ZB# 89-40

Robert Kolinsky
(Windsor Square Assocs)

35-1-42.1 & 42.2

#89-40 - Kolinsky - Lot 1 - (Windsor Square) area

Prelim.

June 26, 1989

Public Hearing:

Aug. 14, 1989.

OCPD -

Notice to Sentinel - 7/12/89.

Fee Paid - $25.00

Area Variances Granted 2 lots. 8/14/89.

CK # 1427
Paid - 7/11/89 -
to T.C.

General Receipt

10798

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

Aug 8 19 89

Received of Grevas + Heldreth (Windsor Square) $ 25.00

Twenty-five and — 00 DOLLARS

For ZBA Application Fee #89-46

DISTRIBUTION:

FUND	CODE	AMOUNT
CK. 1427		25.00

By Pauline G. Townsend
Town Clerk
Title

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

NEW WINDSOR ZONING BOARD OF APPEALS
----------x

In the Matter of the Application of

WINDSOR SQUARE ASSOCIATES
% ROBERT KOLINSKY

DECISION GRANTING
AREA VARIANCE

#89-40.

----------x

WHEREAS, WINDSOR SQUARE ASSOCIATES, a partnership, located at 19 Barrie Drive, Spring Valley, N. Y. 10977, has made application before the Zoning Board of Appeals for area variances, i.e. Lot #6 - 512 s.f. and Lot #7 - 2,943 s.f. regarding the subdivision located on the east side of Windsor Highway (Route 32) in an R-4 zone; and

WHEREAS, a public hearing was held on the 14th day of August, 1989 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared by its agent, Elias D. Grevas, L. S. of Grevas and Hildreth, P. C.; and

WHEREAS, the application was opposed by several area residents who expressed concerns regarding poor drainage and about the subdivision itself as preliminarily approved by the Planning Board.

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 shows that applicant is seeking permission to vary the bulk regulations with regard to lot area on two lots of an approved subdivision after deduction of the easement areas.

3. The evidence shows that this subdivision received preliminary approval from the Town of New Windsor Planning Board on 5/11/88 for lots which exceeded the 15,000 sq. ft. minimum lot area requirement. Subsequent to this preliminary approval the town adopted Local Law No. 4 of 1989 which changed the definition of lot area by excluding from the computation all land contained within an easement area. Due to this change in definition, the lot area of Lots 6 and 7 was reduced to less than the 15,000 sq. ft. minimum lot area. The applicant elected to apply for an area variance on these two lots rather than

redrawing the plans for the subdivision and resubmitting to the Health Department.

4. The evidence presented by Applicant substantiated the fact that a variance for less than the allowable lot area would be required in order to allow the proposed construction which otherwise conforms to the bulk regulations contained in the R-4 zone and rejection of the same would cause practical difficulty to Applicant since the relief sought by Applicant is not substantial in relation to the required bulk regulations.

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

6. The requested variance will produce no effect on the population density or governmental facilities.

7. The other feasible method available to Applicant, i.e. redrawing the plans, appears to be excessively burdensome since it was a change in the law following the Planning Board's preliminary approval which revised the undersize lot area for Lots 6 and 7. The burden to the Applicant of pursuing this alternate procedure constitutes a showing of practical difficulty.

8. The interest of justice would be served by allowing the the granting of the requested variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT two lot area variances, i.e. Lot #6-512 s.f. and Lot #7-2,943 s.f. sought by Applicant in accordance site plan filed with the Building Inspector and presented at the public hearing and dated February 1, 1989.

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: September 11, 1989.

James E Nugent Jr
Chairman

(ZBA DISK#5-053085.FD)

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. 40

Request of Windsor Square Associates/Kolinsky

for a VARIANCE of

the regulations of the Zoning Local Law to

permit Two (2) residential building lots having less than the required area

being a VARIANCE of

Section 48, Use/Bulk Tables, Col. C, No. 10

for property situated as follows:

East side Windsor Highway (Rte. 32), 1000 feet ± north of Willow Lane.

SAID HEARING will take place on the 14th day of August, 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

8/14/89 - Public Hearing - Kolinsky/Windsor Square - #89-40.

Name:	Address:
Mr & Mrs Stephen DeWinter	228 LESLIE AVE NEW
Mrs. J. Hirsch	32 Willowpkway N.W.
Paul Suto	40 Hearth DR.
Mary Jane Miller	39 Hearth Dr
Francis Allen Pitts	239 Leslie Ave.
Fran Foody	241 WINDSOR Hwy
[illegible]	225 Leslie Ave
[illegible]	227 Leslie Ave
Linda Corbett	227 Leslie Ave
Katherine Pitts	239 Leslie Ave.

Prelim.

June 26, 1989

#8940

OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 86-58 DATE: 19 JUNE 1989

APPLICANT: ROBERT KOLINSKY (Windsor Square) name
19 BARRIE DRIVE address
SPRING VALLEY N.Y. 10977

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 11 AUGUST 1986

FOR (SUBDIVISION - ~~SITE PLAN~~)

LOCATED AT RT 32 1000 FT NORTH OF WILLOW LANE ZONE R-4

DESCRIPTION OF EXISTING SITE: SEC: 35 BLOCK: 1 LOT: 42.1 & 42.2

VACANT LOT AS LOCATED ABOVE

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

INSUFFICIENT LOT AREA FOR LOTS 6 & 7

PLANNING BOARD CHAIRMAN

****

LOT 6/LOT 7

OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

#8940

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 86-58 DATE: 19 JUNE 1989

APPLICANT: ROBERT KOLINSKY (Windsor Square) owner
19 BARRIE DRIVE address
SPRING VALLEY N.Y. 10977

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 11 AUGUST 1986

FOR (SUBDIVISION - ~~SITE PLAN~~)

LOCATED AT RT 32 1000 FT NORTH OF WILLOW LANE ZONE R-4

DESCRIPTION OF EXISTING SITE: SEC: 35 BLOCK: 1 LOT: 42.1 & 42.2

VACANT LOT AS LOCATED ABOVE

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

INSUFFICIENT LOT AREA FOR LOTS 6 & 7

PLANNING BOARD CHAIRMAN

****

Requirements		LOT 6/LOT 7 Proposed or Available	Variance Request
Min. Lot Area	15,000 SF	14488 / 12057	512 / 2943
Min. Lot Width	100 FT		
Req'd Front Yd.	35 FT	AS REQUIRED	NOT REQUESTED
Req'd. Side Yd.	15-30 FT		
Req'd. Rear Yd.	40 FT		
Req'd. Street Frontage*	60 FT		
Max. Bldg. Hgt.	35 FT		
Min. Floor Area*	1000 SF		
Dev. Coverage*	30 %	%	%
Floor Area Ratio**	N-A		

Mod LF-9360

* Residential Districts only

** Non-residential Districts only

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914-565-8550) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS

CC: M. EDWALL & E GREVAS
ZONING BOARD

TOWN OF NEW WINDSOR

PLANNING BOARD MEETING

APRIL 26, 1989

MEMBERS PRESENT: CARL SCHIEFER, CHAIRMAN
DAN MC CARVILLE
RON LANDER
LAWRENCE JONES
VINCE SOUKUP
HENRY VAN LEEUWEN

ABSENT: JOHN PAGANO

ALSO PRESENT: MICHAEL BABCOCK, BUILDING INSPECTOR
MARK EDSALL, P.E., PLANNING BOARD ENGINEER
JOSEPH RONES, ESQ., PLANNING BOARD ATTORNEY

MINUTES:

Mr. Jones: I make a motion that we approve the March 22nd, 1989 minutes.

