

PB# 91-26

HERBERT MASON

SBL 32-2-9 & 10.41

MASON, HERBERT - SUBDIVISION #91-26
MT. AIRY ROAD (3 LOTS) (VALDINA)

Approved 3/26/92

General Receipt 12333

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

Received of Herb Mason \$ 50.00
Fifty dollars and 00/100 DOLLARS

For P. B. #91-26 Application Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
Check 9340		50.00

By Pauline J. Townsend
Town Clerk
Title

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

General Receipt 12332

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

Received of Town Clerk \$ 450.00
Four hundred fifty and 00/100 DOLLARS

For P. B. #91-26 Escrow

DISTRIBUTION:

FUND	CODE	AMOUNT
Check 9342		450.00

By Juan Zappala
Deputy Comptroller
Title

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

GENERAL RECEIPT 12547

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

Received of Town Clerk \$ 76.00
Seventy-six and 00/100 DOLLARS

For Planning Board #91-26 Escrow Herb Mason

DISTRIBUTION:

FUND	CODE	AMOUNT
ck. 9397		76.00

By Jalen
Comptroller
Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

Check 9340		50.00

By Pauline J. Townsend

Town Clerk

Title

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

General Receipt 12332

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

Received of Town Clerk \$ 450.00
Four hundred fifty and 00/100 DOLLARS

For P. B. # 91-26 Escrow

DISTRIBUTION:

FUND	CODE	AMOUNT
Check 9342		450.00

By Juan Zappala
Deputy Comptroller
Title

Nov. 7, 1991

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

GENERAL RECEIPT 12547

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

Received of Town Clerk \$ 76.00
Seventy - six and 00 DOLLARS

For Planning Board #91-26 Escrow Herb Nass

DISTRIBUTION:

FUND	CODE	AMOUNT
CR 9397		76.00

By J. J. J.
Comptroller
Title

March 26, 1992

Williamson Law Book Co., Victor, N.Y. 14564

GENERAL RECEIPT 12540

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

Received of Newburgh Roofing, Inc. \$ 415.00
Four hundred fifteen and 00 DOLLARS

For Planning Board #91-26 Approval Fees

DISTRIBUTION:

FUND	CODE	AMOUNT
CR 8893		415.00

By Pauline J. Townsend
Town Clerk
Title

March 26, 1992

Williamson Law Book Co., Victor, N.Y. 14564

Map Number ~~10519~~ # 74/92 . 91-26
Section 32 Block 2 Lot 9 City []
Town [X] New Windsor
Village []
Title: Herbert Mason & Barbara Mason^{Wolf}

Dated: 3-31-92 Rev. Filed 3-31-92
Approved by Ronald Lander
on 3-26-92
Record Owner Herbert & Barbara Mason

MARION S. MURPHY
Orange County Clerk

(1 sheet)

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00

ESCROW:

RESIDENTIAL:

3 LOTS @ 150.00 (FIRST 4 LOTS).....\$ 450.00
 _____ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$ _____

COMMERCIAL:

_____ LOTS @ 400.00 (FIRST 4 LOTS).....\$ _____
 _____ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$ _____

TOTAL ESCROW DUE....\$ 450.00

* * * * *

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00
 PRELIMINARY PLAT APPROVAL\$ 100.00
 FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 115.00
 FINAL PLAT SECTION FEE.....\$ 150.00
 BULK LAND TRANSFER...(\$100.00).....\$ _____

TOTAL SUBDIVISION APPROVAL FEES.....\$ 415.00

* * * * *

RECREATION FEES: *Was originally 3 Lots
 + Remains to be 3 Lots*

_____ LOTS @ \$1000.00 PER LOT.....\$ 1 - 0 -

* * * * *

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ 394.50
 PLANNING BOARD ATTORNEY FEES.....\$ 55.00
 MINUTES OF MEETINGS.....\$ 76.00
 OTHER.....\$ _____

526.00

* * * * *

PERFORMANCE BOND AMOUNT.....\$ _____

5% OF ABOVE AMOUNT.....\$ _____

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ _____

4% OF FIRST \$50,000.00 OF ABOVE:.....\$ _____

2% OF REMAINDER OF ABOVE:.....\$ _____

TOTAL INSPECTION FEE DUE:.....\$ _____

*L.B.A.
 Application
 Escrow*

150.00 LEGAL 570.00
 (250.00) Minutes 108.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/25/92

PAGE: 1

LISTING OF PLANNING BOARD FEES
Escrow

FOR PROJECT NUMBER: 91-26

NAME: MASON, HERBERT & WOLF, BARBARA MASON
APPLICANT: MASON, HERBERT

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUI
11/07/91	3 @ 150.00 EA	PAID		450.00	
11/19/91	P.B. ATTY. FEES	CHG	20.00		
11/13/91	P.B. MINUTES	CHG	58.50		
01/22/92	P.B. ATTY FEES	CHG	35.00		
01/22/92	P.B. MINUTES	CHG	18.00		
03/17/92	P.B. ENGINEER	CHG	394.50		
03/26/92	ADDITIONAL OWED	PAID		76.00	
		TOTAL:	526.00	526.00	0.00

