

ZB# 02-68

Daniel & Peter Bloom

46-2-50.1

02-68

BLOOM, DANIEL & PETER
530 BLOOMING GROVE TPK.
(AREA) Proposed addition

46-2-50.1

Preliminary

12/19/02

Public Hearing

1/13/03

APPROVED - 3/3/03

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Bloom, Daniel & Peter
530 B.G. Tok.
New Windsor, N.Y.

FILE# 02-68

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA

USE

APPLICATION FOR VARIANCE FEE \$ 150.00

CK#22821
PAID

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 500.00

CK#22822
PAID

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE \$ 18.00 12/9
2ND PRELIMINARY- PER PAGE \$ _____
3RD PRELIMINARY- PER PAGE \$ _____
PUBLIC HEARING - PER PAGE \$ 36.00 1/13
PUBLIC HEARING (CONT'D) PER PAGE \$ _____
TOTAL \$ 54.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: ^{12/9} \$ 35.00
2ND PRELIM. \$ _____
3RD PRELIM. \$ _____
PUBLIC HEARING. ^{1/13} \$ 35.00
PUBLIC HEARING (CONT'D) \$ _____
TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____
TOTAL \$ 624.00

LESS ESCROW DEPOSIT \$ 500.00
(ADDL. CHARGES DUE) \$ _____
REFUND DUE TO APPLICANT .. \$ 326.00

APPROVED



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

March 11, 2003

Bloom & Bloom
530 Blooming Grove Turnpike
New Windsor, NY 12553

SUBJECT: ZBA FILE #02-68 VARIANCE REQUEST

Dear Mr. Bloom:

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

Sent 3/11

APPROVED

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: 02-22

DATE: 10-25-02

APPLICANT: BLOOM & BLOOM

530 BLAKE GRV. TPKE.

NEW WINDSOR NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7-29-02

FOR (~~SUBDIVISION~~) SITE PLAN

LOCATED AT 530 BLAKE GRV. TPKE.

ZONE P0

DESCRIPTION OF EXISTING SITE: SEC: 46 BLOCK: 2 LOT: 50.1

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

FRONT YARD - REAR YARD

LOT COVERAGE

PARKING



MARK J. SMALL P.E. for
MICHAEL BASCOCK,
BUILDING INSPECTOR

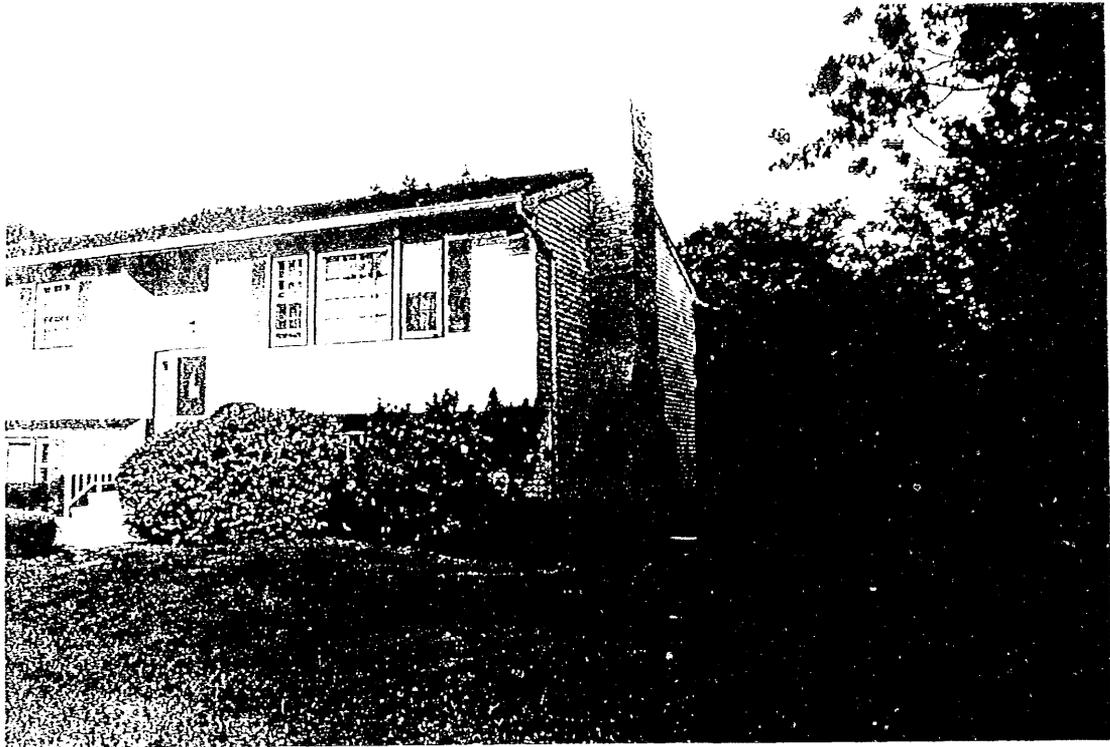
<u>REQUIREMENTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>P0</u> USE _____		
MIN. LOT AREA <u>15000 SF</u>	<u>15000</u>	<u>-</u>
MIN. LOT WIDTH <u>100 FT</u>	<u>100</u>	<u>-</u>
REQ'D FRONT YD <u>35 FT</u>	<u>74.2/14.8</u>	<u>0/20.2</u>
REQ'D SIDE YD. <u>15 FT</u>	<u>20.8</u>	<u>-</u>
REQ'D TOTAL SIDE YD. <u>30 FT</u>	<u>-</u>	<u>-</u>
REQ'D REAR YD. <u>40 FT</u>	<u>34.2</u>	<u>5.8</u>
REQ'D FRONTAGE <u>60 FT.</u>	<u>250'</u>	<u>-</u>
MAX. BLDG. HT. <u>35 FT.</u>	<u>< 35'</u>	<u>-</u>
FLOOR AREA RATIO <u>N/A</u>	<u>-</u>	<u>-</u>
MIN. LIVABLE AREA <u>N/A</u>	<u>-</u>	<u>-</u>
DEV. COVERAGE <u>30</u> %	<u>47</u> %	<u>17</u> %
O/S PARKING SPACES <u>20</u>	<u>15</u>	<u>5</u>