Mr. McCarville: I will second that motion.

ROLL CALL:

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

WINDSOR SQUARE SUBDIVISION (86-58) ROUTE 32:

Elias Grevas, L.S. and Gregory Shaw of Shaw Engineering came before the Board representing this proposal.

Mr. Schiefer: The drawings that you have handed out, Mark has seen in its present form.

Mr. Shaw: Correct.

Mr. Grevas: As you may recall over our many visits, the Planning Board back in January issued a conditional negative declaration under the SEQR law on this project listing four items of concern,

first being the archaeological aspect of the property which was addressed by a study prepared by Hunter Associates, the water and sewer which are the next two items which have since been approved by the County Department Health and the New York State Department of Environmental Conservation and storm water drainage which has been designed and submitted to Mark Edsall. We have agreed to mitigate the archaeological aspects of the site by one of the methods shown in the report by sectionalizing the project from the south/southeast end leaving the area of concern untouched except for plowing, allowing it to rain on the site then inviting the historians to come in and look for artifacts in that layer. That was one of the mitigating effects which we understand was found acceptable by the Parks and Recreation. We have discussed the project with Mark, Mr. Shaw has prepared the calculations of storm water detention area which is shown on the plan that he just passed out to you and we understand that because of recent changes in town law that there are two lots that now have to have the easement areas deducted from them which will require a variance from the Zoning Board of Appeals. At this point, we would like to ask for the following, #1, a negative declaration under the SEQR process since I think we have covered all of the items except for some technical questions that Mark still has and I think I have gone over them all with Mark and most of them are nuts and bolts items with the exception of the easement business on the two lots, 6 and 7 and the requirement for the variance for that and the storm water detention area which I believe is also fairly minor as far as clearing up some calculations. Most of those items on there, such as the street name change because it is shown two different ways. We will change it to whatever the street sign say.

Mr. McCarville: How about the lands of McDermott?

Mr. Grevas: That is down on the southeast corner. I don't recall that as being discussed at the Planning Board meetings but we do have the area on those two lots down there so if the Board and Mr. McDermott and the developer can all get together, we can put an easement down through there, an easement for a sewer line. It will be down right in this area between lots 24 and 25. It also, Mark also points out in his comments that we have to request an extension of the preliminary approval this evening and we would like to ask for a referral to the Zoning Board of Appeals to get us before that Board to straighten out that easement business.

Mr. VanLeeuwen: I'd like to make a motion that we refer--

Mr. Soukup: Where to we stand with SEQR. There is a question in Mark's letter of no evidence of lead agency.

Mr. Edsall: There was alot of work done towards taking lead agency but unfortunately, I don't think the minutes reflect, I am sure they accurately reflect what happened but there was so many changes going on as to the approach towards SEQR, I just want the Board to affirm or confirm its lead agency position tonight. I

wasn't able to find a true record in the minutes that it was taken although there was a negative declaration or conditional negative delcaration issued, I wasn't able to confirm we took lead agency. It wouldn't hurt even if we ended up doing it twice.

Mr. VanLeeuwen: I make a motion that we take lead agency status with regard to Windsor Square Subdivision 86-58.

Mr. McCarville: I will second that motion.

ROLL CALL:

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

Mr. Schiefer: Now, the negative declaration you say it was a conditional negative declaration.

Mr. Edsall: Initially we went with a conditional negative declaration. The problem that ensued from that was that the State DEC Attorney felt that the conditions that the Board imposed were within their jurisdiction as part of the Planning Board as far as approval conditions. Therefore, they didn't feel they were necessary as part of a conditional negative declaration. They'd rather see you address them as part of the approval and make a negative declaration if that is appropriate.

Mr. Schiefer: Any comments on making a negative declaration, any discussion either yes or no.

Mr. VanLeeuwen: I move that we make a negative declaration with regard to the Windsor Square Subdivision 86-58.

Mr. Jones: I will second that motion.

Mr. Schiefer: Mark, you feel--

Mr. Edsall: The minor comments I have are formalities as far as getting the paperwork straight, I have no objection to it.

ROLL CALL:

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

Mr. VanLeeuwen: I make a motion that we extend the preliminary approval for another 6 months with regard to Windsor Square Subdivision 86-58.

Mr. Schiefer: Do you have any objection to extending that preliminary, you are requesting it.

Mr. Grevas: Yes.

Mr. McCarville: I will second that motion.

ROLL CALL:

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

Mr. Edsall: Just a comment about the length of my items. The primary reason why there is such an extensive list of comments, we had such a complete and very presentable set of plans, normally we don't get something in this form, usually we don't know the details of what is proposed. They gave us information about adjustments to be made so these are very minor comments relative to the project although they are long, all together they are very minor as far as details which don't warrant holding up anything that you want to do. The only item which is a problem is the variance for lot 6 and 7 which is only a result of the fact that the definition of lot area has changed.

Mr. Soukup: The area is that tight that the lots don't work with the easement cut out.

Mr. Grevas: Yes.

Mr. Schiefer: They need a variance.

Mr. Babcock: There was a discussion before about an easement to the other properties. If there is an easement put in there, then there is going to have to probably be a variance for that lot also.

Mr. Edsall: They have enough easement that if the easement is provided, it is unfortunate but the only lots that have easements through them are two of the smallest lots, if they had been somewhat larger, it wouldn't have been a problem.

Mr. Grevas: That was caused by, we did start this layout as a cluster plan which went down after several months in the planning process. Number 2, the request by the Highway Superintendent that we enlarge the diameter of the cul-de-sac which we have done above the ordinance and the fact that the law changed on us, we have to have some grade restriction on getting the sewer out of there so that is why we had to put the easement where we put it. That is what caused the shortage in the areas.

Mr. VanLeeuwen: I make a motion that we approve the subdivision of Windsor Square 86-58 Route 32.

Mr. Lander: I will second that motion.

ROLL CALL:

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

Mr. Grevas: May I just ask that in that letter of referral, if the Board would consider making that a positive referral, in other words, that you can find no problem with that referral or something of that nature to grease the skids a little bit, keep this project going, is that possible.