**RETAKE
OF
PREVIOUS
DOCUMENT**

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00

ESCROW:

RESIDENTIAL:

3 LOTS @ 150.00 (FIRST 4 LOTS).....\$ 450.00
 _____ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$ _____

COMMERCIAL:

_____ LOTS @ 400.00 (FIRST 4 LOTS).....\$ _____
 _____ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$ _____

TOTAL ESCROW DUE....\$ 450.00

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00
 PRELIMINARY PLAT APPROVAL\$ 100.00
 FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 115.00
 FINAL PLAT SECTION FEE.....\$ 150.00
 BULK LAND TRANSFER...(\$100.00).....\$ _____

TOTAL SUBDIVISION APPROVAL FEES.....\$ 415.00

RECREATION FEES: *Was originally 3 Lots
 + Remains to be 3 Lots*

_____ LOTS @ \$1000.00 PER LOT.....\$ 1 - 0 -

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ 394.50
 PLANNING BOARD ATTORNEY FEES.....\$ 55.00
 MINUTES OF MEETINGS.....\$ 76.00
 OTHER.....\$ _____

526.00

PERFORMANCE BOND AMOUNT.....\$ _____

5% OF ABOVE AMOUNT.....\$ _____

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ _____

4% OF FIRST \$50,000.00 OF ABOVE.....\$ _____

2% OF REMAINDER OF ABOVE.....\$ _____

TOTAL INSPECTION FEE DUE:.....\$ _____

*L.B.A.
 Application
 Escrow*

*150.00 LEGAL 570.00
 (250.00) Minutes 108.00*

ATTY - 570.00
MINutes 108.00

Escrow (250.00)

Applic \$150.00

570.00
108.00

678.00

678.00
250.00

428.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/25/92

PAGE: 1

LISTING OF PLANNING BOARD FEES
Escrow

FOR PROJECT NUMBER: 91-26

NAME: MASON, HERBERT & WOLF, BARBARA MASON
APPLICANT: MASON, HERBERT

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUI
11/07/91	3 @ 150.00 EA	PAID		450.00	
11/19/91	P.B. ATTY. FEES	CHG	20.00		
11/13/91	P.B. MINUTES	CHG	58.50		
01/22/92	P.B. ATTY FEES	CHG	35.00		
01/22/92	P.B. MINUTES	CHG	18.00		
03/17/92	P.B. ENGINEER	CHG	394.50		
03/26/92	ADDITIONAL OWED	PAID		76.00	
		TOTAL:	526.00	526.00	0.00

P.B. # 91-26 Escrow



HERB MASON
110 MT. AIRY ROAD, PH. 564-6090
NEWBURGH, NY 12550

9397

1-108
280

3-26 19 92

PAY TO THE ORDER OF

Town of New Windsor

\$ 76⁰⁰/₁₀₀

Seventy Six and 00/100

DOLL



HIGHLAND FALLS OFFICE
MARINE MIDLAND BANK, N.A.
296 MAIN STREET
HIGHLAND FALLS, NY 10928

HERB MASON

FOR

Herb Mason

⑈009397⑈ ⑆028001081⑆ 083⑈77820⑈2⑈

CHARLAND 1988

P.B. # 91-26 Approval fees



NEWBURGH ROOFING, INC.
110 MT. AIRY ROAD, PH. 564-6090
NEW WINDSOR, NY 12553

889

1-108/28

3-26 19 92

PAY TO THE ORDER OF

Town of New Windsor

\$ 415⁰⁰/₁₀₀

Four Hundred Fifteen and 00/100

DOLL



HIGHLAND FALLS OFFICE
MARINE MIDLAND BANK, N.A.
296 MAIN STREET
HIGHLAND FALLS, NY 10928

MARIE MASON

FOR

Herb Mason

⑈008893⑈ ⑆028001081⑆ 083⑈88496⑈7⑈

CHARLAND 1988

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/25/92

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 91-26

NAME: MASON, HERBERT & WOLF, BARBARA MASON
APPLICANT: MASON, HERBERT

---DATE---	MEETING-PURPOSE-----	ACTION-TAKEN-----
03/26/92	PLANS STAMPED	APPROVED
01/22/92	P.B. APPEARANCE	LA/ND W-PH:APPROVED
01/13/92	Z.B.A. APPEARANCE(PUBLIC HEAR)	VARIANCES APPROVED
11/13/91	P.B. APPEARANCE	REFER TO Z.B.A.
11/06/91	WORK SESSION APPEARANCE	SUBMIT APPLICATION
08/06/91	WORK SESSION APPEARANCE	TO RETURN

