

ZB# 03-48

Charles Bechle

65-1-4

ZBA # **03-48** CHARLES BECHLE (AREA)
467 MT. AIRY ROAD (65-1-4)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
GRANDED 11-24-03

567-3807



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 15, 2004

Mr. Charles Bechle (or Present Owner of)
467 Mt. Airy Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-48 (65-1-4)

Dear Mr. Bechle or Present Owner:

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

CHARLES BECHLE

AREA

CASE #03-48
-----X

WHEREAS, Mr. & Mrs. Charles Bechle, owner(s) of 467 Mt. Airy Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an variance for proposed 12 ft. X 24 ft. shed that will project between the house and road on a corner lot (Section 48-14-A-4) located at 467 Mt. Airy Road in an R-3 zone

WHEREAS, a public hearing was held on November 24, 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 no spectators 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 residential property located in a neighborhood of residential properties.
 - (b) The property is located on a corner lot at the intersection of two roadways. At the time the house was built, only one of those roadways existed. The second roadway was constructed after the construction of the home on this property.

- (c) The proposed shed cannot be located in the applicant's back yard because the back yard is very shallow and placing it in the other side yard would not be practical.
- (d) The shed is similar in size and appearance to other sheds in the neighborhood.
- (e) The shed will not block the motorist's view or the safe operation of motor vehicles on either adjacent highway.
- (f) In constructing the shed no trees or substantial vegetation will be removed.
- (g) The shed will not create any water hazards or runoffs, will not divert the flow water drainage or create the ponding or collection of water.
- (h) The shed will not be constructed on top of any easement including, but not limited to, sewer and water easements.
- (i) The property is an irregularly shaped property making it difficult to locate a shed on the property.

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).

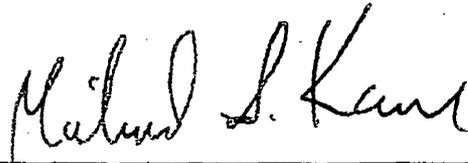
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a variance for proposed 12 ft. X 24 ft. shed that will project between the house and road on a corner lot (Section 48-14-A-4) located at 467 Mt. Airy Road in an **R-3 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: November 24, 2003



Chairman

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: **September 16, 2003**

APPLICANT: **Charles Bechle
467 Mt Airy Road
New Windsor, NY 12553**

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: **September 15, 2003**

FOR : **Shed**

LOCATED AT: **467 Mt Airy Road**

ZONE: **R-3 Sec/Blk/ Lot: 65-1-4**

DESCRIPTION OF EXISTING SITE: **Section 65 Block 1 Lot 4**

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. **Proposed 12 x 24 shed will project between house and road. This is a corner lot.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-3 USE: 48-14-A-4

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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



APPROVED

03-48

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

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

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, 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

SEP 15 2003

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: 2003-1164

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 Charles & JOANN Bechle

Address 467 Mt Airy Rd

Phone # 567 3607
Cell 401 1459 (Charles)
Fax #

Mailing Address SAA

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 East side of Mt Airy Rd
(N,S,E or W)
and 5-10 feet from the intersection of Marotta Dr (Private Rd)

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

3. Tax Map Description: Section 65 Block 1 Lot 4

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

a. Existing use and occupancy Single Farm b. Intended use and occupancy Single Farm w/ New Shed

