

**ZB# 99-5**

**Drenna Cocchia**

**21-3-7**

Prelim:

Feb. 8, 1999.

Notice to Sentinel 3/4/99.

Dead X Letters out 3/24/99.

Public Hearing:

April 12, 1999.

Varuance

Granted

Refund \$ 212.00

#99-5

Cocchia, Drena

(Area)

21-3-7

Wilson Jones • Carbonless • City, NCR Duplicate • 518/7N CL T-1101010

DATE March 24, 1999 RECEIPT 039123

RECEIVED FROM Drena Cotchia

Address \_\_\_\_\_

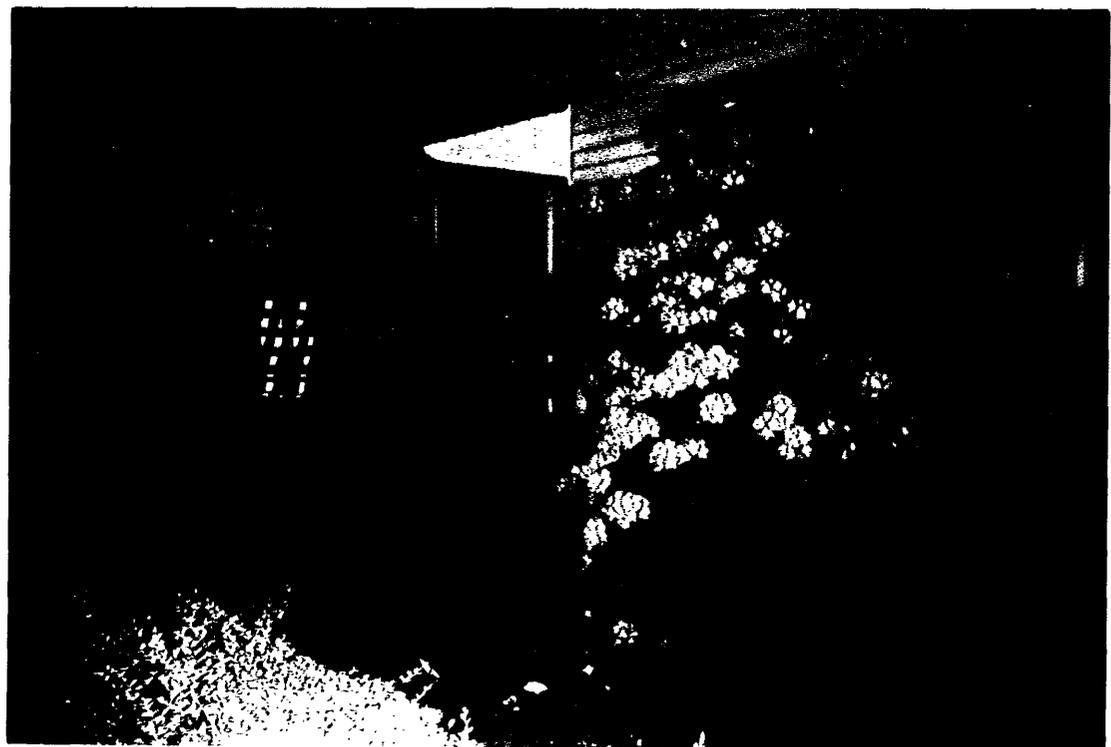
Fifty 00/100 DOLLARS \$50.00

FOR ZBA # 99-5

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	<u>ck # 1825</u>
AMOUNT PAID		CHECK	<u>50.00</u>
BALANCE DUE		MONEY ORDER	

Town Clerk

BY Dorothy H. Hansen  
at



LOT No. 137

LOT No. 138

LOT No. 139

SHED

SHED

GARAGE

PICKET FENCE

AREA - 0.34 ACRE

LOT No. 124

LOT No. 125

LOT No. 126

LOT No. 127

11.3'

39.2'

25.2'

1  
STORY  
FRAME

WOOD

CONCRETE

MACADAM

POLE

MACADAM

DRIVE

MACADAM

N37°24'00"E

IRON  
PIPE  
FOUND

S37°24'00"W

31.7'

S52°36'00"E

100.00'

EDGE OF PAVEMENT

HICKORY

AVENUE

149.89'

100.00'

149.89'

