312
Powell, OH 43065

Unit 1510
Helen P Glasson &
John Carley
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1512
Maya & Arjan Sakhdani
79 Susan Dr., West
Newburgh, N.Y. 12550

Unit 1514
Brenda & John Roban
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1516
Judith E & William F Newman
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1518
Jane F & Paul F Gannon
4035 B Clark St.
Newburgh, N.Y. 12550

Unit 1520
Gale M Cuomo &
James P Soja
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

103

Unit 1601
John J Quinn
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1603
Mary & Thomas Quinn
6715 53 Ave.
Maspeth, L.I., N.Y. 11378

Unit 1605
Anita H Wolter
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1607
Elsie & Leon Davidow
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1609
Anita & Paul Caruso
7 Meore Way
Washingtonville, N.Y. 12550

Unit 1611
Joseph & Annamma Philipose
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1613
Rose M & Daniel J Crossetta
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1615
Daniel & Ann Bloom
28 Mine Hill Rd.
Cornwall, N.Y. 12518

Unit 1617
Antoinette & Frank B. Lora
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1602
Lynn & Mark Albert
981 Jones Wynd.
Wake Forest, N.C. 27587

Schiff

T

Unit 1604

Dawn & Bryan Schrept
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1606

Michael F Jacobs &
Jodie C Felcheck
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1608

Dorothea & William J Brown
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1610

Catherine & Hugo Martone
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1612

Michael J Maers
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1614

Sam & Eileen Rosenzweig
8 Meadow Lane
New City, N.Y. 10956

Unit 1616

Michele & Daviv Buchman
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1618

Kelly McKenna &
Richard Zabel
165 A Brittany Farms Rd.
New Britain, Ct. 06053

Unit 1701

Teresa Collins
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1702
Susan J Kelly
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1703
Deborah & Michael P Verlizzo
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1704
Lisa Rohan &
John P. Walsh
73 Seaman Ave.
New York, N.Y. 10034

Unit 1705
Shelia Zuckerman
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1706
Constance & Peter Gioia
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1707
Jamshid Rajasi
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1708
Emma & Hans J Hafermalz
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1801
Mona K & Syed O Rizvi
1 Miron Drive
Poughkeepsie, N.Y. 12603

Unit 1802
Anicady Tetukevich
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1803

Kathleen & Lawrence Rossini &
Veronica & Drew Russell
268 E RD# 4 Hickory Ave.
New Windsor, N.Y. 12550

Unit 1804

Rasila & Vinodr Lala &
Remesh & Chandrakanta Ubriani
146 Valley Forge Place
Orangeburg, N.Y. 10962

Unit 1805

Dominick J & Donna M. Guglielmo
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1806

Bernadette L. Huang
11 Arcadian Dr.
Wesley Hills, N.Y. 10977

Unit 1807

Christine A. & Anthony Bloise
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1808

Linda Guttenplan
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1901

Freida & Alan Genauer
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1902

Kathleen & Dominick Giannotti
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1903

Dawn M & Steven Dennis
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1904
Frances & Miguel A Rodriguez
Continental Manor
186 Temple Hill Rd,
New Windsor, N.Y. 12550

Unit 1905
Meenakshi & Kavssery Ananthapadmanabhan
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1906
Patricia A Reilly &
Daniel M Rice
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 1907
Richard Reich
29 Concord Dr.
New City, N.Y. 10956

Unit 1908
Stephen Chinoransky
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

70

Unit 2001
David A Horan
507B Norstran St.
Tobyhanna, Pa 18466

Unit 2002
Thomas Bavolar
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2003
Maria L Fuhrman
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2004
Robert Mc Ilmurray
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2005

Josephine Ann & Thomas P Mc Quade
4382 Earman Ave.
Bronx, N.Y. 10466

Unit 2006

Carla R & Angelo Carpentieri
77 Lt Cox Dr.
Pearl River, N.Y. 10965

Unit 2101

Robert P Farguhar
c/o Dept of Physical Education
West Point, N.Y. 10996

Unit 2103

Kalathi Thyagarajan
22285 Vista Verde Dr.
El Toro, Ca. 92630

Unit 2105

Mohamad Agha
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2107

John & Victor E Perruna &
Lisa Pivonka
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2109

Sharon M & Dennis J Zanoni
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2111

Richard Ihrig
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2102

Susan & Daniel Stokes
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2104

Nancy & Barry E Wilkins
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2106
Robyn M & Charles J Lo Presti, Jr.
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2108
Linda & Richard De Sisto
83 Gottlieb Dr.
Pearl River, N.Y. 09865

Unit 2110
Teddy & Phyllis Tokarz
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2112
Carol Ann & Robert L Tokarz
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2201
Gloria & Joseph Serra &
Eleanor & Frank Medora
13 Woodlake Dr.
Thiells, N.Y. 10984

Unit 2203
Carol & Arthur Brigando
27 Hastings Lane
Stoney Point, N.Y. 10980

Unit 2205
Christine O'Sullivan &
James Ricker, Jr.
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2207
Marilyn M Browne
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2209
Gail E & Dennis F Mulford
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2211
Elizabeth C & Nicholas R Antonelli
225 Garden St.
New Windsor, N.Y. 12550

Independent Automotive
266 Windsor Highway
New Windsor, NY 12550

Independent Automotive
266 Windsor Highway
New Windsor, NY 12550

Independent Automotive
266 Windsor Highway
New Windsor, NY 12550

Independent Automotive
266 Windsor Highway
New Windsor, NY 12550

Unit 2213
Rita & Burton Greene
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2215
Fred Vitaliano
Continental Manor
186 Temple Hill
New Windsor, N.Y. 12550

Unit 2217
Arlene & Richard Chase &
Joyce & Vincent Quattrocchi
PO Box. 26
Tompkins Cove, N.Y. 10986

Unit 2219
Stevens, Shirley A, Trustee
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2202
Mark C Zimmerman
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

76
x090
Unit 2204
Elizabeth R & Stanislaus Tokarz
68-19 60th Drive
Maspeth, Long Island, N.Y. 11378

Unit 2206
Jane Laco
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2208
Dorothy & Donald Guglielmo
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2210
Arthur Roth
6 King Terrace
Spring Valley, N.Y. 10977

Unit 2212
Antonia & John Schnell
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

T

Unit 2214
Thomas E & Marie Hatch
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2216
Nadine & Jesse Linder
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2218
Mary Jo Izzo &
Keith Rauscher
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2220
Christine O'Brien
87 Laurel Rd.
New City, N.Y. 10956

Unit 2301
Patricia A & John J Cassels
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2302
Heidi & Timothy Coyle
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2303
Edwin A Cowen
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2304
Maya, Arjan & Kiran Sakhrani
79 Susan Dr., West
Newburgh, N.Y. 12550

Unit 2305
Melissa L & Thomas A Sheppard
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

7

Unit 2306
Margaret & John Dacila
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2307
Michael A Keller
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2308
Helen & Jerone Tillis
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2401
John S Costa
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2403
Paul W Freisinger
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2405
Frank K Donovan, Jr.
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2407
Josephine A & Harry F Sabatano
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2409
Carol & John J Walsh
6 Oakwood Lane
Theills, N.Y. 10984

Unit 2411
Donna & Michael Silberman
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2412
Emilia & Robert Losicco
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2414
Elaine & Charles F. Johnston
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2416
James & Richard Re
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2418
Glen L. Heller
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2420
Elizabeth & Louis Pedersen
PO Box 106
Clinton Corners, N.Y. 12514

Unit 2501
Susan M & Jeffrey A. Irwin
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2503
Jessie E. Reed
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2505
Debra M & William E. Herron
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2507
Crapser, Frank T. Jr.
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2413
Camille Iveli
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2415
Gwen D & Nicholas P Dominick
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2417
Joseph M Chironno, Lori Dean Chirono,
Karen S Liu & William Wong
c/o William Wong
121 Mc Keel Ave.
Tarrytown, N.Y. 10591

Unit 2419
Elvira & Michael Odell
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2402
Warren E Pederson
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2404
Stephanie, Stephen & Christopher DeSantis
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2406
Cathy & John Marietti
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2408
Nicholas C Givas
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2410
Angela M & John P Finnen
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2509
Laura A Caudle &
Stephen J Smar
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2511
Ricki Zucker
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2513
Elizabeth & Matthew Murphy
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2515
Lisa M Sirico &
Mark J Ruggiero
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2517
Laura A & Gary A Bucker
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2502
John Taubenbraut
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2504
Robert D Lockhart
48 Waters Edge
Congers, N.Y. 10920

Unit 2506
Donna M Bonafilia
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2508
Carol Anne Jordan
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2510
Farhad Raissi
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2512
Diane Westervelt
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2514
Malarkodi & Ramasamy Muthusamy
3 Ridge View Rd.
Hopewell Junction, N.Y. 12533

Unit 2516
Hugh R Hunsinger
PO Box 4309
New Windsor, N.Y. 12550

Unit 2518
Mark E Wittman
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2601
Sean & Hugh McHugh, Jr.
Continental Manor
186 Temple Hill Rd.
New Windsor, N. Y. 12550

Unit 2603
Patricia L Kelly
Continental Manor
196 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2605
Gilda Ditullio
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2607
Linda Lou Lichtenstein
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2609

Rosemary & Anthony J Amante
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2611

Sheila & Arnold Albert
46 Bridle Path
Ossining, N.Y. 10652

Unit 2602

Jill & William Pearlman
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2604

Rhoda L Oltzik
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2606

Kathleen & George Kachou
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2608

Alice & Stanley J Drozdowicz
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2610

Catherine M Bragg
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2612

Malarkodi & Ramasamy
3 Ridge View Rd.
Hopewell Junction, N.Y. 12533

Unit 2701

Richard Ihrig
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2703

Marilyn & Eric C Santiago
886 Stockton Rd.
Valley Cottage, N.Y. 10980

Unit 2705

✓ Donna L Rehm
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2707

✓ Pamela A., Wanda & Theodore Jacobsohn
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2709

✓ Frank Pucino
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2711

✓ Maureen E & Herman H Otte
1 Bluebird Rd.
Monsey, N.Y. 10952
~~New Windsor, N.Y. 12550~~

Unit 2702

✓ Barbara A Durham &
John A Cook,
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2704

✓ Bonnie Ann Wolak
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2706

✓ Raymond M Wolak, Jr.
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2708

✓ Simon Rubino
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2710

✓ William Lynch, Jr.
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2712
Richard Mazzaferro
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2801
R & J Holding of Dutchess Inc.
PO Box 604
Hopewell Junction, N.Y. 12533

Unit 2802
Kenneth & Gail Ahearn
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2803
Toni M & Brain J Frost
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2804
Christine A Pallozzi &
Charles E. Winkler, Jr.
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2805
William Lamb
925 Sierra Vista Lane
Valley Cottage, N.Y. 10989

Unit 2806
William Green &
Michael Caputo
c/o George Green Jr.
14 Braemar Ct.
New City, N.Y. 10956

Unit 2807
Barbara C & Raymond Labella
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

Unit 2808
Marie & Pasquale Luongo
Continental Manor
186 Temple Hill Rd.
New Windsor, N.Y. 12550

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- 11

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

89-6.