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

02-68

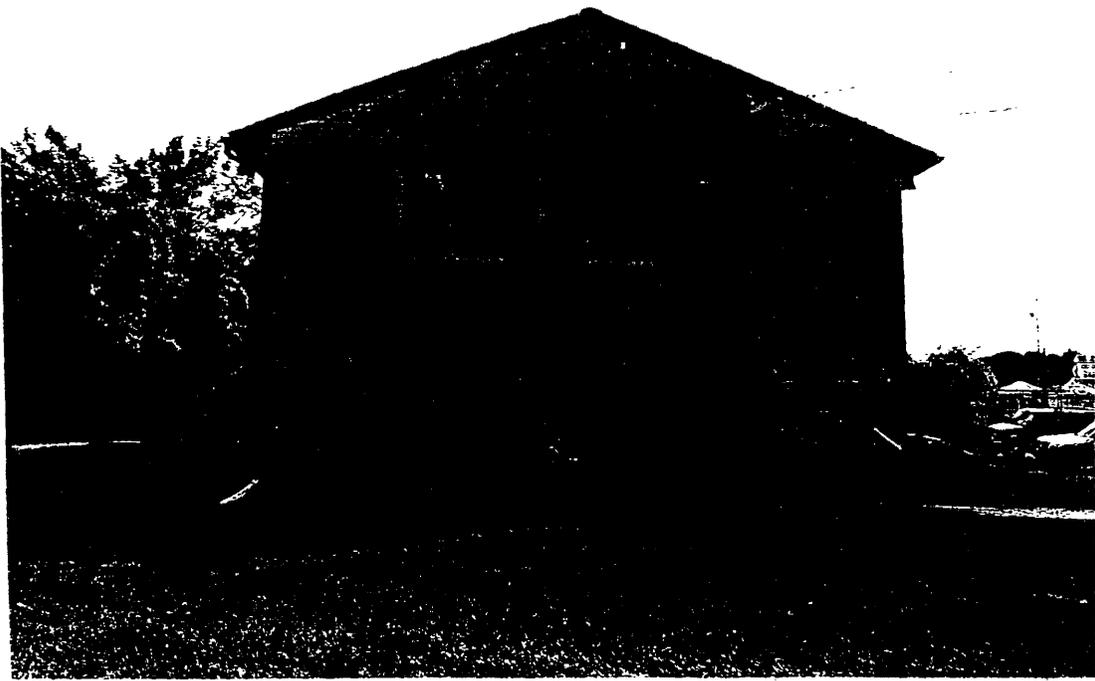
CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

VBL 100











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

MEMORANDUM OF
DECISION GRANTING

BLOOM & BLOOM

AREA VARIANCE

CASE #02-68
-----X

WHEREAS, Daniel Bloom, Esq., owners of 530 Blooming Grove Turnpike, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an request for 20' 2 front yard setback; 5' 8 rear yard setback; 17% Developmental Coverage and 5 parking spaces; and

WHEREAS, a public hearing was held on the January 13th, 2003 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Daniel Bloom, Esq appeared on behalf of this Application; and

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

WHEREAS, no one spoke in favor of or in opposition to the Application; and both spectators spoke having questions, but, expressed no opposition to the application.

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 commercial office located in a neighborhood of similar buildings further located on a busy state highway.
 - (b) The applicant proposes to expand its office. The configuration or the property and the location of the well and septic system servicing the property only permit expansion on one side of the property.

- (c) The property is serviced by well and septic system located in the rear of the property.
- (d) The property is on the corder of an existing and "Paper Road", although it appears visually to have only one front yard.
- (e) The applicant proposes increasing the parking area available to the premises in connection with the expansion, however, the parking area after expansion will still be five spaces short of the required number of spaces required.
- (f) As the parking presently exists, there is occasional need for overflow parking so that the applicant proposes expanding the parking.

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 variances 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 variances requested are substantial in relation to the Town regulations but nevertheless are warranted.
4. The requested variances 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 variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variances are appropriate and are the minimum variances 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 variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 20' 2" front yard setback; 5' 8" rear yard setback; 17% developmental coverage and 5 parking spaces, 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: March 3, 2003


Chairman

**TOWN OF NEW WINDSOR
ENGINEER, PLANNING BOARD
AND ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: JANUARY 16, 2003
SUBJECT: REFUND REMAINDER OF ESCROW

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 376.00 TO CLOSE
OUT ESCROW FOR:**

ZBA FILE # 02-68

NAME: BLOOM & BLOOM

ADDRESS: P.O. BOX 4323

NEW WINDSOR, NY 12553

THANK YOU,

MYRA

*1/16/03
L.R.*

BLOOM & BLOOM (02-68)

MR. TORLEY: Request for 20.2' front yard, 5'8" rear yard, 17% developmental coverage, 5 parking spaces.