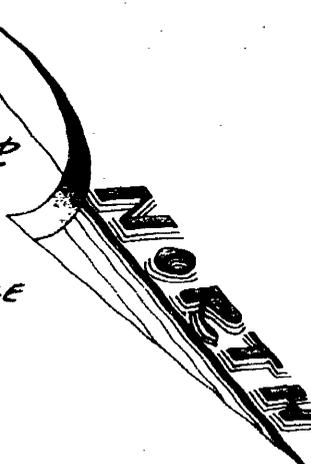
N52°36'00"W

R

R

R

R



**MAP OF SURVEY**  
**OF LOTS No. 125 & 126 ON A MAP ENTITLED**  
**"WOODLAWN PARK"\***

TOWN OF NEW WINDSOR  
SCALE: 1" = 20'

ORANGE COUNTY, N.Y. 8-18-92  
AUGUST 12, 1992

REVISED

IT IS HEREBY CERTIFIED THAT THIS SURVEY WAS PREPARED IN ACCORDANCE  
WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE  
NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC.

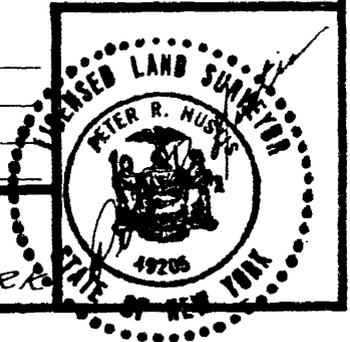
**CERTIFIED TO:**

\*  
FILED MAP No. 1222  
FILED OCTOBER 28, 1941  
JOB No. 88:150B

JOSEPH & DRENA COCCHIA  
MERIDIAN TITLE INSURANCE COMPANY  
J. I. KISLAK MORTGAGE COMPANY, ITS SUCCESSORS  
&/OR ASSIGNS

**PETER R. HUSTIS, L.L.S.**

33 HENRY STREET, BEACON, NEW YORK • P.O. BOX 3311, NEWBURGH, NEW YORK



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Cocchia, Drena

FILE# 99-5

RESIDENTIAL: \$50.00  
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE     

APPLICATION FOR VARIANCE FEE ..... \$ 50.00

\* \* \*

ESCROW DEPOSIT FOR CONSULTANT FEES ..... \$ 300.00

*Paid ck. #1825  
3/24/99  
Paid ck. #1826  
3/24/99.*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 2/8/99-2 \$ 9.00  
2ND PRELIMINARY- PER PAGE 4/12/99-2 \$ 9.00  
3RD PRELIMINARY- PER PAGE ..... \$ \_\_\_\_\_  
PUBLIC HEARING - PER PAGE ..... \$ \_\_\_\_\_  
PUBLIC HEARING (CONT'D) PER PAGE ..... \$ \_\_\_\_\_  
TOTAL ..... \$ 18.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 2/8/99 ..... \$ 35.00  
2ND PRELIM. .... \$ 35.00  
3RD PRELIM. .... \$ \_\_\_\_\_  
PUBLIC HEARING. .... \$ \_\_\_\_\_  
PUBLIC HEARING (CONT'D) ..... \$ \_\_\_\_\_  
TOTAL ..... \$ 70.00

MISC. CHARGES:

..... \$ \_\_\_\_\_  
TOTAL ..... \$ 88.00

LESS ESCROW DEPOSIT ..... \$ 300.00  
(ADDL. CHARGES DUE) ..... \$ \_\_\_\_\_  
REFUND DUE TO APPLICANT .. \$ 212.00

*Refund*



**DRENA COCCHIA**  
11 HICKORY AVE.  
NEW WINDSOR, NY 12553

1826

DATE 3/25/99

50-7879/2219  
1258

PAY TO THE ORDER OF Town of New Windsor \$ 300.00  
Three hundred and 00/100 DOLLARS  Security features are on back of this check

To:  HUDSON HERITAGE FEDERAL CREDIT UNION 2219  
Newburgh, New York 12550

FOR ZBA #99-5 Drena Cocchia

⑆ 221978791⑆ 12580060730058⑆ 1826

**DRENA COCCHIA**  
11 HICKORY AVE.  
NEW WINDSOR, NY 12553

1825

DATE 3/25/99

50-7879/2219  
1258

PAY TO THE ORDER OF Town of New Windsor \$ 50.00  
Fifty and 00/100 DOLLARS  Security features are on back of this check

To:  HUDSON HERITAGE FEDERAL CREDIT UNION 2219  
Newburgh, New York 12550

FOR ZBA #99-5 Drena Cocchia

⑆ 221978791⑆ 12580060730058⑆ 1825

In the Matter of the Application of

**DRENA COCCHIA**

**MEMORANDUM OF  
DECISION GRANTING  
AREA VARIANCE**

#99-5.

