

ZB# 94-11

Grace Panella

43-1-41

#94-11 - Panella, Grace - area - Two-car garage.

Selem,

April 25, 1994.

Notice to send out 4
5/24/94.

Copy of:

① Seed. tree

② Photos here ✓

③ ~~5/24/94~~

Public Hearing:

June 27, 1994.

Letters out - 5/31/94.

Area.

Variance

Approved

Plum Point UNIT 113

91-119

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

June 23 141074
19 94

Received of Grace Parella \$ 50.00

Defty and _____ 00 DOLLARS

For 3 Ba # 94-11 App. Fee 100

DISTRIBUTION

FUND	CODE	AMOUNT
CR. 1042		50.00

By Dorothy Hansen

Town Clerk
Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564



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

GRACE PANELLA,

DECISION GRANTING
AREA VARIANCE#94-11.

-----X

WHEREAS, GRACE PANELLA, residing at 2 Hearthstone Way, New Windsor, N. Y. 12553, has made application before the Zoning Board of Appeals for 5 ft. side yard and 1 ft. total side yard variance to construct two-car garage at the above location in an R-4 zone; and

WHEREAS, a public hearing was held on the 27th day of June, 1994, before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, applicant appeared in behalf of herself; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in opposition to the application before the Board; and

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

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

2. The evidence presented by the applicant showed that:

(a) The subject property is in a residential neighborhood but is next to the back of a commercial gas station in the side yard of the property where the variance is requested.

(b) The property is separated from the gas station by a line of trees which shields each property from the other.

(c) The variance for the proposed garage is the only place where the garage can feasibly be put and, in fact, is to expand an existing garage which exists in that location.

(d) There are other properties in the neighborhood which have similar garages.

(e) The proposed garage will not change the appearance of the house.

(f) The request is an approximately 12.5% variance.

(g) There is no way to construct a two-car garage except the granting of the proposed variance since the space

allowed by the Zoning Local Law would be too little for such construction.

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

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. The requested variance is not substantial in relation to the town regulations.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the applicant faces in conforming to the bulk regulations is a self-created hardship, but nevertheless is justified because of the character of the neighborhood.

6. It is the finding of this Board that the benefit to the applicant, if the requested area variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested area variance is the minimum variance necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

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

NOW, THEREFORE, BE IT

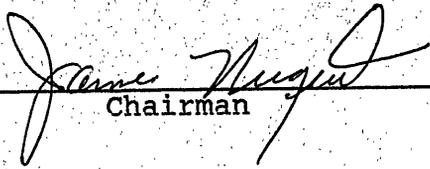
RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT 5 ft. side yard and 1 ft. total side yard variance to construct a two-car garage at 2 Hearthstone Way in an R-4 zone, as sought by the applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: October 24, 1994.

(ZBA DISK#12-092894.GP)


Chairman

PUBLIC HEARING:

PANELLA, GRACE

MR. NUGENT: Request for 5 ft. side yard and 1 ft. total side yard to construct two-car garage at 2 Hearthstone Way in R-4 zone.

Ms. Grace Panella appeared before before the board for this proposal.

MS. PANELLA: I'm actually only going out 11 feet, I think, 11 more feet and we'll still have ten foot on the side so it is five foot variance that I am asking for. I'm not really changing the style of the house, the pitch of the roof is going to be the same, it's just going to be a larger garage and we'll also be siding the house which we'll be improving the house in appearance and the neighborhood will look better instead of worse.

MR. NUGENT: You're right behind the gas station?

MS. PANELLA: Yes.

MR. TORLEY: If you restricted yourself to just the permissible size by zoning, it would not be an economic feature of your house, it won't pay you to do it?

MS. PANELLA: Well--

MR. BABCOCK: If they went the 12 feet that would leave them a 6 foot wide garage.

MR. TORLEY: Clearly not be useful. And you have no other practical place to put the garage that would meet zoning requirements?

MS. PANELLA: Not unless we went, I mean straight back.

MR. HOGAN: The gas station is to that side of the property?

MS. PANELLA: Yeah and there's all the pine trees between us. I brought a picture last time, it's like,

I don't have a neighbor on that side, I mean he has his junky cars back there.

MS. BARNHART: Good thing you have trees.

MS. PANELLA: I know. So I don't really want to look at him either.

MR. TORLEY: So you are not, you would consider this not to be a detriment to the neighborhood?

MS. PANELLA: Not at all. In fact, it's going to be an improvement because we're going to be improving our house visually.

MR. KRIEGER: With the other houses in the area, do they also have garages?

MS. PANELLA: Yes.

MR. NUGENT: Those trees are his?

MS. PANELLA: They are on the property line. In fact, I remember when they were planted in 1962.

MR. NUGENT: But you were only a child then.

MS. PANELLA: Right.

MR. HOGAN: These trees follow the property line all the way back?

MS. PANELLA: Yeah.

MR. TORLEY: I move we grant the requested variances to Grace Panella for the five foot side yard and one foot total side yard to construct a garage on Hearthstone Way.

MR. KANE: Second the motion.

ROLL CALL

MR. KANE	AYE
MR. HOGAN	AYE

June 27, 1994

17

MR. TORLEY
MR. NUGENT

AYE
AYE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

54

May 6, 1993

Grace Panella
2 Hearthstone Way
New Windsor, NY 12553

Re: 43-1-41

Dear Ms. Panella:

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

The charge for this service is \$75.00, minus your deposit of \$25.00. Please remit the balance of \$50.00 to the Town Clerk's office.