Date: August 10, 1989

- I. Applicant Information: George S. Chaleff, 266 Windsor Highway,
(a) New Windsor, New York 12550 (914) 562-8418 *
(Name, address and phone of Applicant) (Owner)
(b) _____
(Name, address and phone of purchaser or lessee)
(c) BLOOM & BLOOM, P.C. (Daniel J. Bloom, Esq., of counsel), P.O. Box
(Name, address and phone of attorney) 4323, New Windsor, NY 12550
(914) 561-6920
(d) _____
(Name, address and phone of broker)

II. Application type:

- Use Variance Sign Variance
 Area Variance Interpretation

III. Property Information: 66 Windsor Highway

- (a) C.I New Windsor, NY 12550 35-1-44 3 acres +
(Zone) (Address) (S B L) (Lot size)
(b) What other zones lie within 500 ft.? PI
(c) Is a pending sale or lease subject to ZBA approval of this
application? yes
(d) When was property purchased by present owner? 1974 (inherited from
(e) Has property been subdivided previously? NO When? N/A family)
(f) Has property been subject of variance or special permit
previously? yes When? 1978-applied for use variance/not
(g) Has an Order to Remedy Violation been issued against the approved
property by the Zoning Inspector? yes
(h) Is there any outside storage at the property now or is any
proposed? Describe in detail: NO

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law,
Section 48-11.12 Table of Bulk/Use Regs., Col. A, to
allow:
(Describe proposal) construction of an automotive repair shop
annexed to existing one-family residence.

*The applicant, as of the date of this application, owns the property as tenant in common with his sister, Gale S. Fraser. Gale S. Fraser will convey her title in the premises to the applicant upon closing of a construction loan with the Albany Savings Bank. This loan will close as, if, and when a variance issues on this application, since the lending institution has required a current Certificate of Occupancy for the premises before the loan closes.

- (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.
Applicant is unable to install a power-assisted automobile lift in his present work area. As a result, he is unable to undertake many different types of automotive repair services at great economic hardship. See Affidavit of George Chaleff dated 6/22/89 for further details (attached as Exhibit "A").

V. Area variance: N/A

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

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

VI. Sign Variance: N/A

- (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. Interpretation: N/A

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

- (b) Describe in detail the proposal before the Board:

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.)

This request for variance arises from the unfortunate location of the proposed construction which will result in part of the building being located in a commercial zone and part of it in a planned industrial zone. The proposed construction is permitted in the commercial zone, but not in the planned industrial zone. Its location is shrouded by trees from view from the nearest public highways as well as from surrounding properties. Consequently, there will be no anticipated adverse impact to the (continued on page 3.a.)

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 \$ 50.00 payable to TOWN OF NEW WINDSOR.
- Photos of existing premises which show all present signs and landscaping.

VIII. (a) continued:

surrounding environment for the properties and neighbors.

X. AFFIDAVIT

Date August 11, 1989

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.

George S. Chaleff
(Applicant)
George S. Chaleff

Sworn to before me this
11th day of August, 19 89.

Carol A. Lynn

CAROL A. LYNN
NOTARY PUBLIC, State of New York
Residing in Orange County
4527111 / 11-30-90
Commission Expires

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.

D. The construction in question commenced in the Summer of 1987, and proceeded until I received a "Stop Order" in the Fall of 1987, from the Building Inspector of the Town of New Windsor.

F. At that time I made a formal application for a Building Permit, and it was denied since it was not accompanied by a "Site Plan" with appropriate Planning Board Approval.

G. I immediately embarked upon this approval process, and spent the Fall of 1987 through the Spring of 1988, securing the necessary plans and presenting them to the Planning Board of the Town of New Windsor. It was not until August of 1988, that I was able to appear before the Planning Board for a formal submission of the same.

H. The application was denied by the Planning Board on the following grounds:

I. My property is in a multi-use area;

II. My building which I wished to construct was in an improper zone;

III. The Board suggested that I rent only one cottage and utilize the remaining cottage as a caretaker's residence;

IV. The existing trees needed to be trimmed, and handicapped parking provided;

I. Thereafter I attended to the tree trimming, handicapped parking and requested relief from the caretaker's residence requirement from the Planning Board. The Planning

Board denied my application (while reacting favorably to my plan) and said that I had to obtain approval from the Zoning Board of Appeals.

J. Immediately following the Planning Board appearance, I received a copy of certain comments on my proposal prepared by McGoey, Hauser and Edsall, Consulting Engineers, dated January 11, 1989, which comments I took to my architect for purpose of making modifications to the plans in accordance with those suggestions.

K. I thereafter appeared before the Zoning Board of Appeals with my attorney, Daniel J. Bloom, Esq., in April, 1989, and was directed by the Zoning Board of Appeals to appear before them once again with substantial documentation to justify a request for the relief in question based on "hardship".

4. In support of my request for the subject variance based upon hardship, I submit the following information for this Board's consideration:

A. I am married (my wife does not work by reason of the demands on her as a housekeeper and mother to my young child), and the family gross weekly income for the past twelve months averaged as follows:

	\$ 324.04 per week from rentals;
	\$1,152.83 per week from my automotive repair business conducted on the premises;
	\$ 3.67 per week from interest on investments.
TOTAL	\$1,480.54 per week.

Bloom & Bloom, P. C.
530 BLOOMING GROVE TURNPIKE
(AT THE PROFESSIONAL CIRCLE)
P. O. BOX 4323
NEW WINDSOR, NEW YORK 12550

B. On the other hand, the family's weekly average expenses over that same period of time were as follows:

UTILITIES	\$ 56.58 per week
MORTGAGE	49.15 per week
TAXES	169.87 per week
INSURANCE	69.63 per week
ADVERTISING	7.90 per week
*MAINTENANCE	86.58 per week
FOOD	200.00 per week
MEDICAL EXPENSES	54.10 per week
CLOTHING	19.23 per week
WATER AND SEWAGE	4.50 per week
OFFICE SUPPLIES	3.50 per week
PUBLICATIONS	1.54 per week
LEGAL AND PROFESSION	
SERVICES	10.29 per week
CHARITIES	1.44 per week
AUTO PARTS	708.09 per week
PERSONAL VEHICLE	
EXPENSES	35.00 per week
TOTAL	-----\$1,477.40 per week
*PAINT-WALLPAPER	8.00 per week
LAWN MAINTENANCE	8.00 per week
CARPET-FLOORING	7.00 per week
ROOFING SUPPLIES	6.50 per week
FOR APPLIANCES	8.00 per week
LUMBER	7.50 per week
HARDWARE	5.75 per week
GARBAGE REMOVAL	10.00 per week
LANDSCAPING	10.00 per week
SNOW PLOWING	4.33 per week
PLUMBING AND HEATING	
REPAIRS	11.50 per week

5. As the Board may be aware, I am in the automotive repair business and am presently working in 590 square feet of working area (17ft. X 23ft), which is getting tighter to work in everyday. I am constantly acquiring new equipment to keep up with the ever changing automotive field. Such equipment includes items such as specialty tools, hydraulic press, air

compressor, safety vacuums, specialty test equipment and related components. My present shop is not large enough to accommodate an automotive lift. Therefore, every car I work on has to be jacked up manually (by hand) and reinforced with jack stands before I can work on it. The work I do is very limited because of this procedure. I cannot get fully under the cars to work. I must turn down many exhaust jobs, clutch jobs and other drive-line jobs that I was trained to perform in school. Also, most of the work that I commonly accomplish takes much longer to complete than it should. For example, the clutch job that should normally take four hours to complete, takes me eight hours. Similarly, I have approximately 50% efficiency with respect to work done on brake systems, wheel bearings, etc. A typical front wheel drive vehicle with conventional bearings should only take two and one-half hours to complete per axle on an automotive lift. It takes me five hours to complete the same job without the lift. Oil changes take twice as long as they would if the vehicle could be placed on an automotive lift. Moreover, work such as drive line noise and vibration, a major part of a professional technician's workload are completely impossible for me to perform in my shop without the automotive lift. If I attempt to take on such work, not only am I putting myself in a confined position but also in a very dangerous one. I would have to expose my body and various limbs to wheels and axles moving at very high speeds. Also the

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(AT THE PROFESSIONAL CIRCLE)
P. O. BOX 4323
NEW WINDSOR, NEW YORK 12550

risk of being burned by hot air exhaust parts is considerable. Accordingly, such work I must completely turn away.

6. The following is a list of "flat rate times" contained in the Professional Automotive Manuals as being suggested normal time schedules for completion of the various repairs in question. Next to each item I have listed my "actual time" for completion of the same job in my limited quarters without the space for the installation of an "automotive lift":

<u>SERVICE PERFORMED</u>	<u>FLAT RATE TIME</u>	<u>ACTUAL TIME</u>
Install Ft. Brake Pads	.75 Hr.	1.5 Hrs.
Install Ft. Rotors		
Press Type	5 Hrs.	8-10 Hrs.
Install Rear Brake Shoes	1.2 Hrs.	3 Hrs.
Repack wheel bearings	2 Hrs.	4 Hrs.
Oil Change & Chassi Lobe	.25 Hr.	.6 Hr.
Rear Wheel Drive Clutch	4.2 Hrs.	8 Hrs.
Ft. Wheel Drive Clutch	5-6.1 Hrs.	8-14.5 Hrs.
Tire Rotation	.10 Hr.	.25 Hr.
Install New Exhaust Systems	1.5 Hrs.	3.2 Hrs.
Adjust Brake Cables	.25 Hr.	.75 Hr.
Clutch Adjusted	.25 Hr.	.75 Hr.
Install Ft. Struts	2 Hrs.	3.8 Hrs.
Install Rear Struts	2 Hrs.	3.8 Hrs.