**WHEREAS, DRENA COCCHIA, residing at 11 Hickory Avenue, New Windsor, New York, N. Y. 12553, has made application before the Zoning Board of Appeals for a 13 ft. 9 in. side yard variance for existing deck at the above single-family residence in an R-4 zone; and**

**WHEREAS, a public hearing was held on the 12th day of April, 1999 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and**

**WHEREAS, the Applicant appeared on behalf of herself for this Application; and**

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

**WHEREAS, no one spoke in favor or in opposition to the Application; and**

**WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and**

**WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:**

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

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) The Applicant seeks a variance for a deck which has already been constructed.

(c) The deck has been in place for almost five years and there have been no complaints filed, either formal or informal.

(d) No trees were removed in order to construct the deck.

(e) The deck does not cause nor add to any drainage problems, nor does it redirect

water or cause any ponding of water.

(f) The deck does not interfere with any septic system or sewer easement.

(g) The deck does not interfere with any well or water easement.

(h) There are other homes in the neighborhood that have similar decks.

(i) There is passage from the house onto the deck so that if the deck were not there a person passing through the passageway would fall to the ground, resulting in probable injury.

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

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

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations but nevertheless is warranted for the reasons listed above.

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 self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

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

**NOW, THEREFORE, BE IT**

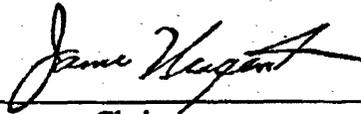
**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 13 ft. 9 in. side yard variance to allow an existing deck at the above address, in an R-

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: June 14, 1999.



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Chairman

Date 4/14/99, 19.....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO ..... DR.

Frances Roth  
168 N. Drury Lane  
Newburgh, N.Y. 12550

DATE		CLAIMED	ALLOWED
4/12/99	Zoning Board Mtg	75 00	
	Misc - 3		
	Maxwell - 4		
	Fioriti - 4		
	Hecht - 2		
	Cachia - 2 9.00		
	N.Y. telephone / Petrone 6	94 50	
	21		
		169 50	

PUBLIC HEARING

COCCHIA, DRENA

MR. NUGENT: Request for 13 ft. 9 in. side yard variance for existing deck at 11 Hickory Avenue in an R-4 zone. Let the record show there's no one in the audience for Drena Cocchia public hearing.

MS. BARNHART: Even though we sent out 80 public notices on March 24 to adjacent property owners and this is an affidavit saying such.

MR. KANE: How long has the deck been up?

MS. COCCHIA: Almost five years.

MR. KANE: Did you cut any trees down to put this up?

MS. COCCHIA: No.

MR. KANE: Cause any drainage problems with the construction of the deck?

MS. COCCHIA: No.

MR. KRIEGER: Doesn't redirect water, cause any ponding of water?

MS. COCCHIA: Oh no.

MR. KRIEGER: Interfere with any septic system, sewer easement?

MS. COCCHIA: No.

MR. KRIEGER: Well water, easement, anything like that?

MS. COCCHIA: No.

MR. KRIEGER: Have you received any complaints?

MS. COCCHIA: As a matter of fact, my neighbors called me up and asked if they can do anything to help. I said as long as you don't object, don't do anything.

MR. KANE: Are there other homes in the neighborhood have similar type decks?

MS. COCCHIA: Yes.

MR. KRIEGER: Mike, is there any record of any complaints on record, open violations in the file?

MR. BABCOCK: No.

MR. KRIEGER: Now, this deck, is there an entrance from the house onto the deck?

MS. COCCHIA: Yes.

MR. KRIEGER: And if the deck weren't there, would a person going out the door fall a considerable distance before they hit the ground?

MS. COCCHIA: Not a considerable distance.

MR. TORLEY: They'd fall to the ground?

MS. COCCHIA: Yes, you couldn't jump down.

MR. KRIEGER: They would fall more than a step?

MS. COCCHIA: Yeah, right.

MR. KANE: Entertain a motion?

MR. NUGENT: Yes.

MR. KANE: I move that we approve the requested variances for Drena Cocchia at 11 Hickory Avenue.

MR. REIS: Second it.

ROLL CALL

MR. TORLEY	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. NUGENT	AYE



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

Rec'd. ZBA  
3/26/98  
(PMS)

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. 5

Request of Drena Cocchia

for a VARIANCE of the Zoning Local Law to Permit:

existing deck w/ insufficient side yard;

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

for property situated as follows:

11 Hickory Avenue, New Windsor, N.Y.

known and designated as tax map Section 21, Blk. 3, Lot 7.