Sincerely,

L. Cook (cad)

Leslie Cook
Sole Assessor

LC/cad
Attachments
cc: Pat Barnhart

5/27/94
Pat -

I'll call you on Tuesday

Grace

Young, Russell & Nancy E. X
13 St. Anne Dr.
New Windsor, NY 12553

Lundgren, Gary T. & Eileen A. X
11 St. Anne Dr.
New Windsor, NY 12553

Specht, Robert J. X
9 St. Anne Dr.
New Windsor, NY 12553

Littier, Stephen T. Jr. X
7 St. Anne Dr.
New Windsor, NY 12553

Wickline, William & Vera X
5 St. Anne Dr.
New Windsor, NY 12553

Wright, James C. & Doralies X
3 St. Anne Dr.
New Windsor, NY 12553

Inkeles, Brian X
1 St. Anne Dr.
New Windsor, NY 12553

Brady, Robert J. & Alice E. X
402-404 Blooming Grove Tpke.
New Windsor, NY 12553

Kennon, Robert H. & Richard X
66 Drum Hill Rd.
Wilton, CT 06897

Dineen, Linda A. X
4 Hearthstone Way
New Windsor, NY 12553

Murphy, Robert F. & Andrea J. X
6 Hearthstone Way
New Windsor, NY 12553

Coughlan, John & Yvonne X
8 Hearthstone Way
New Windsor, NY 12553

Schwartz, Anita X
10 Hearthstone Way
New Windsor, NY 12553

Sanders, Richard & Margaret X
12 Hearthstone Way
New Windsor, NY 12553

Vance, Robert G. & Lynn M.
14 Hearthstone Way
New Windsor, NY 12553 X

Oakwood Terrace Housing Corp.
207 Lake Dr.
Newburgh, NY 12550 X

Klein, Arnold & Leon Klein & Victor Meisels
c/o Leon Klein
PO Box 267
Monroe, NY 10950 X

Wellback Properties Inc.
104 Moffat Rd.
Washingtonville, NY 10992 X

Warmers Construction Corp.
17 Tenbroeck Lane
Newburgh, NY 12550 X

Henry V. Pizzonia
RR 1, Box 686 Horton Rd.
Westtown, NY 10998 X

Kril, Miro P. & Jo Ann Poquette
2 St. Anne Dr.
New Windsor, NY 12553 X

Horan, Kevin M. & Lisa M.
4 St. Anne Dr.
New Windsor, NY 12553 X

Frost, John R.
c/o Transamerica Real Estate Tax Service
1983 Marcus Ave.
Lake Success, NY 11042 X

Warmers, Fredric J.
17 Tenbroeck Lane
Newburgh, NY 12550 X

Bowles, Albert C. & Nancy
8 St. Anne Dr.
New Windsor, NY 12553 X

Grogan, Michael D. & Benevenuto
10 St. Anne Dr.
New Windsor, NY 12553 X

Sycamore Associates
P.O. Box 4292
New Windsor, NY 12553 X

EPG Realty Corp. X
13 Garden Dr.
Monticello, NY 12701

VSH Realty Inc. V0732 X
777 Dedham St.
Canton, MA 02021

Forge Hill Gardens X
c/o Garnet Management
P.O. Box 219
Levittown, NY 11756

Lucera, Dominick & Lorraine X
13 Hearthstone Way
New Windsor, NY 12553

Cerchiana, Vincent R. & Patti Elings Cerchiana X
11 Hearthstone Way
New Windsor, NY 12553

Krizek, Kenneth E. & Helene V. X
7 Rock Cut Rd.
Newburgh, NY 12550

Lippolis, Francis G. & Mariann A. X
2 Hobnail Court
New Windsor, NY 12553

Provenzano, Anthony & Donna X
4 Hobnail Court
New Windsor, NY 12553

Abato, Michele & Zaharek, Maria X
RR #1 8 Greenshire Way
Walden, NY 12586

Carbone, Robert & Greene, Donna X
3 Hobnail Court
New Windsor, NY 12553

Heitler, Edward & Ruth C. X
1 Hobnail Court
New Windsor, NY 12553

Hartmann, Wilbur J. & Liliane X
3 Hearthstone Way
New Windsor, NY 12553

Muslim, Arif & Nazneen X
418 Blooming Grove Tpke.
New Windsor, NY 12553

Kahrs, Edward & Helen X
RD1 Mineral Springs Rd.
Highland Mills, NY 10930

Mazzurco, Salvatore & Marchese, Franco & Lamberti, Joseph
436 Blooming Grove Tpke.
New Windsor, NY 12553 X

Vega, Michele R. Winchester X
339 Blooming Grove Tpke.
New Windsor, NY 12553

Carione, John & Louise X
333-335 Blooming Grove Tpke.
New Windsor, NY 12553

Konkol, Jacqueline A. X
329 Blooming Grove Tpke.
New Windsor, NY 12553

Spaeth, Laura A. X
32 Guernsey Dr.
New Windsor, NY 12553

Hauser, William J. & Condron, Mara
34 Guernsey Dr.
New Windsor, NY 12553 X

Marich, Richard A. & Diane A.
36 Guernsey Dr.
New Windsor, NY 12553 X

Lucas, David W. X
38 Guernsey Dr.
New Windsor, NY 12553

Sawoska, Henry & Louise X
40 Guernsey Dr.
New Windsor, NY 12553

Koster, Patricia Lynn & Mary
42 Guernsey Dr.
New Windsor, NY 12553 X

Nestor, Gary J. & Tara X
44 Guernsey Dr.
New Windsor, NY 12553

Malde, Nitin & Rachel E. X
46 Guernsey Dr.
New Windsor, NY 12553

Mendillo, Michael & Wanda X
48 Guernsey Dr.
New Windsor, NY 12553

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

-----x
In the Matter of Application for Variance of

Grace Panella

Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

94-11

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

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

On May 31, 1994, I compared the 54 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for variance and I find that the addressees are identical to the list received. I then mailed the envelopes in a U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart
Patricia A. Barnhart

Sworn to before me this
31st day of May, 1994.