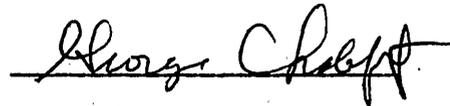
7. The property has been in the family for 50 years, and I have been operating an automotive repair shop their since 1978.

8. I fully appreciate that the position in which I find myself at this juncture is substantially attributable to my own fault. However, I respectfully request that this Board, in its sound discretion, consider relieving me and my family from this

Bloom & Bloom, P.C.
530 BLOOMING GROVE TURNPIKE
(AT THE PROFESSIONAL CIRCLE)
P.O. BOX 4323
NEW WINDSOR, NEW YORK 12550

hardship upon terms and conditions which this Board may deem appropriate.

I am making the aforesaid statements in Affidavit form, realizing that any misrepresentation set forth therein will constitute perjury.



George Chaleff

Sworn to before me this
22 day of June, 1989.


Notary Public

PATRICIA A. CONNOLLY
NOTARY PUBLIC - State of New York
Residing in Orange County
#4933064

Commission Expires 2/25/90

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

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

Appeal No. 6

Request of George S. Chaleff

for a VARIANCE of
the regulations of the Zoning Local Law to
permit construction of a new "workshop"
building attached to his existing residence

being a VARIANCE of
Section 48-11 and 48-12, Article IV of the
New Windsor Zoning Code,
for property situated as follows:

S35, BL1, Lot 44, located on the westerly side
of NYS Route 32, directly opposite its inter-
section with Willow Lane in the Town of New
Windsor, N.Y.

SAID HEARING will take place on the 11th day of
September, 1989, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

James Nugent
Chairman

No. 8702...

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

STOP ORDER

All work contemplated to be done under Building Permit No. None shall be forthwith suspended and all persons shall stop work thereon until this STOP ORDER has been rescinded.

This Order will be rescinded upon the following conditions:

① Site Plan Approval & Building Permit

Dated: 10 - 27, 1987

Frank Sisi
.....
Building Inspector

STOP ORDER RESCINDED

Dated:, 19.....

.....
Building Inspector

**CODE ENFORCEMENT OFFICE
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550
565-8807**

ORDER TO REMEDY VIOLATION

DATE: 10/27/87

TO: George Chaleff
266 Windsor Highway
New Windsor New York 12550

SEC: BLK, LOT: 31- 1- 44

INCIDENT NO: 87-101

LOCATION: 266 Windsor Highway

PLEASE TAKE NOTICE, there exists a violation at the location described above,
in that the above named individual(s) did commit the following offense:
No Building Permit

which is in violation of: Zoning Code, Town of New Windsor

SECTION: Art.V11

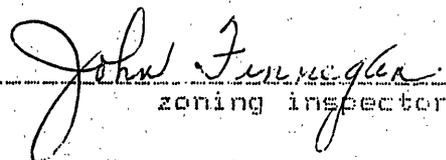
SUBDIVISION: 48-28

TITLE: Building Permit

PAGE: 4870.1

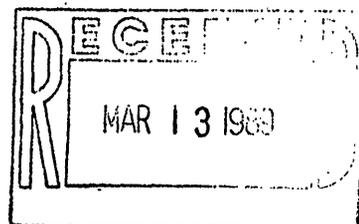
YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and to
remedy the condition above mentioned forthwith on or before: 11/27/87

Failure to remedy the conditions aforesaid and to comply with the applicable
provisions of law may constitute an offense punishable by fine or imprisonment
or both.


zoning inspector

Bloom & Bloom, P.C.
ATTORNEYS AND COUNSELORS AT LAW

DANIEL J. BLOOM
PETER E. BLOOM



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FAX: 914-561-0978

February 27, 1989

Michael Gurda, Esq.
Gurda, Gurda, Lynch & Smith
Post Office Box 578
Middletown, New York 10940

RE: Chaleff vs. Fraser
Our File No. 8525

Dear Mr. Gurda:

Enclosed herewith please find a Consent to Change Attorney in the above referenced matter.

After reviewing the file, and, in particular your correspondence of December 19, 1988, it appears that a settlement has been reached between our clients along the following lines:

- 1) Mr. Chaleff shall pay a total of \$60,000.00 to your client in exchange for a conveyance from her to him of all of her interest in the subject real estate.
- 2) The aforesaid payment would be made in the following manner:
 - (a) \$30,000.00 cash upon closing the refinance of the subject premises by Mr. Chaleff.
 - (b) The execution and delivery to your client simultaneously therewith of a bond and mortgage from Mr. Chaleff to your client in the amount of \$30,000.00 self amortizing over twenty (20) years at 10% interest per annum.
 - (c) My client informs me that the lending institution with which he is negotiating is prepared to make the necessary loan forthwith. However, they will not accept his application in that regard without written confirmation from your client that she is prepared to convey her

Michael Gurda, Esq.

- 2-

February 27, 1989

interest in the property via a Bargain & Sale Deed with covenants against the Grantor's Acts simultaneously with the closing on the refinance-mortgage and in consideration for the payment of \$30,000.00 cash and a second mortgage of \$30,000.00 in accordance with the above terms.

If your client is in agreement with this offer of settlement, may I request that you kindly have her sign the enclosed photostatic copy of this correspondence and thereafter it to my office in the enclosed self-addressed, stamped envelope so that my client might proceed to process the necessary mortgage application at the earliest possible date.

If you have any questions, please feel free to call me.

Thank you.

Very truly yours,

DANIEL J. BLOOM
kp

cc: Mr. George S. Chaleff

AGREED TO:


Gale Fraser

OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, N.Y.

Prelim
Feb. 27th, 1989

89-6

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

P-B
File No. 88-26

Date 3 FEB 1989

To: GEORGE CHALEFF
266 WINDSOR HIGHWAY
NEW WINDSOR N.Y. 12550

562-8418

PLEASE TAKE NOTICE that your application dated 13 APRIL 1988
for (~~Subdivision~~ - Site Plan)
located at WINDSOR HIGHWAY RT 32

is returned herewith and disapproved for the following reasons.

VARIANCE REQUIRED FOR AUTO REPAIR AND RELATED
WORKSHOP AREA IN PI ZONE. (USE VARIANCE)



Planning Board Chairman

Requirements

Min. Lot Area _____
Min. Lot Width _____
Req'd Front Yd. _____
Req'd. Side Yd. _____
Req'd. Rear Yd. _____

Proposed or *
Available

3.07 AC.
114.4 FT
20 FT
6 FT ±
170 ±

Variance
Request

VARIANCES
BY
T

~~CONFIDENTIAL~~

Mr. George Chaleff came before the Board representing this proposal.

Mr. Chaleff: Tonight I have the revised plan and the revision consists of the recommendations that were made at the last meeting which were the building to be properly labeled as to their use. Secondly, the handicapped parking area; thirdly, the closed garbage area by the beauty shop and the other thing is the wall of the pole barn itself is going to be pulled in 10 inches to bring it 5 foot from the existing structure.

Mr. McCarville: You are going to move the barn back.

Mr. Chaleff: Going to put the wall in because it is at 4 foot 10 and 5 foot is called for for a 2 hour wall.

Mr. McCarville: What do you have from the fire bureau on this.

Mr. Schiefer: 15 December '83 conducted the site plan subject review plan indicates that only one handicapped parking area is needed for the beauty shop only. Section 1102.1 of Title 9 requires that a C4.2 occupancy must also have handicapped facilities. Number 2, it does not appear that the 24 foot wide driveway has been addressed as outlined on the previous fire prevention review. It appears that the trees will need trimming. The site plan submission is found unacceptable.

Mr. Chaleff: I need the trees for drainage. They suck up most of the water and as a wind break which they were originally designed for. Ever since it seems that as the years go on, you know, I am getting more water down my way.

Mr. Rones: Why don't you discuss it with Mr. Rogers. He is talking about trimming, not removing. Maybe you can reach some agreement.

Mr. Lander: You can thank Con Rail for the water.

Mr. Chaleff: Three or four years ago it was coming right through the place and onto your father's place.

Mr. Lander: They took the berm that was there since they put the tracks in. All that water from Vails Gate Heights comes down that side of the tracks. They now dumped it on George and me. I tried to get them to put it back. They wouldn't. Take them to court and we'll see you in five years. That is where that is now.

Mr. Schiefer: I think Mr. Rones comment is valid. We have to have approval of the fire inspector so take it up with Mr. Rogers.

Mr. Chaleff: Can we get an approval based on their approval.

Mr. Ronces: There is some other problems that the engineer brings up in his comments. One of which is that you have got a proposed auto repair garage split between the PI and the C zones and that most of that building appears to be in the PI zone which is not a use permitted in that zone and a use variance would be required.

Mr. Chaleff: I pay \$7,000 a year taxes, all right, what do I get for \$7,000. Do I get the right to make a living or do I get taxed.

Mr. Jones: You are living in New Windsor, you don't get nothing.

Mr. Ronces: You have got to get--we can't approve something, you can perhaps ask the Zoning Board of Appeals for a variance and if they grant you the variance, then we can proceed with the site plan.

Mr. Schiefer: Majority is within the PI zone.

Mr. Pagano: George, here's the comments. Why don't you take that, come in and get a copy of the letter from the fire department tomorrow. Get some of this stuff cleared up.

Mr. VanLeeuwen: He put the building up without getting a building permit.

Mr. Chaleff: I always had a pole barn on my property. One decayed and fell down and I replaced it.

Mr. VanLeeuwen: That decayed many years ago.

Mr. Jones: What did you do, replace it.

Mr. Chaleff: Yes.

Mr. Jones: You have to get a permit for that. I can't go along with you on that.

Mr. Chaleff: That is why we are here but--

Mr. VanLeeuwen: That building decayed many years ago.

Mr. Chaleff: As it stands now, the approval is okay from the Planning Board's point of view and I have to seek the fire department approval.

Mr. VanLeeuwen: You have to go to the Zoning Board of Appeals.