Mr. Schiefer: Do you think it will grease the skids.

Mr. Grevas: I am not sure.

Mr. VanLeeuwen: I make a motion that we recommend to the Zoning Board of Appeals that they give the variance on the two lots favorable consideration.

Mr. Jones: I will second that motion.

ROLL CALL:

Mr. McCarville	Abstain
Mr. VanLeeuwen	Aye
Mr. Soukup	Aye
Mr. Jones	Aye
Mr. Lander	Aye
Mr. Schiefer	Aye

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

#89-40

Date: 10 July 1989

I. Applicant Information: Windsor Square Associates (914) 564-1710
(a) c/o Robert Kolinsky, 19 Barrie Drive, Spring Valley, N.Y. 10977
(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 broker)

II. Application type:

☐ Use Variance ☐ Sign Variance

☑ Area Variance ☐ Interpretation

III. Property Information: East side Windsor Highway
(a) R-4 (Rte. 32), 1000 Ft. north of Willow Lane 35/1/42.1 42.2 15.87± Ac.
(Zone) (Address) (S B L) (Lot size)
(b) What other zones lie within 500 ft.? R-5, PI, C
(c) Is a pending sale or lease subject to ZBA approval of this application? No.
(d) When was property purchased by present owner? 1 April 1986
(e) Has property been subdivided previously? No When? _____
(f) Has property been subject of variance or special permit previously? No When? _____.
(g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? No.
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: None existing or proposed

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

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

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48, Table of Use/Bulk Regs., Col. C, No. 10.

Requirements		* Lot 6 / Lot 7 ** Proposed or Available (S.F.)	Variance Request (S.F.)
Min. Lot Area	15,000 S.F.	*14,408 / 12,057**	* 512 / 2943 **
Min. Lot Width	100 Ft.		
Reqd. Front Yd.	35 Ft.		
Reqd. Side Yd.	15'/30'	(As required Vacant Lots)	(Not requested Vacant Lots)
Reqd. Rear Yd.	40 Ft.		
Reqd. Street Frontage*	60'		
Max. Bldg. Hgt.	35 Ft.		
Min. Floor Area*	1000 S.F.		
Dev. Coverage*	30 %	%	%
Floor Area Ratio**	N/A		

* 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.

SEE ATTACHMENT NO. 1
TO THIS APPLICATION

VI. Sign Variance:

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

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

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

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

VII. Interpretation:

(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.)

Proposed use, Single-Family Homes, is consistent with adjoining properties, and is a permitted use. The smallest lot proposed, after deduction of the easement area, is still larger than the majority of adjoining single-family home lots.

SEE ATTACHMENT NO. 2 TO THIS APPLICATION

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.
- V5 Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ____ Copy(ies) of sign(s) with dimensions.
- ✓ Check in the amount of $ 25.00 payable to TOWN OF NEW WINDSOR.
- ____ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date July 10, 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.

Richard M Shelkin - President
(Applicant) Windsor Square Associates

Sworn to before me this
10 day of July, 1989.
Patricia A. Connolly

PATRICIA A. CONNOLLY
NOTARY PUBLIC - State of New York
Residing in Orange County
#4933064
Commission Expires 7/26/90

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.

Grevas & Hildreth, P.C. LAND SURVEYORS
33 QUASSAICK AVENUE, NEW WINDSOR, NEW YORK 12550
TELEPHONE: (914) 562-8667

LAND SURVEYS
SUBDIVISIONS

SITE PLANNING
LOCATION SURVEYS

ATTACHMENT TO APPLICATION FOR VARIANCE DATED 10 JULY 1989, PARAGRAPH V, (b)

WINDSOR SQUARE ASSOCIATES

Description of practable difficulty

This project, which consists of thirty (30) single-family residential subdivision lots, received Preliminary Approval from the Town of New Windsor Planning Board on 11 May 1988. Due to topographic conditions on the site, it was necessary to provide easements through lots 6 & 7 for underground storm drainage and sanitary sewer piping. Following Preliminary Approval by the Planning Board, plans were submitted to the New York State Department of Environmental Conservation and the Orange County Department of Health for the necessary approvals for water and sewer construction in the subdivision. Archeological concerns were also addressed for some months during the period following Preliminary Approval, and the project is now ready for Final Approval by the Planning Board.

In April of this year, the Town Board enacted Local Law # 4, amending Chapter 48 of the Zoning Law of the Town of New Windsor. The amendment affecting this property is in Section 48-37 "definition; word usage", which required the deduction of easement areas from lot areas. Therefore, lots 6 & 7, which contain the easements noted above, became non-conforming, and the subdiviison cannot be granted Final Approval; and was referred to the Zoning Board of Appeals.

In order to eliminate the non-conformity, it would be necessary to re-design the subdivision and re-apply to all of the Agencies listed above. Since the most severe non-conformity results in a lot having more square footage than the majority of the adjoining single-family lots, the Variance is requested, rather than a re-design and re-application of the entire subdivision.

ATTACHMENT NO. 1

Grevas & Hildreth, P.C. LAND SURVEYORS
33 QUASSAICK AVENUE, NEW WINDSOR, NEW YORK 12550
TELEPHONE: (914) 562-8667

LAND SURVEYS
SUBDIVISIONS

SITE PLANNING
LOCATION SURVEYS

ATTACHMENT TO APPLICATION FOR VARIANCE DATED 10 JULY 1989, PARAGRAPH VIII (a):