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

6. Is this a corner lot? yes

7. Dimensions of entire new construction. Front 24 Rear 24 Depth 12 Height _____ No. of stories _____

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

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

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

X
4300-

10. Estimated cost _____

Fee 8.50 ch 7172
acc 9/15/03

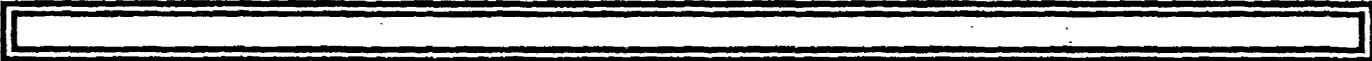
PAID
ZONING BOARD

____/____/____
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.

J M Becke
(Signature of Applicant)
J M Becke

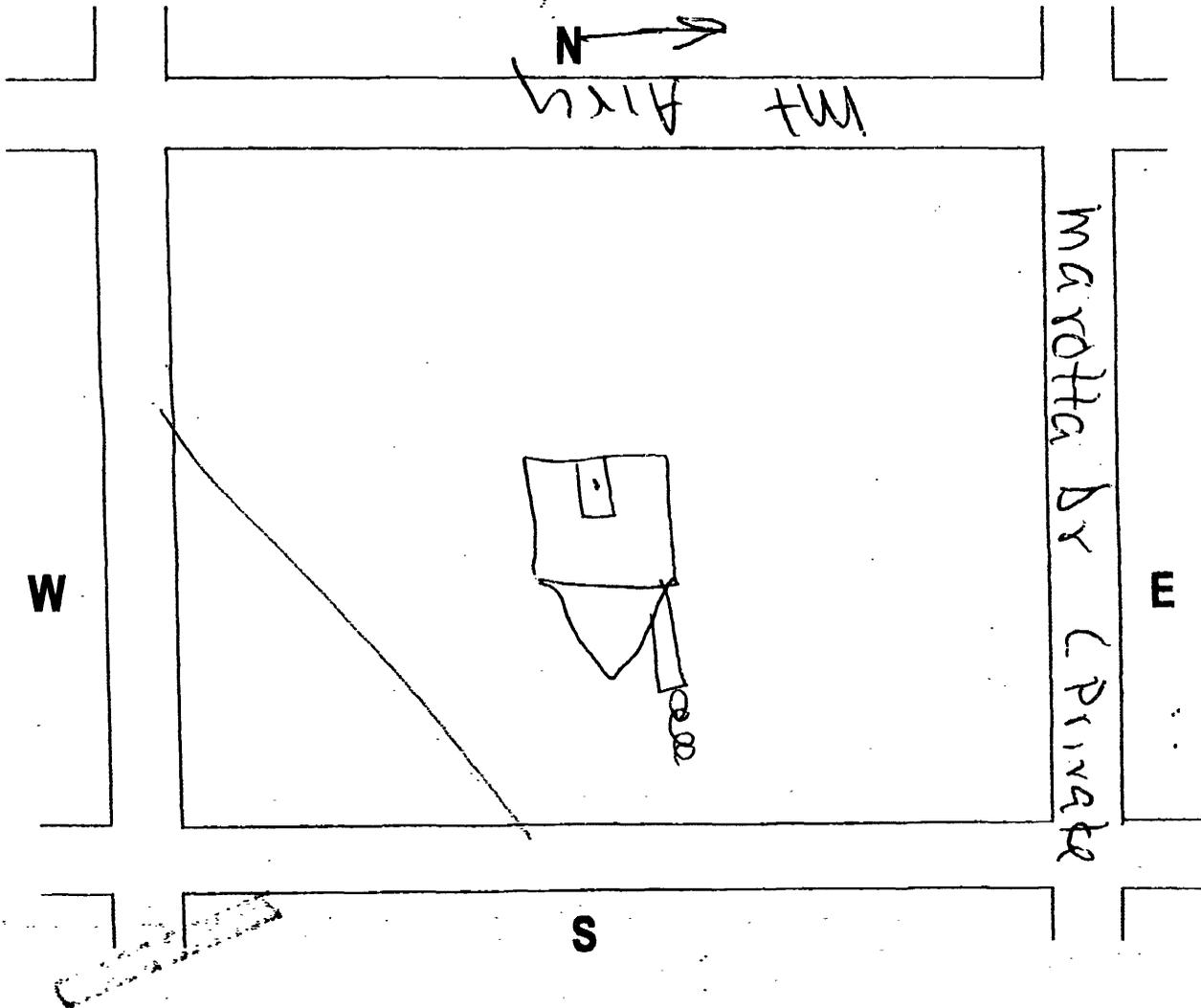
467 Mt Airy Rd
(Address of Applicant)

(Owner's Signature)

PLOT PLAN

(Owner's / address)

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





86

76A(C)

(2) 83.2
21.8A(C)

85
7A(C)

83.1
1A

BUCK (1) 3.1 1.3A
SUB (2) 3.2 1.2A
MAP 6657 (3) 3.3 1.5A
(4) 3.4 1.2A

75.1
74
73
72
71
70
69
68
67
66.1
23.4A(C)

75.2
4.4A

66.2

5.1
3.4A

5.2
18.4A(C)