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/22/92

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 91-26

NAME: MASON, HERBERT & WOLF, BARBARA MASON

APPLICANT: MASON, HERBERT

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	11/07/91	MUNICIPAL HIGHWAY	/ /	
ORIG	11/07/91	MUNICIPAL WATER	11/08/91	APPROVED
ORIG	11/07/91	MUNICIPAL SEWER	/ /	
ORIG	11/07/91	MUNICIPAL SANITARY . A MANHOLE IS REQUIRED WHERE A CLEAN OUT IS INDICATED	11/07/91	DISAPPROVED ✓
ORIG	11/07/91	MUNICIPAL FIRE	11/13/91	APPROVED
ORIG	11/07/91	PLANNING BOARD ENGINEER	/ /	



ANTHONY D. VALDINA

New York State Licensed Land Surveyor

4 PLEASANT VIEW AVENUE
NEWBURGH, NEW YORK 12550

914-561-8367

6 Mar. 1992

Description

for

Herbert Mason & Barbara Mason Wolf
(Lot No. 1-Residential Lot)

All that certain piece or parcel of land lying, situate and being in the Town of New Windsor, County of Orange and State of New York, Bounded and described as follows:

Beginning at an iron rod found on the westerly line of Mt. Airy Road and at the northeasterly corner of the Grantors; and running thence, along the said line of Mt. Airy Road the following two(2) courses and distances:

- 1) S 14°-07'-05" E 79.07' to a point;
- 2) S 28°-25'-55" E 30.30' to a point; thence leaving said line and through the lands of the Grantors the following five(5) courses and distances:
 - 1) S 51°-04'-05" W 110.86' to a point;
 - 2) S 41°-52' W 71.0' to a point on a wire fence;
 - 3) along said fence, N 49°-07'-40" W 20.0' to a point;
 - 4) along the same, N 60°-00'-10" W 67.70' to a point;
 - 5) still along said fence, N 44°-53'-30" W 70.35' to a point in the westerly line of lands of the Grantors and the line of lands now or formerly of St. Joseph's Society of New York, Incorporated; thence along said line, N 29°-16'-45" E 148.86' to a point in a stonewall on the southerly line of lands now or formerly of Henry Stellwag; thence along the said line of Stellwag and the northerly line of lands of the Grantors, S 89°-42'-50" E 150.51' to the point or place of beginning.

Containing 37,157 square feet of land more or less.

Subject to permanent easements 15' in width, 7.5' each side of the center of sanitary sewer pipes and the waterlines as they now exist, and also subject to a ten foot wide permanent easement, 5' each side of the poles and overhead utility lines as they now exist.



ANTHONY D. VALDINA

New York State Licensed Land Surveyor

4 PLEASANT VIEW AVENUE
NEWBURGH, NEW YORK 12550

914-561-8367

6 Mar. 1992

Description

for

Herbert Mason & Barbara Mason Wolf
(Lot No. 2)

All that certain piece or parcel of land lying, situate and being in the Town of New Windsor, County of Orange and State of New York, Bounded and described as follows:

Beginning at an iron rod found on the westerly line of Mt. Airy Road and at the southeasterly corner of the herein described premises; and running thence, leaving the said line of Mt. Airy Road along a stonewall and the line of lands now or formerly of Peter and Sophia Karnavezos, S 36°-46'-17" W 304.03' to an iron rod found at the corner of said stonewall; thence still along said Karnavezos, S 36°-28'-41" W 213.80' to an iron rod found on the line of lands of the New York City Aqueduct; thence along said line and a fence, N 42°-47'-19" W 457.97' to a point; thence along the line of lands now or formerly of St. Joseph's Society of New York, Incorporated the following two(2) courses and distances:

1) N 27°-38'-30" E 71.69' to a point;

2) N 29°-16'-45" E 337.61' to a point at the corner of Lot No's 1 and 2; thence leaving said line and along the division line of said Lot No's 1 and 2 and along a fence the following three(3) courses and distances:

1) S 44°-53'-30" E 70.35' to an angle point in said fence line;

2) S 60°-00'-10" E 67.70' to an angle point in said fence line;

3) S 49°-07'-40" E 20.0' to a point; thence leaving said fence line and still along said division line of Lot No's 1 and 2 the following two(2) courses and distances:

1) N 41°-52' E 71.0' to a point;

2) N 51°-04'-05" E 110.86' to a point in the aforesaid westerly line of Mt. Airy Road; thence along said line, S 28°-25'-55" E 346.14' to the point or place of beginning.