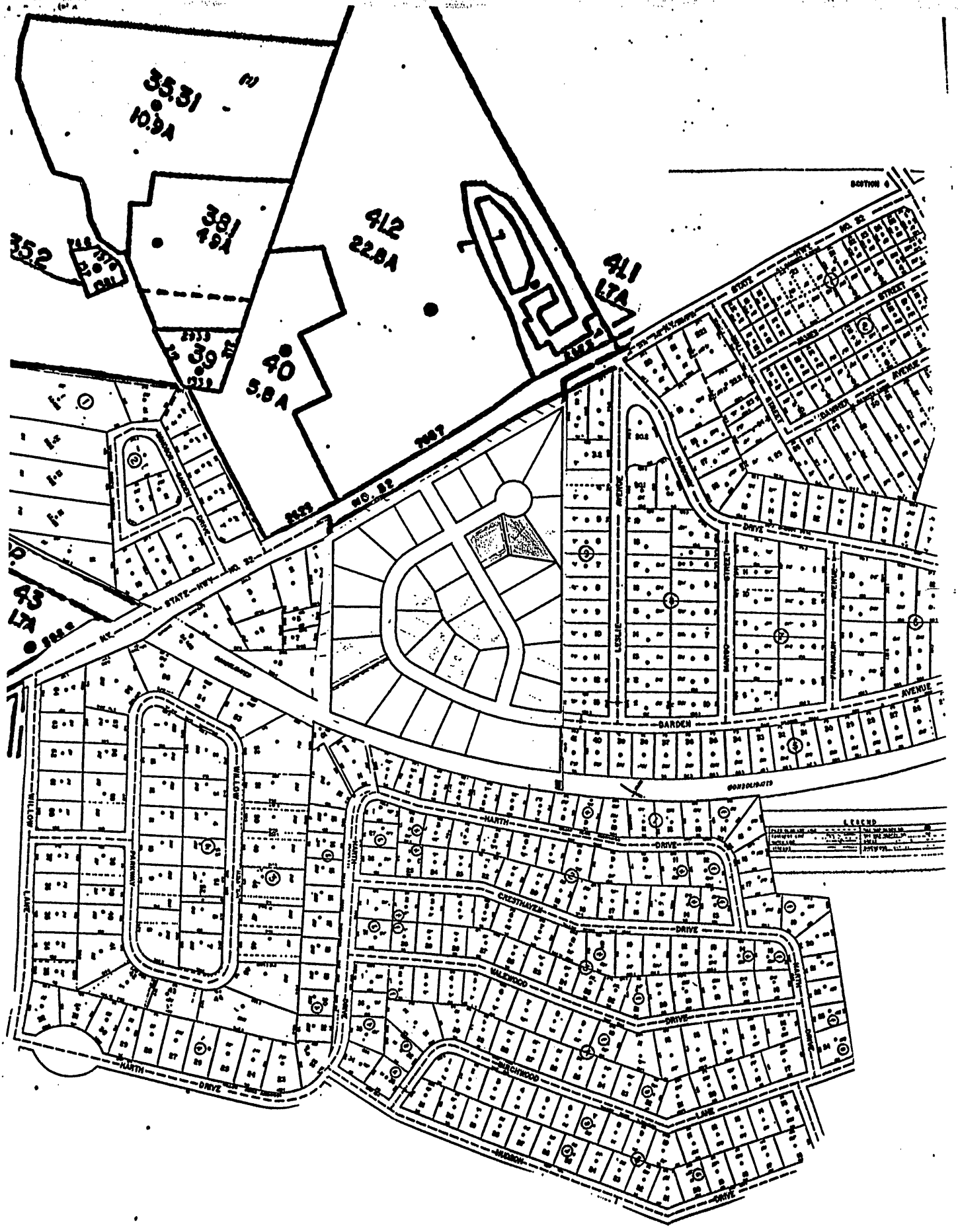
WINDSOR SQUARE ASSOCIATES

ADJOINING LOT AREAS (FROM TAX MAPS)

SECTION 24	BLOCK 9	AREA
LOT 2	N/F MANTHEY	12,188+/- S.F.
LOT 3.2	N/F AXEXANDER	15,000+/- S.F.
LOT 4	N/F PITTS	18,750+/- S.F.
LOT 5	N/F FERGUSON	11,250+/- S.F.
LOT 6	N/F MOORE	11,250+/- S.F.
LOT 7	N/F POTTS	11,250+/- S.F.
LOT 8	N/F HANRETTA	11,250+/- S.F.
LOT 9	N/F LIVINGSTON	11,250+/- S.F.
LOT 10	N/F CORBETT	11,250+/- S.F.
LOT 11	N/F LEVY	11,250+/- S.F.
LOT 12	N/F McCABE	11,250+/- S.F.
LOT 13	N/F L'ESTRANGE	11,625+/- S.F.
SECTION 24	BLOCK 5	
LOT 41	N/F FAVOINO	11,250+/- S.F.
SECTION 38	BLOCK 3	
LOT 1	N/F COUTANT	11,836+/- S.F. (Deed)
LOT 6	N/F BENNET	8,041+/- S.F. (Calc.)
LOT 7	N/F GIBSON	8,560+/- S.F. (Calc.)
LOT 8	N/F McDERMOTT	26,300+/- S.F. (Calc.)

TOTAL PROPERTIES: 17
PROPERTIES SMALLER THAN SUBDIVISION LOT 7 (12,057 S.F.): 13

ATTACHMENT NO. 2



COMPOSITE TAX MAPS: 1"=400'±

1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

June 28,1989

Grevas & Hildreth ,P.C.
33 Quassaick Ave.
New Windsor, N.Y. 12550

Re: Tax Map 35-1-42.1 & 35-1-42.2 Variance List 500 Ft.
Windsor Square Subdivision

Dear Mr. Grevas:

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 $125.00, minus your deposit of $25.00.

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

Very truly yours,

Leslie Cook

LESLIE COOK
Sole Assessor

LC/kaf
Attachments
cc: P.Barnhart

Sky-Lom New Windsor Development Corp.
44 Cooper Square
New York, N.Y. 10003

Antoinette & John Chumas
242 Parkway Dr.
New Windsorn N.Y. 12550

Julia & Herbert F. Kelly
244 Parkway Dr.
New Windsor, N.Y. 12550

Margaret A. & Robert V. Ponesse
246 Parkway Dr.
New Windsor, N.Y. 12550

Carmela & Angelo Schettini
248 Parkway Dr.
New Windsor, N.Y. 12550

Wolfgang & Alida A. Heuman
254 Parkway Dr.
New Windsor, N.Y. 12550

Edna L. & Daniel J. Heter
197 Windsor Hwy.
New Windsor, N.Y. 12550

John Terrizzi
195 Windsor Hwy.
New Windsor, N.Y. 12550

Barbara & Stephen Weinheim
232 Wall St.
New Windsor, N.Y. 12550

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

Kathleen & John J. Gaudioso
245 Garden St.
New Windsor, N.Y. 12550

Adeline & Joseph A. Liguori
247 Garden St.
New Windsor, N.Y. 12550

Regina R. & Andrew J. Michon
249 Garden St.
New Windsor, N.Y. 12550

Helen & John Pollock
251 Garden St.
New Windsor, N.Y. 12550

Roslyn M. & Robert A. Pospiech
253 Garden St.
New Windsor, N.Y. 12550

Joyce C. & John J. Gibbons
255 Garden St.
New Windsor, N.Y. 12550

Charles Favino
257 Garden St.
New Windsor, N.Y. 12550

Donna & Richard H. Lego
235 Parkway Dr.
New Windsor, N.Y. 12550

Arlene H. & Steven M. Levine
21 Parkway Dr.
New Windsor, N.Y. 12550

Andrew C. Masiero
231 Margo St.
New Windsor, N.Y. 12550

Heidi E. & William C. Hanaford,III
229 Margo St.
New Windsor, N.Y. 12550

Mary Selemon
c/o Jerry Sullivan
Middletown Pyschiatric Hospital
141 Monhagan Ave.
Middletown, N.Y. 10940