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1995

(TA DOCDISK#7-030586.AOS)

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

94-11
Date: 5/20/94

I. Applicant Information:

- (a) GRACE FANELLA 2 HEARLSTONEWAY (Owner)
(Name, address and phone of Applicant)
(b) _____
(Name, address and phone of purchaser or lessee)
(c) _____
(Name, address and phone of attorney)
(d) CHESTER BETZ (Name, address and phone of contractor/engineer/architect)

II. Application type:

- Use Variance Sign Variance
 Area Variance Interpretation

✓ III. Property Information:

- (a) R4 2 HEARLSTONEWAY 43141
(Zone) (Address) (S B L) (Lot size)
(b) What other zones lie within 500 ft.? _____
(c) Is a pending sale or lease subject to ZBA approval of this application? NO
(d) When was property purchased by present owner? 1963
(e) Has property been subdivided previously? NO
(f) Has property been subject of variance previously? NO
If so, when? _____
(g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

IV. Use Variance. N/A

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

(b) ^{N/A} 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.

(c) ^{N/A} Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes ___ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

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

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. <u>15'</u>	<u>10'</u>	<u>5'</u>
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

Describe why you believe the ZBA should grant your application for an area variance:

WE ARE ONLY EXTENDING THE GARAGE 11 FT. + MAINTAINING THE SAME ROOF HEIGHT. IT CANNOT BE ACHIEVED ANY OTHER WAY. IT WILL HAVE NO IMPACT ON THE ENVIRONMENT OR CONDITIONS OF THE NEIGHBORHOOD ONLY TO MAKE IT BETTER LOOKING BECAUSE WE ARE IMPROVING THE SIDING ON THE HOUSE ALSO.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: *N/A*

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

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____

(b) *N/A* Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) *N/A* 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 is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

My intent is to improve my property
and neighborhood; so I may enjoy my home
for many years

IX. Attachments required:

- Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- Copy of tax map showing adjacent properties.
- Copy of contract of sale, lease or franchise agreement.
- Copy of deed and title policy.
- 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 in question.
- N/A Copy(ies) of sign(s) with dimensions and location.
- Two (2) checks, one in the amount of \$_____ and the second check in the amount of \$_____, each payable to the TOWN OF NEW WINDSOR.
- Photographs of existing premises from several angles.

X. Affidavit.

Date: 5/24/94

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

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

x Grace Powell
(Applicant)

Sworn to before me this
24th day of May, 1994.

Patricia A. Barnhart

XI. ZBA Action:

(a) Public Hearing date: _____

PATRICIA A. BARNHART
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 1995.

(b) Variance: Granted (___) Denied (___)

(c) Restrictions or conditions: _____

_____.

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

Publ. publish on or before June 1, 1994. Send bill to Applicant at below address.

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. 11

Request of Grace Panella

for a VARIANCE of the Zoning Local Law to permit:

replacement of garage w/ insufficient sideyard;

being a VARIANCE of Section 48-12-Table of Use/Bulk
Reqs. - Col. F

for property situated as follows:

2 Hearthstone Way, New Windsor, NY

known as tax lot Section 43 Block 1 Lot 41.

SAID HEARING will take place on the 27th day of June,
1994, at New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York, beginning at 7:30 o'clock P. M.

James Nugent
Chairman

By: Patricia A. Barnhart, Secy.

PANELLA, GRACE

MR. TORLEY: Request for 5 ft. side yard and 1 ft. total side yard variance to construct two-car garage at 2 Hearthstone Way in an R-4 zone.

Ms. Grace Panella appeared before the board for this variance request.

MS. PANELLA: I actually brought pictures. This is my lot, I brought a picture. We want to take this, there's a single car garage, I want to erect a double garage and I think we're five feet over and on the right of my, next to me is not a residence, it's the back of the gas station. There's a line of pine trees that is dividing my property and the gas station which is the rear of the gas station so I am not right next to a residential home.

MR. TORLEY: We have many people that just go ahead and do things and later on they get snake bit when they try to sell their house.

MR. KANE: The other homes in the neighborhood, do they have two car garages?

MS. PANELLA: Some of them.

MR. TORLEY: You have a nice belt of trees between the garage.

MS. PANELLA: Right.

MR. LANGANKE: I don't think we're cramping anything in her.

MR. TORLEY: Any other questions gentlemen?

MR. HOGAN: None.

MR. KANE: I make a motion we grant her a public hearing, set her up for a public hearing.

MR. LANGANKE: Second it.

April 25, 1994

22

ROLL CALL

MR. HOGAN	AYE
MR. LANGANKE	AYE
MR. KANE	AYE
MR. TORLEY	AYE

MR. TORLEY: Make sure the measurements that you have because if you build a garage and it turns out that you need, you didn't need a five foot variance, you needed a 5 foot 2 inch variance, you're back to zero so be very careful about the measurement. Make sure they are accurate.

MS. BARNHART: I gave you the procedure for the public hearing, just follow what it says.