Containing 5.67 acres of land more or less.



ANTHONY D. VALDINA
New York State Licensed Land Surveyor

**4 PLEASANT VIEW AVENUE
NEWBURGH, NEW YORK 12550**

914-561-8367

Description of Lot No. 2 Continued:

Together with the right to service and maintain existing water lines, sanitary sewer lines and a well which are all located within 15' wide permanent easements, 7.5' each side of the center of said existing utilities; and, a permanent easement 10' in width, 5' each side of the center line of existing poles and connecting overhead utility lines, all said permanent easements are located within Lot No. 1.



ANTHONY D. VALDINA
New York State Licensed Land Surveyor

4 PLEASANT VIEW AVENUE
NEWBURGH, NEW YORK 12550

914-561-8367

6 Mar. 1992

Description

for

Herbert Mason & Barbara Mason Wolf
(Lot No. 3)

All that certain piece or parcel of land lying, situate and being in the Town of New Windsor, County of Orange and State of New York, Bounded and described as follows:

Beginning at a point on the easterly line of Mt. Airy Road and at the southwesterly corner of the herein described premises; and running thence along the said line of Mt. Airy Road, N 28°-25'-55" W 309.0' to a point in a stonewall on the line of lands now or formerly of Paul and Angela Barbero; thence leaving the line of Mt. Airy Road along said stonewall and along the line of lands of said Barbero, line of lands now or formerly of Irene Miller and along the line of lands now or formerly of Joseph J. and Clotilda R. Evangelisto, S 58°-47'-15" E passing through an iron pipe found at 105.71' a total distance of 256.71' to a point; thence along the line of lands now or formerly of William and Abbie Zerillo, S 07°-02'-45" W 59.83' to a point; thence along the line of lands now or formerly of Herbert Mason, S 39°-22'-35" W 132.30' to the point or place of beginning.

Containing 21,685 square feet of land more or less.

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

ZBA

APPLICANT: Mason Herbert

FILE # 91-35

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE \$ 150.00 pd. 12/1/91

* * * * *

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 250.00 pd. 12/1/91

DISBURSEMENTS -

STENOGRAPHER CHARGES:

PRELIMINARY MEETING - PER PAGE	<u>12/9/91 - 14 pgs.</u>	\$	<u>63.00</u>
2ND PRELIM. MEETING - PER PAGE		\$	
3RD PRELIM. MEETING - PER PAGE		\$	
PUBLIC HEARING - PER PAGE	<u>1/13/92 - 10 pages</u>	\$	<u>45.00</u>
TOTAL		\$	<u>108.00</u>

ATTORNEY'S FEES:

PRELIM. MEETING -	<u>1 hr.</u>	HRS.	\$	
2ND PRELIM.		HRS.	\$	
3RD PRELIM.	<u>PH 1.08</u>	HRS.	\$	
FORMAL DECISION	<u>0.2</u>	HRS.	\$	
TOTAL HRS.	<u>3.8</u>	@ \$ <u>150.00</u> PER HR.	\$	<u>570.00</u>
TOTAL			\$	<u>570.00</u>

MISC. CHARGES:

None \$ 678.00

+ 428.00

LESS ESCROW DEPOSIT \$ 250.00
 (ADDL. CHARGES DUE) \$ 40.00 *due paid*
 REFUND TO APPLICANT DUE \$

+ 9388
2/2/92

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Garguilo, Elaine & Michael

FILE # 9-24

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE \$ 50.00 paid
* * * * * 1/7/92

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 250.00 paid
1/7/92

DISBURSEMENTS -

STENOGRAPHER CHARGES:

PRELIMINARY MEETING - PER PAGE 7/8/91 - 5 Pages \$ 22.50
2ND PRELIM. MEETING - PER PAGE 10/23/91 - 5 Pages \$ 22.50
3RD PRELIM. MEETING - PER PAGE \$.
PUBLIC HEARING - PER PAGE 1/27/92 - 13 pages \$ 58.50
TOTAL \$ 103.50

ATTORNEY'S FEES:

PRELIM. MEETING- .5 HRS. \$.
2ND PRELIM. 1.1 HRS. \$.
3RD PRELIM. HRS. \$.
FORMAL DECISION 2.3 HRS. \$.
TOTAL HRS. 3.9 @ \$ 150.- PER HR. \$ 585.00
TOTAL \$ 585.00

MISC. CHARGES:

TOTAL \$ 688.50

LESS ESCROW DEPOSIT \$ 250.00
(ADDL. CHARGES DUE) \$ 438.50 due
REFUND TO APPLICANT DUE \$ _____

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Mans/Toyota of Michigan Inc.