Gilda T. & Anthony J. Billesimo
225 Margo St.
New Windsor, N.Y. 12550

Marilyn J. & Donald Hearns
223 Margo St.
New Windsor, N.Y. 12550

Amy L. & John T. Finnegan
221 Margo St.
New Windsor, N. Y. 12550

Jeanne R. & Ettore P. Giammarco
222 Leslie Ave.
New Windsor, N.Y. 12550

13

Angelina T. & Leonard A. Feroli
224 Leslie Ave.
New Windsor, N.Y. 12550

Lorraine & Kenneth M. Skonberg
226 Leslie Ave.
New Windsor, N.Y. 12550

Anna & Stephen De Winter
228 Leslie Ave.
New Windsor, N.Y. 12550

Marilyn & Lloyd Jenne
230 Leslie Ave.
New Windsor, N.Y. 12550

Lillian & John Pelella
232 Leslie Ave.
New Windsor, N.Y. 12550

Rose & Alexander A. Cosenza
234 Leslie Ave.
New Windsor, N.Y. 12550

Shirley B. & Joseph M. Palone
236 Leslie Ave.
New Windsor, N.Y. 12550

Rose F. & William H. Sheridan
238 Leslie Ave.
New Windsor, N.Y. 12550

Lenora A. & Herbert A. Biasi
240 Leslie Ave.
New Windsor, N.Y. 12550

Elizabeth Ann Van Leeuwen &
Evelyn A. Rieker
Beattie Rd.
Rock Tavern, 12575

Josephine & Frank A.J. Manthey
205 Windsor Hwy.
New Windsor, N.Y. 12550

Allana K. & Alexander Pitts
241 Leslie Ave.
New Windsor, N.Y. 12550

Katherine F. & Francis Allen Pitts
239 Leslie Ave.
New Windsor, N.Y. 12550

Veronica & Harry J. Ferguson
237 Leslie Ave.
New Windsor, N.Y.12550

Betty Moore
235 Leslie Ave.
New Windsor, N.Y. 12550

Margaret E. & Fredrick M. Potts, Jr
233 Leslie Ave.
New Windsor, N.Y. 12550

John Thomas Hanretta
231 Leslie Ave.
New Windsor, N.Y. 12550

Jamie Livingston
229 Leslie Ave.
New Windsor, N.Y. 12550

Linda & Joseph Corbett
227 Leslie Ave.
New Windsor, N.Y. 12550

Mary & Michael Levy
225 Leslie Ave.
New Windsor, N.Y. 12550

Mary W. & C. James Mc Cabe
223 Leslie Ave.
New Windsor, N.Y. 12550

Mary M. & William F. L'Estrange
221 Leslie Ave.
New Windsor, N.Y. 12550

Marion R. & Charles E. Conklin
238 Windsor Hwy.
New Windsor, N.Y. 12550

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

Harrison & Grace Coutant
c/o Mrs. Donna Harrison
Leeland Rd. RD# 3
Newburgh, N.Y. 12550

Albert Richard & Norma Jean Frangello
243 Windsor Hwy.
New Windsor, N.Y. 12550

Elise M. & Frank E. Schirmer
P.O. Box 4209
245 Windsor Hwy.
New Windsor, N.Y. 12550

13

Joan Hegarty
7 Holts Lane
Cornwall-on-Hudson, N.Y. 12520

Liam Joseph Foody
241 Windsor Hwy.
New Windsor, N.Y. 12550

Eleanor M. & William J. Mc Dermott
245 A Windsor Hwy.
New Windsor, N.Y. 12550

Central Hudson Gas & Electric Corp.
284 South Ave.
Poughkeepsie, N.Y. 12602

Marlene C. & Michael D. Kane
43 Harth Dr.
New Windsor, N.Y. 12550

Mary Louise & Harold Fetter, Jr.
41 Harth Dr.
New Windsor, N.Y. 12550

Mary Jane Miller
39 Harth Dr.
New Windsor, N.Y. 12550

Max M. & Helen W. Skyer
37 Harth Dr.
New Windsor, N.Y. 12550

Mary J. & Clarence Johnson
35 Harth Dr.
New Windsor, N.Y. 12550

Cheryl & Salvatore J. Aulogia, Jr.
26 Willow Parkway
New Windsor, N.Y. 12550

Carmela S. & David R. Rupp
28 Willow Parkway.
New Windsor, N.Y. 12550

Helen & Edwin Krampe
30 Willow Parkway
New Windsor, N.Y. 12550

Johanna A. & William A. Youngs
32 Willow Parkway
New Windsor, N.Y. 12550

Josephine & Jack Hirsch
34 Willow Parkway
New Windsor, N.Y. 12550

Bonnie Jean Bale
36 Willow Parkway
New Windsor, N.Y. 12550

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

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

George Z Mc Kenzie &
Ophelia D. Staples
25 Willow Parkway
New Windsor, N.Y. 12550