Mr. Schiefer: Before you get the Planning Board's approval, you have to get fire department and the variance from the Zoning Board.

Mr. Chaleff: How long do you think that will take.

Mr. Ronces: I don't know what the state of their agenda is but gentlemen, before we send him to the Zoning Board of Appeals, are there any

other comments we have on the site plan. In other words, is the plan, is the variance something that the Planning Board would recommend to the Zoning Board of Appeals.

Mr. VanLeeuwen: I don't see anything wrong with it being back there, just the idea that rules have to be followed and just to go ahead and put up a building and not get a building permit, I don't think it is right. None of us can do it and nobody else can either.

Mr. Chaleff: I work hard for my money and I make an honest living and there was a building previously on the property so in my point of view I was replacing what I already had all along.

Mr. VanLeeuwen: You have to get a building permit. We all know that. That is standard rule in any town. And, if you are a good businessman, you would know that.

Mr. Chaleff: I'd like to narrow this down. Is there somebody I can meet with possibly tonight and get a plan going on how to follow this up or should I just apply to the Zoning Board of Appeals tomorrow.

Mr. VanLeeuwen: We have to make a motion to approve it and get you started to the Zoning Board of Appeals process as far as the building is concerned, if you can get them to go along with it, I can't see nothing wrong with the building. To me, it is no big deal. I am certainly not going to stop you.

Mr. Chaleff: I am trying to make a living and pay my taxes.

Mr. Jones: I am retired, they don't care what I am doing but they want the taxes so.

Mr. Schiefer: I don't think anybody has a problem with what you have here except there is a legal procedure you have to follow. We will disapprove this, send you to the Zoning Board of Appeals and before you leave here, I'd like to have the comments. Is there anything else that has to be addressed.

Mr. VanLeeuwen: I make a motion that we approve this Site Plan of George Chaleff 88-26.

Mr. Lander: I will second that motion.

Mr. McCarville: Do you want to discuss some of the other issues or want to take care of this first.

Mr. Schiefer: If this is part of an approval, go ahead.

ROLL CALL:

Mr. McCarville	No
Mr. VanLeeuwen	No
Mr. Lander	No
Mr. Pagano	No
Mr. Jones	No
Mr. Schiefer	No

Mr. Schiefer: You had another comment.

Mr. McCarville: The engineer had commented on the width of the approach to the property, the fact that there is a telephone pole there perhaps there should be some further identification of where the entrance and exit areas are in the front of the property. Other than that, I have no problems with the overall plan as the dumpster as required.

Mr. Chaleff: That will be upon your approval, the dumpster because that is not going in until you say it is okay. Other than that, there should be plenty of room in the front.

Mr. Lander: All you want on the plan is arrows defining which way.

Mr. McCarville: There has to be more than that since it is an open drive in and drive out area, where ever you want. Also, no identification of where the driveway in the back and the parking in the beauty salon is.

Mr. Chaleff: The, looking at it from my point of view--

Mr. McCarville: There should be some markings there indicating this way out, this way in.

Mr. Chaleff: That would have been on there if that was explained to me the last time I came through here because all the revisions I have tonight are from prior comments made the last time and it seems like every time I come there, there is another comments.

Mr. McCarville: This is why we have an engineer to write up comments. I never saw the telephone pole in the middle of the parking lot.

Mr. Jones: Don't feel bad.

Mr. VanLeeuwen: I make a motion that we send a favorable comment to the Zoning Board of Appeals with regard to George Chaleff Site Plan. 88-26.

Mr. Pagano: I'll second that motion.

ROLL CALL:

Mr. McCarville	Aye
Mr. Lander	Aye
Mr. VanLeeuwen	Aye
Mr. Pagano	Aye
Mr. Jones	Aye
Mr. Schiefer	Aye

Mr. Chaleff: Is there any way to expedite this thing?

Mr. Rones: That, you have to take up with them.

1-11-89

Mr. Schiefer: The other thing you have to do is get together with the fire inspector, Bobby Rogers.

Mr. Chaleff: I can get them through here, come up and talk to them and resolve that.

Mr. Schiefer: Once those two issues are resolved, we will get you back on and I believe they, from what I hear, that should be the end of it.

Mr. VanLeeuwen: Ask the engineer to define where the ingress and the egress is on the map. That is what this man is talking about.

Mr. Schiefer: Are there any other recommendations so we can resolve it.

Mr. McCarville: I have a problem with the pole not clearly identifying the parking area, keeping in mind you have to work in another handicapped parking and an additional one.

Mr. Rones: You are going to have to resolve that with Mr. Rogers because he is of the opinion you need an additional one. Mr. Edsall said he was confused on the zoning data, the Zoning Board is going to want that cleaned up to just have the survey or take heed of Mr. Edsall's comments there because he had a comment that the, you had data on there for the NC zone but what you were really looking for was PI zone so that the information on the map is probably going to have to be corrected for the Zoning Board of Appeals too so you ought to get that fixed before you wind up at the Zoning Board of Appeals meeting because otherwise they are going to delay you for some corrections to the map.

Mr. Babcock: As far as the Zoning Board of Appeals, they won't entertain an application until the paperwork is sent to them. It takes a week to get the paperwork done to send to them because we have to have the minutes from this meeting to send to them to reflect what was said here tonight.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Licensed in New York,
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: George Chaleff Site Plan
PROJECT LOCATION: Route 32
PROJECT NUMBER: 88-26
DATE: 11 January 1989

1. The plan involves a multi-building development of an existing site on the northwest side of Route 32. The plan was previously reviewed at the 10 August 1988 and 26 October 1988 Planning Board Meeting.
2. It should be noted that a total of seven (7) buildings in total are proposed for the site. Six (6) are already existing and one (1) new "workshop building" is proposed. The Board should note the following with regard to the individual buildings:
 - a. The existing beauty salon near the front of the site is a use permitted by right (#2 of the C Zone).
 - b. The existing two-story house is a non-conforming use, as only residential quarters within conforming uses is permitted in the C Zone.
 - c. The existing auto repair garage is a special permit use in the C Zone.
 - d. The proposed auto repair garage is split between the PI and C Zones. The majority of the proposed building is within the PI Zone, where it is not a use permitted by right or by special permit. Therefore, a variance will be required.
 - e. One of the cottages would be an acceptable special permit use, if same is for a caretaker. In any case, only one (1) would be permitted in the PI Zone.

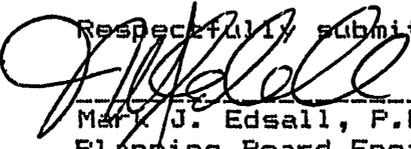
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: George Chaleff Site Plan
PROJECT LOCATION: Route 32
PROJECT NUMBER: 88-26
DATE: 11 January 1989

-2-

3. The Board should discuss the multiple uses which are located on this site and discuss whether any of these uses have ever previously been approved by the Planning Board.
4. The "zoning data" shown on the plan is confusing. Why does the plan indicate zoning requirements for the "NC" Zone, when none of this property is in such zone? Also, which uses should the zoning requirements reflect? There are several uses on this site.
5. My previous comments indicated that site development details should be provided. The plan now shows construction details for the proposed building which are actually part of the building permit process, not the site plan approval process.
6. I am concerned regarding the "wide open" access to this site and the fact that a utility pole is located in the middle of this access.
7. The Board should note that the Bureau of Fire Prevention has disapproved this site plan.
8. The plan should be forwarded to the Orange County Department of Planning for review and comment.
9. At such time that the Board has reviewed all the items as listed above, additional engineering review can be made if deemed necessary by the Planning Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEnje

'chaleff

file

cc:ZBA

Bloom & Bloom, P. C.
ATTORNEYS AND COUNSELORS AT LAW

DANIEL J. BLOOM
PETER E. BLOOM

Rec'd.
ZBA 7/2/89 (PAB)

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NEW WINDSOR, NEW YORK 12550
TELEPHONE (914) 561-6920
FAX: 914-561-0978

July 6, 1989

Mr. Daniel S. Lucia, Esq.
RD#2 - Temple Hill Road
New Windsor, New York 12550

RE: APPLICATION OF GEORGE CHALEFF
OUR FILE #8646

Dear Mr. Lucia:

Enclosed herewith please find Affidavit of our above-referenced client dated June 22, 1989. The enclosure was prepared by the undersigned in an effort to capsule history and thrust of Mr. Charleff's pending application for a variance. We are scheduled to appear before your Board again on this matter on July 10, 1989, at 10:30 o'clock P.M. and I hope that the enclosed information will be of assistance to you at that time.

Sincerely yours,

DANIEL J. BLOOM
DJB/pc
Enclosure

cc: Ms. Patricia Barnhart
Secretary to the Zoning Board of Appeals
Town of New Windsor
555 Union Ave.
New Windsor Town Hall
New Windsor, New York 12550

D. The construction in question commenced in the Summer of 1987, and proceeded until I received a "Stop Order" in the Fall of 1987, from the Building Inspector of the Town of New Windsor.

F. At that time I made a formal application for a Building Permit, and it was denied since it was not accompanied by a "Site Plan" with appropriate Planning Board Approval.

G. I immediately embarked upon this approval process, and spent the Fall of 1987 through the Spring of 1988, securing the necessary plans and presenting them to the Planning Board of the Town of New Windsor. It was not until August of 1988, that I was able to appear before the Planning Board for a formal submission of the same.

H. The application was denied by the Planning Board on the following grounds:

I. My property is in a multi-use area;

II. My building which I wished to construct was in an improper zone;

III. The Board suggested that I rent only one cottage and utilize the remaining cottage as a caretaker's residence;

IV. The existing trees needed to be trimmed, and handicapped parking provided;

I. Thereafter I attended to the tree trimming, handicapped parking and requested relief from the caretaker's residence requirement from the Planning Board. The Planning

Board denied my application (while reacting favorably to my plan) and said that I had to obtain approval from the Zoning Board of Appeals.

J. Immediately following the Planning Board appearance, I received a copy of certain comments on my proposal prepared by McGoey, Hauser and Edsall, Consulting Engineers, dated January 11, 1989, which comments I took to my architect for purpose of making modifications to the plans in accordance with those suggestions.

K. I thereafter appeared before the Zoning Board of Appeals with my attorney, Daniel J. Bloom, Esq., in April, 1989, and was directed by the Zoning Board of Appeals to appear before them once again with substantial documentation to justify a request for the relief in question based on "hardship".