FILE # 91-34

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE \$ 150.00 pd. 1/17/92

* * * * *

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 250.00 pd. 1/17/92

DISBURSEMENTS -

STENOGRAPHER CHARGES:

PRELIMINARY MEETING - PER PAGE	<u>11/25/91 - 9 pgs.</u>	.. \$	<u>40.50</u>
2ND PRELIM. MEETING - PER PAGE	<u>1/13/92 - 7 pgs.</u>	.. \$	<u>31.50</u>
3RD PRELIM. MEETING - PER PAGE		.. \$	<u> </u>
PUBLIC HEARING - PER PAGE	<u>2/10/92</u>	.. \$	<u>13.50</u>
		TOTAL	.. \$ <u>85.50</u>

ATTORNEY'S FEES:

PRELIM. MEETING-	<u>.5</u>	HRS.	.. \$	<u> </u>
2ND PRELIM.	<u>1.1</u>	HRS.	.. \$	<u> </u>
3RD PRELIM.		HRS.	.. \$	<u> </u>
FORMAL DECISION	<u>2.3</u>	HRS.	.. \$	<u> </u>
TOTAL HRS.	<u>3.9</u>	@ \$150.-	PER HR.	\$ <u>585.-</u>
			TOTAL	.. \$ <u>585.00</u>

MISC. CHARGES:

<u>Postage - 25 letters @ 29¢ ea.</u>	.. \$	<u>7.25</u>
TOTAL	.. \$	<u>677.25</u>

LESS ESCROW DEPOSIT	.. \$	<u>250.00</u>
(ADDL. CHARGES DUE)	.. \$	<u>427.25</u>
REFUND TO APPLICANT DUE	.. \$	<u> </u>

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/17/92

PAGE: 1

LISTING OF PLANNING BOARD FEES
Escrow

FOR PROJECT NUMBER: 91-30

NAME: PRABHU, PANDRANG, M.D.-OFFICE

APPLICANT: PRABHU, PANDRANG, M.D.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
12/05/91	SITE PLAN MINIMUM	PAID		750.00	
12/11/91	P.B. ATTY. FEES	CHG	10.00		
12/11/91	P.B. MINUTES	CHG	9.00		
		TOTAL:	19.00	750.00	-731.00
		Engineer To Date:	<u>90.00</u>		
			\$ 109.00		

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/17/92

PAGE: 1

LISTING OF PLANNING BOARD FEES
Escrow

FOR PROJECT NUMBER: 91-26

NAME: MASON, HERBERT & WOLF, BARBARA MASON
APPLICANT: MASON, HERBERT

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
11/07/91	3 @ 150.00 EA	PAID		450.00	
11/19/91	P.B. ATTY. FEES	CHG	20.00		
11/13/91	P.B. MINUTES	CHG	58.50		
01/22/92	P.B. ATTY FEES	CHG	35.00		
01/22/92	P.B. MINUTES	CHG	18.00		
		TOTAL:	<u>\$ 131.50</u>	<u>450.00</u>	<u>-318.50</u>

Engineer to Date: 394.50
\$ 526.00

Note: In addition to the above,
Attorney fees may be charged directly to Applicant.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/17/92

PAGE: 1

LISTING OF PLANNING BOARD FEES
Escrow

FOR PROJECT NUMBER: 92-3

NAME: DEDOMINICUS, ANTONIO SITE PLAN
APPLICANT: DEDOMINICUS, ANTONIO

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
01/10/92	SITE PLAN MINIMUM	PAID		750.00	
01/22/92	P.B. ATTY. FEES	CHG	35.00		
01/22/92	P.B. MINUTES	CHG	9.00		
		TOTAL:	44.00	750.00	-706.00
	Engineer To Date:		<u>122.50</u>		
			\$ 166.50		

NEW WINDSOR ZONING BOARD OF APPEALS

In the Matter of the Application of
HERBERT MASON,

DECISION GRANTING
AREA VARIANCE

#91-35.