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

Agnes E. Williams
21 Willow Parkway
New Windsor, N.Y. 12550

Carolina & Luigi De Gennaro
29 Willow Parkway
New Windsor, N.Y. 12550

Glen & Fabiann Messenger
45 Harth Dr.
New Windsor, N.Y. 12550

Maripat & Earl D. Barnes
47 Harth Dr.
New Windsor, N.Y. 12550

Doris A. & James E. Greenwood, Jr.
49 Harth Dr.
New Windsor, N.Y. 12550

Dale Susan & Kevin Corbett
51 Harth Dr.
New Windsor, N.Y. 12550

Louise V. & Frank P. Kennedy
53 Harth Dr.
New Windsor, N.Y. 12550

Vivian G. & Robert W. Birdsall
55 Harth Dr.
New Windsor, N.Y. 12550

Margo M. & Francis V. Bedetti
57 Harth Dr.
New Windsor, N.Y. 12550

Adeline & Frank Tropeano
59 Harth Dr.
New Windsor, N.Y. 12550

Gloria & Albert Larue
c/o Gloria Biano
61 Harth Dr.
New Windsor, N.Y. 12550

Francine M.& Samuel P. Leghorn
63 Harth Dr.
New Windsor, N.Y. 12550

Richard G. Schade &
Mary A Rhyne
65 Harth Dr.
New Windsor, N.Y. 12550

Roseann C. & Quintin J. Welsh
67 Harth Dr.
New Windsor, N.Y. 12550

Betty Lou & Ronald J. Tompkins
42 Harth Dr.
New Windsor, N.Y. 12550

Lucy & Louis Damone
44 Harth Dr.
New Windsor, N.Y. 12550

Anna & Joseph Lucera
46 Harth Dr.
New Windsor, N.Y. 12550

Barbara Ann & David F. Evans
48 Harth Dr.
New Windsor, N.Y. 12550

Lorraine F. & Leroy A. Langer
50 Harth Dr.
New Windsor, N.Y. 12550

Kathleen V. & Jack M. Amaro
52 Harth DR.
New Windsor, N.Y. 12550

Bethann & Edw. J. Yano,Jr.
54 Harth Dr.
New Windsor, N.Y. 12550

Linda H. & Philip M. Schulman
56 Harth Dr,
New Windsor, N.Y. 12550

Lawrence T. & Mary E. Mc Guire
58 Harth Dr.
New Windsor, N.Y. 12550

Barbara Cutler
60 Harth Dr.
New Windsor, N.Y. 12550

Marjorie I. & John H. Earle
19 Cresthaven Dr.
New Windsor, N.Y. 12550

William King
17 Cresthaven Dr.
New Windsor, N.Y. 12550

Eileen T. & John T. Sweeney
15 Cresthaven Dr.
New Windsor, N.Y. 12550

Eileen F. & Brian Dolye
13 Cresthaven Rd.
New Windsor, N.Y. 12550

Dorothea M.& James F. Mc Monigle
11 Cresthaven Dr.
New Windsor, N.Y. 12550

Helen A. & Anthony D. Granieri
9 Cresthaven Dr.
New Windsor, N.Y. 12550

Lois & Paul Gagliardi
7 Cresthaven Dr.
New Windsor, N.Y. 12550

Stephanie Futika &
Joseph Leechow
5 Crsthaven Dr.
New Windsor, N.Y. 12550

Colette A. & Thomas J. Gayton
3 Cresthaven Dr.
New Windsor, N.Y. 12550

June A. & Harry F. Lare
1 Cresthaven Dr.
New Windsor, N.Y. 12550

Michelle L.& Dennis J. Kinsler
38 Harth Dr.
New Windsor, N.Y. 12550

13

Dorothy & Paul V. Suto
40 Harth Dr.
New Windsor, N.Y. 12550

Edward Jollie
36 Harth Dr.
New Windsor, N.Y. 12550

Kasem & Kom-Kuy Charlermvong
2 Cresthaven Dr,
New Windsor, N.Y. 12550

Marie & Anthony Cimorelli, Jr.
4 Cresthaven Dr.
New Windsor, N.Y. 12550

Joseph & Patricia Gatt
6 Cresthaven Dr.
New Windsor, N.Y. 12550

Virgenmina & Carlos Gomez
8 Cresthaven Dr.
New Windsor, N.Y. 12550

EVelyn & John M. Maroulis
10 Cresthaven Dr.
New Windsor, N.Y. 12550

Janet F. & Robert E. Mascitelli
12 Cresthaven Dr.
New Windsor, N.Y. 12550

Arthur O. Maharay, Jr.
238 Windsor Hwy.
New Windsor, N.Y. 12550

Robert Kunigunde &
Frederick Schatz
28-31 43 St.
Long Island City, N.Y. 11103

Hilltop Estates on Hudson
305 Broadway, Suite 1200
New York, N.Y. 10007

\\

#89-40 1 of 1
26 Jun 89

WINDSOR SQUARE SUBDIVISION

ADJOINING LOT AREAS (FROM TAX MAPS)

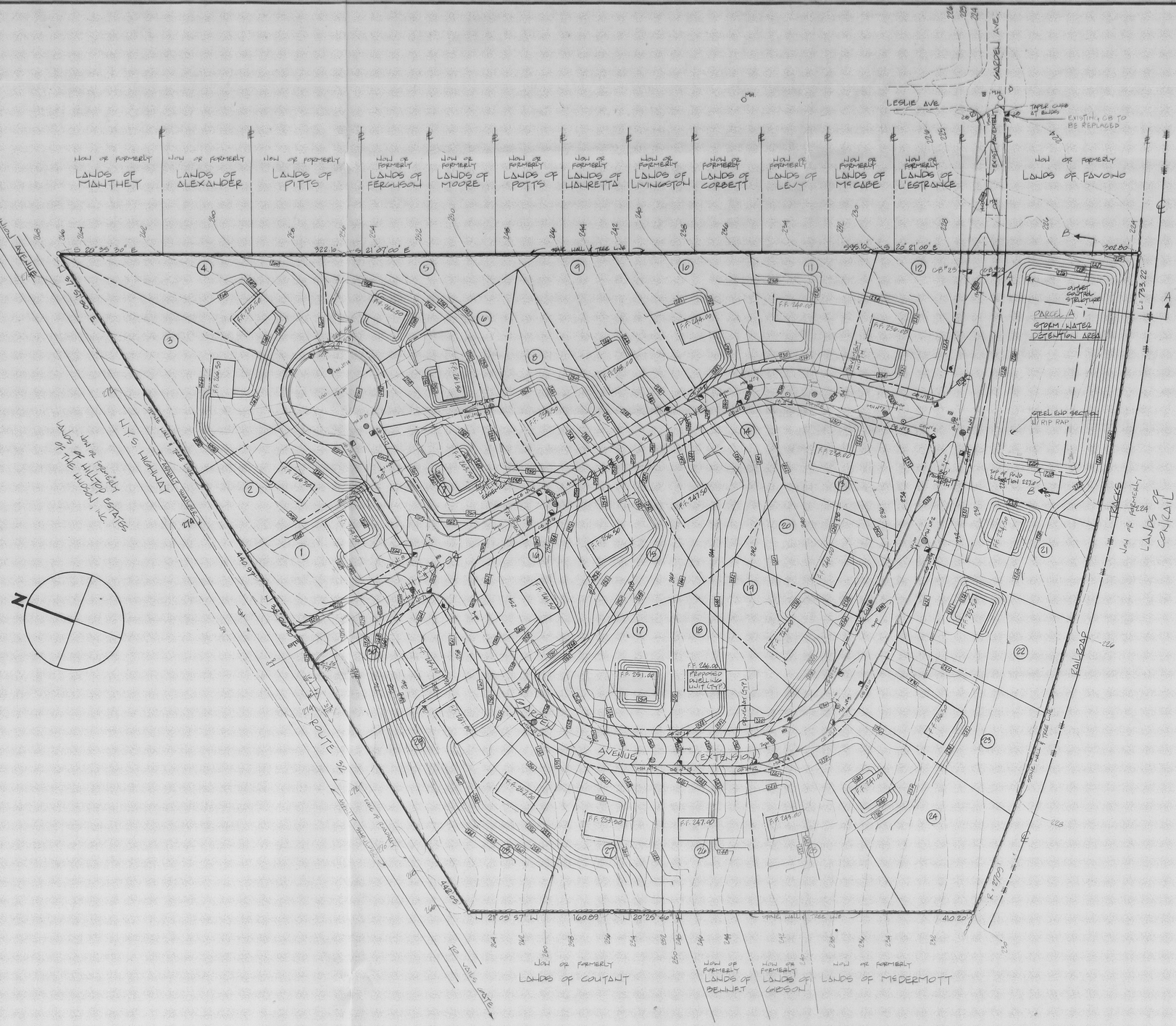
SECT. 24, BLOCK 9		AREA
LOT 2	N/F MANTHEY	12,188 ± S.F.
LOT 3.2	N/F ALEXANDER	15,000 ± S.F.
LOT 4	N/F PITTS	18,750 ± S.F.
LOT 5	N/F FERGUSON	11,250 ± S.F.
LOT 6	N/F MOORE	11,250 ± S.F.
LOT 7	N/F POTTS	11,250 ± S.F.
LOT 8	N/F HANRETTA	11,250 ± S.F.
LOT 9	N/F LIVINGSTON	11,250 ± S.F.
LOT 10	N/F CORBETT	11,250 ± S.F.
LOT 11	N/F LEVY	11,250 ± S.F.
LOT 12	N/F McCABE	11,250 ± S.F.
LOT 13	N/F L'ESTRANGE	11,625 ± S.F.