Daniel Bloom, Esq. appeared before the board for this proposal.

MR. BLOOM: Good evening, gentlemen and ladies.

MR. TORLEY: Is there anyone in the audience who wishes to speak on this matter?

MR. BLOOM: Thank you, Mr. Chairman. As my son I believe indicated on the preliminary hearing on this matter, we reached a point in our practice where we found it necessary to expand the building. And what we propose to do is to looking at the building from Route 94 proceed out to the right in the rear section of the building with an addition, two story addition. The addition is going to keep the same facade, the same type of elements as the existing building. So the goal here is to achieve an expansion which is not going to be readily apparent to the general public going by the building from Route 94. As a result of this expansion when we look at the zoning ordinance, we find that we need several bulk variances, specifically since the paper road coming off 94 towards our building which is on the side of the building by Mr. Shed franchise by reason of that paper street coming in it's been determined that our front yard which is the apparent front yard is also, pardon me, it's been determined that our side yard as you look at our building from the front on the right is really a front yard because it faces onto this paper street. As a result, the setbacks that we'll need are insufficient at the present time resulting in an need for a variance of 20.2 feet on the right-hand side of the building because it's going to be categorized front yard and we're going to need a 7 foot variance on the rear yard and we need a 17 percent developmental coverage variance and a variance for 5 spaces on parking. Now, on the right-hand side of our building as you face it from 94 there's a row of trees I would say probably at least three or four that are at least 30 or more feet

in height, they are very bushy in the springtime, so they are sort of a natural coverage, natural barrier there. It is our plan however if this board sees it appropriate to grant the variances requested to go to the planning board and present an actual landscape plan, we intend to put in more trees, more shrubs on that side of the building, both for the privacy of our office as well as for the privacy of our neighbors. In terms of the impact on the neighborhood, I respectfully suggest that it will be minimal because as I say, we have the natural barrier in place at the present time, we intend to add more shrubberies and perhaps some Hemlock trees and what have you to increase the screening both on the side of the Mr. Shed franchise as well as across the back of the property. We're forced to expand in this area because we have our septic system and leach field in the rear of the building so we really don't have any other option in that respect. And so we're pretty much forced to make the expansion in this particular area. And so we submit to this board that we have tried to minimize the application as much as possible and at the same time make it realistic enough that we have the necessary additional space internally to make it a practical expansion.

MR. TORLEY: There's no sewer down 94?

MR. BLOOM: There is sewer, it's a very good point, there is sewage on the other side of 94 from our office, it's my understanding in discussing this matter with the town engineer, that he's going to submit to the planning board that the developer and I understand a developer's proceeding behind us, the property behind us, it's my understanding that that developer's going to be bringing sewer across 94 and down that paper street. When that occurs, we're already in discussion with the town engineer and I'm going to be discussing more detail with the planning board hooking into that town sewer both for myself and for Planned Parenthood and for Dr. Kappa and we're also going to at that time and I'm going to now address an issue that my son indicated to me was raised when he was here the last time about drainage. We presently have a, as you can see, we have a pit in the front of the building in the middle of the parking area that presently takes care of

the existing drainage. It's anticipated that there will be further drainage and we want to improve that system and so what we're hoping to do is to be, through the efforts of the planning board is to try to tie our drainage issues into the road that's going to be constructed by the developer coming into the rear. And it's contemplated that that will be, will result in an enhanced drainage capacity for both our property as well as the property of the developer in the rear of the property.

MR. KRIEGER: When you refer to Planned Parenthood and Dr. Kappa, those are the two offices immediately adjacent and two doors down from you?

MR. BLOOM: Yes, thank you.

MR. KRIEGER: And there are other offices across the street, there's a church across the street.

MR. BLOOM: That's correct.

MR. KRIEGER: And immediately adjacent to this a business and shopping center?

MR. BLOOM: Correct and some residential houses.

MR. KANE: With your permission, I'm going to show the audience what we're talking about.

MR. TORLEY: Sure.

MR. REIS: Just as a point of reference, Mr. Bloom, I think you mentioned a 7 foot rear yard, actually your request is for 5.8 or 5 foot 8 inches.

MR. BLOOM: I think it was amended, Mr. Reis, to increase it, according to my copy, it was actually 6.56 feet on the rear yard and I rounded it off to 7.

MR. TORLEY: Cause ours shows 5 foot 8 inch rear yard.

MR. REIS: That's the only reason I'm mentioning it.

MR. BLOOM: What occurred is after we submitted that

application to the board, I believe that I had a meeting with Mark Edsall.

MR. TORLEY: Why don't we make it 6 foot?

MR. BLOOM: I just don't want to be short.

MR. BABCOCK: It was, Mr. Chairman, just so that you know, the planning board engineer, Mark Edsall because this is a planning board package had done a referral, my office also done a referral. The referral that we done we did off of just numbers before a survey so that's why there's a difference in numbers.

MR. TORLEY: So you're saying 6 foot variance would cover you?

MR. BLOOM: I believe I'd feel safer Mr. Torley with 7 because the actual, would you agree with that, Mike?

MR. BABCOCK: Yes, the addition is going to be 14 x 16, it's not going to grow because the variance grows, it's going to go--

MR. BLOOM: That's correct.

MR. TORLEY: So make that change.