MR. KRIEGER: When you come back, if you would address yourself to the items that are outlined on that sheet in order, I would appreciate it, because those are the questions which the Zoning Board must satisfy itself on and if I have a copy of your deed.

MS. BARHNART: I have it already.

MR. TORLEY: Again, ma'am, please talk to your neighbors and tell them what's going on because they are going to get a letter in the mail and it's not a very informative letter so go and talk to them.

MR. KRIEGER: Just enough to get them upset.

MR. TORLEY: That happens, yes.

Prelim.
Apr. 25, 1994.
#94-11.

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: APRIL 21, 1994

APPLICANT: GRACE PANELLA
2 HEARTHSTONE WAY
NEW WINDSOR, N.Y. 12550

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED: APRIL 21, 1994
FOR (BUILDING PERMIT): TO BUILD ^{two-car.} GARAGE

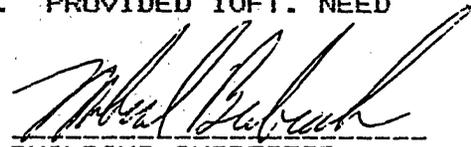
LOCATED AT: 2 HEARTHSTONE WAY

ZONE: R4

DESCRIPTION OF EXISTING SITE: SECTION: 43, BLOCK: 1, LOT: 41

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. SIDE YARD SETBACK REQUIREMENT IS 15FT. PROVIDED 10FT. NEED VARIANCE OF 5FT.


BUILDING INSPECTOR

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE: R4 USE		
MIN. LOT AREA		
MIN. LOT WIDTH		
REQ'D FRONT YD		
REQ'D SIDE YD	15FT.	10FT. 5FT.
REQ'D TOTAL SIDE YD	30FT.	29FT. 1FT.

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT 914-563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD

CC: Z.B.A., APPLICANT, B.P. FILES.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office Of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer:-

Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- d. The work covered by this application may not be commenced before the issuance of a Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

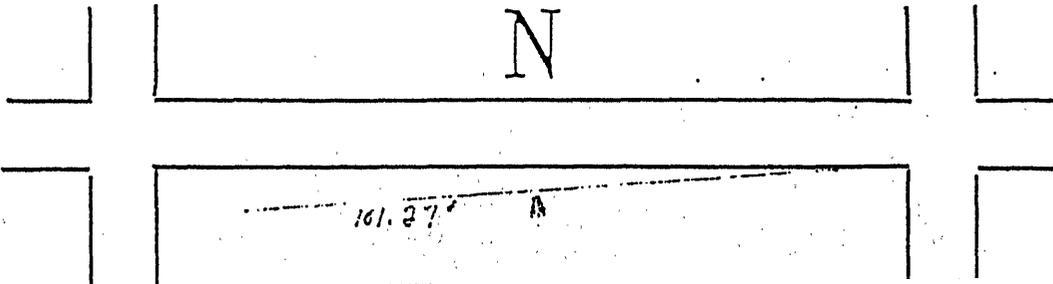
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Grace Farrell
(Signature of Applicant)

S. Heathstone
(Address of Applicant)

PLOT PLAN

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



Reference
 Planning Board.....
 Highway.....
 Sewer.....
 Water.....
 Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT
 Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- d. The work covered by this application may not be commenced before the issuance of a Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

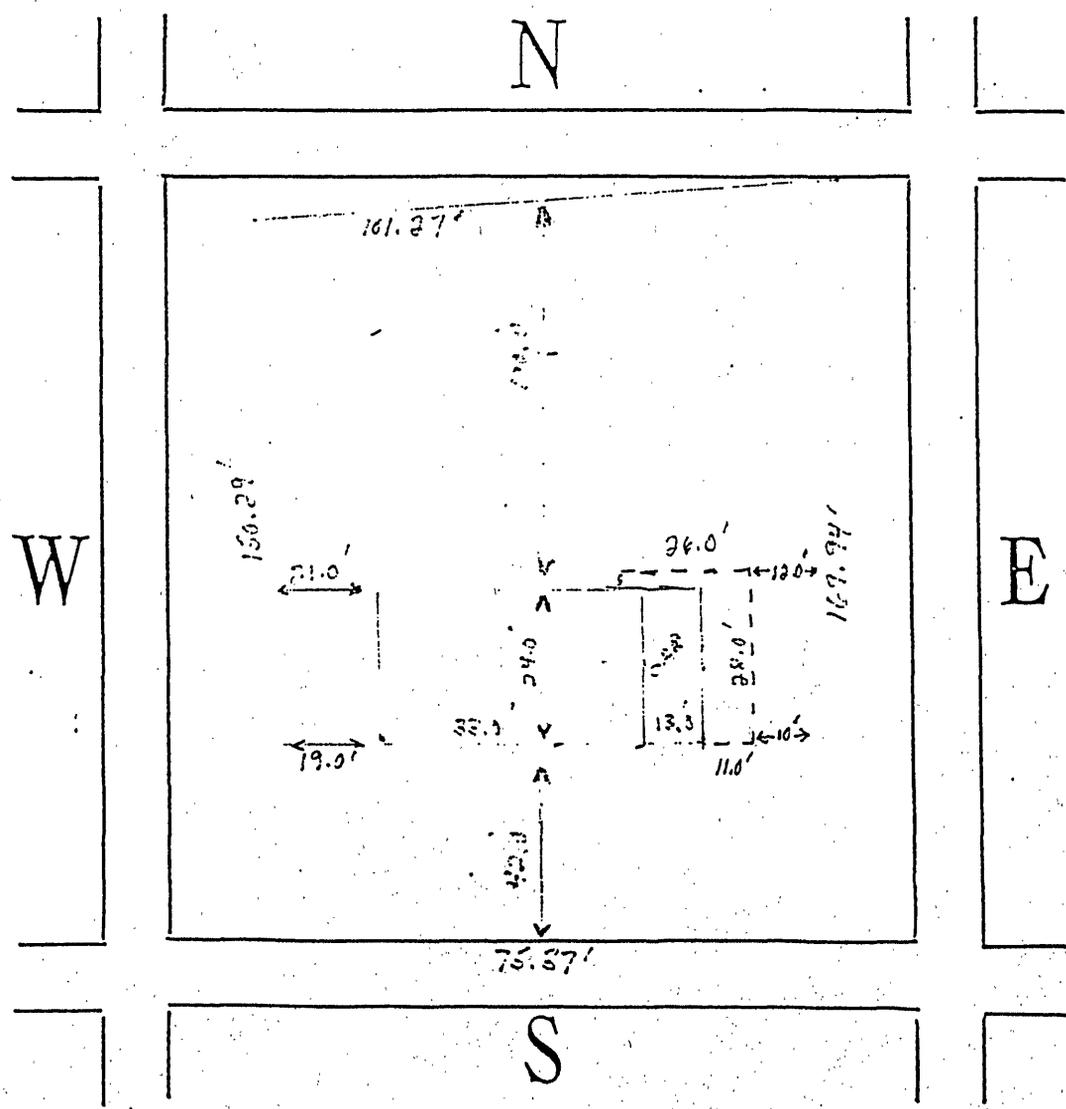
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Grace Pennella
 (Signature of Applicant)