WHEREAS, HERBERT MASON, residing at 110 Mt. Airy Road, New Windsor, N. Y. 12553, has made application before the Zoning Board of Appeals for (1) 23.3 ft. rear yard variance for Lot #1; (2) 20.4 ft. set back from mobile home park property boundary line variance for mobile home per Section 27A-19 of the Mobile Home Law on Lot #2; (3) 7 ft. set back variance for accessory building (shed #1) on Lot #2, per Section 48-14A(1)(b), (4) 5 ft. set back variance for accessory building (shed #2) on Lot #2 per Section 48-14A(1)(b); (5) 95 s.f. lot area variance for Lot #3, all of the above variances required in order to obtain a lot line change and subdivision of property located at the above address in an R-3 zone; and

WHEREAS, a public hearing was held on the 13th day of January, 1992 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, applicant, HERBERT MASON, appeared in behalf of himself and spoke in support of the application; and

WHEREAS, there were several spectators present at the public hearing. Two spectators, Abby Cirillo and Larry Bullock, expressed concern about a mobile home park located upon a different parcel of real property than the property owned by the applicant which is the subject of this application. This mobile home park has no relation to the applicant's property or the application before the Board. Upon hearing this, the said two spectators stated that they had no objection to this application; and

WHEREAS, the Board received two identical letters from residents of the area which requested denial of the variance which would allow undersize lots and insufficient set backs. Neither letter writer spoke at the public hearing. The Town of New Windsor Building Inspector, Michael Babcock advised the Board that many of the residents of the neighborhood were confused about the application and thought that the requested variance applied to proposed new construction; they misunderstood the applicant's request, which applies only to existing construction; and

WHEREAS, the Board also received correspondence dated 12/31/91 from the City of New York Department of Environmental

Protection which stated that the City objected to the granting of the variances that set back distances and also requested that a 7 ft. high chain link fence be erected along the City's property. The writer of the letter apparently was unaware that the reduction in set back distances which are the subject of this application are far from the City's Catskill Aqueduct, results in no change of existing conditions, and that there is presently a fence erected along the City's property; and

WHEREAS, the Board also received correspondence dated 12/30/91 from Orange County Planning and Development which returned the matter for local determination; and

WHEREAS, the application was otherwise unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

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

2. The evidence shows that applicant is seeking permission to vary the provisions of the bulk regulations pertaining to rear yard, set back from mobile home park property boundary line for mobile home, set back requirements for accessory buildings and lot area in order to seek a lot line change as a result of subdivision of applicant's parcel.

3. The evidence presented by applicant substantiated the fact that a variance for less than the allowable rear yard set backs, and lot area would be required in order to allow a lot line change after subdividing property which otherwise would conform to the bulk regulations in the R-3 zone and Mobil Home Law.

4. The evidence presented by the applicant indicated that he is seeking to separate his residential dwelling from the main property and the creation of new lot lines would require several area variances under the provisions of the bulk regulations in the Zoning Local Law and Mobile Home Laws with respect to the pre-existing non-conforming structures on the applicant's property.

5. The evidence presented by the applicant indicated that the trailer park was developed in the 1950's and that the house was constructed in the early 1960's. Thus, it is the finding of this Board that the improvements for which variances are sought on this application pre-date the adoption of both zoning and the Mobile Home Law in the Town of New Windsor. Hence, said structures are pre-existing and non-conforming in their present location.

6. The instant application arises because this applicant

seeks a lot line change to separate his house from the balance of property, which has mixed uses, to eliminate a property line which resulted from the applicant acquiring two contiguous properties from two different chains of title and to create a separate tax lot for a parcel which is de facto subdivided from applicant's other lands by virtue of being separated therefrom by Mt. Airy Road.

7. The evidence presented by the applicant further indicated that all the improvements shown on the minor subdivision plan are existing; no new construction is proposed as part of this application.

8. The evidence presented by the applicant indicated that the applicant seeks to separate his house from the balance of the property, which is devoted to mixed uses, and which predates zoning in the Town of New Windsor.

9. The evidence presented by the applicant indicated that he cannot relocate the trailers to reduce or obviate the need for variances because the present location of the trailers and their existence in that location is registered with the Housing Authority.

10. The evidence presented by the applicant further indicated that he cannot relocate the sheds to reduce or obviate the need for a variance because one shed was erected to comply with DEC requirements for an oil tank and the second shed cannot be located in front of the trailer, nor over nearby water and sewer lines.

11. The evidence presented by the applicant indicated that since the house and the trailer/sheds are on opposite sides of the same proposed property line, any reduction in proposed variance on one side of the line will conversely increase the variance needed on the opposite side of the same property line.