MR. KRIEGER: If the paper road didn't exist and this were truly a side yard as it appears to be, how much variance would he need then?

MR. BABCOCK: Well, the survey says he's 14.8 feet and the required side yard is 15. Now my denial says he has 15 feet so basically he needs a, it's 14.8, 2/10 of a foot.

MR. TORLEY: And it's a 17 percent developmental area coverage. This is going to be a paved parking lot?

MR. BLOOM: That's correct, Mr. Torley.

MR. TORLEY: And five parking spaces, would you explain how that comes about?

MR. BLOOM: Actually, we backed into it, Mr. Chairman. What happened was is that after I created the plan, the town engineer suggested that I have my surveyor maximize or place on the actual macadam actual number of parking spaces so that I would have all necessary variances going back to the planning board and not have to worry about having to come back here. As a practical matter when I go to the planning board, I'm contemplating submitting a revised plan to them, subject to their approval which would increase the amount of parking because I'm contemplating taking out lawn and going up on the sides so we can have more parking available to us.

MR. TORLEY: Now then you're contemplating something different than the plan I'm looking at as far as parking?

MR. BLOOM: It will only change to the extent the planning board would deem it a site plan change that would not require coming back to the ZBA, that's why I wanted to go for the maximum variance here, so I wouldn't have to come back.

MR. TORLEY: Your existing lot, the parking is parallel to the front of the building and the proposed plan it's rotated to maximize the spots?

MR. BLOOM: Yes.

MR. TORLEY: This is the plan that you're talking about going to the planning board with?

MR. BLOOM: Yes.

MR. TORLEY: That was my question.

MR. BLOOM: Yes, it is, I'm sorry.

MR. BABCOCK: Yeah, I think the developmental coverage Mr. Chairman was just a matter that he was coming in and might as well get it all cleared up while he's here.

MR. TORLEY: How many parking spaces would be required

for the building size?

MR. BLOOM: I believe the maximum I need I think I need five more, there's a requirement of 20 and I've got 15 so I needed five.

MR. REIS: What's the difference on the developmental coverage, Mike?

MR. BABCOCK: Seventeen percent over, he's allowed 30 percent.

MR. KRIEGER: Now, of the 15 spaces you have here as it's presently configured, do you have all 15 now or is the 15 based on what you will have when you submit the plan to the planning board?

MR. BLOOM: What he's got there right now to my understanding Mr. Krieger is what we have at the present time.

MR. KRIEGER: Which is?

MR. TORLEY: You've got 15 spots now existing?

MR. BABCOCK: No, I think that's proposed.

MR. KRIEGER: Fifteen is proposed.

MR. BLOOM: I'm sorry, it's 14 proposed and with the one handicapped, I'm sorry.

MR. KRIEGER: They're proposed, okay.

MR. TORLEY: And although your business is expanding, I hope it continues to grow, you're all lawyers, but have you ever filled your lot to the capacity that you have now? Have you ever had trouble with parking in your present configuration? Have you had trouble with parking at any point?

MR. BLOOM: We've had an overflow, Mr. Chairman, sure we've had overflows, it happens at times when we have a deposition going on downstairs and a closing at the same time upstairs and I would say that that will

happen I'd say maybe two or three times, maybe once or twice a month, two or three on maybe the summer months.

MR. KRIEGER: Hence the reason for expanding the parking?

MR. BLOOM: Correct.

MR. TORLEY: Gentlemen, do you have any other questions on this?

MR. KANE: Not at the moment.

MR. TORLEY: I will open it up to the public. Sir, madam, do you have any questions that we can help you with?

MR. ARANSON: I don't have, we don't have any worries here because Mr. Bloom's property is not contiguous to ours. I'm just curious to know maybe Dan can tell me what development is going on to the rest of it?

MR. BLOOM: Behind our building, probably have to defer to Mike would probably know more what I know is hearsay, I just had heard that a developer had recently purchased it for the purpose of building something commercial but I'm not exactly sure.

MR. BABCOCK: They looked at senior citizen housing and they're looking to see what's appropriate for the lot so they really haven't, they don't have a final position right now.

MR. ARANSON: Who are they?

MR. BABCOCK: I honestly don't know, you'd have to come to my office, I don't have it with me. I speak to too many people, I can't remember who they are.

MR. TORLEY: But you have no objections to Mr. Bloom's plans?

MR. ARANSON: No.

MRS. ARANSON: No, of course not.

MR. TORLEY: I'll close the public hearing and open it back up to the members of the board. Gentlemen, do you have any other questions for our applicant?

MR. REIS: Just to kind of finalize Mr. Bloom's position here, your business has grown to a point where you need to expand, this is the minimal expansion that makes economical sense to you to do what you want to do?

MR. BLOOM: It is. I'm glad you gave me that opportunity, Mr. Reis, yes, my son joined us in July, we need a room for him and we need expanded a corresponding room for two more secretaries and that's what this is providing us.

MR. REIS: Thank you. I have no more questions.

MR. KANE: Mr. Chairman, accept a motion?

MR. TORLEY: Yes, sir.

MR. KANE: I move that we approve the application by Bloom & Bloom for a 20.2 foot front yard variance, a five foot 8 inch--

MR. TORLEY: Seven foot.

MR. KANE: It's increased to a 7 foot rear yard variance, a 17 percent developmental coverage and a five parking space variance.

MR. REIS: Second the motion.

ROLL CALL

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

MR. TORLEY: Motion to adjourn?

MR. REIS: So moved.