SAID HEARING will take place on the 12<sup>th</sup> day of April, 1999 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent  
Chairman

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

*Prelim.*  
*Feb. 8, 1999.*  
*#99-5*

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: January 26, 1999

APPLICANT: Drena Cocchia  
11 Hickory Avenue  
New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: January 20, 1999

FOR : Existing 10 X 22 Side Deck

LOCATED AT: 11 Hickory Avenue

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 21-3-7

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 10 X 22 side deck does not meet minimum side yard set-back.

  
BUILDING INSPECTOR

PERMITTED 15'

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4 USE: 10- F

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

1'-3"

13'-9"

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

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

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

**IMPORTANT**

**YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION**

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

1. When excavating is complete and footing forms are in place (before pouring)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing is completed and before it is covered from inside and plumbing rough-in.
5. Insulation.
6. Plumbing final and 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 engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. 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 and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no permit in this.

RECEIVED

JAN 20 1999

BUILDING DEPARTMENT

PLEASE PRINT CLEARLY

FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Drena Cochran WORK-Cafeteria  
(GAMS 563 7272)  
Address 11 Hickory Ave. Phone 562 5196  
Mailing Address 11 Hickory Ave  
Name of Architect \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Name of Contractor \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_

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)

FOR OFFICE USE ONLY

Building Permit # \_\_\_\_\_

Variance Needed

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(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?  
Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 21 Block 3 Lot 7

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 if applicable) New Bldg  Addition  Alteration  Repair  Removal  Demolition  Other

EXISTING 10 x 22 SIDE DECK

6. Is this a corner lot? EXC 10 x 22 DECK

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. 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 \$50

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

Michael L. Babcock  
Inspector: Frank Lisi  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(914) 563-4618  
(914) 563-4693 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

REFER TO:

Planning Board  Highway Dept  Sewer  Water  Zoning Board of Appeals

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.

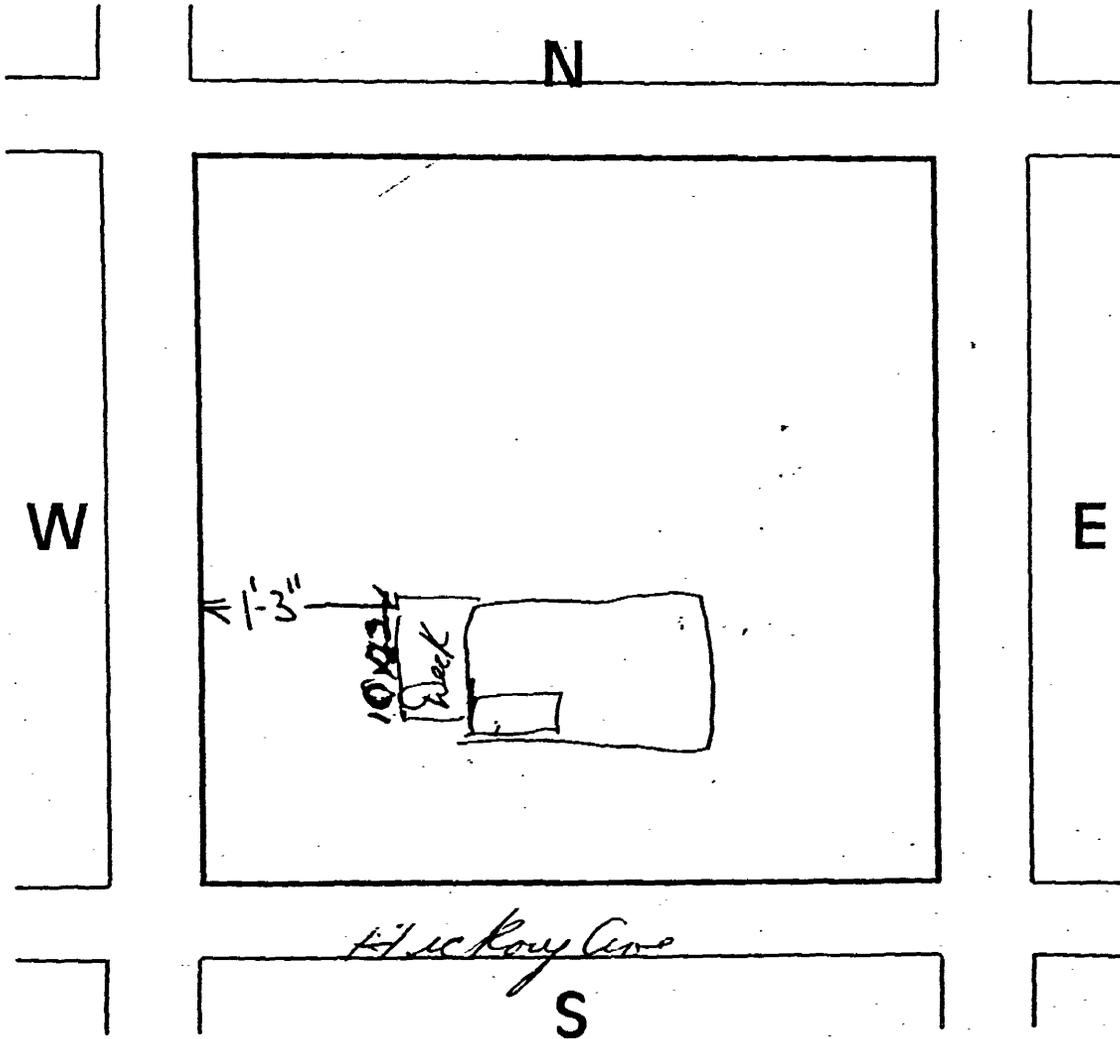
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein 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.