12. It is the finding of this Board that the applicant would suffer significant economic injury from the strict application of the bulk regulations because if the required variances were not granted, he would be unable to subdivide a large parcel of land legally devoted to mixed uses and the structures thereon are non-conforming and pre-existing. Additionally, no alternative layout would obviate the need for some bulk variances on the proposed Lot #1 and Lot #2.

13. The evidence presented by applicant substantiated the fact that he has offered the Town of New Windsor a gratuitous 25 ft. right-of-way on each side of the center line of Mt. Airy Road for future road widening purposes, thereby creating the undersized Lot #3. Applicant must seek a lot area variance to compensate for this shortfall, which results solely from the gratuitous granting of a right-of-way to the Town of New Windsor.

14. It is the further finding of this Board that the applicant would suffer significant economic injury from the strict application of the bulk regulations to his Lot #3 since the deduction of the 25 ft. right-of-way to the town for the future roadway creates an undersized lot and forces applicant to apply for a lot area variance to make up for the deduction. The applicant should not be penalized for gratuitously granting a right-of-way to the Town of New Windsor for future road widening.

15. It is the finding of this Board that the applicant has made a sufficient showing of practical difficulty, entitling him to the requested variances.

16. The requested variances are not substantial in relation to the bulk regulations for rear yard set backs and lot area given the fact that there will actually be no additional construction taking place on either parcel and the existing parcel will remain essentially the same except for the lot line change.

17. The requested variance will not result in substantial detriment to adjoining properties nor change the character of the neighborhood.

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

19. There is no other feasible method available to applicant which can produce the necessary results other than the variance procedure.

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

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT (1) 23.3 ft. rear yard variance on Lot #1; (2) 20.4 ft. set back from mobile home park property boundary line for mobile home (per Section 27A-19 of the Mobile Home Law) on Lot #2; ~~per Section 48-14A(1)(b);~~ (3) 7 ft. set back for accessory building (shed #1) on Lot #2 per Section 48-14A(1)(b); (4) 5 ft. set back for accessory building (shed #2) on Lot #2* (5) 95 s.f. lot area variance for Lot #3 in order to allow applicant a lot line change on his property which is located in an R-3 zone 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.

* PER SECTION 48-14A (1) (b);

Date 2/9/92 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550

TO Frances Roth 389 Morris Hill Rd DR.
New Windsor, NY 12553

DATE		CLAIMED	ALLOWED
1/22/92	Planning Board Meeting	75 00	
	Miscellaneous 1pg	4 50	
9/22	Blooming Grove - 9 pgs	40 50	
9/26	Mason - 4 pgs	18 00	
72-2	Petronella - 5 pgs	22 50	
'2-3	DeDominicus - 2 pgs	9 00	
'2-4	Pena - 6 pgs	27 00	
	Quality - 1 pg	4 50	
	Windsor Crest - 18 pgs	81 06	
		<u>282 06</u>	

January 22, 1992

11

HERBERT MASON SUBDIVISION

Herb Mason came before the board representing proposal.

MR. PETRO: There's no revisions.

MR. BABCOCK: There was a revision on this plan and it was a revision what the board had requested they wanted to know how far the sheds were from the property line. We needed to know that because he needed variances to go to the Zoning Board. The revision only included the numbers of how far these distances were from the property line.

MR. KRIEGER: All dealing with December '91.

MR. BABCOCK: Yes.

MR. PETRO: It's not on this worksheet but I see it ofer here. Okay you have been to the--

MR. MASON: I have been to the Zoning Board and they granted the variances.

MR. PETRO: Mike I'll ask you municipal sanitary is disapproved as of 11/7/91, manhole is required where a cleanout is indicated.

MR. BABCOCK: I'm not sure, do you know where that came back from.

MR. PETRO: Back from the sanitary department, I don't know if it's Sonny, that's the first I've seen it and it's only on here.

MR. BABCOCK: Let me see if Mark picks it up. Should not have been reviewed by Sonny, it's a private system and it's not required to have a manhole. Any change in direction in the town sewer lines would require a manhole. He's definitely confused by asking for manholes there.

MR. VAN LEEUWEN: There's no sewer on Mt. Airy Road.

MR. BABCOCK: Sure there is, it goes all the way and stops at at aqueduct.

MR. VAN LEEUWEN: Stops at the aqueduct.

MR. BABCOCK: Yes.

MR. VAN LEEUWEN: This line is on his property.

MR. BABCOCK: Yes.

MR. VAN LEEUWEN: Then we have no jurisdiction on this property.

MR. BABCOCK: That's right, it's his sewer lines.