3 Heathstone
 (Address of Applicant)

PLOT PLAN

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



IMPORTANT
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10. THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
11. SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
12. SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Name of Owner of Premises GRACE PANELLA
Address 2 HEARTHSTONE WAY Phone 565-8070
Name of Architect
Address Phone
Name of Contractor CHESTER BETZ
Address Phone 516-1470
State whether applicant is owner, lessee, agent, architect, engineer, or builder.....
If applicant is a corporation, signature of duly authorized officer:

.....
(Name and title of corporate officer)

1. On what street is property located? On the NORTH side side of #2 HEARTHSTONE WAY
(N.S.E. or W.)

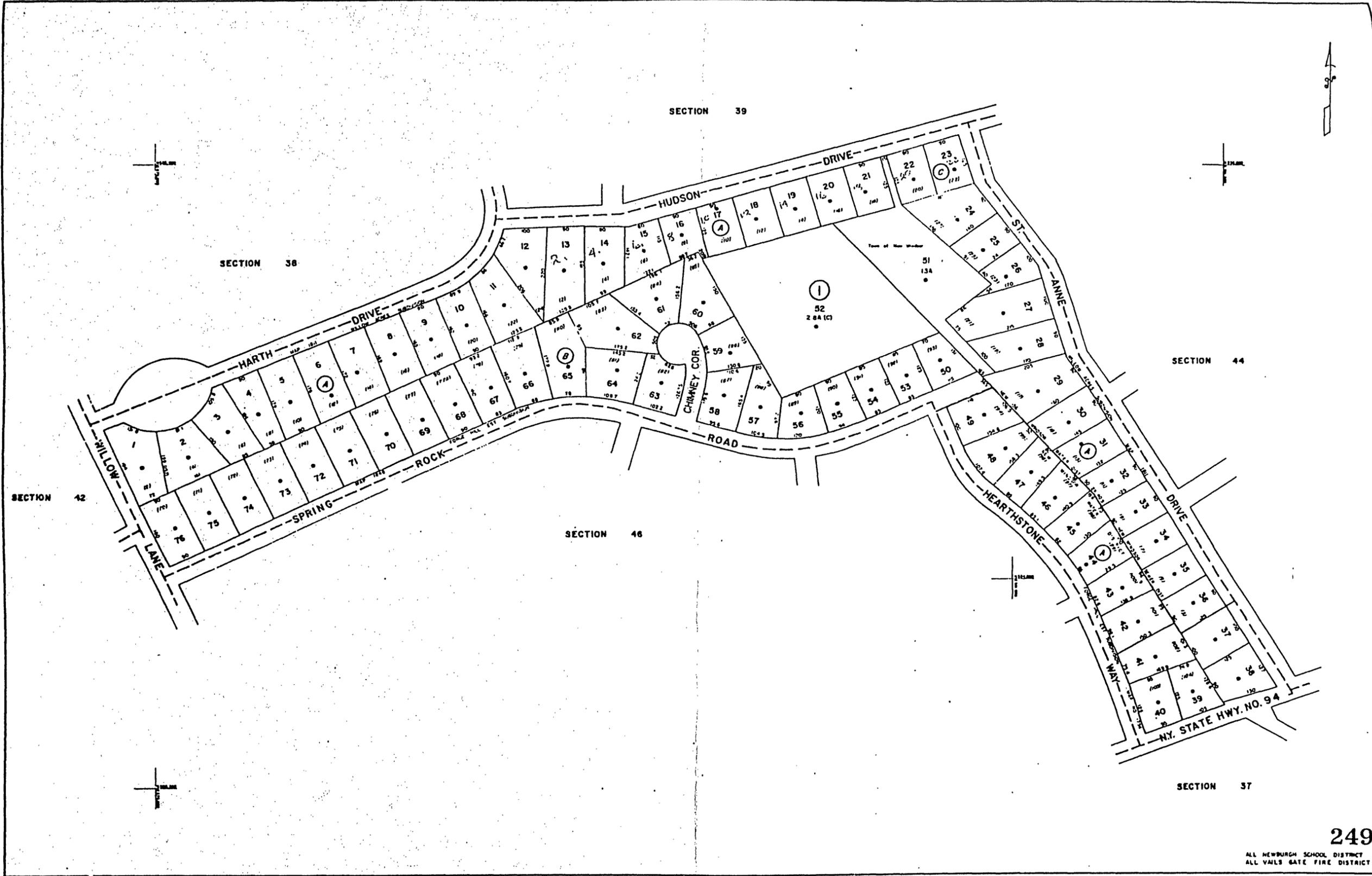
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Name of Owner of Premises GRACE PANELLA
 Address 2 HEARTHSTONE WAY Phone 565-8070
 Name of Architect
 Address Phone
 Name of Contractor CHESTER BETZ
 Address Phone 566-1470
 State whether applicant is owner, lessee, agent, architect, engineer or builder
 If applicant is a corporation, signature of duly authorized officer.