January 13, 2003

28

MR. KANE: Second it.

ROLL CALL

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

Respectfully Submitted By:



Frances Roth
Stenographer

1/14/03



RESULTS OF Z.B.A. MEETING OF: January 13, 2003

PROJECT: Bloom & Bloom

ZBA # 02-68
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) K S) R VOTE: A 3 N 0.

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

Rear yard variance is 7'

TOWN OF NEW WINDSOR ZONING BOARD
PUBLIC HEARING FOR:

DATE: January 13, 2003

SIGN-IN SHEET

	NAME	ADDRESS
1.	<u>Jack Aranson</u>	<u>P.O. Box 4306</u>
2.	<u>Claudia Aranson</u>	<u>New Windsor, NY 12553</u>
3.		<u>562-8838</u>
4.		
5.		
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9.		
10.		
11.		
12.		
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**PUBLIC NOTICE OF HEARING
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. 02-68

Request of DANIEL J. BLOOM & PETER E. BLOOM

for a VARIANCE of the Zoning Local Law to Permit:

COMMERCIAL ADDITION TO OFFICES OF BLOOM & BLOOM, P.C.

being a VARIANCE of Section 7E **VARIOUS "AREA VARIANCES"**

for property situated as follows:

530 BLOOMING GROVE TPKE., NEW WINDSOR, NEW YORK
1 1/4 MILES +/- NORTH OF VAILS GATE FIVE CORNERS INTERSECTION

known and designated as tax map Section 46, **Blk.** 2 **Lot** 50.1

PUBLIC HEARING will take place on the 13th **day of** JANUARY, **20**03 **at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.**



Chairman



1763

Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

September 17th, 2002

Bloom & Bloom
530 Blooming Grove Tpke.
New Windsor, NY 12553

Re: 46-2-50.1

Dear Mr. Daniel Bloom:

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

The charge for this service is \$55.00, minus your deposit of \$25.00.

Please remit the balance of \$30.00 to the Town Clerk's Office.

Sincerely,

John McDonald
Acting Assessor

JM/srr

Attachments

CC: Pat Corsetti, ZBA



37-1-52.1
Sycamore Associates LLC
431 Blooming Grove Turnpike
New Windsor, NY 12553 ✓

46-2-10
Gladys Nunez
8 Stone Ledge Lane
New Windsor, NY 12553 ✓

46-2-11
William & Christine Johnsen
9 Stone Ledge Lane
New Windsor, NY 12553 ✓

46-2-12
Paul & Hisako Roach
7 Stone Ledge Lane
New Windsor, NY 12553 ✓

46-2-13
James Santacrocce & Beverly Ann
5 Stone Ledge Lane
New Windsor, NY 12553 ✓

46-2-26
Henry Davis, Sr.
15 Horse Shoe Bend
New Windsor, NY 12553 ✓

46-2-27
John Murphy & Tracey Finn
13 Horse Shoe Bend
New Windsor, NY 12553 ✓

46-2-28
Lynn Wolfinger Mills
11 Horse Shoe Bend
New Windsor, NY 12553 ✓

46-2-29
Demetra Perdikakis
9 Horse Shoe Bend
New Windsor, NY 12553 ✓

46-2-30
Thomas & Peggy Scalli
7 Horse Shoe Bend
New Windsor, NY 12553 ✓

6-2-49
New Windsor Shopping Ctr. LLC
Joseph & Franco Marchese
C/o Mary Mazzurco
792 Madison Avenue
Baldwin, NY 11510 ✓

46-2-50.2
Planned Parenthood of Orange-Sullivan
Inc.
532 Blooming Grove Turnpike
New Windsor, NY 12553 ✓

46-2-50.31
534 Blooming Grove Turnpike, Inc.
c/o Louis Cappa
534 Blooming Grove Turnpike
New Windsor, NY 12553 ✓

46-2-50.32 46-2-56 46-2-57 46-2-58
46-2-59 46-2-61 46-2-62 46-2-63
Steven Schechtman
C/o Connelly Industries, Inc.
PO Box 1104
Newburgh, NY 12550 ✓

46-2-51.2 46-2.54.1
Jack & Claudia Aranson
PO Box 4306
New Windsor, NY 12553 ✓

46-2-60
Number One Shed, Inc.
520 Blooming Grove Turnpike
New Windsor, NY 12553 ✓

46-2-64 46-2-65 46-2-66
Frederick Warmers, Etal
28 Tenbroeck Lane
Newburgh, NY 12550 ✓

46-4-1
Terrence & Mary Bradley
543 Blooming Grove Turnpike
New Windsor, NY 12553 ✓

46-4-2
Anthony Pirraglia
539 Blooming Grove Turnpike
New Windsor, NY 12553 ✓

46-4-3
Volta Realty Corp.
537 Blooming Grove Turnpike
New Windsor, NY 12553 ✓

46-4-4
Ronald Brophy
533 Blooming Grove Turnpike
New Windsor, NY 12553 ✓

46-4-5 46-4-6
Ridgecrest Baptist Church
PO Box 4070
New Windsor, NY 12553 ✓

78-2-44
Freeman, Hughley & Vanley
50 Guernsey Drive
New Windsor, NY 12553 ✓

78-2-45
Daivd Perez & Lourdes Zapata Perez
200 Butterhill Drive
New Windsor, NY 12553 ✓