4. In support of my request for the subject variance based upon hardship, I submit the following information for this Board's consideration:

A. I am married (my wife does not work by reason of the demands on her as a housekeeper and mother to my young child), and the family gross weekly income for the past twelve months averaged as follows:

	\$ 324.04	per week from rentals;
	\$1,152.83	per week from my automotive repair business conducted on the premises;
	\$ 3.67	per week from interest on investments.
TOTAL	\$1,480.54	per week.

B. On the other hand, the family's weekly average expenses over that same period of time were as follows:

UTILITIES	\$ 56.58 per week
MORTGAGE	49.15 per week
TAXES	169.87 per week
INSURANCE	69.63 per week
ADVERTISING	7.90 per week
*MAINTENANCE	86.58 per week
FOOD	200.00 per week
MEDICAL EXPENSES	54.10 per week
CLOTHING	19.23 per week
WATER AND SEWAGE	4.50 per week
OFFICE SUPPLIES	3.50 per week
PUBLICATIONS	1.54 per week
LEGAL AND PROFESSION	
SERVICES	10.29 per week
CHARITIES	1.44 per week
AUTO PARTS	708.09 per week
PERSONAL VEHICLE	
EXPENSES	35.00 per week
TOTAL -----	\$1,477.40 per week
*PAINT-WALLPAPER	8.00 per week
LAWN MAINTENANCE	8.00 per week
CARPET-FLOORING	7.00 per week
ROOFING SUPPLIES	6.50 per week
FOR APPLIANCES	8.00 per week
LUMBER	7.50 per week
HARDWARE	5.75 per week
GARBAGE REMOVAL	10.00 per week
LANDSCAPING	10.00 per week
SNOW PLOWING	4.33 per week
PLUMBING AND HEATING	
REPAIRS	11.50 per week

5. As the Board may be aware, I am in the automotive repair business and am presently working in 590 square feet of working area (17ft. X 23ft), which is getting tighter to work in everyday. I am constantly acquiring new equipment to keep up with the ever changing automotive field. Such equipment includes items such as specialty tools, hydraulic press, air

compressor, safety vacuums, specialty test equipment and related components. My present shop is not large enough to accommodate an automotive lift. Therefore, every car I work on has to be jacked up manually (by hand) and reinforced with jack stands before I can work on it. The work I do is very limited because of this procedure. I cannot get fully under the cars to work. I must turn down many exhaust jobs, clutch jobs and other drive-line jobs that I was trained to perform in school. Also, most of the work that I commonly accomplish takes much longer to complete than it should. For example, the clutch job that should normally take four hours to complete, takes me eight hours. Similarly, I have approximately 50% efficiency with respect to work done on brake systems, wheel bearings, etc. A typical front wheel drive vehicle with conventional bearings should only take two and one-half hours to complete per axle on an automotive lift. It takes me five hours to complete the same job without the lift. Oil changes take twice as long as they would if the vehicle could be placed on a automotive lift. Moreover, work such as drive line noise and vibration, a major part of a professional technician's workload are completely impossible for me to perform in my shop without the automotive lift. If I attempt to take on such work, not only am I putting myself in a confined position but also in a very dangerous one. I would have to expose my body and various limbs to wheels and axles moving at very high speeds. Also the

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risk of being burned by hot air exhaust parts is considerable. Accordingly, such work I must completely turn away.

6. The following is a list of "flat rate times" contained in the Professional Automotive Manuals as being suggested normal time schedules for completion of the various repairs in question. Next to each item I have listed my "actual time" for completion of the same job in my limited quarters without the space for the installation of an "automotive lift":

<u>SERVICE PERFORMED</u>	<u>FLAT RATE TIME</u>	<u>ACTUAL TIME</u>
Install Ft. Brake Pads	.75 Hr.	1.5 Hrs.
Install Ft. Rotors		
Press Type	5 Hrs.	8-10 Hrs.
Install Rear Brake Shoes	1.2 Hrs.	3 Hrs.
Repack wheel bearings	2 Hrs.	4 Hrs.
Oil Change & Chassi Lobe	.25 Hr.	.6 Hr.
Rear Wheel Drive Clutch	4.2 Hrs.	8 Hrs.
Ft. Wheel Drive Clutch	5-6.1 Hrs.	8-14.5 Hrs.
Tire Rotation	.10 Hr.	.25 Hr.
Install New Exhaust Systems	1.5 Hrs.	3.2 Hrs.
Adjust Brake Cables	.25 Hr.	.75 Hr.
Clutch Adjusted	.25 Hr.	.75 Hr.
Install Ft. Struts	2 Hrs.	3.8 Hrs.
Install Rear Struts	2 Hrs.	3.8 Hrs.

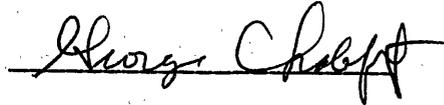
7. The property has been in the family for 50 years, and I have been operating an automotive repair shop their since 1978.

8. I fully appreciate that the position in which I find myself at this juncture is substantially attributable to my own fault. However, I respectfully request that this Board, in its sound discretion, consider relieving me and my family from this

Bloom & Bloom, P. C.
530 BLOOMING GROVE TURNPIKE
(AT THE PROFESSIONAL CIRCLE)
P. O. BOX 4323
NEW WINDSOR, NEW YORK 12550

hardship upon terms and conditions which this Board may deem appropriate.

I am making the aforesaid statements in Affidavit form, realizing that any misrepresentation set forth therein will constitute perjury.



George Chaleff

Sworn to before me this
22 day of June, 1989.


Notary Public

PATRICIA A. CONNOLLY
NOTARY PUBLIC - State of New York
Residing in Orange County
#483004
Commission Expires 7/25/90

July 15, 1987

ORANGE COUNTY
IN THE MATTER OF THE PROPERTY :
or :
George S. Chaleff & Gale S. Fraser :

Affidavit of
Appraisal

RAY LEASE, being duly sworn, deposes and says that he resides at 16 Kingswood Gardens, New Windsor, Orange County, New York, with office at 313 Broadway, Newburgh, New York.

Your appraiser has been engaged in the real estate business for over 16 years. During this time your appraiser has, as a real estate salesman, bought and sold parcels of real estate in Orange County. As a fully and actively participating real estate salesman, your appraiser is familiar with many sales of real property in the Town of New Windsor, New York, County of Orange.

In addition, your appraiser has taken special courses with reference to the appraisals for insurance companies, attorneys, banks, clients and estates for many parcels of real property in Orange County.

Your appraiser is fully familiar with the real property in the Town of New Windsor, known as the Chaleff/Fraser property, located at 266 Windsor Highway, New Windsor, New York and known on the Orange County Tax Map, as: Section 35, Block 1, Lot 44.

(see attached map)

RAY J. LEASE
Real Estate Appraiser

The purpose of this appraisal is to estimate what the subject property was worth in 1978 and to consider the improvements that were made to the property and the appreciation rate that took place over the last 9 years, in order to establish a current market value. The Income Approach and the Market Data Approach was used in order to establish a value.

It is this appraiser's opinion that the 1978 value of this property was at: \$61,000. The present market value is at \$210,000.

The accuracy of this appraisal is largely dependent on the accuracy of the income and expense figures that have been given to this appraiser. This appraiser is not required to give court testimony.

Ray Lease

Ray Lease

- Appraiser

RJL:sal
Enc.

RAY J. LEASE
Real Estate Appraiser

Income Approach - 1978 Rentals

Rentals

Beauty Shop	\$275 x 12	=	\$3,300
Stone House (estimate)	\$325 x 12	=	\$3,900
Garage	\$ 25 x 12	=	\$ 300
Grey Cottage	\$ 90 x 12	=	\$1,080
Tan Cottage	\$125 x 12	=	<u>\$1,500</u>

Gross Income	\$10,080
Less Vacancy (3%)	<u>-302</u>
Income	\$ 9,778

Expenses

R.E. Taxes	\$3,000
(Est) Insurance	300
Heat & Electric (tenant)	-0-
Miscellaneous	<u>500</u>

Total Expenses	<u>\$-3,800</u>
Net Operating Income	\$ 5,978

* In the year 1978, a 13.5% Capitalization rate was used.

Net Operating Income/	Cap Rate	=	Value
\$5978/	.135	=	\$44,281
			Value by Income
			SAY \$44,000

RAY J. LEASE
Real Estate Appraiser

Income Approach - 1987 Rentals

Rentals

Beauty Shop	\$650 x 12 =	\$7,800
Stone House (estimate)	\$650 x 12 =	\$7,800
Garage (estimate)	\$100 x 12 =	\$1,200
Grey Cottage	\$400 x 12 =	\$4,800
Tan Cottage	\$375 x 12 =	<u>\$4,500</u>

Gross Income	=	\$26,100
Less Vacancy (2%)		<u>\$ -522</u>
Income		\$25,578

Expenses

Real Estate Taxes	\$6,600
Water & Sewer	600
Insurance	2,240
Heat & Electric (tenant)	-0-
Miscellaneous	<u>1,000</u>

Total Expenses	<u>\$-10,440</u>
	\$ 15,138

*Present Capitalization rate, 10%.

Net Operating Income /	Capitalization	=	Value
\$15,138 /	.10	=	\$151,380
		SAY	\$151,000

Income Approach

The Income Approach reflects a low value for the property. It is used merely to show the difference in value between 1978 and 1987. The 1978 value of \$44,000, as compared to a present value of \$151,000, reflects an increase of value 25% per year.

Analysis

It is this appraiser's opinion that subject's property would have an equal amount of value if the property were sold with the existing buildings or as a vacant land parcel. The market sales in the area reveal the following: there is a range of value: \$30,000 to \$61,000 per acre, depending on the size of the parcel for this area. (see attached comparables). These sales have no town sewer, like subject. Therefore, a more realistic range would be \$50,000 to \$80,000 per acre. A Fair Market value of \$70,000 per acre is realistic.

Subject 3 acres at \$70,000 = \$210,000

The 1978 value would be at \$61,000. This was based on the previous ratio that was estimated according to the Income Approach.