76
9.4A

6
2A

10
1.5A
11
1.4A

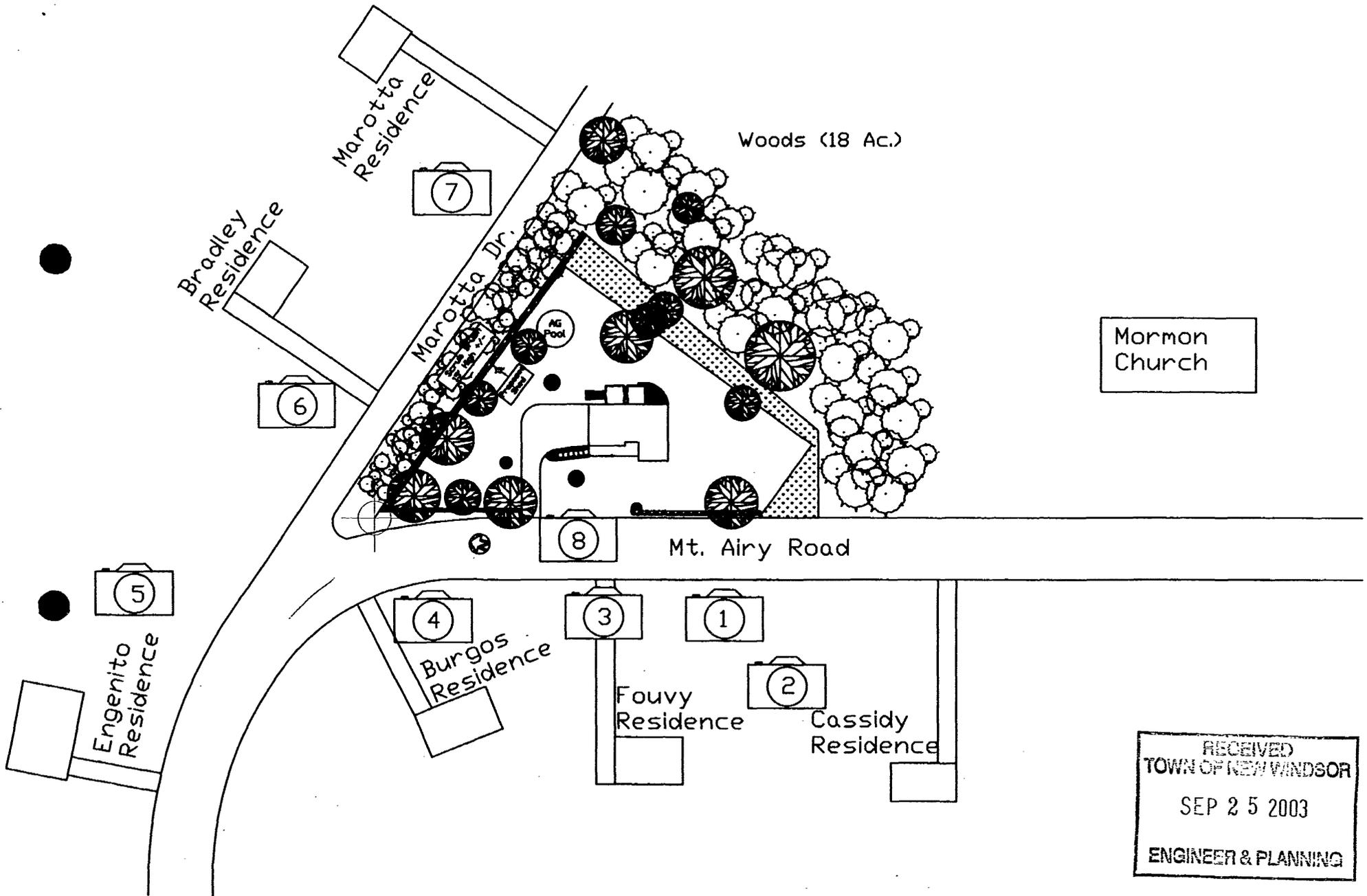
City of Newburgh
P/o 32-2-53
431.2A

SECTION 76

558,000
N 632,000

REV MAP 4851
12.3
3.2A (3)
1.3A (2B)
12.21
12.22 1.1A (2A)
MAP 5561

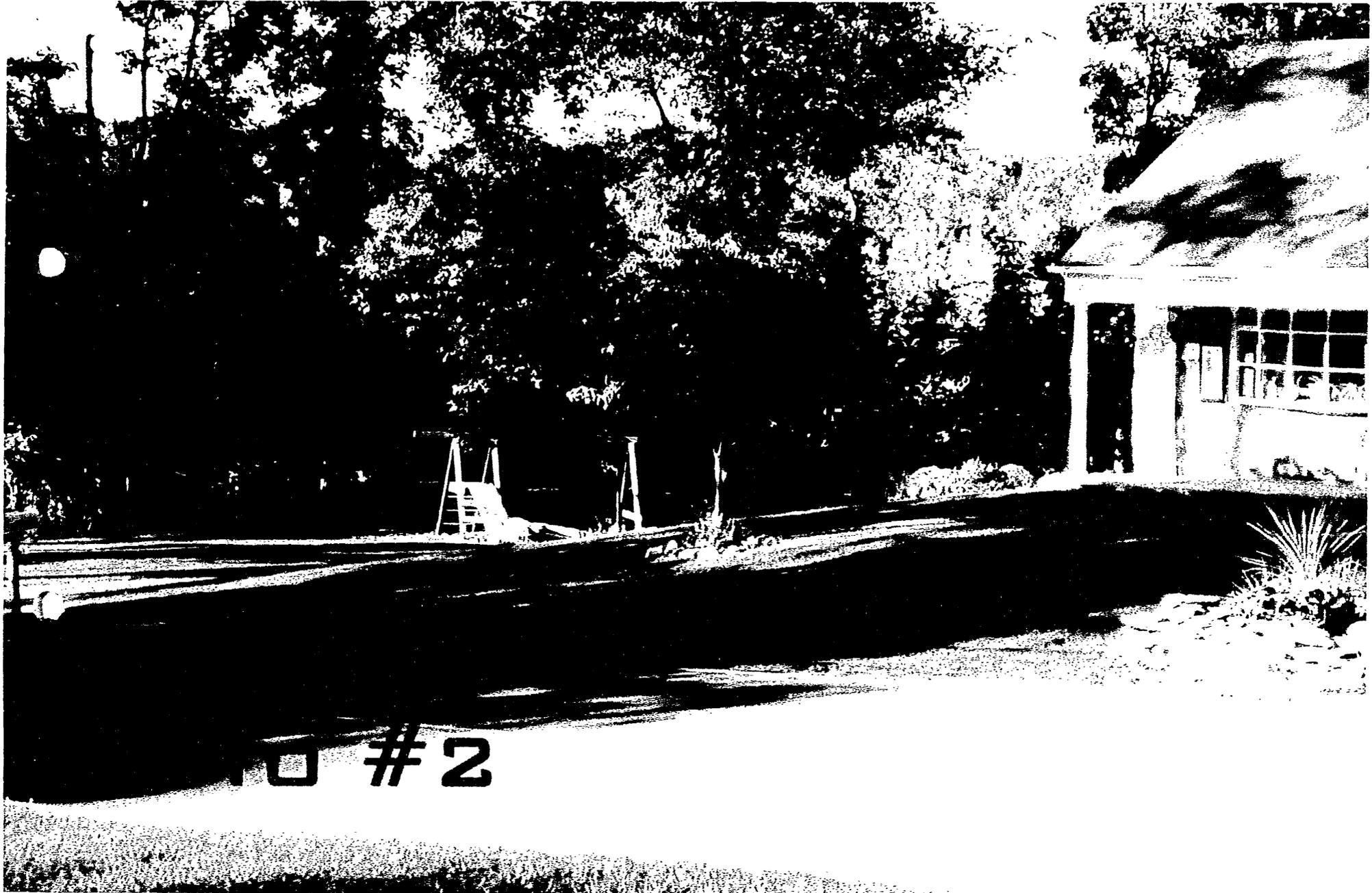
C.H.G. & E. UTILITIES



RECEIVED
 TOWN OF NEW WINDSOR
 SEP 25 2003
 ENGINEER & PLANNING

03-48





10 #2





PHOTO 14

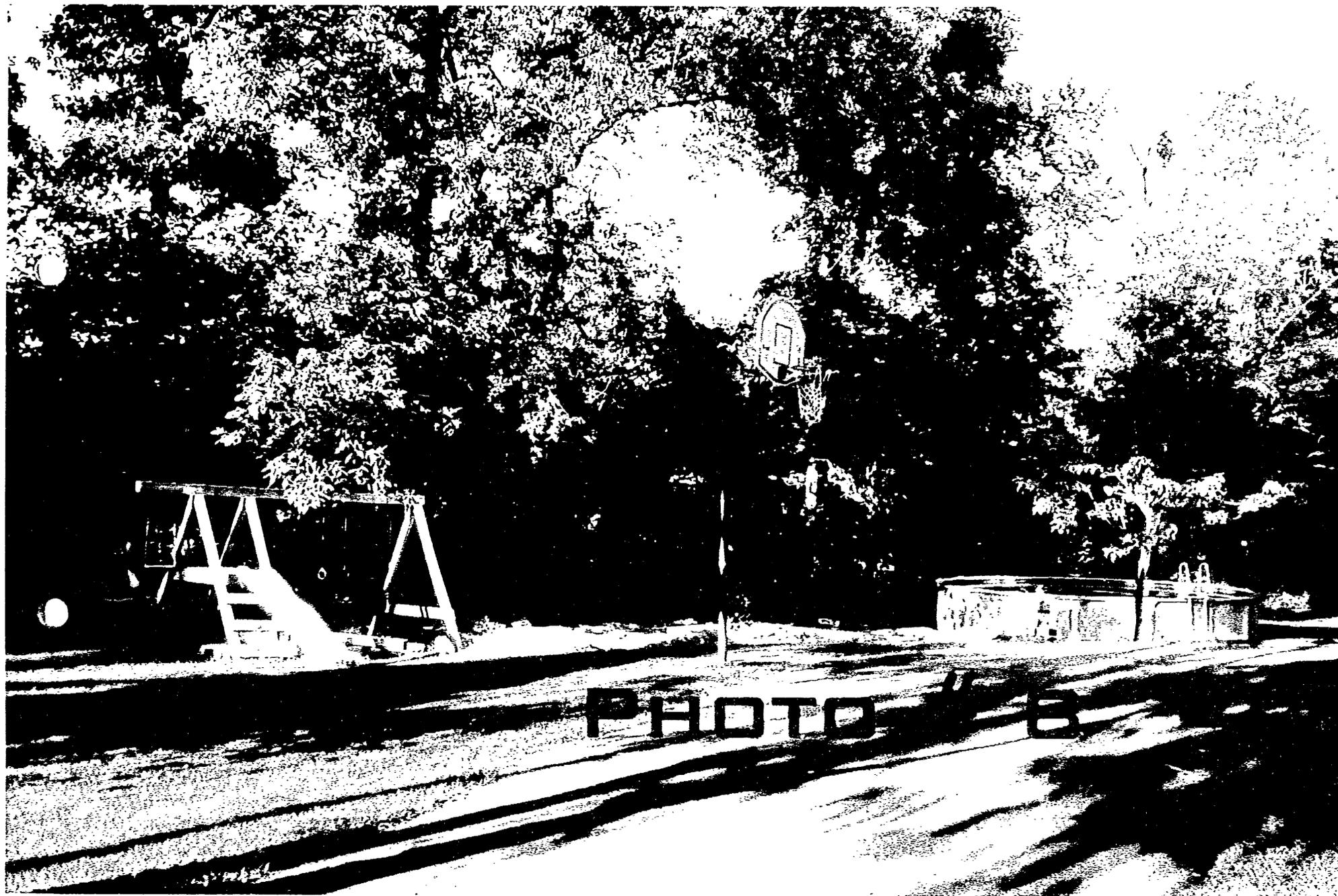


PHOTO 5



PHOTO #6







12x24 COLONIAL - **Lite Blue/Red/Bark**
With double doors in gable end or as shown.
Porch can be on right end or left end.

**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: JANUARY 13, 2004
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 198.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #03-48

NAME & ADDRESS:

**CHARLES BECHLE
467 MT. AIRY ROAD