80-1-16
Boris & Christina Lonkewycz
33 Guernsey Drive
New Windsor, NY 12553 ✓

80-1-17
William & Kathleen Vacca
PO Box 4013
New Windsor, NY 12553 ✓

80-1-35
Robert & Joanne Coleman
70 Guernsey Drive
New Windsor, NY 12553 ✓

80-1-36
Elizabeth Discala
68 Guernsey Drive
New Windsor, NY 12553 ✓

80-1-37
Robert & Nora Bush
66 Guernsey Drive
New Windsor, NY 12553 ✓

80-1-38
Victor & Maria Perez
64 Guernsey Drive
New Windsor, NY 12553 ✓

80-1-39
Randolph & Peggy Wolfe
62 Guernsey Drive
New Windsor, NY 12553 ✓

80-1-40
John & Tina Reilly
50 Guernsey Drive
New Windsor, NY 12553 ✓

80-1-41
Michael Armida & Mary Ann Neroda
58 Guernsey Drive
New Windsor, NY 12553 ✓

80-1-42
Charles & Nancy Hatala
56 Guernsey Drive
New Windsor, NY 12553 ✓

80-1-43
Teresa Albaugh
201 Butterhill Drive
New Windsor, NY 12553 ✓

80-1-45
SDC Realty Corp.
555 Blooming Grove Turnpike
New Windsor, NY 12553 ✓

80-7-1
David & Michele Steinberg
53 Guernsey Drive
New Windsor, NY 12553 ✓

80-7-9
James Smith & Diane Cassell Smith
37 Guernsey Drive
New Windsor, NY 12553 ✓

30
8

38 Mailed

BLOOM AND BLOOM

MR. TORLEY: Request for 20.2' front yard, 7' rear yard.

Kevin Bloom, Esq. appeared before the board for this proposal.

MR. BLOOM: Mr. Chairman, good evening, members of the board, my name is Kevin Bloom, I have recently joined the law firm of Bloom & Bloom here in New Windsor, New York. For those of you who do not know, we're a law firm of two practitioners and I have recently joined making it three practitioners now in July. Because of my joining the practice, the existing structure that we have on our current lot right now needs to be expanded. And as a basis, we're on a corner lot currently right now and on the corner lot, I don't know if the members of the board have benefit of the survey that was done, you may have that.

MR. KANE: Yes.

MR. BLOOM: As you can see from the proposed addition on the right-hand side of the survey on the easterly side of the lot of our boundary, there's actually a road there currently right now. That road extends back into a lot that's behind the office. That's actually not shown on the survey, however, but that is an actual road that goes back into a building lot in behind. About halfway down on the lot, a tree line begins and those tree lines, those trees are about 30 feet in height and they extend down on the side of the lot and continue behind the lot in the rear portion of the lot and they're about 30 feet in height. The reason why I say that is because when I go to tell you right now for the proposed variances that we're looking for it's of some interest of that tree line because of the diminished impact that we believe we would have on the neighborhood. For the required front yardage, the permitted use is 35 feet. We'd be looking for a variance request of 20.2 feet and that would be for on the easterly side of the structure. The reason being is that we have to extend the building currently right now to the east, the reason why it's in the back

portion of the office that's where the septic and seepage pits are and it would be impossible for us to build in the back. But the tree line extends from the front portion of the building back, therefore, that structure that will be extending off to the easterly side will be diminishing its impact on the surrounding neighborhoods because of the tree lines currently there. The rear proposed variance that we're seeking for the permitted is 40 feet, we're asking for a 7 foot variance in the rear portion of the building and again, we're asking for that 7 foot variance in the back is because as you can see to the north part of the building, we can only build off to the side, not directly north because of the septic and seepage tanks that are currently there. And then that by placing the addition to the easterly portion of the building it would be of the same type of, it would be the same type of building, same type of materials, et cetera, therefore, diminish the impact that the people would have facing the building from the road. I will discuss the floor area coverage and the variances for that and the parking area coverage and the variance for that in the following way. For the floor area coverage, we're looking for a variance of 17 percent and for the parking area that of five more parking spaces. The reason why we're doing that is the following. Our law firm by having another associate join, myself, we need to have the extra space in order to have the proper support staff in order to join the law firm in order to support the practice that's going there right now and by the amount of parking spaces that are there for the respective clients that are going to be coming to the office actually be doing business there. And therefore, what we're saying is because the structure is being built to the easterly portion of the building, it will not be built directly towards the highway and because of the tree lines that surround the property, we believe there'd be a diminished impact upon the community and therefore, we would respectfully ask it to be approved.

MR. REIS: Kevin, you mentioned that there's septic tanks or septic system in there, you're not tied into the town municipal services?

MR. BLOOM: That's correct.

MR. MC DONALD: You have municipal water there, don't you?

MR. BLOOM: I don't know if it's municipal water or well water but I do know there's a septic in the back for sure.

MR. KANE: Your proposed addition 14 x 16, not overly large.

MR. BLOOM: No, it wouldn't be overly large. As you can see from the actual plan, it's only about not even, well, about a half of the building towards the easterly side and we wouldn't be adding any other portion other than that, it would be the same height as the building stands currently right now.

MR. TORLEY: When you come in for a public hearing, I appreciate the plan here, be prepared to talk about the developmental coverage, as far as drainage, since I assume this is going to be a hard paved parking lot?

MR. BLOOM: Yes.

MR. TORLEY: You're asking for 17 percent variance on the buildable coverage and also mine says 5 percent of the parking and I assume you mean 5 parking spaces?