Drena Cocchia  
(Signature of Applicant)

11 Hickory Ave  
(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.



TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# 99-5.

Date: 3/3/99.

✓ I. Applicant Information:

- (a) Cnechia, Drena, 11 Hickory Ave., New Windsor, NY. X  
(Name, address and phone of Applicant) (Owner)
- (b) -  
(Name, address and phone of purchaser or lessee)
- (c) -  
(Name, address and phone of attorney)
- (d) -  
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- Use Variance  Sign Variance
- Area Variance  Interpretation

✓ III. Property Information:

- (a) R-4 11 Hickory Ave 21-3-7 100/149.89  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE.
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO.
- (d) When was property purchased by present owner? YES.
- (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: METAL STORAGE SHED
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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) 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.

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(c) 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 ft.</u>	<u>1 ft. 3 in.</u>	<u>13 ft. 9 in.</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:

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

(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 \_\_\_\_\_, Regs.

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

(b) 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) 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



(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)

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY

# This Indenture,

Made the 30th day of June nineteen hundred and sixty-nine

**Between** RALPH NAPOLITANO and ROSE M. NAPOLITANO, husband and wife, both residing at 11 Hickory Avenue, Town of New Windsor, Orange County, State of New York,

*parties of the first part,*

**and** JOSEPH A. COCCHIA and DRENA J. COCCHIA, husband and wife, both residing at 80 Beacon Street, City of Newburgh, Orange County, State of New York,

*parties of the second part,*

**Witnesseth,** that the parties of the first part, in consideration of

-- TEN (\$10.00) -- Dollars,

lawful money of the United States, and other good and valuable consideration,

*paid by the parties of the second part*

*do hereby grant and release unto the parties of the second part,*

*their heirs and assigns forever,*

**All** those certain lots, pieces or parcels of land situate, lying and being in the Town of New Windsor, County of Orange and State of New York known and designated as lots Nos. 125 and 126 on a certain map entitled Woodlawn Park located in the Town of New Windsor, Orange County, New York revised October 1941 and filed in the Office of the Clerk of the County of Orange on October 28, 1941 and more particularly bounded and described as follows:

BEGINNING at a point in the south line of Hickory Avenue distant 350 feet westerly from the intersection of the southerly line of Hickory Avenue and the westerly line of Cedar Avenue and running thence southerly 150 feet to a point; thence running westerly 100 feet to a point; thence running northerly and along the easterly line of lot 127 and parallel to the first above described line for 149.89 feet to the southerly line of Hickory Avenue and thence easterly along the southerly line of Hickory Avenue 100 feet to the point or place of beginning.

BEING the same premises conveyed by Christian Larsen and Marjorie Larsen to Ralph Napolitano and Rose M. Napolitano by deed dated September 2, 1955 and recorded in the Orange County Clerk's Office on September 6, 1955 in Liber 1359 of Deeds at Page 594.

SUBJECT, HOWEVER, to the restrictive covenants contained in and being the same premises described in two deeds (1) dated September 27, 1947 made by Dominic Macchia to Christian Larsen and Marjorie Larsen, recorded in Orange County Clerk's Office October 4, 1947 in Liber 1061 of Deeds at Page 410 and (2) dated August 22, 1947 made by New Windsor Land Company, Inc. to Marjorie Larsen and Christian Larsen, recorded in Orange County Clerk's Office October 4, 1947 in Liber 1061 of Deeds at Page 414.