NEW WINDSOR, NY 12553**

THANK YOU,

MYRA

L.R.1-13-2004



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



FILE #03-48 TYPE: AREA

APPLICANT:
CHARLES & JOANN BECHLE

TELEPHONE: 567-3807

RESIDENTIAL:	\$ 50.00	CHECK # <u>7173</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 7174

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

<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:	_____	PAGES	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	\$ <u>18.00</u>
PUBLIC HEARING:	_____	PAGES	\$ _____
	TOTAL:		\$ <u>31.50</u> \$ <u>70.00</u>

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

ESCROW POSTED:	\$ 300.00
LESS: DISBURSEMENTS:	\$ <u>101.50</u>
AMOUNT DUE:	\$ _____
REFUND DUE:	\$ <u>198.50</u>

L.R. 1-13-04

CHARLES BECHLE (03-48)

MR. KANE: Request for variance for proposed 12 ft. x 24 ft. shed that will project between the house and road on a corner lot (Section 48-14-A-4) located at 467 Mt. Airy Road in an R-3 zone.

Mr. and Mrs. Bechle appeared before the board for this proposal.

MR. KANE: Tell us what you want to do again.

MR. BECHLE: We want to erect a shed in our side yard which I guess technically is kind of called our front yard too for storage equipment.

MR. BABCOCK: Mr. Chairman, when this house was built, Marado Road was not in place so this was not a corner lot at the time the house was built and then Marado Road was built and created this corner lot.

MR. KANE: This is a proposed shed though, right?

MR. BABCOCK: That's correct.

MR. KANE: There's no other place on your yard that you could put this shed that will conform with the Town's rules?