MR. BLOOM: That's correct.

MR. KANE: Is it currently hard paved?

MR. BLOOM: Yes.

MR. TORLEY: Gentlemen, any other questions at this time?

MR. REIS: No, sir. Accept a motion?

MR. TORLEY: Yes, sir.

MR. REIS: I make a motion that we set up Bloom and Bloom for the requested variances at the Blooming Grove

December 9, 2002

14

Turnpike offices.

MR. MC DONALD: Second it.

ROLL CALL

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

ZBA # 02-68
Application fee

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

RECEIPT
#1157-2002

12/09/2002

Bloom & Bloom PC
P O Box 4323
New Windsor, NY 12553

Received \$ 150.00 for Zoning Board Fees, on 12/09/2002. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

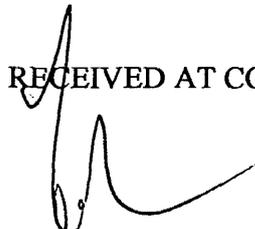
DATE RECEIVED: DECEMBER 4, 2002

FROM: BLOOM & BLOOM, PC
P.O. BOX 4323
NEW WINDSOR, NY 12553

CHECK NUMBER: 22822

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

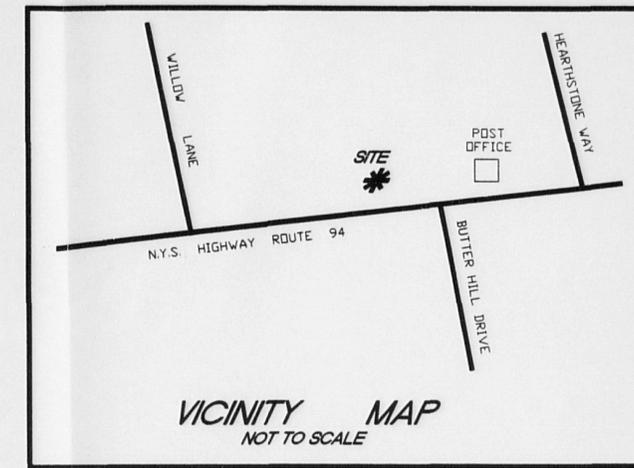
DATE 12/4/02

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

EXISTING ZONE : PROFESSIONAL OFFICE (PO)

REQUIRED	PROPOSED or AVAILABLE	VARIANCE REQUEST
MINIMUM LOT AREA.....	15,000 sq ft	N/A
MINIMUM LOT WIDTH.....	100 feet	N/A
FRONT YARD.....	74.2 feet / 14.8 feet	0 feet / 20.2 feet
SIDE YARD/TOTAL BOTH YARDS.....	20.8 feet	N/A
REAR YARD.....	34.2 feet	5.8 feet
STREET FRONTAGE.....	250 feet	N/A
MAXIMUM BUILDING HEIGHT.....	less than 35 feet	N/A
LOT COVERAGE (percent).....	47 %	17 %
ON SITE PARKING SPACES.....	15 spaces	5 spaces



BEARING BASIS:

NORTH ORIENTATION IS BASED ON DATUM ESTABLISHED FROM FILED MAP OR DEED OF RECORD.

DEED OF RECORD:

BEING LIBER 5487 PAGE 92, FILED WITH OFFICE OF THE ORANGE COUNTY CLERK.

TAX LOT DESIGNATION:

SECTION 46, BLOCK 2, LOT 50.1, AS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS.

GENERAL MAP NOTES:

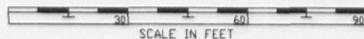
1. THIS SURVEY IS SUBJECT TO ANY RECORDED AND/OR UN-RECORDED COVENANTS, RESTRICTIONS, EASEMENTS, RIGHT-OF-WAYS, AND AGREEMENTS, IF ANY.
2. UNLESS ILLUSTRATED AND NOTED BY A POINT OF REFERENCE, UNDERGROUND IMPROVEMENTS OR ENCRDACHMENTS, IF ANY, ARE NOT SHOWN HEREON.
3. ALL BUILDING AND IMPROVEMENT OFFSETS SHOWN ARE AT RIGHT ANGLES TO PROPERTY LINES.
4. ALL HEDGES AND GROUND COVER ON THE SITE MAY NOT BE SHOWN ON THIS SURVEY.

MAP REFERENCES:

SUBDIVISION FOR CORNELL HOMES, INCORPORATED FILED IN THE ORANGE COUNTY CLERKS OFFICE ON JUNE 5, 1972 AS MAP NUMBER 2796.