SUBJECT to grants of record to public utilities.

And the said parties of the first part covenant as follows:

**First.**—That the parties of the first part are seized of the said premises in fee simple, and have good right to convey the same,

**Second.**—That the parties of the second part shall quietly enjoy the said premises;

**Third.**—That the said premises are free from incumbrances; except as aforesaid;

**Fourth.**—That the parties of the first part will execute or procure any further necessary assurance of the title to said premises;

**Fifth.**—That the parties of the first part will forever warrant the title to said premises.

**Sixth.**—That the grantor, in compliance with Section 13 of the Lien Law, covenants that the grantor 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 that the grantor 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.

**In Witness Whereof,** the parties of the first part have hereunto set their hands and seals the day and year first above written.

In presence of:

*Ralph Napolitano*  
RALPH NAPOLITANO L. S.

*Rose M. Napolitano*  
ROSE M. NAPOLITANO L. S.

..... L. S.

..... L. S.

State of NEW YORK

County of ORANGE

} ss.:

On the 30<sup>th</sup> day of June nineteen hundred and sixty-nine before me came RALPH NAPOLITANO and ROSE M. NAPOLITANO

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

*Paul J. Patzauer*  
Paul J. Patzauer  
Notary Public - Orange County  
My Commission Exp 5/30/70



COCCHIA, DRENA

MR. NUGENT: Request for 13 ft. 9 in. side yard variance for existing deck at 11 Hickory Avenue in an R-4 zone.

Ms. Drena Cocchia appeared before the board for this proposal.

MS. COCCHIA: I got this in the mail and she told me to take pictures and I did, that's the front and the back.

MR. TORLEY: How far is the deck to the property line?

MR. BABCOCK: One foot three inches. The house is built in 1947 and it's only 11 foot 3 inches off the property line, the house itself and it appears to be some type of entrance deck to the house side entrance, I'm not sure.

MS. COCCHIA: Yes, it goes into my kitchen.

MR. REIS: How long has the deck been there?

MS. COCCHIA: Four years, I think it was four years, I'm not sure.

MR. REIS: What brings you to the board?

MS. COCCHIA: I was refinancing a loan and the gentleman, I don't know, somebody had to look at the house and they had to inspect the side porch.

MR. REIS: This is not affecting your neighbors in any way?

MS. COCCHIA: Oh, no, there's a garage on the other side of the hedge line, but that's about 10 or 15 feet on the other side of the hedge line and that's their garage and their house is beyond that.

MR. BABCOCK: Mr. Chairman, the need of a deck is because the door is there so there must have been a deck of some type, an entranceway of some type before this was built.

MS. COCCHIA: Yes.

MR. BABCOCK: Was it the same size?

MS. COCCHIA: No, I think this one's bigger, a little bit bigger.

MR. BABCOCK: That's why you're here, okay.

MR. NUGENT: Any further questions?

MR. REIS: Make a motion that we set up Drena Cocchia for her requested variance at 11 Hickory Avenue.

MS. OWEN: Second it.

ROLL CALL

MS. OWEN	AYE
MR. TORLEY	AYE
MR. REIS	AYE
MR. NUGENT	AYE

MS. BARNHART: Here's your paperwork.

MR. NUGENT: You have to fill that out, when you get it finished, bring it back, give it to Pat, she'll set you up for your public hearing.

MR. KRIEGER: When you make your public presentation, if you would address yourself to the criteria on that sheet, it would be helpful, since those are the criteria on which the State has mandated that the Zoning Board must decide.

MS. COCCHIA: All right.



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (914) 563-4630  
Fax: (914) 563-4693

## Office of Assessor for the Town

February 24, 1999

80

Ms. Drena Cocchia  
11 Hickory Avenue  
New Windsor, N. Y. 12553

**Re: Tax Parcel: 21-3-7**

Dear Ms. Cocchia:

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

The charge for this service is \$95.00, less your deposit of \$25.00. Please remit the balance of \$70.00 to the Town Clerk at the above address.