MR. BECHLE: It wouldn't work out well, our back yard is really shallow and if we go to the other side yard, we're just so far away from our driveway we wouldn't be able to get the equipment in and out easily, especially during snow and whatnot.

MR. KANE: Twelve by twenty-four shed, the size, is it similar to other sheds in your neighborhood or will it change the nature of the neighborhood?

MR. BECHLE: No, there's a lot of sheds in the

neighborhood of that size, small barns, that type of thing.

MR. MC DONALD: Have you had any complaints?

MR. BECHLE: No.

MR. KANE: It's proposed, it's not existing. Since it's going to be on the street side and I will ask it, it's obvious from the picture, but the shed itself is not going to block the view of any traffic or any vehicles coming down the street?

MR. BECHLE: Not unless they want to peak in our back yard.

MR. KANE: Not cutting down any substantial shrubbery or trees with the building of this?

MR. BECHLE: No.

MR. KANE: Won't be creating water hazards or runoffs?

MR. BECHLE: No.

MR. KANE: Any easements in that area?

MR. BECHLE: No.

MR. KRIEGER: By the map, this appears to be a rather irregularly shaped property, is that correct?

MR. BECHLE: I don't know if you'd call it that, close to a triangle, irregular, it's close to a triangle.

MR. KRIEGER: Triangle plus.

MR. KANE: At this point, I'll open this to the public and ask if there's anybody in the audience for this particular hearing and there's not so we'll close the

public portion of the hearing and ask for Myra's details.

MS. MASON: On the 7th day of November, 20 addressed envelopes were mailed out and no responses.

MR. KANE: Thank you. Gentlemen, any other questions?

MR. REIS: Yes, Mr. Chairman, do we need, because it's between the house and the front and the corner, do we need dimensions, Mike, for this variance?

MR. BABCOCK: No, there's no dimensions, it can't be anywhere.

MR. KANE: It's going in the front yard so it doesn't make a difference, technically, it's a front yard.

MR. BABCOCK: What the law says it can't project closer to the street than the principle building. So there's no distance.

MR. REIS: Just want to make sure.

MR. BABCOCK: Typically, a shed is ten foot from the property line and he's proposing it 15.

MR. KANE: Or 12 if you're in Butterhill.

MR. BABCOCK: Yes.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Make a motion that we pass Mr. Bechle's request for a variance of 12 x 24 foot square foot shed.

ROLL CALL

November 24, 2003

13

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

PRELIMINARY MEETINGS:

CHARLES BECHLE (#03-48)

MR. KANE: Request for variance for proposed 12 ft. x 24 ft. shed that will project between the house and road on a corner lot (Section 48-14-A-4) located at 467 Mt. Airy Road in a R-3 zone.

Mr. and Mrs. Charles Bechle appeared before the board for this proposal.

MR. KANE: Just to let you all know, the idea of the preliminary hearings is to give us a good idea of what you want to do and that will give you the chance to see what we need from you to make that possible. So when you come back for your public hearing, you'll basically go through the same procedure. Okay, Charles, tell us what you want to do.

MR. BECHLE: We want to build a shed about 15 feet away from our property line. When we first came up with the idea of building the shed, we didn't think that we didn't consider Moretta Drive to be our frontage, we thought Mt. Airy Road was our frontage and we were corrected when we went to get our building permit.

MR. KANE: Are they here because they're on a corner property?

MR. BABCOCK: They're on the corner of a Town road and a private road, Moretta Drive's a private road, which is a front yard to them and Mt. Airy Road is a front yard.

MR. KANE: So if it wasn't for that, they wouldn't been here?

MR. BABCOCK: That's correct, it's actually their rear yard.

MR. KANE: Do you understand why you're here?

MR. BECHLE: Yeah, we have two front yards.

MR. KANE: New York State.

MR. BECHLE: Four years ago we didn't have two front yards, this was driveway, now we do.

MR. KANE: Shed's similar in size and nature to other sheds in the area?

MR. BECHLE: Right.

MR. KANE: Would you be cutting down any substantial vegetation or trees?

MR. BECHLE: No.

MR. KANE: Creating any water hazards or runoffs?

MR. BECHLE: No.

MR. REIS: Won't be conflicting with any sewer or water easements?

MR. BECHLE: No, it's not near any utilities whatsoever.

MR. MCDONALD: Ever had any complaints, written or otherwise on the location of your shed?

MR. BECHLE: Well, we don't have a shed yet.

MR. KANE: This is a brand new one, unlike what we usually do. It's 15 feet, Mike, if it was a side property, they're ten foot out there?

MR. BABCOCK: That's correct.

MR. KANE: Pretty straightforward, gentlemen, do you have any other questions?