SECT 24, BLOCK 5		
LOT 41	N/F FAVOINO	11,250 ± S.F.

SECT. 38, BLOCK 3		
LOT 1	N/F COUTANT	11,836 ± SF (DEED)
LOT 6	N/F BENNET	8,041 ± SF (Calc.)
LOT 7	N/F GIBSON	8,560 ± S.F. (Calc.)
LOT 8	N/F McDERMOTT	26,300 ± S.F. (Calc.)

TOTAL PROPERTIES: 17

PROPERTIES SMALLER THAN 12,057 S.F. (LOT 7): 13


LESLIE AVE.
CARDEN AVE.
TAPER CURB AT BLDG
EXISTING CB TO BE REPLACED
HOW OR FORMERLY LANDS OF MANTHEY
HOW OR FORMERLY LANDS OF ALEXANDER
HOW OR FORMERLY LANDS OF PITTS
HOW OR FORMERLY LANDS OF FERGUSON
HOW OR FORMERLY LANDS OF MOORE
HOW OR FORMERLY LANDS OF POTTS
HOW OR FORMERLY LANDS OF HANRETTA
HOW OR FORMERLY LANDS OF LIVINGSTON
HOW OR FORMERLY LANDS OF CORBETT
HOW OR FORMERLY LANDS OF LEVY
HOW OR FORMERLY LANDS OF McCABE
HOW OR FORMERLY LANDS OF L'ESTRANGE
HOW OR FORMERLY LANDS OF FAVINO
N 20°35'30" E 322.10
S 21°07'00" E
S 20°21'00" E 308.80
L=733.22
OUTLET CONTROL STRUCTURE
PARCEL A
STORM WATER DETENTION AREA
STEEL END SECTION W/ RIP RAP
TOP OF RAIP ELEVATION 227.0
HOW OR FORMERLY LANDS OF HUDSON ESTATES OF THE HUDSON, INC
NYS HIGHWAY ROUTE 32
N 37°51'30" E
440.97
N 38°22'30" E
S 21°05'57" E 160.89
N 20°25'46" W
410.20
HOW OR FORMERLY LANDS OF COUTANT
HOW OR FORMERLY LANDS OF BENNET
HOW OR FORMERLY LANDS OF GIBSON
HOW OR FORMERLY LANDS OF MEDERMOTT
HOW OR FORMERLY TRACKS LANDS OF CONRAIL
FAIRLEAWN
AVENUE (EXTENSION)
PROPOSED DWELLING UNIT (TYP.)
F.F. 246.00
F.F. 251.00
F.F. 247.00
F.F. 253.00
F.F. 241.00
F.F. 244.00
F.F. 249.00
F.F. 239.00
F.F. 234.50
F.F. 240.00
F.F. 245.00
F.F. 240.50
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F.F. 242.00
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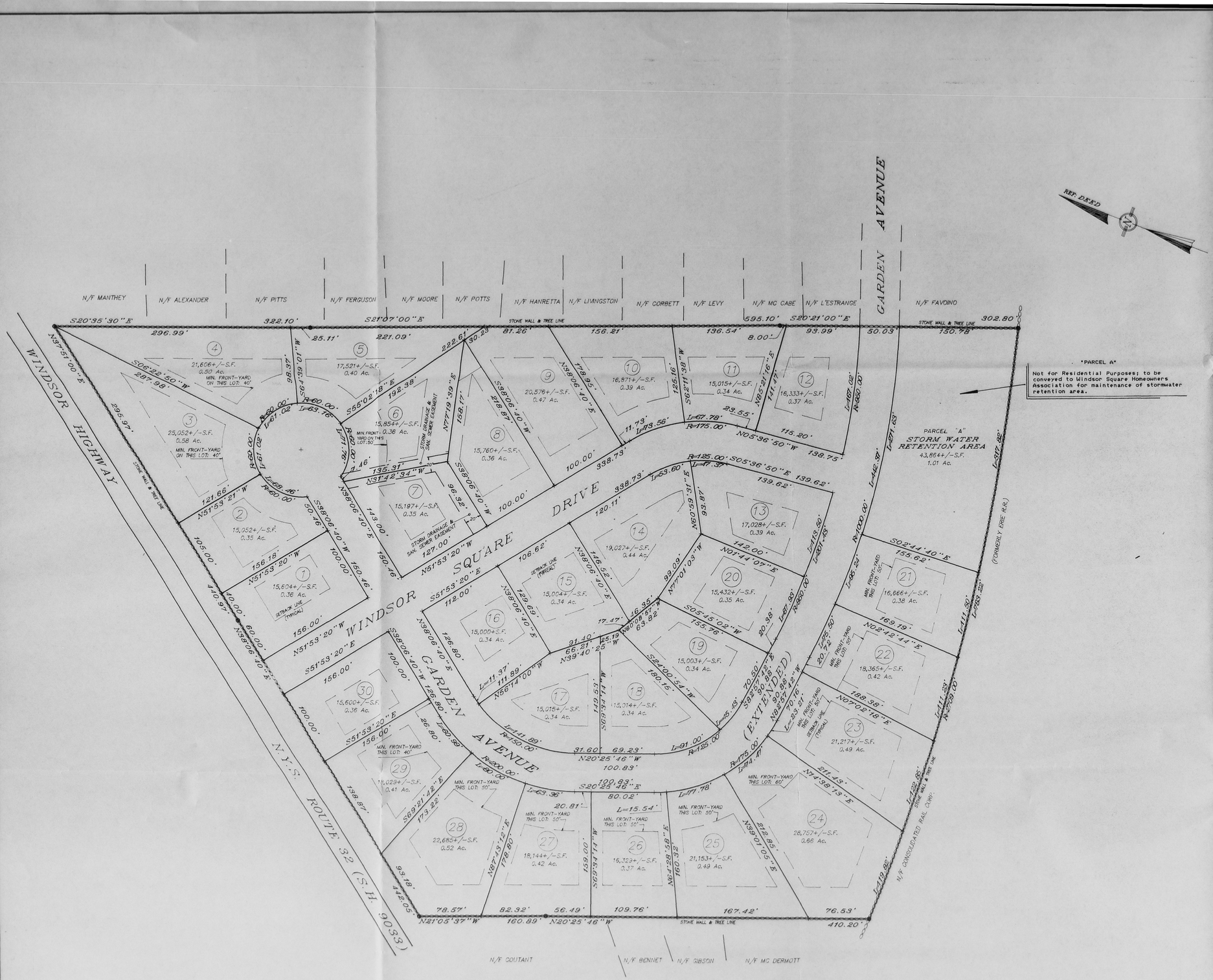
F.F. 251.50
F.F. 252.50
F.F. 253.50
F.F. 254.50
F.F. 255.50
F.F. 256.50
F.F. 257.50
F.F. 258.50
F.F. 259.50
F.F. 260.50
F.F. 261.50
F.F. 262.50
F.F.

N/F MANTHEY
N/F ALEXANDER
N/F PITTS
N/F FERGUSON
N/F MOORE
N/F POTTS
N/F HANRETTA
N/F LIVINGSTON
N/F CORBETT
N/F LEVY
N/F MC CABE
N/F L'ESTRANGE
N/F FAVOINO
GARDEN STREET
REF. DEED
S20°35'30"E 296.99'
322.10'
S21°07'00"E 221.09'
STONE WALL & TREE LINE
595.10'
S20°21'00"E 93.99'
50.03'
STONE WALL & TREE LINE 302.80'
N39°51'00"E 295.97'
WINDSOR HIGHWAY
STONE WALL & TREE LINE
S06°22'50"W 287.98'
4 21,606+/-S.F. 0.50 Ac. MIN. FRONT-YARD ON THIS LOT: 40'
5 17,521+/-S.F. 0.40 Ac.
6 15,854+/-S.F. 0.36 Ac. MIN. FRONT-YARD ON THIS LOT: 50'
7 15,197+/-S.F. 0.35 Ac.
8 15,760+/-S.F. 0.36 Ac.
9 20,576+/-S.F. 0.47 Ac.
10 16,871+/-S.F. 0.39 Ac.
11 15,015+/-S.F. 0.34 Ac.
12 16,333+/-S.F. 0.37 Ac.
3 25,052+/-S.F. 0.58 Ac. MIN. FRONT-YARD ON THIS LOT: 40'
2 15,052+/-S.F. 0.35 Ac.
1 15,604+/-S.F. 0.36 Ac.
SETBACK LINE (TYPICAL)
NORTH GARDEN COURT
N38°06'40"E 130.16'
N51°53'20"W 100.00'
N38°06'40"E 143.00'
N51°53'20"W 121.66'
N31°53'21"W 105.00'
N51°53'20"W 156.18'
N51°53'20"W 156.00'
N38°06'40"E 150.46'
N38°06'40"E 340.97'
N38°06'40"E 60.00'
STORM DRAINAGE & SAN. SEWER EASEMENT
N31°42'34"W 135.91'
N55°02'18"E 112.38'
N77°19'39"E 158.17'
N38°06'40"W 218.87'
N38°06'40"W 100.00'
N38°06'40"W 96.32'
N38°06'40"W 127.00'
N51°53'20"W 112.00'
N38°06'40"E 126.80'
N51°53'20"E 156.00'
N38°06'40"W 126.80'
N51°53'20"E 156.00'
N38°06'40"W 100.00'
N51°53'20"E 156.00'
N38°06'40"W 100.00'
N51°53'20"E 156.00'
N38°06'40"W 100.00



LOCATION PLAN 1"=1,000'

NOTES

1. Being a proposed development of lands shown on the Town of New Windsor Tax Maps as Section 35, Block 1, Lots 42.1 & 42.2.
2. PROPERTY AREA: 15.87 +/- Acres
3. PROPERTY ZONE: R-4
4. APPLICANT: Windsor Square Assoc. Inc. c/o Richard Shutkin 15 - 150 Old Route 9W New Windsor, N.Y. 12550
5. PROPOSED USE: Residential Subdivision (Single Family), 30 Lots
6. PROPOSED WATER SUPPLY & SANITARY SEWAGE DISPOSAL: Town of New Windsor
7. Boundary data shown is from field survey completed on 26 March 1986.
8. Topographic data shown hereon is from field survey completed on 16 October 1986. Elevation datum: U.S.G.S.: Contour Interval: two (2) feet.
9. ZONE BULK REQUIREMENTS

MINIMUM REQUIRED: LOT AREA	LOT WIDTH	FRONT-YARD	SIDE-YARD (S)	REAR YARD	STREET FRONTAGE
15,000 S.F.	100'	35'	15'/30'	40'	60'

MAXIMUM BUILDING HEIGHT: 35'
LIVABLE FLOOR AREA: 1000 S.F.
DEVELOPMENT COVERAGE: 30%

10. The Developer irrevocably offers to cede Title to the roads and easements shown hereon to the Town of New Windsor.
11. Minimum Front-Yard offsets shown in excess of the Zone Bulk Requirements shall be used for the Applications for Building Permits on the affected Lots.
12. Unauthorized addition or alteration to this plan is a violation of Section 7209 (2) the N.Y.S. Education Law.
13. **Drawing 1 of 3 invalid unless accompanied by drawing 2 of 3 and 3 of 3.**
14. **Copies from the original of this document without a fascimile of the signature and an original of the stamp or embossed seal of the Land Surveyor and/or the Professional Engineer shall not be considered valid, true copies.**

ORANGE COUNTY DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

This is to certify that this subdivision plat dated ____ has received approval for water supply and sewage disposal facilities from the Orange County Department of Health. Approval of this plat does not imply approval of individual lots unless specifically noted. Approval of this plat does not imply that any individual property is suitable for the construction of a residence. Approval is granted in accordance with the provisions of Section 13-12 of the Public Health Law.

ASSISTANT COMMISSIONER

1 OF 3

PLANNING BOARD APPROVAL

CERTIFICATION

I hereby certify that it is an map resulted from an actual field survey of the indicated premises completed on 26 March 1986 performed in accordance with the Code of Practice adopted by the N.Y.S. Association of Professional Land Surveyors, Inc., and is to the best of my knowledge and belief, correct.

ELIAS D. GREVAS, L.S.
LAND SURVEYOR
33 QUASSACK AVENUE
NEW WINDSOR, NEW YORK 12550

REVISIONS: DATE	DESCRIPTION
5-6-89	NO REVISION

WINDSOR SQUARE SUBDIVISION

SUBDIVISION PLAN
TOWN OF NEW WINDSOR
ORANGE COUNTY NEW YORK
SCALE: 1"=50' JOB NO. 86-014 1 FEB, 1989