Sincerely,

LESLIE COOK  
Sole Assessor

/pab  
Attachment

cc: Pat Barnhart, ZBA

18-2-15  
Charles H. Broe  
108 Cedar Avenue  
New Windsor, NY 12553

18-2-18.1  
Sarah A. Lucas  
6 Locust Avenue  
New Windsor, NY 12553

18-2-19  
Robert F. & Richard G. Rodgers  
8 Locust Avenue  
New Windsor, NY 12553

18-2-20  
Scott M. & Pamela J. Slepoy  
10 Locust Avenue  
New Windsor, NY 12553

18-2-22  
Kenneth & Joaquim Bento  
16 Grand Avenue  
Newburgh, NY 12550

18-2-24  
Ronald C. & Renee E. Handy  
16 Locust Avenue  
New Windsor, NY 12553

18-2-26  
Gordon C. & Barbara Jean Ray  
18 Locust Avenue  
New Windsor, NY 12553

18-2-27  
Joseph James Jr.  
Barbara McDaniel  
327 Lakeside Road  
Newburgh, NY 12550

18-3-1  
David F. Pedi  
24 Hickory Avenue  
New Windsor, NY 12553

18-3-2  
Betty Jean Early  
23 Locust Avenue  
New Windsor, NY 12553

18-3-3  
Nicholas J. & Helen Ruscitti  
21 Locust Avenue  
New Windsor, NY 12553

18-3-4  
Life Estate for Wm & Marg. Dillon  
c/o Margaret Dillon  
19 Locust Avenue  
New Windsor, NY 12553

18-3-5  
John A. & Marilyn Mellon  
17 Locust Avenue  
New Windsor, NY 12553

18-3-6  
Thomas A. & Mary Ann Cimorelli  
15 Locust Avenue  
New Windsor, NY 12553

18-3-7  
William F. Farrenkopf  
13 Locust Avenue  
New Windsor, NY 12553

18-3-8  
Mukesh & Rita M. Patel  
11 Locust Avenue  
New Windsor, NY 12553

18-3-10  
Floyd M. & Margaret M. Farbent  
9 Locust Avenue  
New Windsor, NY 12553

18-3-11  
Jean A. Bell & John A. Del Pup  
14 Pommel Drive  
Newburgh, NY 12550

18-3-12  
Bobby J. Muller  
Gregory Turner  
112 Cedar Avenue  
New Windsor, NY 12553

18-3-13  
Buddy Joe & Wilma Edwards  
114 Cedar Avenue  
New Windsor, NY 12553

18-3-14  
Anna Crudele  
116 Cedar Avenue  
New Windsor, NY 12553

18-3-15  
Ruth S. Cherry  
118 Cedar Avenue  
New Windsor, NY 12553

18-3-17  
Anna & Sally Ann Thompson  
6 Hickory Avenue  
New Windsor, NY 12553

18-3-18  
William L. & Tami R. Tenney  
8 Hickory Avenue  
New Windsor, NY 12553

18-3-19  
Frank J. Sr. & Charlotte Chivattoni  
10 Hickory Avenue  
New Windsor, NY 12553

18-3-21  
Anthony & Ann Marie Demarco  
Mary Lou Dooley  
12 Hickory Avenue  
New Windsor, NY 12553

18-3-22  
Elizabeth Brower  
14 Hickory Avenue  
New Windsor, NY 12553

18-3-23  
Joseph H. & Donna J. Hall  
16 Hickory Avenue  
New Windsor, NY 12553

18-3-24  
Rose F. Roche  
18 Hickory Avenue  
New Windsor, NY 12553

18-3-25  
Julia Araiza  
20 Hickory Avenue  
New Windsor, NY 12553

18-3-26  
Terrance J. Berean  
22 Hickory Avenue  
New Windsor, NY 12553

19-4-94  
Robert R. & Alice M. Riffard  
119 Cedar Avenue  
New Windsor, NY 12553

21-3-13  
Richard F. Pisani  
6 Woodlawn Avenue  
New Windsor, NY 12553

19-4-77  
St. Francis Church  
145 Benkard Avenue  
Newburgh, NY 12550

19-4-95  
Justine & John Casey  
117 Cedar Avenue  
New Windsor, NY 12553

21-3-1  
Joseph I. & Josephine E. Beltempo  
44 Birchwood Drive  
New Windsor, NY 12553

19-4-84  
Daniel & Sosamma Samuel  
168 Union Avenue  
New Windsor, NY 12553

19-4-97  
Daniel C. & Nancy M. Spreer  
115 Cedar Avenue  
New Windsor, NY 12553

21-3-2  
John W. & Dora E. Keeser  
19 Hickory Avenue  
New Windsor, NY 12553

19-4-85  
Frank Joseph & Mary J. Faitak  
133 Cedar Avenue  
New Windsor, NY 12553

19-4-98  
Donald F. Starkey  
Linda J. Lawrance  
113 Cedar Avenue  
New Windsor, NY 12553