MR. REIS: Accept a motion?

MR. BECHLE: All these pictures, picture number one is taken from here. This is taken from this and so on.

MR. KANE: You're too good.

October 27, 2003

4

MR. BECHLE: It's kind of what I do at work.

MR. KANE: Yes, Michael, I'll accept a motion.

MR. REIS: Make a motion we set up the Bechle family for their requested variance at 467 Mt. Airy Road for a public hearing.

MR. MCDONALD: Second it.

ROLL CALL

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

MR. KANE: Follow that, if you have any questions, just give Myra a call.

MR. BECHLE: Thank you.



RESULTS OF Z.B.A. MEETING OF: 11/24/03

PROJECT: Charles Bechle ZBA # 03-48
P.B.#

USE VARIANCE: NEED: EAF _____ PROXY _____

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

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

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

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

ALL VARIANCES - PRELIMINARY APPEARANCE:

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

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M) R S) MC VOTE: A _____ N _____
RIVERA A
MC DONALD A CARRIED: Y _____ N _____
REIS A
~~MINUTA~~
KANE A



Large empty rectangular box for additional notes or signatures.

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. 03-48

Request of CHARLES BECHLE

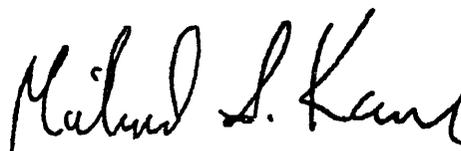
for a VARIANCE of the Zoning Local Law to Permit:

Request for variance for proposed 12 ft. X 24 ft. shed that will project between the house and road on a corner lot being a VARIANCE of Section (Section 48-14-A-4)

for property located at: 467 Mt. Airy Road - New Windsor, NY in an R-3 zone

known and designated as tax map Section 65 Block 1 Lot 4

**PUBLIC HEARING will take place on November 24, 2003
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**



Michael Kane, Chairman



Town of New Windsor

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

Assessor's Office

November 3, 2003

Charles Bechle
467 Mt. Airy Road
New Windsor, NY 12553

Re: 65-1-4 ZBA#03-46

Dear Mr. Bechle:

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 \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IA
Sole Assessor

JTW/lrd
Attachments

CC: Myra Mason, ZBA

TOWN OF NEW WINDSOR

REQUEST FOR NOTIFICATION LIST

DATE: 10-29-03 PROJECT NUMBER: ZBA# 03-48 P.B. # _____

APPLICANT NAME: CHARLES BECHLE

PERSON TO NOTIFY TO PICK UP LIST:

CHARLES BECHLE
467 MT. AIRY ROAD
NEW WINDSOR, NY 12553

TELEPHONE: 567-3807

TAX MAP NUMBER: SEC. 65 BLOCK 1 LOT 4
SEC. _____ BLOCK _____ LOT _____
SEC. _____ BLOCK _____ LOT _____

PROPERTY LOCATION: 467 MT. AIRY ROAD
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 XXX

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



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 7175

TOTAL CHARGES: _____



1763

Town of New Windsor

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

Assessor's Office

November 3, 2003

Charles Bechle
467 Mt. Airy Road
New Windsor, NY 12553

Re: 65-1-4 ZBA#03-46

Dear Mr. Bechle:

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 \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

A handwritten signature in black ink that reads 'J. Todd Wilely, IA'. The initials 'IA' are circled.

J. Todd Wilely, IA
Sole Assessor

JTW/lrd
Attachments

CC: Myra Mason, ZBA

65-1-1.2
George & Helen Pirnik
13260 Broadhurst Loop
Ft. Myers, FL 33919-8114

65-1-1.31
Carol Mante
443 Mt. Airy Road
New Windsor, NY 12553

65-1-2
Robert Engenito
457 Mt. Airy Road
New Windsor, NY 12553

65-1-3.1
Thomas & Rose Marie Bradley
5 Marotta Drive
New Windsor, NY 12553

65-1-3.2
Patricia Arnold
13 Marotta Drive
New Windsor, NY 12553

65-1-3.3
Debra Marotta
21 Marotta Drive
New Windsor, NY 12553

65-1-3.4
Thomas & Diana Bartunek
27 Marotta Drive
New Windsor, NY 12553

65-1-5.1
The Church of Jesus Christ of Latter
Day Saints
50 East North Temple
Salt Lake City, Utah 84150