RAY J. LEASE
Real Estate Appraiser

Market Data Approach - Land

Sale #1

Grantor - Lease
Grantee - Orange Boat
Location - Rt. 9W, New Windsor, N.Y.
Zoning - NC - Neighborhood Commercial
Land - 4.7 Acres, with 226' Frontage on 9W.
Town Water.
Sale - 12/86
Sale Price - \$145,000
Sale Price,
per acre - \$30,851.

Sale #2

Grantor - Calvet
Grantee - Appollo
Location - Rt. 32, New Windsor, N.Y.
Zoning - Industrial
Land - 1.8 Ac., with 434' on Rt. 32., Twn. Water.
Sale Date - 12/86
Sale Price - \$110,000
Sale Price
per acre - \$61,111.

Sale #3

Grantor - Henry
Grantee - Platt Realty Corp.
Location - Jeanne Dr., Town Newburgh
Zoning - Industrial
Land - 3.9 Ac. - 570' on Jeanne Dr.
271' on Plattekill Trnpke.
Sale Date - 11/86
Sale Price - \$150,000
Sale Price,
per acre - \$38,461.

RAY J. LEASE
Real Estate Appraiser

Renovations & Improvements - completed by George Chaleff,
1978 to present.

\$87,000 paid out (not including insurance). Not including 2,500 Hrs.
of labor by George Chaleff.

Minor repairs & maintenance were noted.

Major repairs - new roofs on all buildings.

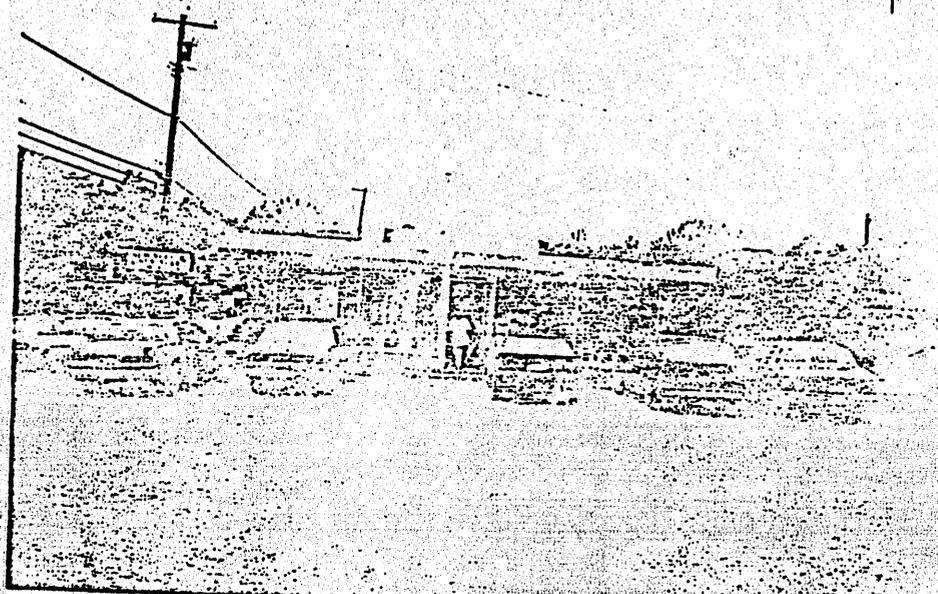
2 front buildings hooked into town water.

2 front buildings hooked into town sewer.

site work to rear of property.

repairs & renovations in rear Cottages.

Beauty retail.

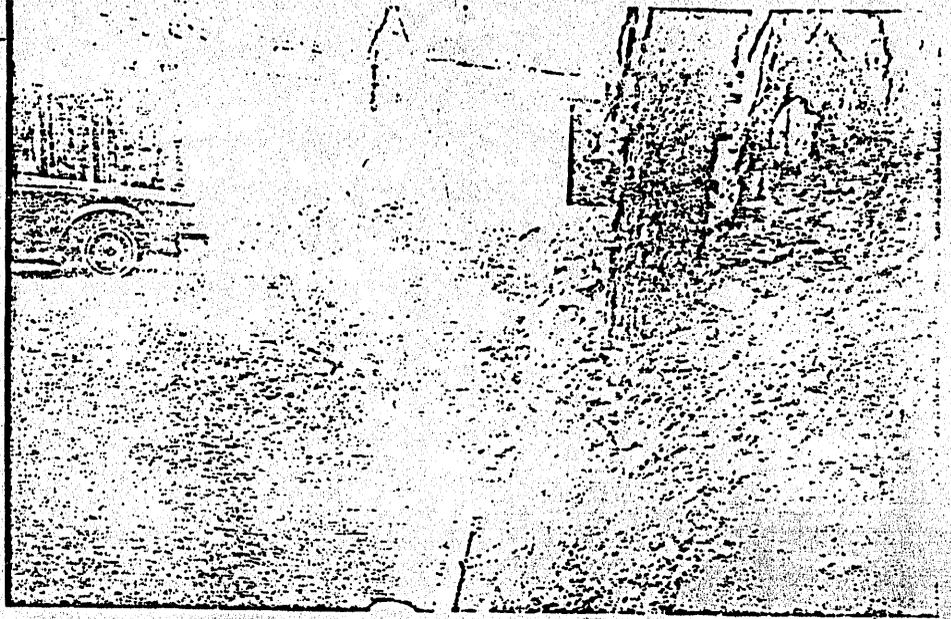


Stone House

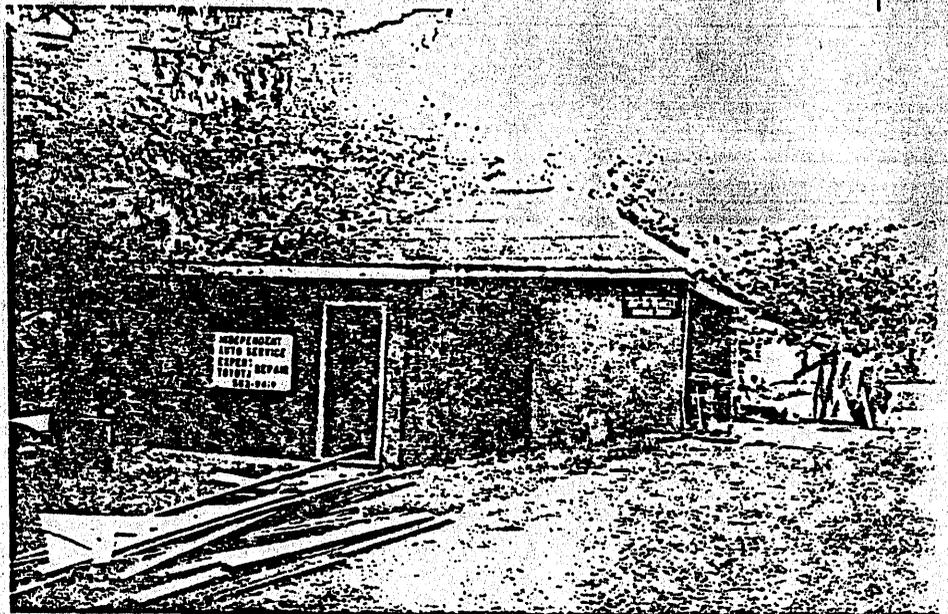


RAY J. LEASE
Real Estate Appraiser

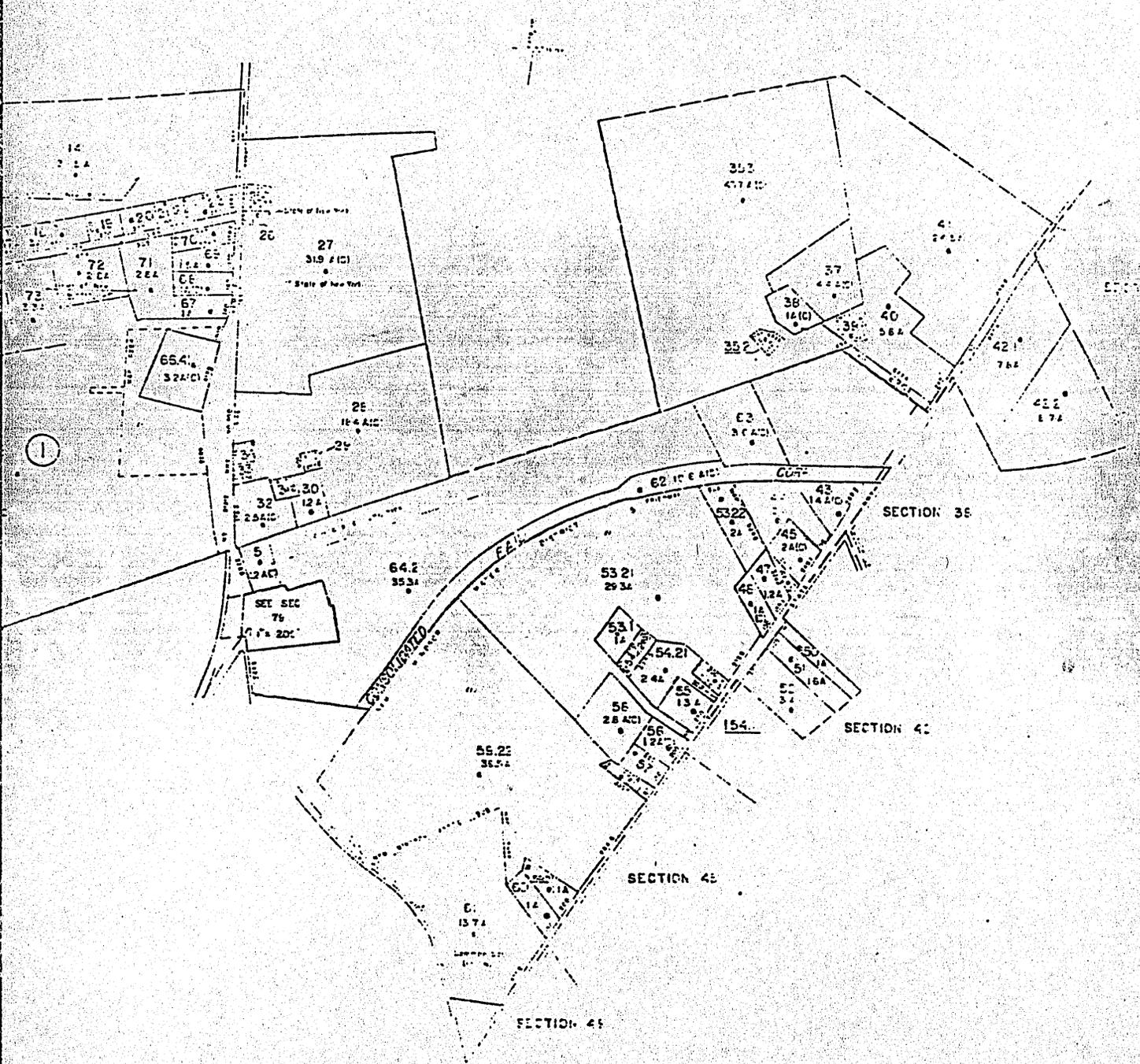
Sewer Line work



Garage



SECTION 4



NEW WINDSOR ZONING BOARD OF APPEALS
Regular Session
February 27, 1989

(ZBA BUDISK#4-022789.ZBA)

MEMBERS PRESENT: JAMES NUGENT, CHAIRMAN
JOSEPH M. SKOPIN, V.C.
RICHARD FENWICK
LAWRENCE TORLEY
DANIEL P. KONKOL

MEMBERS ABSENT: VINCENT BIVONA
JACK BABCOCK

ALSO PRESENT: DANIEL S. LUCIA, ESQ.
Attorney for ZBA
MICHAEL BABCOCK, B.I.
PATRICIA A. BARNHART,
Secretary

The February 27, 1989 session of the Zoning Board of Appeals was called to order by Chairman James Nugent at 7:30 p.m. Roll call was taken by the Secretary.