.....
 (Name and title of corporate officer)

1. On what street is property located? On the north side side of #2 HEARTHSTONE WAY
 (N.S.E. or W.)
 and feet from the intersection of
2. Zone or use district in which premises are situated Is property a flood zone? Yes..... No X
3. Tax Map description of property: Section 43 Block 1 Lot #1
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
 a. Existing use and occupancy..... b. Intended use and occupancy.....
5. Nature of work (check which applicable): New Building..... Addition X..... Alteration..... Repair.....
 Removal..... Demolition..... Other.....
6. Size of lot: Front Rear..... Depth..... Front Yard..... Rear Yard..... Side Yard.....
 Is this a corner lot?
7. Dimensions of entire new construction: Front..... Rear..... Depth..... Height..... Number of stories.....
8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....
 Number of bedrooms..... Baths..... Toilets.....
 Heating Plant: Gas..... Oil..... Electric/Hot Air..... Hot Water.....
 If Garage, number of cars.....
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
10. Estimated cost..... Fee.....
 (to be paid on this application)
11. School District

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.



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ALL NEWBURGH SCHOOL DISTRICT
ALL VALS GATE FIRE DISTRICT

Prepared by
AERO SERVICE CORPORATION
A Division of AEROSPACE INDUSTRIES
100 West 42nd Street, New York 36, N.Y.
FOR TAX PURPOSES ONLY
NOT TO BE USED FOR COVENANCE

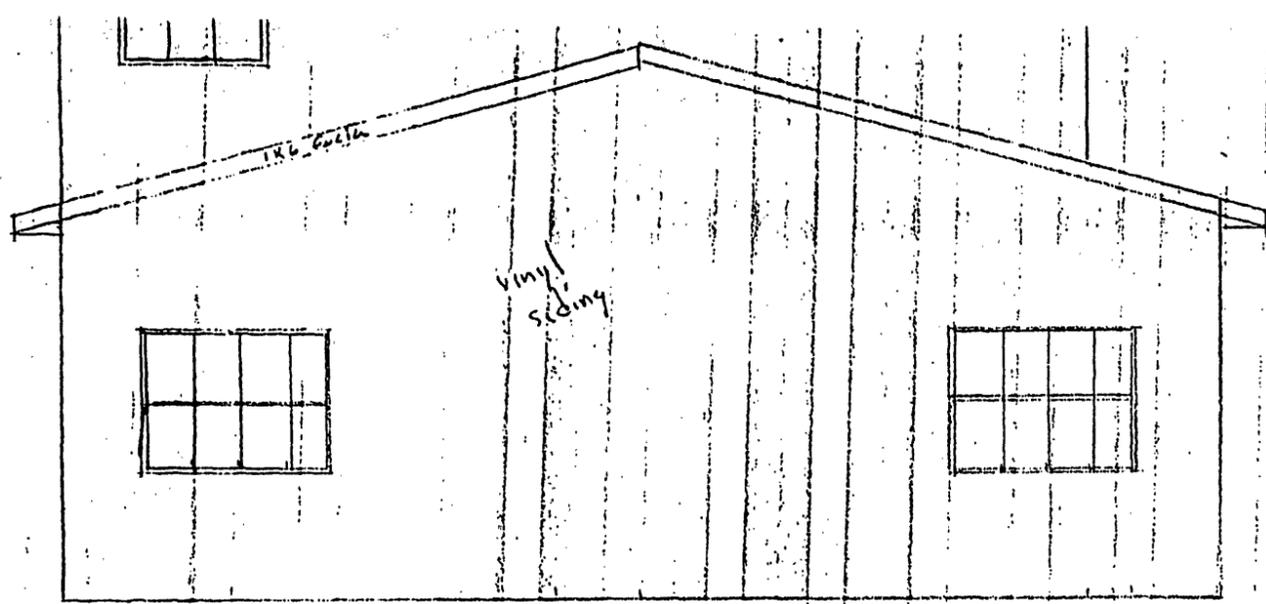
LEGEND			
STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN BLOCK NO.
CITY, TOWN OR VILLAGE	ASSESSMENT LINE	TAX MAP PARCEL NO.	FILED PLAN LOT NO.
BLOCK & SECTION LIMIT	MOUCH LINE	AREA	STATE HIGHWAYS
SPECIAL DISTRICT LINE	STREETS	DIMENSIONS	COUNTY HIGHWAYS
PROPERTY LINE			TOWN ROADS