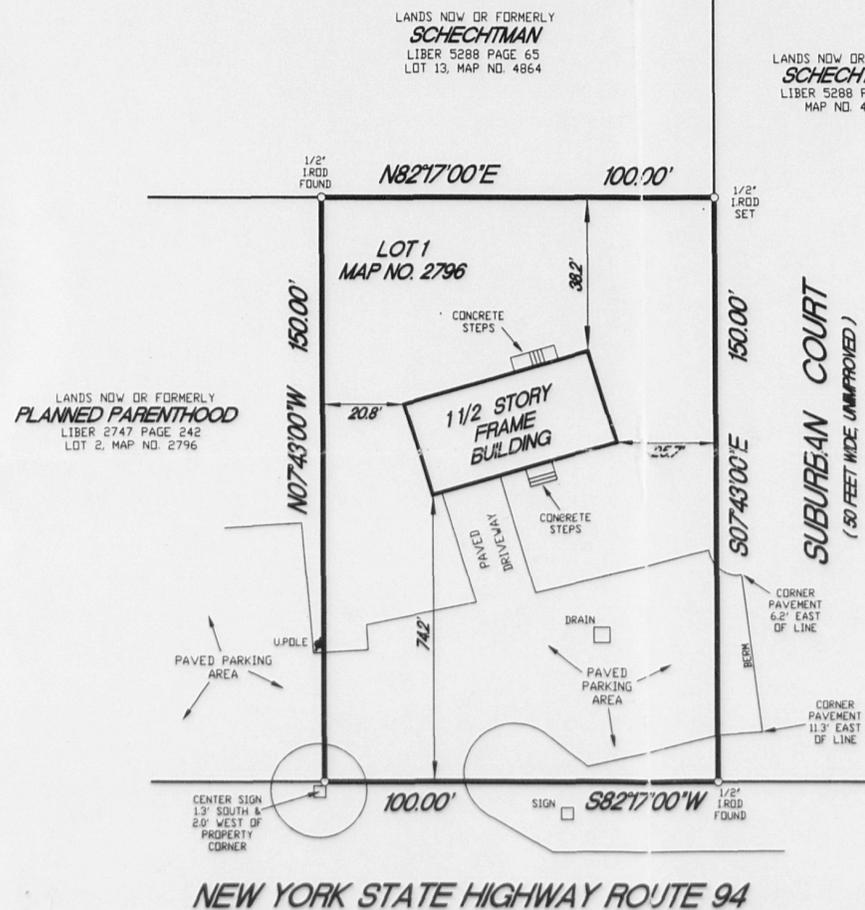
SITE PLAN PREPARED FOR
BLOOM

LOCATED IN THE TOWN OF NEW WINDSOR
ORANGE COUNTY NEW YORK
SCALE: 1" = 30'
OCTOBER 18, 2002

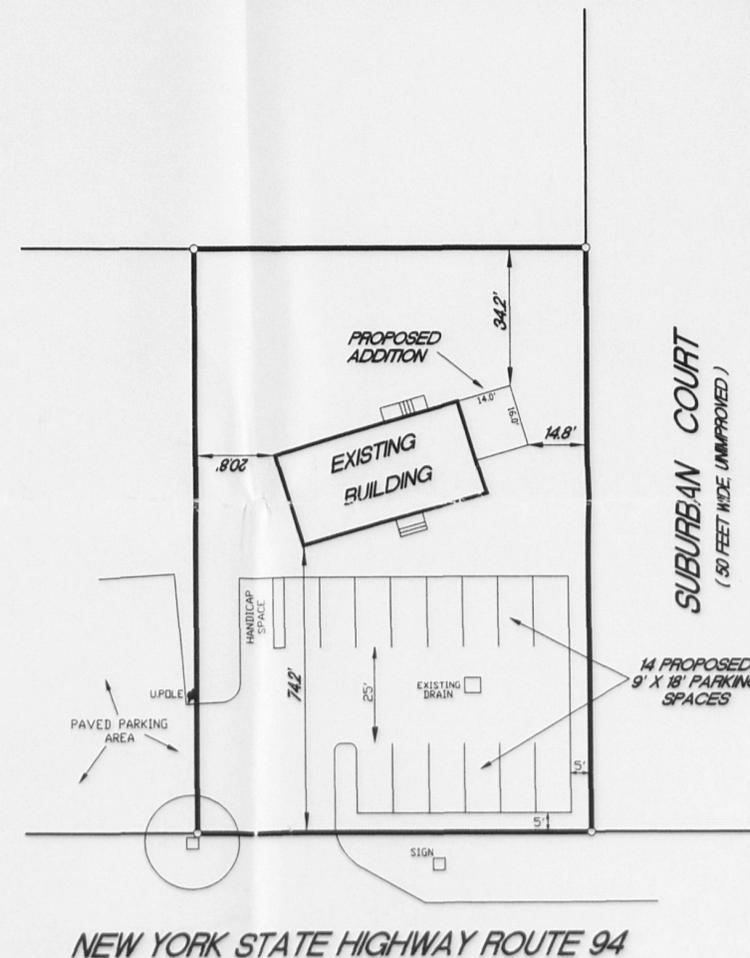


REVISIONS:

OCTOBER 28, 2002 - CHANGED BULK TABLE



EXISTING PLAN
SCALE: 1" = 30'



PROPOSED PLAN
SCALE: 1" = 30'

CERTIFICATION:

I, ANTHONY A. SORACE, P.L.S., DO HEREBY CERTIFY IN MY PROFESSIONAL OPINION, ONLY TO PARTIES LISTED BELOW THAT THIS SURVEY IS THE RESULT OF AN ACTUAL FIELD SURVEY COMPLETED ON APRIL 20, 2002 AND COMPLIES WITH EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF LAND SURVEYORS. THIS CERTIFICATION DOESN'T RUN WITH TITLE TO THE LAND AND IS NOT TRANSFERABLE TO ADDITIONAL LENDING INSTITUTIONS OR SUBSEQUENT OWNERS;

- * PETER E. BLOOM
- * DANIEL J. BLOOM

SURVEY No. 0252-SITE PLAN

SURVEYOR:

Anthony A. Sorace
ANTHONY A. SORACE, P.L.S. LIC. No. 50187

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(845) 496-3367

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PROFESSIONAL LAND SURVEYOR
ROCK TAVERN, NEW YORK - 12575
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