Motion followed by Lawrence Torley, seconded by Daniel P. Konkol, to accept minutes of the January 23, 1989 meeting as written.
ROLL CALL: 5-0.

* * *

PRELIMINARY MEETING:

TABLED MATTER -

PETERS, GREGORY - Matter tabled from 1/23/89 meeting pending report from Attorney Daniel S. Lucia. Matter referred by Planning Board for 1,146 s.f. lot area and 10.5 ft. lot width for lot line change on Blooming Grove Tpk. Present: Patrick Kennedy representing applicant.

Attorney Lucia commented that there would possibly be a practical difficulty since there would not be a radical change but the problem could also be solved by granting an easement. A long discussion ensued followed by a motion made by Daniel P. Konkol, seconded by Joseph M. Skopin, that Attorney Lucia forward a letter to Mr. Kennedy and inform him that the Board is in favor of Applicant's options of variance application or easement.
ROLL CALL: 5-0.

* * *

PRELIMINARY MEETING:

WORTMANN, FRANK - Request for 35,666 s.f. area, 10 ft. frontyard, 12 ft. rear yard and 45 ft. street frontage to construct two-family residence on Moores Hill Road in R-3 zone.

Mr. Wortmann presented a plan for the Board to review. After discussion it was the consensus of the Board that a one-family is more preferred than a two-family since the request for area is so extensive. Mr. Wortmann decided to review the application and return to the Board since a variance will also be required for a one-family use.

* * *

PRELIMINARY MEETING:

PALUMBO, MARGE - Request to add two (2) additional apartments, resulting in six (6) family structure in PI zone located on John Street.

The Board reviewed the plans of applicant and it was the concensus of the Board that the variance requested is extreme and that the proposed addition would be to increase the non-conforming use to over 70%.

Applicant decided not to pursue application in view of the Board's comments.

* * *

PRELIMINARY MEETING:

CHALEFF, GEORGE - Request for use variance for auto repair and related workshop area which is split between the PI and C zones. Use not permitted in PI zone. Matter referred by Planning Board. Present: Charles Jon Meloy, Architect and Applicant.

The Board reviewed the plan of Mr. Chaleff and were informed that the building was constructed without a permit. Mr. Chaleff was advised to check the requirements necessary for a use variance and in the meantime the Board members would visit the site. Applicant would be in touch with Secretary to advise when he would be in the position to reappear preliminarily to furnish further evidence required for the use variance.

After discussion, motion was made by Joseph M. Skopin, seconded by Lawrence Torley, to table matter. ROLL CALL: 5-0.

* * *

PRELIMINARY MEETING:

LANDER, RON - Request for 5 sq. ft. sign variance for purposes of installing new sign to be located at 278 Windsor Highway in C zone.

Board reviewed plans for proposed structure.

After some discussion, motion was made by Daniel P. Konkol, seconded by Lawrence Torley, to schedule a public hearing upon return of the completed paperwork. ROLL CALL: 5-0.

* * *

CORRESPONDENCE RECEIVED - WINDSOR COUNSELING GROUP

Hearing no objection, ZBA received and filed correspondence dated 1/26/89 from Attorney for Planning Board, Joseph P. Rones, Esq. regarding the question of substandard lot width and whether a variance would be required.

Hearing no objection, ZBA received and filed correspondence dated 1/31/89 from Attorney for ZBA, Daniel S. Lucia, Esq. which forwarded letter from Mr. Rones. Mr. Lucia was asking for guidance from the ZBA before transmitting an answer to the correspondence.

After some consideration, motion was made by Daniel P. Konkol, seconded by Lawrence Torley to recommend that Attorney Lucia answer the Planning Board correspondence that a lot width variance would be required by WINDSOR COUNSELING GROUP. ROLL CALL: 5-0.

* * *

CORRESPONDENCE RECEIVED -

Hearing no objection, ZBA received and filed correspondence dated 2/20/89 from William E. Steidle Re: Disclosure of Land Holdings by Board Members.

Hearing no objection, ZBA received and filed correspondence dated 2/8/89 from Daniel S. Lucia, Esq. Re: Jane Tanner Request for Rezoning.

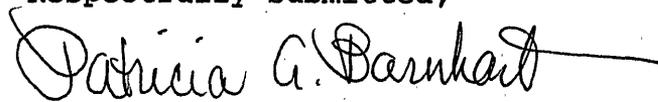
Hearing no objection, ZBA received and filed correspondence from Kathleen Dewkett, P. E. of Kartiganer Associates Re: Route 32 Shopping Center.

* * *

Since there was no other business to be conducted by the ZBA, motion was made by Lawrence Torley, seconded by Joseph M. Skopin, to adjourn.

Motion carried, all ayes. Meeting adjourned.

Respectfully submitted,



PATRICIA A. BARNHART, Secretary

ELIZABETH L. CARUSO
CERTIFIED PUBLIC ACCOUNTANT

217B HERITAGE HILLS
SOMERS, NEW YORK 10589
(914) 277-3373

March 28, 1989

Mr. George Chaleff
Independent Automotive Service and Sales
266 Windsor Highway
New Windsor, New York 12550

Dear Mr. Chaleff:

Enclosed are the requested financial statements for your
automotive business for the years 1988, 1987 and 1986.

If I can be of further service to you, please do not
hesitate to call on me.

Yours very truly,

Elizabeth L. Caruso
Elizabeth L. Caruso, CPA

ELC:dim

INDEPENDENT AUTOMOTIVE SERVICE AND SALES
266 Windsor Highway
New Windsor, New York

INCOME STATEMENT YEAR ENDED 12/31/88

INCOME:		\$59,947
LESS COST OF GOODS SOLD		<u>49,536</u>
GROSS PROFIT		10,411
DEDUCTIONS:		
ADVERTISING	411	
CAR AND TRUCK EXPENSE	2,616	
DEPRECIATION	2,541	
DUES AND SUBSCRIPTION	80	
INSURANCE	2,631	
PROFESSIONAL SERVICES	135	
OFFICE EXPENSE	182	
SALES TAXES	3,539	
TELEPHONE	2,325	
OTHER EXPENSE	<u>1,213</u>	
		<u>15,673</u>
NET LOSS		<u><u>(\$5,262)</u></u>

INDEPENDENT AUTOMOTIVE SERVICE AND SALES
266 Windsor Highway
New Windsor, New York

INCOME STATEMENT YEAR ENDED 12/31/87

INCOME:	\$53,158
LESS COST OF GOODS SOLD	37,711
GROSS PROFIT	15,447

DEDUCTIONS:

ADVERTISING	226
CAR AND TRUCK EXPENSE	2,365
DEPRECIATION	2,479
DUES AND SUBSCRIPTIONS	0
INSURANCE	1,662
PROFESSIONAL SERVICES	0
OFFICE EXPENSE	130
SALES TAXES	3,923
TELEPHONE	835
OTHER EXPENSE	3,381

15,001

NET PROFIT

\$446

INDEPENDENT AUTOMOTIVE SERVICE AND SALES
266 Windsor Highway
New Windsor, New York

INCOME STATEMENT YEAR ENDED 12/31/86

INCOME:		\$36,311
LESS COST OF GOODS SOLD		<u>28,622</u>
GROSS PROFIT		7,689
DEDUCTIONS:		
ADVERTISING	423	
CAR AND TRUCK EXPENSE	2,365	
DEPRECIATION	2,072	
DUES AND SUBSCRIPTIONS	61	
INSURANCE	1,258	
PROFESSIONAL SERVICES	0	
OFFICE EXPENSE	148	
SALES TAXES	1,858	
TELEPHONE	665	
OTHER EXPENSE	<u>2,154</u>	
		<u>11,004</u>
NET LOSS		<u><u>(\$3,315)</u></u>



ESCROW ANALYSIS STATEMENT

PLEASE RETAIN THIS STATEMENT FOR YOUR RECORDS

AN EXPLANATION OF ESCROW ANALYSIS HAS BEEN PROVIDED ON THE BACK OF THIS PAGE FOR YOUR CONVENIENCE.