ORANGE COUNTY-NEW YORK

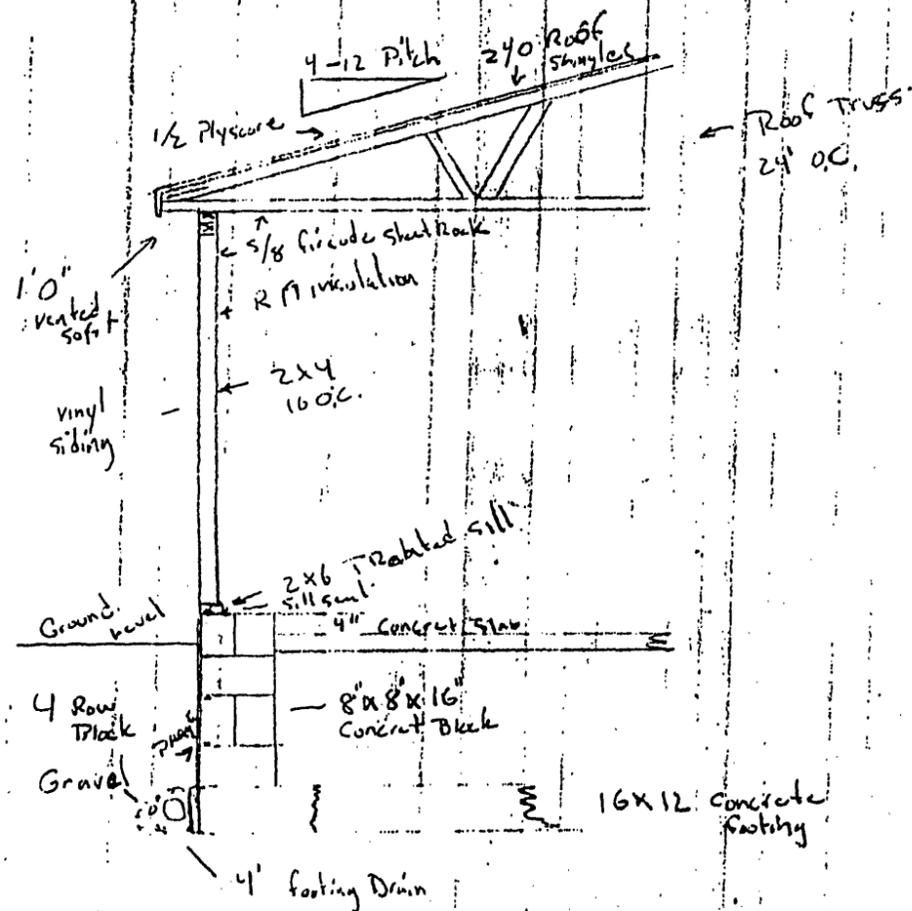
Photo No. 14-3233 Date of Map 9-24-57
Date of Photo 3-1-57 Date of Revision 3-1-57
Scale 1" = 400'