65-1-5.2 & 65-1-66.1
Kenneth & Della Leonard
2024 17th Street
Lubbock, TX 79401

65-1-66.2
Marjorie & Walter Doering
1831 Fessler Street
Englewood, FL 34223

65-1-67
William & Patricia Collopy
502 Mt. Airy Road
New Windsor, NY 12553

65-1-68
William & Joan Yeaton
496 Mt. Airy Road
New Windsor, NY 12553

65-1-69.1
John & Mary Cassidy
486 Mt. Airy Road
New Windsor, NY 12553

65-1-69.2
Joseph & Anne Orzo
492 Mt. Airy Road
New Windsor, NY 12553

65-1-70
Robert Fouvy
Carol Perine
484 Mt. Airy Road
New Windsor, NY 12553

65-1-71
Jorge Burgos
474 Mt. Airy Road
New Windsor, NY 12553

65-1-72
Kim Doering
466 Mt. Airy Road
New Windsor, NY 12553

65-1-73
Frank Valdina III
458 Mt. Airy Road
New Windsor, NY 12553

65-1-85
Sesame Estates, Inc.
440 Washington Street
Orange, NJ 07050

65-1-86
I & P Associates
440 Washington Street
Orange, NJ 07050



Town of New Windsor

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

ZONING BOARD OF APPEALS

November 7, 2003

Mr. Charles Bechle
467 Mt. Airy Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-48

Dear Mr. Bechle:

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:

467 Mt. Airy Road
New Windsor, NY

is scheduled for the November 24, 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



RESULTS OF Z.B.A. MEETING OF: October 27, 2003

PROJECT: Charles Beeble ZBA # 03-48
P.B.# _____



USE VARIANCE: NEED: EAF _____ PROXY _____

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

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

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

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

ALL VARIANCES - PRELIMINARY APPEARANCE:



SCHEDULE PUBLIC HEARING: M) Re S) Mc VOTE: A 5 N 0
RIVERA A
MCDONALD A
REIS A
MINUTA A
KANE 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 _____
MINUTA _____
KANE _____

No trees cut
No water hazards
No easements

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

**RECEIPT
#920-2003**

09/25/2003

Bechle, Charles C. *ZBA 03-48*

**Received \$ 50.00 for Zoning Board Fees, on 09/25/2003. Thank you for
stopping by the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 09-23-03

FOR: ESCROW 03-48

FROM: CHARLES BECHLE
467 MT. AIRY ROAD
NEW WINDSOR, NY 12553

CHECK NUMBER: 7174

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

9/25/03

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU



Town of New Windsor

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

ZONING BOARD OF APPEALS

September 25, 2003

Mr. & Mrs. Charles Bechle
467 Mount Airy Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #03-48

Dear Mr. & Mrs. Bechle:

This letter is to inform you that you have been placed on the October 27th, 2003 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

467 Mt. Airy Road
New Windsor, NY 12553

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

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

*** * MUST READ AND SIGN * ***

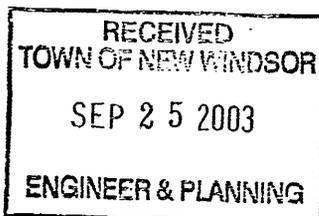
I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).

JM Felton
SIGNATURE

9/20/03
DATE

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST – ONE MEETING PER MONTH ONLY)



PAGE 2

COMPLETE THIS PAGE

03-48

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:

THIS IS THE ONLY VIABLE SPOT ON OUR
YARD FOR THIS SHED. IF WE PUT IT BEHIND THE HOUSE, IT
WILL BE VERY CLOSE TO THE HOUSE. IF WE PUT IT ON
THE OTHER SIDE OF THE YARD, IT WILL HAVE VERY POOR
ACCESS TO THE DRIVEWAY. IN THE SPOT WE WANT TO
PUT IT, IT IS SET FAR BACK FROM MT. AIRY RD.
AND THERE IS A NATURAL SCREEN BETWEEN
MAROTTA DRIVE AND OUR YARD. WE SELECTED
A SHED THAT IS GOOD LOOKING AND WILL FIT IN
WELL WITH THE CHARACTER OF THE NEIGHBORHOOD.

PLEASE NOTE:

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

03-48

COMPLETE THIS PAGE

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.)
-
-

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:

22nd day of September 2003,

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 2007

Deborah Green
Signature and Stamp of Notary

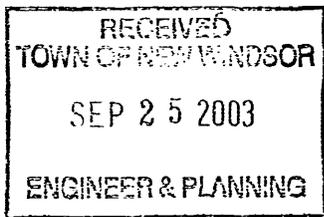
JMB/NO
Owner's Signature (Notarized)

JOANN M BECHIE
Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

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



COMPLETE THIS PAGE

03-48