GEORGE S CHALEFF
GALE FRASER
266 WINDSOR HIGHWAY
NEW WINDSOR NY
12550

MORTGAGE ACCOUNT NUMBER	
02	947457 13

DATE OF ANALYSIS	NEXT PAYMENT DATE
01/20/89	02/01/89

INTEREST RATE
9.6200

ESCROW ITEM	① AMOUNT	DATE DUE	② TERM IN MONTHS	③ MONTHLY ESCROW REQUIREMENT	④ NUMBER MONTHS REQUIRED	⑤ CURRENT ESCROW REQUIREMENT
COUNTY TAX	3632.67	01/90	12	302.72	01	302.72
SCHOOL TAX	3846.10	10/89	12	320.50	04	1282.00

⑥ TOTAL CURRENT ESCROW REQUIREMENT	1,584.72
CURRENT ESCROW BALANCE	585.70
ESCROW PAYMENTS DUE OR PREPAID	.00
⑦ ESCROW BALANCE FOR ANALYSIS	585.70
⑧ ESCROW SHORTAGE OR SURPLUS	999.02-

⑨ TOTAL MONTHLY ESCROW REQUIREMENT	623.22
⑩ ADJUSTMENT TO MONTHLY PAYMENT	83.58
⑪ NEW MONTHLY ESCROW PAYMENT	706.80
PRINCIPAL AND INTEREST PAYMENT	341.20
NEW MONTHLY PAYMENT AMOUNT	1,048.00

Bloom & Bloom, P. C.
ATTORNEYS AND COUNSELORS AT LAW

DANIEL J. BLOOM
PETER E. BLOOM

530 BLOOMING GROVE TURNPIKE
(AT THE PROFESSIONAL CIRCLE)
P. O. BOX 4323
NEW WINDSOR, NEW YORK 12550
TELEPHONE (914) 561-6920
FAX: 914-561-0978

March 30, 1989

Mr. George S. Chaleff
266 Windsor Highway
New Windsor, New York 12550

RE: Chaleff from Fraser
Our File No. 8525

Dear Mr. Chaleff:

This will serve to confirm that you have retained this office to represent you in your forthcoming purchase of the interest of your sister, Gale Fraser, in the subject premises for a purchase price of \$60,000.00.

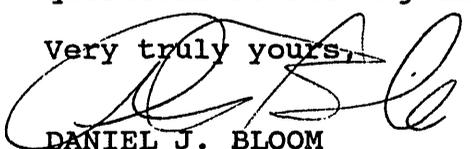
The purchase price will be structured as follows:

- 1) \$30,000.00 cash upon refinance of the subject premises.
- 2) \$30,000.00 second mortgage in favor of your sister amortized over twenty (20) years at 10% interest per annum, self-amortizing.

Accordingly, the subject "buy-out" will result in a lien against the premises in the aggregate amount of \$60,000.00.

Please feel free to call me should you have any additional questions concerning this matter.

Very truly yours,


DANIEL J. BLOOM
kp

Re: George + Tracy Chaleff
266 Windsor Hwy.
New Windsor, N.Y. 12550

(914) 562-8418

- #1. Property deeded to George Chaleff in 1978.
Building in question is new structure.
Approx. cost of materials for building
\$10,000.
- #2. Present market approx \$210,000 -
re: enclosed copy of 1987 Appraisal
by Ray Kease
- #3. Annual maintenance expenses -
Listed on both enclosed copies
of 1987 and 1988 income tax
returns.
- #4. Annual Land and School Taxes
County Tax - \$3632.67
School Tax - \$3846.19
Re: enclosed copy of escrow analysis
statement and income tax returns
- #5. Present Mortgage balance - \$35,600 -
Mortgage pending approval - \$75,000 -
Re: enclosed copy of mortgage
statement for balance and copy of
letter from Attorney Dan Bloom
who has negotiated additional mortgage
and buy out of partner.

#6. The land in question is not, and has never been used for any of the uses specified in the zoning law book under Planned Industrial.

However there is rental income from 3 structures on the property, 2 residential 1 bedroom houses -

1 rented at \$425.⁰⁰ per month, the other at \$450.⁰⁰ per month. The

other rented structure is a 875 sq ft. store presently rented as a beauty shop for \$675.⁰⁰ per month.

- Enclosed are copies of the leases and rental contracts for these premises w/ the rental amounts highlighted.

#7. The property is not under purchase contract. George Chaleff has been the owner for 10 years.



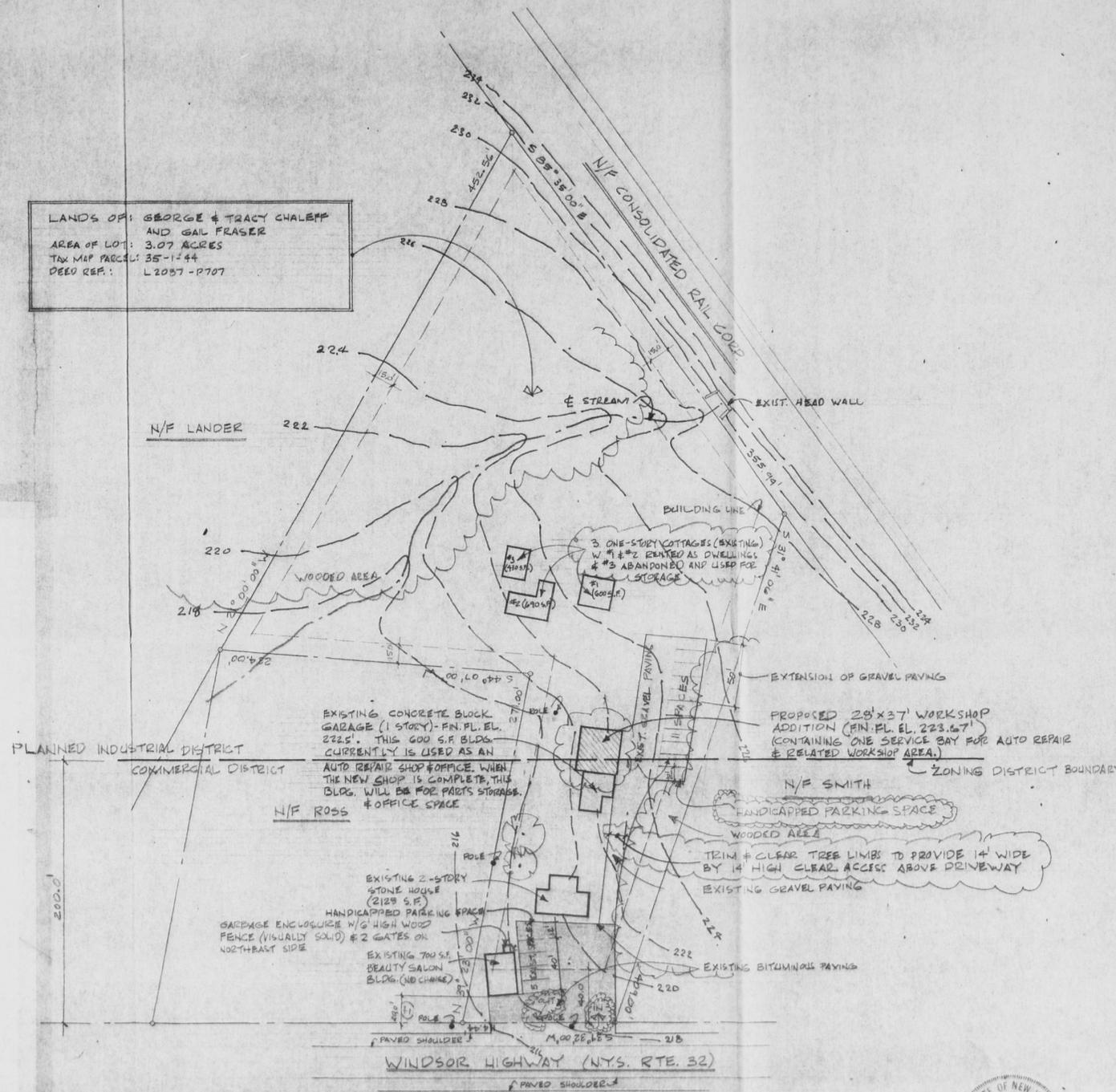
LOCATION MAP
1" = 2000'

PROJECT: GEORGE CHALEFF SITE PLAN
LOCATION: ROUTE 32

	ZONING DISTRICT "C"	ZONING DISTRICT "PI"	ITEMS AS PROVIDED
USE PERMITTED BY NEIGH ZONING DIST	- PERSONAL SERVICE STORE (BEAUTY SALON)	NONE ON THIS SITE	
USE PERMITTED BY SPECIAL PERMIT	- SERVICE REPAIR GARAGE - SINGLE FAMILY DWELLING	1 DWELLING UNIT / LOT	
MIN. LOT AREA	40,000 S.F.	40,000 S.F.	133,730 S.F.
MIN. LOT WIDTH	200 FT.	150 FT.	114.4 FT. (144 FT. @ ZONING LINE)
REQ'D FRONT YARD	60 FT.	50 FT.	20.0 FT. (#2)
REQ'D SIDE YARD TO THE SOUTH	30 FT./70 FT.	15 FT./40 FT.	7.0 FT. / 45.0 FT. (#2)
REQ'D REAR YARD	30 FT.	20 FT.	135.0 FT. (#2)
REQ'D STREET FRONT	N/A	N/A	114.44 FT.
MAX. BLDG. HEIGHT	4' / FT. DIST. TO NEAREST LOT LINE	6' / FT. DIST. TO NEAREST LOT LINE	
FLOOR AREA RATIO	N/A	0.2	
ACCESSORY USES PERMITTED IN ZONE	ACCESSORY STORAGE	N/A	

NOTE #1 - BULK REGULATIONS USED IN THIS DISTRICT ARE THOSE FOR USE "PI" WHICH IS CLOSEST TO THE USES PROPOSED ON THIS PLAN.
NOTE #2 - FIGURES SHOWN ARE EXISTING CONDITIONS.

LANDS OF: GEORGE & TRACY CHALEFF
AND GAIL FRASER
AREA OF LOT: 3.07 ACRES
TAX MAP PARCEL: 35-1-44
DEED REF.: L2037-PT07



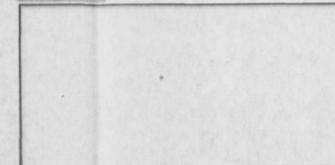
SITE PLAN
1" = 500'

APPLICANT:
GEORGE CHALEFF
266 WINDSOR HIGHWAY
NEW WINDSOR, NY 13550
914-862-3418

REV. 3/20/98
REV. 12/2/99
REV. 4/1/99
REV. 8/24/99



APPROVAL:



MINOR SITE PLAN OF LOT OWNED BY GEORGE & TRACY CHALEFF
ROUTE 32, NEW WINDSOR, ORANGE COUNTY, NEW YORK

CHARLES JON MELOY
319 CINDEE ROAD, EDISON, NEW JERSEY
201-906-2352

ARCHITECT
DATE: APRIL 1, 1988

DRAWING NO. SP-1