TOWN OF NEW WINDSOR

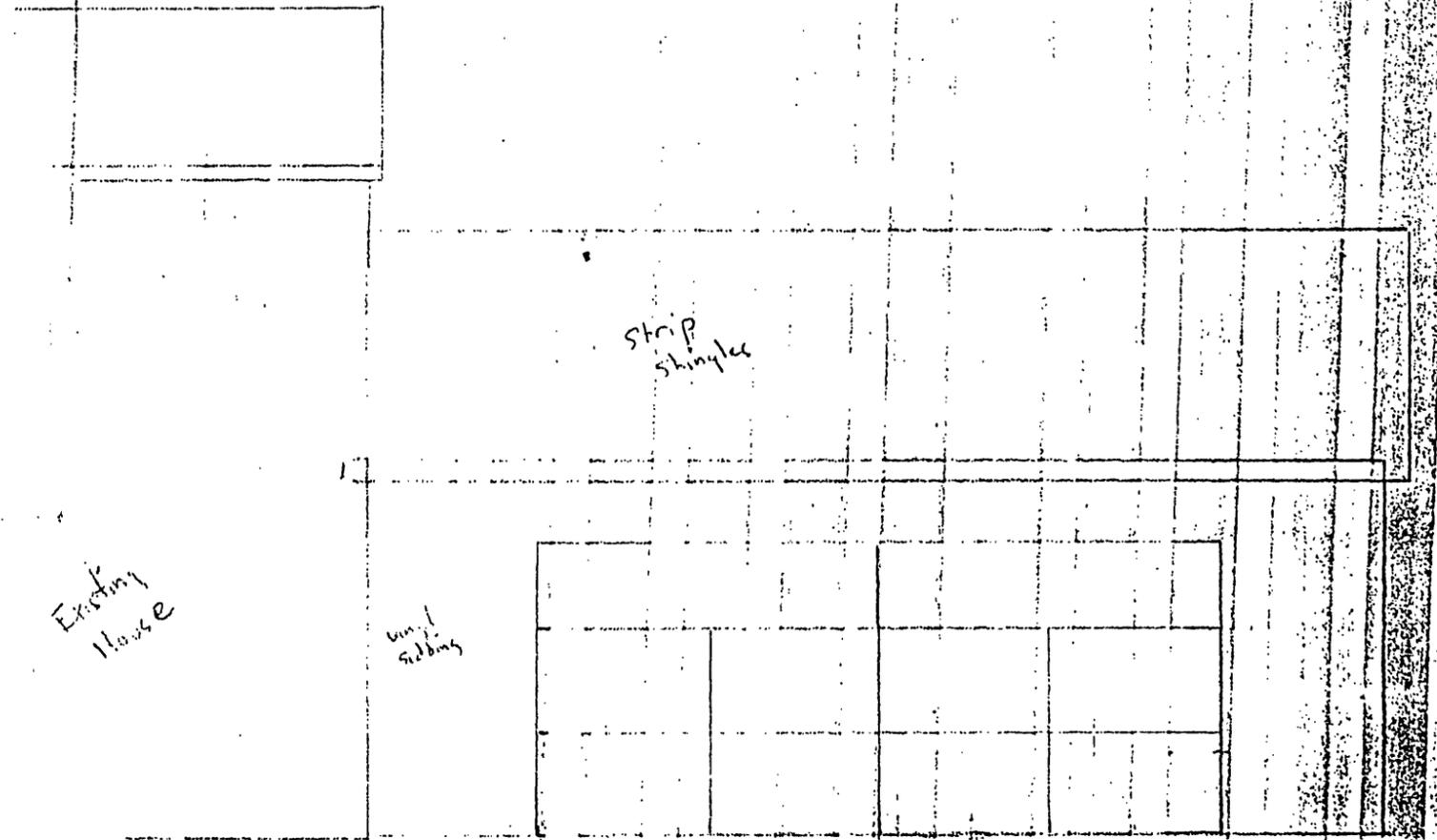
Section No. 43



Side VIEW



BACKAWAY VIEW



FRONT VIEW

7' x 16' /
Canyon door

SCALE 1/4" = 1'0"

C-1592-018

THIS INDENTURE, made the 18TH day of December, nineteen hundred and ninety-one BETWEEN EMILIO PANELLA, residing at (no street or number) P.O. BOX 573, Vails Gate, N.Y. 12584 and GRACE PANELLA, his wife, residing at 410 Blooming Grove Turnpike, New Windsor, N.Y. 12553

T.T.
e
party of the first part, and GRACE PANELLA, residing at 410 Blooming Grove Turnpike, New Windsor, N.Y. 12553

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

Town of New Windsor, County of Orange, State of New York, known and designated as Lot 102 on a certain map known as "Plan of Subdivision Section A of Forge Hill Estates", Town of New Windsor, Orange County, N.Y." which map was dated July 10, 1958 was made by Eustance and Horowitz, engineers, and was filed in the Orange County Clerk's Office July 31, 1958, map #1754.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

party of the first part, and GRACE PANELLA, residing at 410 Blooming Grove Turnpike, New Windsor, N.Y. 12553

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

Town of New Windsor, County of Orange, State of New York, known and designated as Lot 102 on a certain map known as "Plan of Subdivision Section A of Forge Hill Estates", Town of New Windsor, Orange County, N.Y." which map was dated July 10, 1958 was made by Eustance and Horowitz, engineers, and was filed in the Orange County Clerk's Office July 31, 1958, map #1754.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid. AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Emilio Panella

EMILIO PANELLA

Grace Panella

GRACE PANELLA

LIBER 3570 PAGE 38

STATE OF NEW YORK, COUNTY OF ORANGE

ss:

On the 16TH day of December 19 91, before me personally came EMILIO PANELLA

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

NOTARY PUBLIC

JAY KIMMEL
Notary Public, State of New York
No. 44-4700975
Qualified in Rockland County
Commission Expires 2/28/92

STATE OF NEW YORK, COUNTY OF

ss:

On the day of 19 , before me personally came
to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the
of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF Orange

ss:

On the 16TH day of December 1991, before me personally came GRACE PANELLA

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

NOTARY PUBLIC

JAY KIMMEL
Notary Public, State of New York
No. 44-4700975
Qualified in Rockland County
Commission Expires 2/28/92

STATE OF NEW YORK, COUNTY OF

ss:

On the day of 19 , before me personally came
the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

RECORDED BY
COMMONWEALTH LAND TITLE INSURANCE CO.
131 Court Street
White Plains, New York 10601

NOTARY PUBLIC

JAY KIMMEL
Notary Public, State of New York
No. 44-4700975
Qualified in Rockland County
Commission Expires 2/28/92

STATE OF NEW YORK, COUNTY OF

On the _____ day of _____ 19____, before me personally came _____ to me known, who, being by me duly sworn, did depose and say that he resides at No. _____

that he is the _____ of _____

_____ the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

NOTARY PUBLIC

JAY KIMMEL
Notary Public, State of New York
No. 44-4700975
Qualified in Rockland County
Commission Expires 2/28/92

STATE OF NEW YORK, COUNTY OF

On the _____ day of _____ 19____, before me personally came _____ the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. _____

that he knows _____

_____ to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

RECORDED BY
COMMONWEALTH LAND TITLE INSURANCE CO.
131 Court Street
White Plains, New York 10601

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. _____

EMILIO PANELLA and GRACE PANELLA

TO

GRACE PANELLA

SECTION

BLOCK

43-1-41

LOT ~~123~~

COUNTY ~~ORANGE~~

ORANGE COUNTY

New Windsor

Recorded at Request of COMMONWEALTH LAND
TITLE INSURANCE COMPANY

RETURN BY MAIL TO:

COMMONWEALTH LAND TITLE
INSURANCE COMPANY
131 COURT STREET
WHITE PLAINS, NEW YORK 10601

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by



COMMONWEALTH LAND
TITLE INSURANCE COMPANY
A Reliance Group Holdings Company

LIBER 3570 PAGE 39

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE