

ZB# 03-32

Joseph Como, Jr.

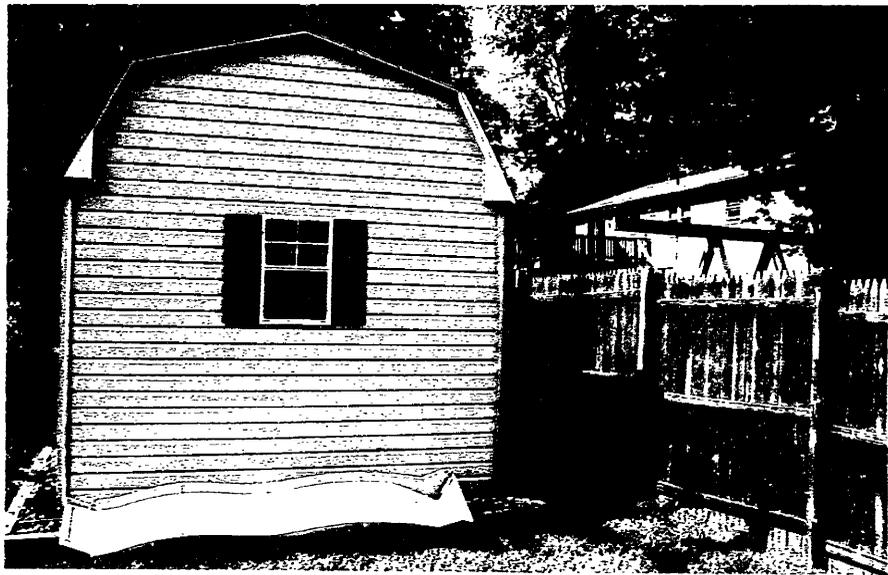
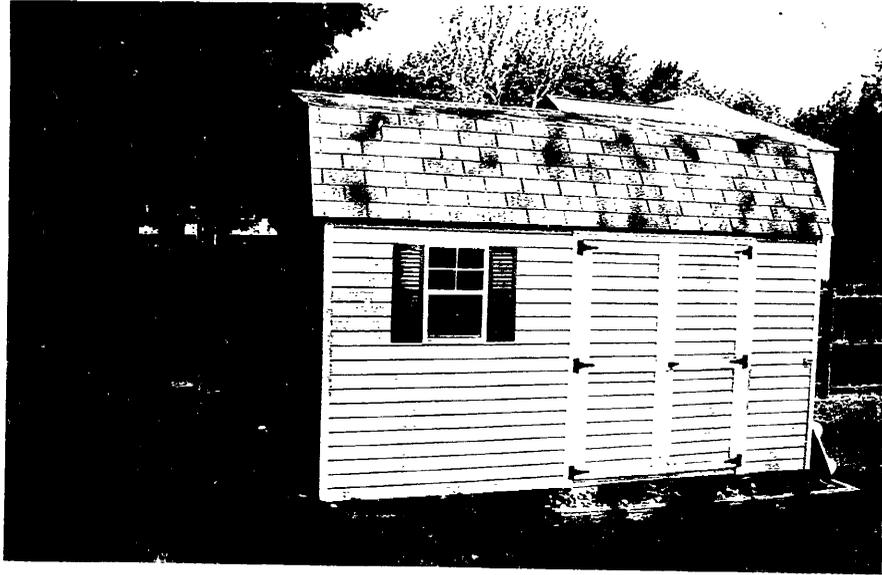
73-3-11

ZBA #05-52 JOSEPH COMO, JR.

AREA 433 PHILO ST. (73-3-11)

ZBA
APPROVED

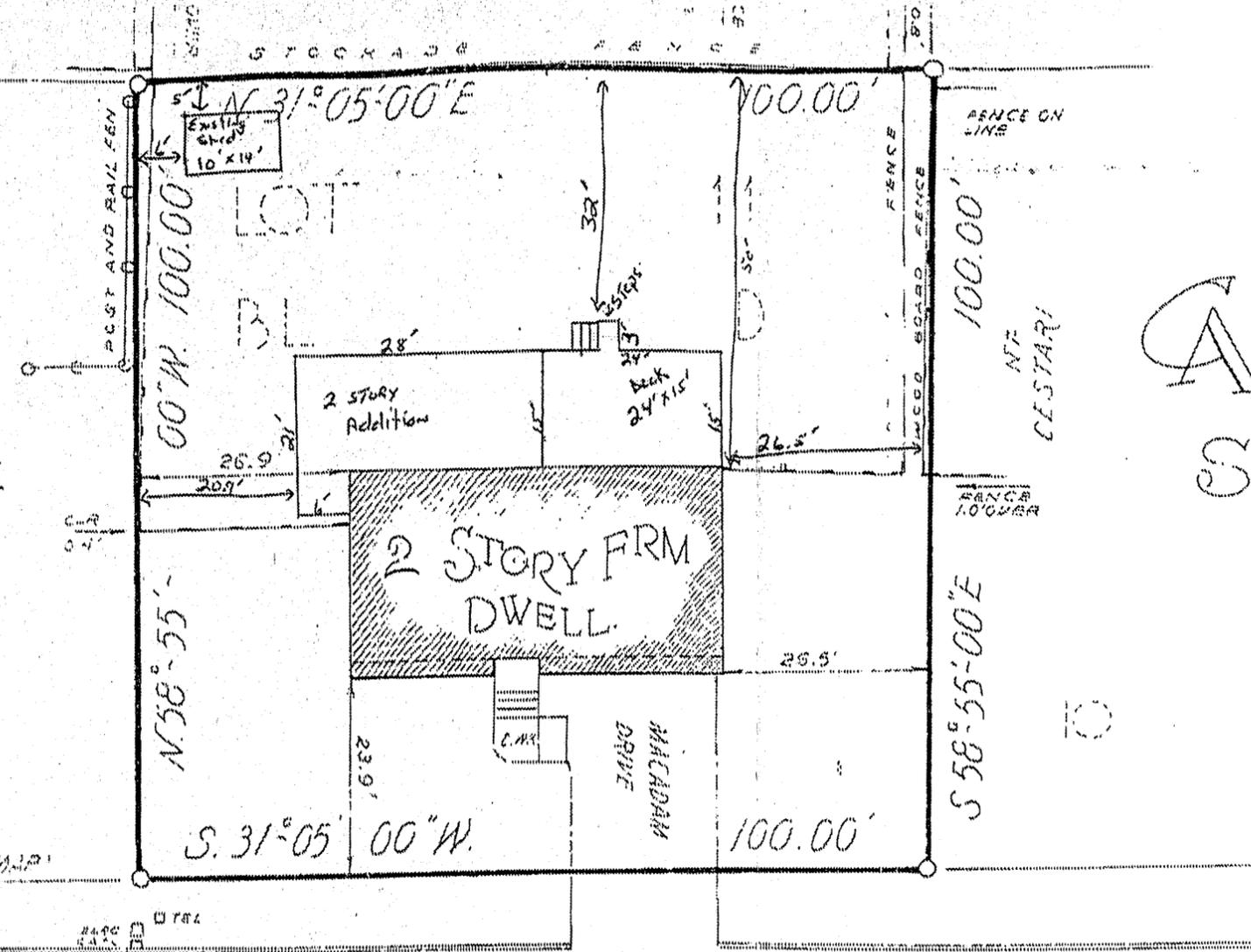
7-14-03



IS SIM ST

12

ADMITTED
Cooper



A = 10,000
SQ. FT.

PHILO

STREET

SURVEY
FOR

COMO

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7200, sub-division 2, of the New York State Education Law.

Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid true copies.

Certification indicated herein signifies that this survey was prepared in accordance with the existing Code of Practice for Land Surveyors approved by the New York State Association of

CERTIFIED TO:
JOSEPH COMO, JR.
SURVEYOR

BEING THE SAME PREMISES D. LIBER & DEEDS 2030 AT PAGE BEING LOT 11, BLOCK D ON A "WOODWIND (FORMERLY MACNARY. 1972 REVISED APR 18, 1972 AND

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 5/7/03

**APPLICANT: JOSEPH COMO
433 PHILO ST.
NEW WINDSOR, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 5/7/03

FOR : PROPOSED ADDITION

LOCATED AT: 433 PHILO ST.

ZONE: R-4:

DESCRIPTION OF EXISTING SITE: SBL# 73-3-11

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. PROPOSED ADDITION WILL NOT MEET MIMIMUM REAR YARD SET-BACK**

COPY


BUILDING INSPECTOR

PERMITTED
40'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: G-8 Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

32'

8'

REQ'D FRONTAGE:

MAX BLDG HT:

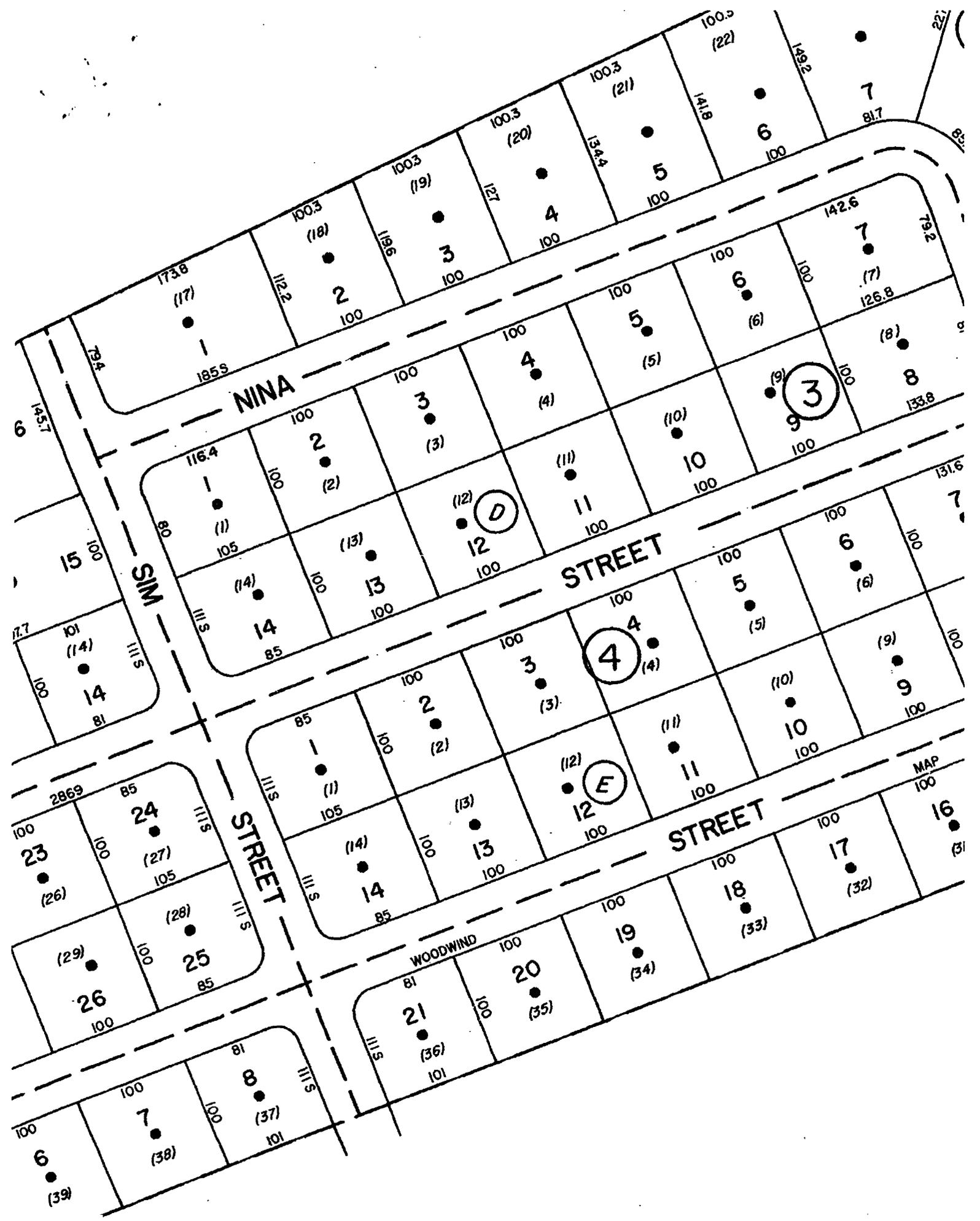
FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

APPROVED



SECTION

75

15.000
14.500

~~E 576 500
N 541 500~~

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 under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. 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. Call 24 hours in advance, with permit number, to schedule 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 here is no fee for this.

RECEIVED

MAY 05 2003

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2003-429

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Joseph Cama

Address 433 Philo ST New Windsor Phone # 562-1099

Mailing Address 433 Philo ST Fax # _____

Name of Architect Charles T. Brown

Address 1 Gardnertown Rd Phone 569-8400

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder Applicant is owner.

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 west side of Philo ST
(N, S, E or W)
and 300 feet from the intersection of Sims & Philo ST

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N X

3. Tax Map Description: Section 73 Block 3 Lot 11

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy 1 Family Res b. Intended use and occupancy 1 Family Res.

5. Nature of work (check if applicable) New Bldg. Addition Alteration Repair Removal Demolition Other

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front 6' Rear 52' Depth 21' Height 23' No. of stories 2

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms 3 Baths 1 Toilets 1 Heating Plant: Gas X Oil _____
Electric/Hot Air _____ Hot Water X If Garage, number of cars 2

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use N/A

10. Estimated cost unknown Fee \$50

PAID

ZONING BOARD

CH# 146

____/____/____
date

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

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____



INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted 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.

Joseph Corio
(Signature of Applicant)

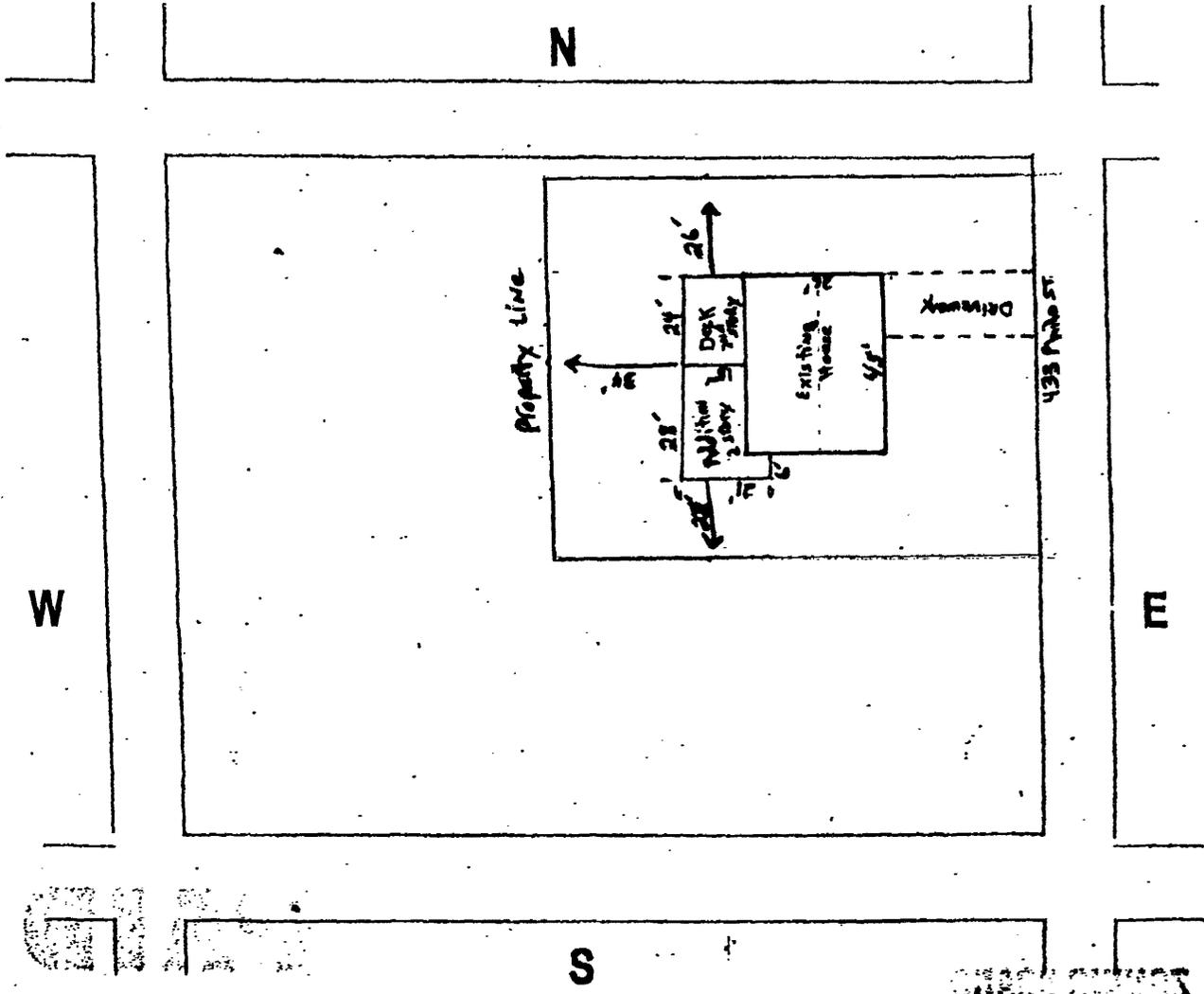
433 Philo St. New Windsor
(Address of Applicant)

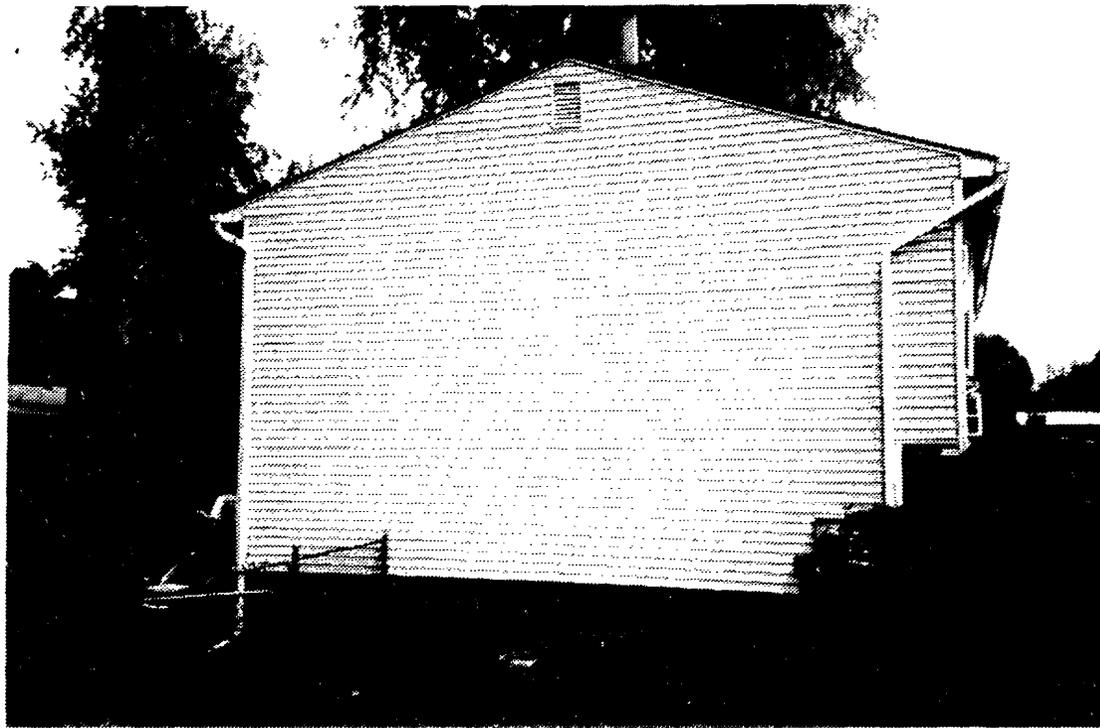
Joseph Corio
(Owner's Signature)

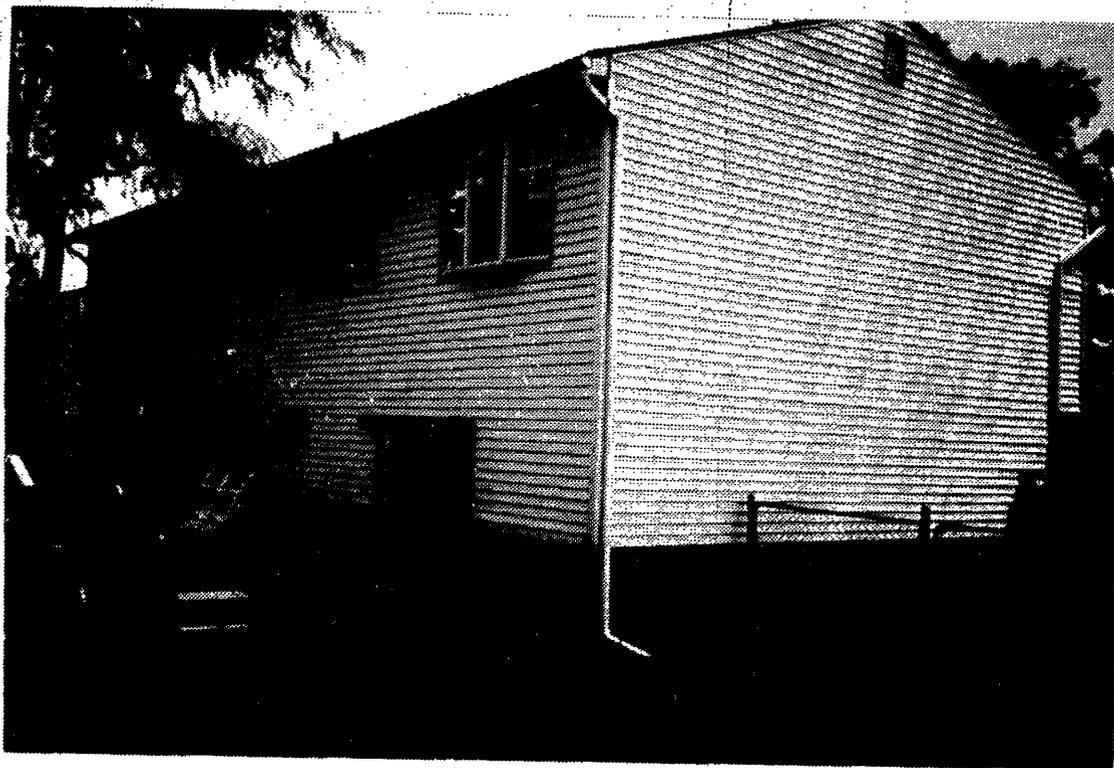
433 Philo St.

PLOT PLAN

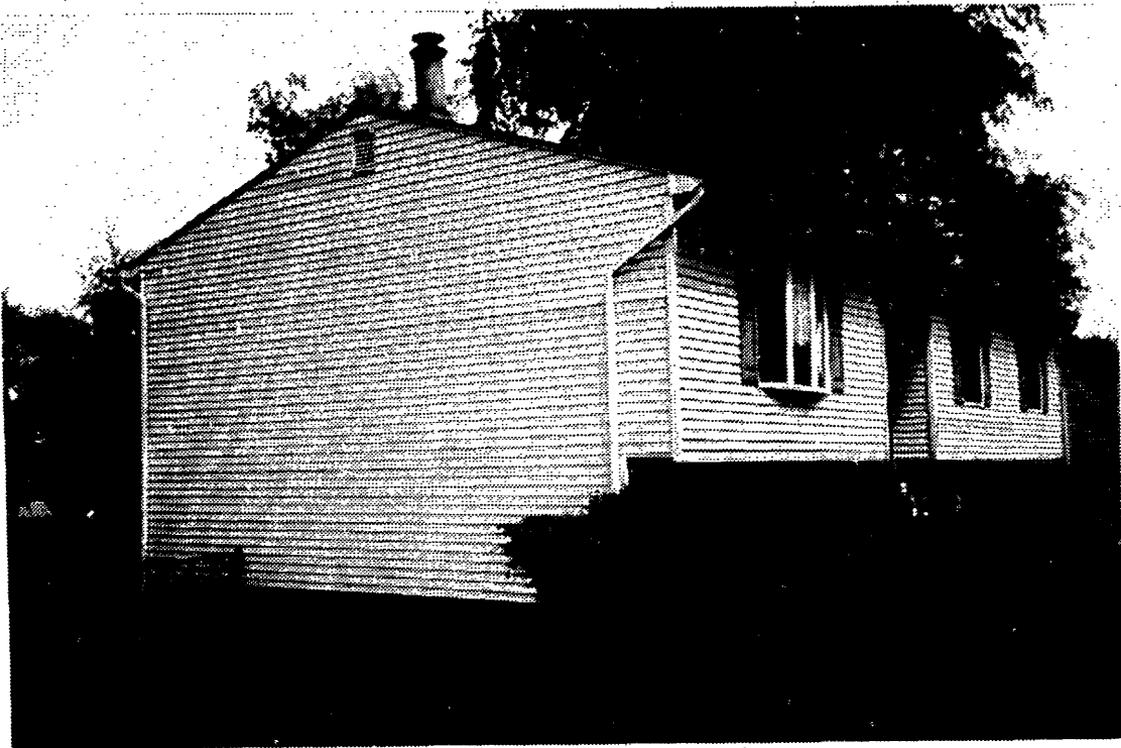
NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

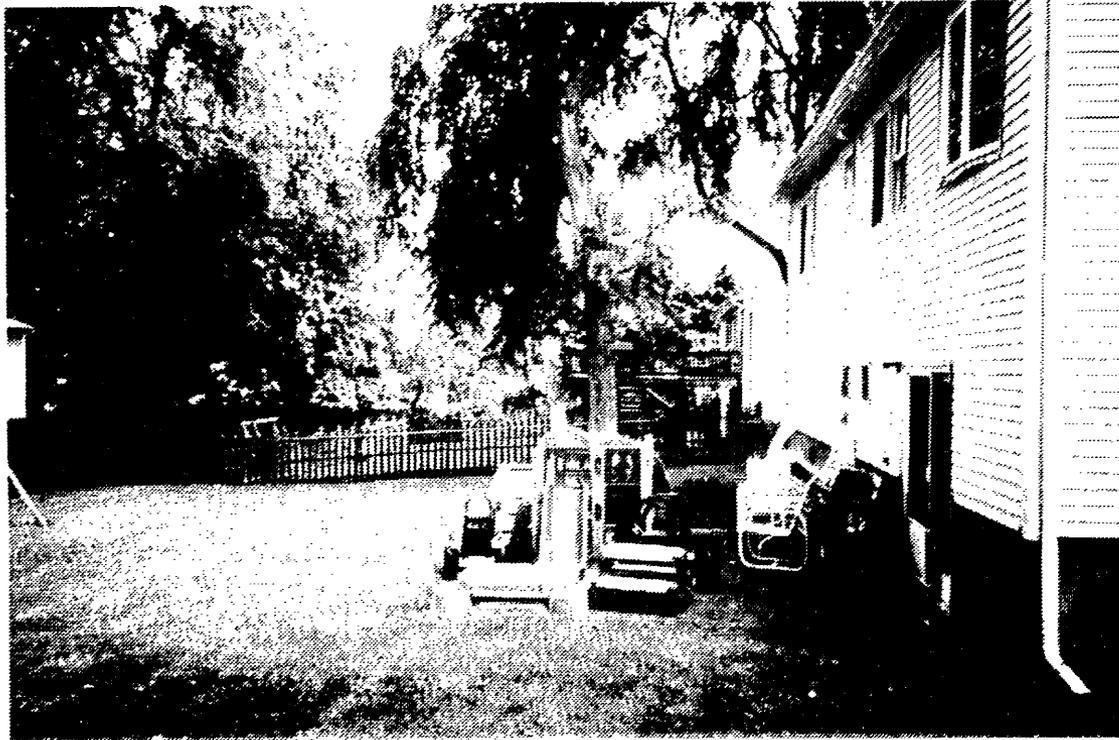


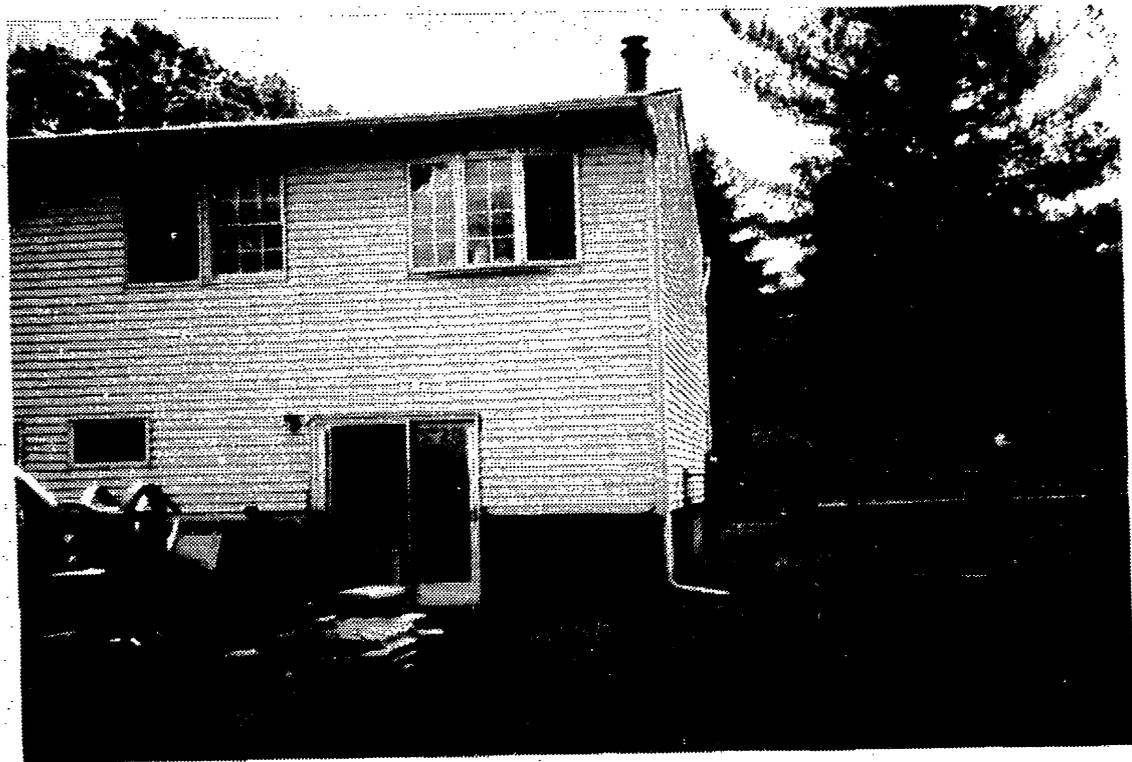












OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: June 5, 2003

**APPLICANT: Joseph Como
433 Philo Street
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 6/5/03

FOR : Existing 10x14ft. shed

LOCATED AT: 433 Philo Street

ZONE: R-4 Sec/Blk/ Lot: 73-3-11

DESCRIPTION OF EXISTING SITE: 73-3-11

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Existing shed does not meet minimum rear & side yard set-backs of 10'.**

COPY


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: **R-4** USE: **48-14-A-1-B** Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD: 10' 6' 4'

REQ'D TOTAL SIDE TD:

REQ'D REAR YD: 10' 5' 5'

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

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3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certificate of occupancy 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. Call 24 hours in advance, with permit number, to schedule 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.
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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 here is no fee for this.

RECEIVED

JUN 02 2003

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: _____

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Joseph Como

Address 433 Philo ST New Windsor Phone # 562-1099

Mailing Address 433 Philo ST Fax # _____

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)

1. On what street is property located? On the West side of Philo ST.
(N, S, E or W)
and 300 feet from the intersection of Sims & Philo ST

2. Zone or use district in which premises are situated R-4 Is property a flood zone? Y N X

3. Tax Map Description: Section 73 Block 3 Lot 11

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy X b. Intended use and occupancy _____

5. Nature of work (check if applicable) New Bldg. Addition Alteration Repair Removal Demolition Other

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front 14' Rear 14' Depth 10' Height 10'6" No. of stories 1

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 \$ 50.00 CH # 1471

PAID

ZONING BOARD

6 1 2 1 0 3
date

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

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4895 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

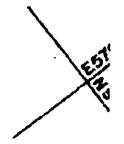
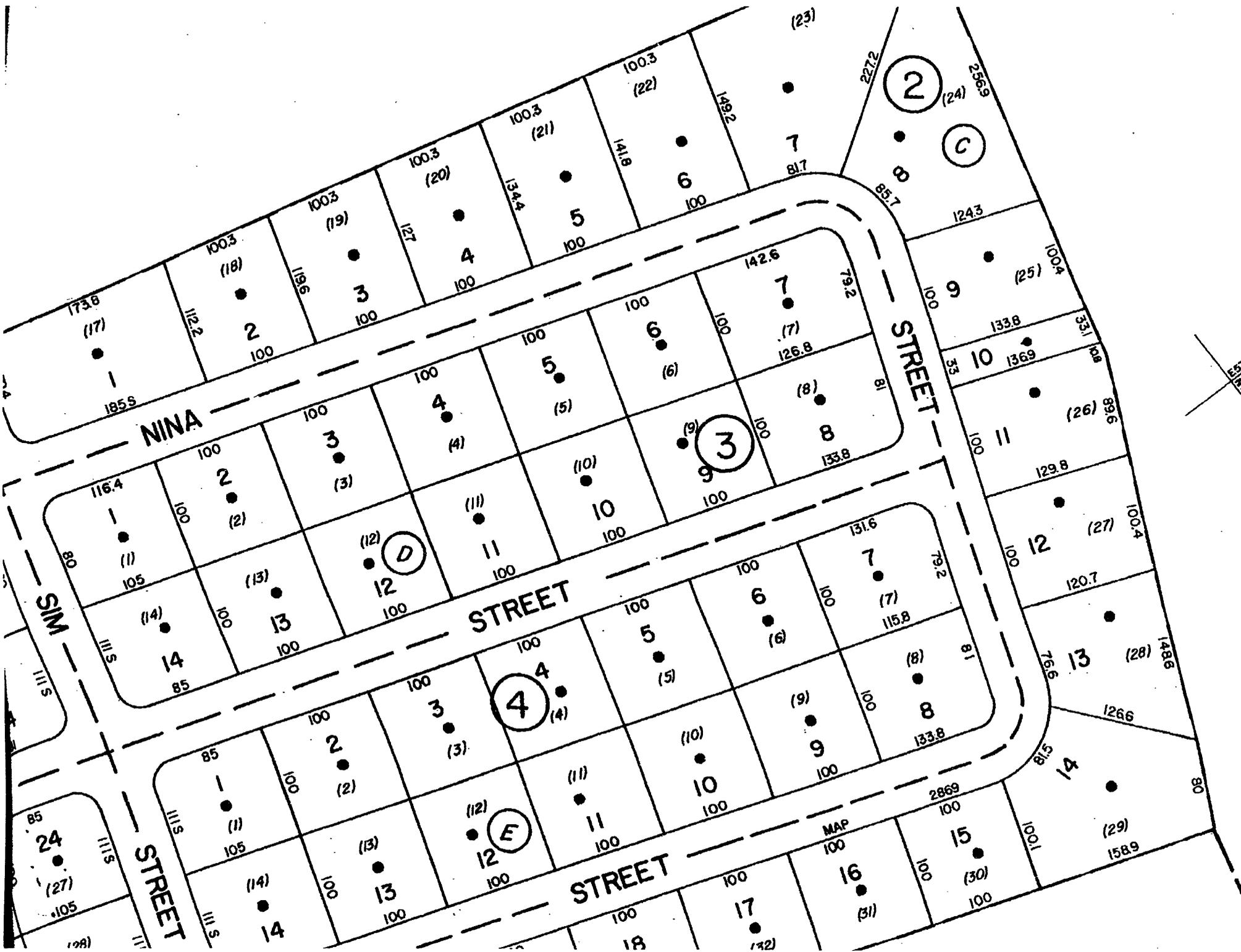
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Joseph Corra
(Signature of Applicant)

433 Philo St. New Windsor
(Address of Applicant)





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

November 12, 2003

Mr. Joseph Como
433 Philo Street
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-32

Dear Mr. Como:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

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

MEMORANDUM OF
DECISION GRANTING

JOSEPH COMO

AREA

CASE #03-32
-----X

WHEREAS, Joseph Como , owner(s) of 433 Philo Street, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 8 foot Rear Yard Setback for proposed addition and 4 foot Side Yard Setback and 5 foot Rear Yard Setback for existing shed in an R-4 Zone;

WHEREAS, a public hearing was held on July 14, 2003 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

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

WHEREAS, there were two people appearing at the public hearing; and

WHEREAS, no one spoke in favor of 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 published in The Sentinel, also as required by law.

2. The Evidence presented by the Applicant showed that:

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

(b) Although the proposed addition, if permitted, will increase the number of bedrooms and size of the house, it will not cause the house to be dissimilar in size and appearance to other homes in the neighborhood.

- (c) In constructing the addition, the applicant will not remove any trees or substantial vegetation.
- (d) The shed has been in existence for approximately three years, during which time, there have been no complaints, either formal or informal.
- (e) The size and shape of the property make the proposed location of the addition the most practical location.

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(s) 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 that can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) 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(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) 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(s).

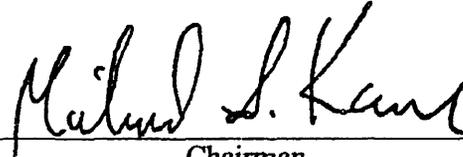
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 8 foot Rear Yard Setback for proposed addition and 4 foot Side Yard Setback and 5 foot Rear Yard Setback for existing shed 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/or Building Inspector and Applicant.

Dated:

A handwritten signature in cursive script, reading "Michael S. Kane", is written over a horizontal line.

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: AUGUST 11, 2003
SUBJECT: ESCROW REFUND - 03-32 - COMO

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 216.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #03-32
NAME: JOSEPH COMO
ADDRESS: 433 PHILO STREET
NEW WINDSOR, NY 12553

THANK YOU,

MYRA

L.R. 8-11-03



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #03-32 TYPE:AREA

APPLICANT:
JOSEPH COMO, JR.
433 PHILO STREET
NEW WINDSOR, NY 12553

TELEPHONE: 562-1099

RESIDENTIAL:	\$ 50.00	CHECK #1479
COMMERCIAL	\$ 150.00	CHECK #
INTERPRETATION	\$ 150.00	CHECK #

ESCROW: RESIDENTIAL \$300.00 CHECK #1480

* * * * * * * * * * * * *

<u>DISBURSEMENTS:</u>		<u>MINUTES</u> \$4.50 / PAGE	<u>ATTORNEY</u> <u>FEE</u>
PRELIMINARY:	<u>3</u>	PAGES	\$ <u>13.50</u>
2 ND PRELIMINARY:	<u> </u>	PAGES	\$ <u> </u>
PUBLIC HEARING:	<u>0</u>	PAGES	\$ <u>0</u>
PUBLIC HEARING:	<u> </u>	PAGES	\$ <u> </u>
	TOTAL:		
		\$ <u>13.50</u>	\$ <u>70.00</u>

* * * * * * * * * * * * *

ESCROW POSTED:	\$300.00
LESS: DISBURSEMENTS:	\$ <u>83.50</u>
AMOUNT DUE:	\$ <u> </u>
REFUND DUE:	\$ <u>216.50</u>

L.R. 8-11-03

JOSEPH COMO (#03-32)

MR. TORLEY: Request for 8 ft. rear yard setback: for proposed addition; and 4 ft. side yard setback and 5 ft. rear yard setback for existing shed at 433 Philo Street in an R-4 zone.

Mr. Joseph Como appeared before the board for this proposal.

MR. TORLEY: Sir?

MR. COMO: Hi, basically, we're putting an addition on 15 by 28 feet and on the side of that will be a deck so the 8 feet that we need will be from the edge of the stairs of the deck to the end of the property line and the other part is for an existing shed or that was the flattest location of the yard or least pitch to fill in to make it level so that's why it was over in that area.

MR. KANE: How long has the shed itself been in existence?

MR. COMO: I think it's like two years right now.

MR. KANE: Any complaints formally or informally?

MR. COMO: No.

MR. KANE: Any creating of water hazards or runoffs?

MR. COMO: No.

MR. REIS: Any complaints from your neighbors in any way, shape or form?

MR. COMO: No.

MR. KANE: Moving the deck as you said would create more of a financial hardship, I mean, the shed, sorry?

MR. COMO: Yes, it would be, have to be put in another location.

MR. MC DONALD: Mike, in looking at the picture here, I notice you have something in the back, is that going to take you far enough?

MR. COMO: That's coming out, I just had wood stored there, that was a little roof on top of that, I'm doing away with that.

MR. TORLEY: Ready to move to the addition now?

MR. KANE: Yeah.

MR. REIS: For your proposed addition, doesn't appear that you have to really cut any vegetation down to accomplish this?

MR. COMO: No.

MR. REIS: And you're not going over any easements or anything?

MR. COMO: No, it's all in the back.

MR. KANE: The size of the addition that you're putting on is not going to make the home any bigger than other homes in the neighborhood, won't change the--

MR. COMO: Basically, there's other houses that have that type, I've seen in there, there's one that just put an addition on but this will be a top and bottom.

MR. REIS: You won't be changing the character of the neighborhood?

MR. COMO: No, not really, the existing roof is going to tie right into the old roof.

MR. KANE: And the addition is going to maintain the same gas and electric as the main house?

MR. COMO: Yes, I'm thinking of probably upgrading the electric.

MR. KANE: Both be on the same meter?

MR. COMO: Yes.

MR. TORLEY: If you construct this addition, you will not be altering the drainage patterns of the area?

MR. COMO: No, not at all.

MR. TORLEY: And Mike, whether or not we count the steps as part of this, the rear yard setback, he'd still be here anyway, right?

MR. BABCOCK: That's correct, I think they just gave him a little bit of extra leeway because the addition shows that 34 feet, the stairs show at 32 feet, that would allow him two foot for stairs, which is not enough so they went down to 32, that's the addition, you know, the little 3 x 3 or 4 x 4 entrance deck with stairs we don't count as part of the setback as far as an entry.

MR. TORLEY: And the side yard in the neighborhood is 15 feet, is it not?

MR. BABCOCK: That's correct.

MR. REIS: Accept a motion?

MR. TORLEY: Yes, sir, if there are no other questions.

MR. REIS: I make a motion that we set up Mr. Como for his requested variances for his addition in the rear yard and for the existing deck or existing shed at 43 Philo Street.

MR. KANE: Second the motion.

ROLL CALL

MR. REIS	AYE
MR. MC DONALD	AYE
MR. KANE	AYE
MR. RIVERA	AYE
MR. TORLEY	AYE



RESULTS OF Z.B.A. MEETING OF:

July 14, 2003

PROJECT: Joseph Como

ZBA # 03-32
P.B.#

USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____
TORLEY _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____
REIS _____ CARRIED: Y _____ N _____
KANE _____
TORLEY _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M) RS S) RV VOTE: A 4 N 0.

RIVERA A
~~MCDONALD~~ _____ CARRIED: Y N _____
REIS A
KANE A
~~TORLEY~~ _____
minuta A

No trees - complaints - easements runoff

TOWN OF NEW WINDSOR ZONING BOARD
PUBLIC HEARING FOR:

Joseph Como
DATE: July 14, 2003

SIGN-IN SHEET

	NAME	ADDRESS
1.	<u>William M. & JAMIRA Murphy</u>	<u>434 Pitico St., New Windsor.</u>
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

In favor

PUBLIC HEARING NOTICE
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. 03-32

Request of JOSEPH COMO, JR.

for a VARIANCE of the Zoning Local Law to Permit:

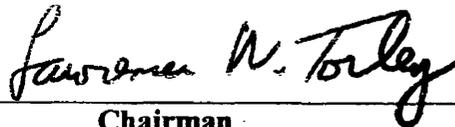
**Request for 8 ft. Rear Yard Setback for proposed addition; and
4 ft Side Yard Setback and 5 ft. Rear Yard Setback for existing shed**

being a VARIANCE of Section 48-14 (USE G-8)

for property located at: 433 PHILO STREET - NEW WINDSOR, NY

known and designated as tax map Section 73 Block 3 Lot 11

**PUBLIC HEARING will take place on JULY 14TH, 2003
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**


Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

June 27, 2003

Mr. Joseph Como, Jr.
433 Philo Street
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-32

Dear Mr. Como:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

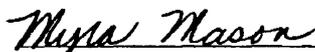
Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

433 Philo Street
New Windsor, NY 12553

is scheduled for the JULY 14TH, 2003 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,



Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

June 26, 2003

Joseph Como Jr.
433 Philo Street
New Windsor, NY 12553

Re: 73-3-11 ZBA#03-32

Dear Mr. Como:

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 \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley (Baw)

J. Todd Wiley, IAO
Sole Assessor

JTW/baw
Attachments

CC: Myra Mason, ZBA

4-1-31.2
Otto Scheible
C/o Newburgh Packing
677 Little Britain Rd
New Windsor, NY 12553

73-1-13
Dominick & Melissa Pileggi
423 Philo Street
New Windsor, NY 12553

73-1-14
Patrick & Maryann McCarthy
425 Philo Street
New Windsor, NY 12553

73-1-15
Michael & Trude Antonacci
609 Sim Street
New Windsor, NY 12553

73-1-16
Michael Restuccia
30 Sloan Court
Wallkill, NY 12589

73-2-1
Keith & Evelyn Aigner
364 Nina Street
New Windsor, NY 12553

73-2-2
Jan & Angelina Rostek
362 Nina Street
New Windsor, NY 12553

73-2-3
Thomas & Margaret Organ
360 Nina Street
New Windsor, NY 12553

73-2-4
Carol Probst
358 Nina Street
New Windsor, NY 12553

73-2-5
Kathleen & Thomas J Griffin Jr.
356 Nina Street
New Windsor, NY 12553

73-2-6
Carmine & Frances Lepora
354 Nina Street
New Windsor, NY 12553

73-2-7
Robert & Margaret Mullins
352 Nina Street
New Windsor, NY 12553

73-2-8
Frank & Angela Carlone
350 Nina Street
New Windsor, NY 12553

73-2-9
John & Kathryn Mc Crossen
348 Nina Street
New Windsor, NY 12553

73-2-10; 73-2-11
Rosaria Macchiarella
346 Nina Street
New Windsor, NY 12553

73-2-12
Robyn & Richard Ricciardi Jr.
344 Nina Street
New Windsor, NY 12553

73-2-13
Yovanny Vivieca
342 Nina Street
New Windsor, NY 12553

73-2-14
Melvyn & Cynthia Wright
340 Nina Street
New Windsor, NY 12553

73-2-15
William Kostenblatt
338 Nina Street
New Windsor, NY 12553

73-2-16
Brendan De Milt
336 Nina Street
New Windsor, NY 12553

73-2-17
Marilyn Mutinelli
334 Nina Street
New Windsor, NY 12553

73-2-18
Vicki & Elliott Cohen
332 Nina Street
New Windsor, NY 12553

73-2-19
Francis & Geraldine Nicolosi
330 Nina Street
New Windsor, NY 12553

73-2-20
Thomas & Joanne Farrell
328 Nina Street
New Windsor, NY 12553

73-2-21
Mary Hagen
326 Nina Street
New Windsor, NY 12553

73-3-1
Reggie & Vanessa Hanks
357 Nina Street
New Windsor, NY 12553

73-3-2
Myron & Phyllis Bernstein
746 Hewitt Lane
New Windsor, NY 12553

73-3-3
Ronald Altomare
353 Nina Street
New Windsor, NY 12553

73-3-4
Sandra & Michael Muller Sr.
351 Nina Street
New Windsor, NY 12553

73-3-5
Richard & Marilene Baskind
349 Nina Street
New Windsor, NY 12553

73-3-6
Fred & Annette Kaiser
347 Nina Street
New Windsor, NY 12553

73-3-7
Renee Purcell
345 Nina Street
New Windsor, NY 12553

73-3-8
Peter & Irene Malaszuk
343 Nina Street
New Windsor, NY 12553

73-3-9
Patricia & Joseph Grimm Jr.
437 Philo Street
New Windsor, NY 12553

73-3-10
Alfred & Maureen Cestari
435 Philo Street
New Windsor, NY 12553

73-3-12
Bankers Trust Co of CA Trustee for
Vendee Mtg Trust
C/o Countrywide Home Loans
1800 Tapo Canyon Rd MSN SV-103
Simi Valley, CA 93063

73-3-13
John & Mary Guarracino
429 Philo Street
New Windsor, NY 12553

73-3-14
Kenneth & Jeanne Martin
427 Philo Street
New Windsor, NY 12553

73-4-1
Bob & Rosemary Hersh
444 Philo Street
New Windsor, NY 12553

73-4-2
Thomas & Kathleen Finneran
446 Philo Street
New Windsor, NY 12553

73-4-3
William Corcoran
448 Philo Street
New Windsor, NY 12553

73-4-4
Christopher & Elke Spencer
450 Philo Street
New Windsor, NY 12553

73-4-5
Kevin & Leslie Hofving
452 Philo Street
New Windsor, NY 12553

73-4-6
Thomas Trinajstic
454 Philo Street
New Windsor, NY 12553

73-4-7
Richard & Laura Graziano
456 Philo Street
New Windsor, NY 12553

73-4-8
Donald & Diana McKeon
339 Nina Street
New Windsor, NY 12553

73-4-9
Ursula Roberts
337 Nina Street
New Windsor, NY 12553

73-4-10
Samuel Martinez Jr.
335 Nina Street
New Windsor, NY 12553

73-4-11
Joseph Hafner & Hyon Lemons
333 Nina Street
New Windsor, NY 12553

73-4-12
Daniel Peralta
331 Nina Street
New Windsor, NY 12553

73-4-13
Brian & Diane Picerno
329 Nina Street
New Windsor, NY 12553

73-4-14
John & Catherine Canale
327 Nina Street
New Windsor, NY 12553

73-5-8
Steven Weissman
324 Nina Street
New Windsor, NY 12553

73-7-23
Matthew & Carla Weiss
440 Philo Street
New Windsor, NY 12553

73-7-24
Frank & Deborah Prego
442 Philo Street
New Windsor, NY 12553

73-7-25
Peter & Julie Daly
325 Nina Street
New Windsor, NY 12553

73-7-26
Robert & Mary Volz
323 Nina Street
New Windsor, NY 12553

75-10-2
Warren Schaefer & Marion Knox
95 Keats Drive
New Windsor, NY 12553

75-10-3
Victor Etal D'Esposito
93 Keats Drive
New Windsor, NY 12553

75-10-4
Ben, John & Marcellina Eng
91 Keats Drive
New Windsor, NY 12553

75-10-5

Debra Ann & David R. Patterson Jr.
89 Keats Drive
New Windsor, NY 12553

75-10-6

Konstantinos & Margarita Ioannidis
87 Keats Drive
New Windsor, NY 12553

75-10-7

David & Migdalia Ramos
85 Keats Drive
New Windsor, NY 12553

75-10-8

Leo & Sandra Talbot
83 Keats Drive
New Windsor, NY 12553

75-10-9

Michael Sulla & Kathleen Healy
380 Frost Lane
New Windsor, NY 12553

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 06-20-2003

FOR: **03-32 ESCROW**

FROM: **JOSEPH COMO, JR.**
433 PHILO STREET
NEW WINDSOR, NY 12553

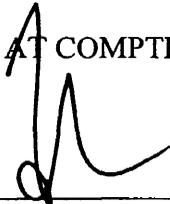
CHECK NUMBER: **1480**

AMOUNT: **300.00**

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME

DATE



6/25/07

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

DATE: 06-24-2004 PROJECT NUMBER: ZBA# 03-32 P.B. # _____

APPLICANT NAME: JOSEPH COMO, JR.

PERSON TO NOTIFY TO PICK UP LIST:

JOSEPH COMO, JR.
433 PHILO STREET
NEW WINDSOR, NY 12553

TELEPHONE: 562-1099

TAX MAP NUMBER:	SEC. <u>73</u>	BLOCK <u>3</u>	LOT <u>11</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	BLOCK _____	LOT _____

PROPERTY LOCATION: 433 PHILO STREET
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____



NEW WINDSOR ZONING BOARD XX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XX



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 1481

TOTAL CHARGES: _____

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

RECEIPT

~~#625-2003~~

625-2003

06/25/2003

Como, Elizabeth #03-32
433 Philo Street
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 06/25/2003. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



RESULTS OF Z.B.A. MEETING OF: June 23, 2003

PROJECT: Joseph Como, Jr. ZBA # 03-32
P.B.# _____



USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A ___ N ___
RIVERA _____
MCDONALD _____ CARRIED: Y ___ N ___
REIS _____
KANE _____
TORLEY _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A ___ N ___
RIVERA _____
MCDONALD _____ CARRIED: Y ___ N ___
REIS _____
KANE _____
TORLEY _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A ___ N ___
RIVERA _____
MCDONALD _____ CARRIED: Y ___ N ___
REIS _____
KANE _____
TORLEY _____

APPROVED: M) _____ S) _____ VOTE: A ___ N ___
RIVERA _____
MCDONALD _____ CARRIED: Y ___ N ___
REIS _____
KANE _____
TORLEY _____

ALL VARIANCES - PRELIMINARY APPEARANCE:



SCHEDULE PUBLIC HEARING: M) R S) K VOTE: A 5 N 0
RIVERA A
MCDONALD A
REIS A
KANE A
TORLEY A
CARRIED: Y N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A ___ N ___

RIVERA _____
MC DONALD _____ CARRIED: Y ___ N ___
REIS _____
KANE _____
TORLEY _____

Large empty rectangular box for notes or additional information.



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

June 13, 2003

Joseph Como
433 Philo Street
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-32

Dear Mr. Como:

This letter is to inform you that you have been placed on the June 23rd, 2003 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

433 Philo Street
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

Section _____, Table of _____ Regs., Col. _____.

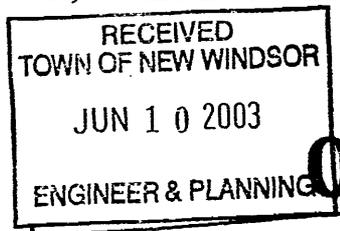
	<u>Requirements</u>		<u>Proposed or Available</u>		<u>Variance Request</u>	
	<u>Addition</u>	<u>shed</u>	<u>Addition</u>	<u>shed</u>	<u>Addition</u>	<u>shed</u>
Min. Lot Area						
Min. Lot Width						
Reqd. Front Yd.						
Reqd. Side Yd.		10'		6'		4'
Reqd. Rear Yd.	40'	10'	32'	5'	8'	5'
Reqd. St Front*						
Max. Bldg. Hgt.						
Min. Floor Area*						
Dev. Coverage*						
Floor Area Ration**						
Parking Area						

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.



03-32

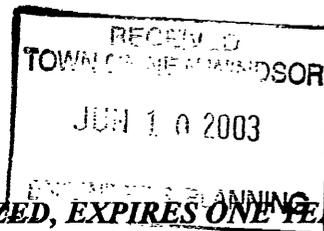
TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE - continued

- IX. 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.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The planned addition will not have a negative effect on the health, safety or welfare, nor will it create an undesirable change to the neighborhood. The proposed variance will have no adverse effect on the physical or environmental conditions in the neighborhood or district. We are looking to extend the house to create additional living space. Financially, this was the best means possible to getting a bigger house while staying in New Windsor and keeping the same neighbors.



PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

03-32

XII. 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, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

I plan on fixing the landscaping as soon as the exterior of the structure is completed (before continuing with the interior). Trees, curbs, lighting, utility, drainage etc. will be unaffected.

XIII. ATTACHMENTS REQUIRED:

- Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Copy 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.
- Copies of signs with dimensions and location.
- Three checks: (each payable to the TOWN OF NEW WINDSOR)
 - One in the amount of \$ 300.00 or 500.00 , (escrow)
 - One in the amount of \$ 50.00 or 150.00 , (application fee)
 - One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR(4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

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/her 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.

Sworn to before me this:

9th day of June 2003,

Joseph Como Jr

 Owner's Signature (Notarized)

[Signature]

 Signature and Stamp of Notary

JENNIFER MEAD
 Notary Public, State Of New York
 No. 01ME6050024
 Qualified In Orange County
 Commission Expires 10/30/2006

Joseph Como Jr

 Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

RECEIVED
 TOWN OF NEW WINDSOR
 JUN 10 2003
 ENGINEER & PLANNING

03-32