21-3-3  
Susan Ann & David H. Carter  
17 Hickory Avenue  
New Windsor, NY 12553

19-4-86  
Lewis R. & Katherine P. Seymour  
131 Cedar Avenue  
New Windsor, NY 12553

19-4-99  
Melody A. & Greg M. Geroux  
111 Cedar Avenue  
New Windsor, NY 12553

21-3-5  
Helen C. Tucker  
13 Hickory Avenue  
New Windsor, NY 12553

19-4-87  
James & Mary Silvagni  
129 Cedar Avenue  
New Windsor, NY 12553

21-2-1  
Linda Aigner  
825 North Cass Avenue-Suite 115  
Westmont, IL 60559

21-3-8  
Kim E. & Kevin McDonnell, Sr.  
9 Hickory Avenue  
New Windsor, NY 12553

19-4-89  
Henry & Rosemary Ellingsen  
125 Cedar Avenue  
New Windsor, NY 12553

21-2-2  
Louis P. Bozzone  
c/o Commercial Offset Printers  
220 MacArthur Avenue  
New Windsor, NY 12553

21-3-9  
Mary Mussari  
5 Hickory Avenue  
New Windsor, NY 12553

19-4-90  
Kevin M. & Dawn M. Fahy  
123 Cedar Avenue  
New Windsor, NY 12553

21-2-4  
Benjamin H. & Marie Vanderhoof  
226 MacArthur Avenue  
New Windsor, NY 12553

21-3-10  
Donald E. & Chin S. Quicksell  
122 Cedar Avenue  
New Windsor, NY 12553

19-4-92  
Glen T. Marshall  
121 Cedar Avenue  
New Windsor, NY 12553

21-2-5  
Bears Mfg. Co.  
3815-25 Cortland Street  
Chicago, IL 60647

21-3-11  
Richard H. & Jeannette Voellmann  
124 Cedar Avenue  
New Windsor, NY 12553

19-4-93  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553

21-2-7  
AEI Orange Realty Corp.  
c/o APA Transport Corp.  
2100 88th Street  
North Bergen, NJ 07047

21-3-12.1  
Patrick G. Cusack  
126 Cedar Avenue  
New Windsor, NY 12553

21-3-14  
Veronica & Richard Casnocha  
8 Woodlawn Avenue  
New Windsor, NY 12553

21-3-15  
Carol Cotton & Helen Leary  
12 Woodlawn Avenue  
New Windsor, NY 12553

21-3-16.1  
Glenn & Kathy A. Anderson  
16 Woodlawn Avenue  
New Windsor, NY 12553

21-3-16.2  
Frank A. Steimle  
14 Woodlawn Avenue  
New Windsor, NY 12553

21-3-17.1  
Wayne M. Porter  
219 MacArthur Avenue  
New Windsor, NY 12553

21-3-17.2  
Jo-Ann Romanik  
18 Woodlawn Avenue  
New Windsor, NY 12553

21-4-1  
James & Margaret Britney  
15 Woodlawn Avenue  
New Windsor, NY 12553

21-4-2  
Martin Smith & Marianne Greene  
13 Woodlawn Avenue  
New Windsor, NY 12553

21-4-3  
John J. Jr. & Frances L. Fascano  
11 Woodlawn Avenue  
New Windsor, NY 12553

21-4-4  
Russell G. Kogge  
Marianne McCutcheon  
9 Woodlawn Avenue  
New Windsor, NY 12553

21-4-5  
Robert J. & Evelyn M. Armour  
7 Woodlawn Avenue  
New Windsor, NY 12553

21-4-6  
Kevin M. & Valerie Morrison  
5 Woodlawn Avenue  
New Windsor, NY 12553

21-4-7  
Robert T. & Carol J. Kubin  
170 Union Avenue  
New Windsor, NY 12553

21-4-8  
Carmine DaMario  
61 Clancy Avenue  
New Windsor, NY 12553

21-4-9  
Marilyn Thole  
c/o Rev. Lynn Starr-Post  
231 MacArthur Avenue  
New Windsor, NY 12553

21-4-11  
Paul A. & Theresa H. Toner  
233 MacArthur Avenue  
New Windsor, NY 12553

21-4-14  
Ernest & Irene R. Grieco  
184 Union Avenue  
New Windsor, NY 12553

21-4-15  
Anthony & Marjorie Jacaruso  
180 Union Avenue  
New Windsor, NY 12553

21-4-16  
Donald G. & Dolores B. Ferguson  
178 Union Avenue  
New Windsor, NY 12553

21-4-17  
Santo J. & Lisa A Mule'  
174 Union Avenue  
New Windsor, NY 12553