MR. LANDER: Mark has no engineering concerns. Herb has got all his variances, now we have to assume lead agency and I so move.

MR. VAN LEEUWEN: I'll second that.

MR. PETRO: We have a motion to assume lead agency and it's seconded. Are there any comments? If not we'll take a vote.

ROLL CALL:

MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. PETRO	AYE
MR. DUBALDI	AYE

MR. LANDER: Because of the variances, public hearing was held by the Zoning Board. There should be something, well I think there should be something in the file.

MR. VAN LEEUWEN: We don't usually hold public hearings on this type of thing.

MR. PETRO: It was held on January 13 and everything seems to be in order.

MR. LANDER: Was there any objections at that.

MR. PETRO: There's no objections.

MR. LANDER: I make a motion to waive public hearing.

MR. DUBALDI: I second that motion.

MR. LANDER: I stated my reason.

MR. PETRO: And I'm in agreement being that a public hearing was already held.

ROLL CALL

MR. DUBALDI	AYE
MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. LANDER: I make a motion for a negative dec.

MR. VAN LEEUWEN: I'll second that.

MR. PETRO: We have a motion for a negative dec and seconded. Any discussion by the board members? If not I'll take a vote.

ROLL CALL

MR. DUBALDI	AYE
MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. VAN LEEUWEN: I'll make a motion we approve this mess.

MR. LANDER: Now are the--Mark was asking for the deeds to be filed and he wanted the Planning Board attorney to take a look at those. I think that if you put in your motion from--

MR. VAN LEEUWEN: That upon his approval that the plans be stamped, I think we can move. That seems to be, our engineer would like our attorney to look at the deeds. It's going to be put in one deed, right?

MR. MASON: It would be a deed for the 3 pieces. House will be in one deed, main property be in another deed and the lot across the road will be in another.

MR. VAN LEEUWEN: Why does he want to look at that? It's on account of this piece across the street.

MR. MASON: Dan has the deeds from the zoning board.

MR. LANDER: He would just have to verify.

MR. VAN LEEUWEN: Our attorney has to verify it's be done properly.

MR. PETRO: We have one other variance that was approved variances that were approved should be stated so on the plan and I don't see them anywhere on this particular plan. Do you know if Mr. Valdina has stated anything.

MR. KRIEGER: It says variances requested, it's not clear on the plans, the request is fine. If these are the variances that were received instead of saying variance requested.

MR. MASON: These were made before we went to the--

MR. KRIEGER: Once that gets stamped should say that.

January 22, 1992

14

MR. PETRO: That was on the 13th of January.

MR. BABCOCK: What they're asking to do is to take these plans and go back to Valdina and have him up date the plans and have him list the updated variances.

MR. MASON: How many copies of that do you need?

MR. BABCOCK: At least ten.

MR. KRIEGER: And deeds I'll need to review.

MR. PETRO: Make 14 copies you want to add that into your motion.

MR. PETRO: We have a motion on the floor to approve Herb Mason Minor Subdivision with the 2 previous subject to's.

MR. LANDER: I'll second it.

MR. PETRO: Any further discussion? If not I'll take a vote.

ROLL CALL

MR. DUBALDI	AYE
MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

A. PLANNING AND ZONING.

(1) Site Plan Fees.

- X (a) Application fee: One Hundred Fifty Dollars (\$ 150).
- (b) Plan Review fee (all uses except multifamily dwellings, including apartment houses, townhouses and condominiums): One Hundred Fifty Dollars (\$ 150), plus Town Consultant Review Fees.
- (c) Multifamily Plan Review fee (including, but not limited to, apartment houses, townhouses and condominiums): One Hundred Fifty Dollars (\$ 150), plus Twenty-five dollars (\$ 25) per unit and Town Consultant Review Fees.
- (d) Planned Unit Development (PUD) Plan Review fee: Five Hundred Dollars (\$ 500).
- (e) Amendment of existing approved, non-multifamily dwelling, site plan: Application fee, review fee and Town Consultant Review Fees, as above.
- (f) Amendment of existing approved, multifamily dwelling site plan: Application fee plus review fee, with review fee calculated based on the number of affected, amended or otherwise involved units.
- (g) At the time of site plan approval and prior to stamp of approval, the applicant shall submit an improvement cost estimate for all key site improvements indicated on the approved site plan and as otherwise required by this Town Code, with such cost estimate to be based on current and prevailing wage rates and cost of materials for the completion of such improvements. The estimate shall bear an acknowledgment that the applicant agrees to the amounts set forth therein. The cost estimate shall be as acceptable to the Planning Board Engineer.
- (h) Fee for review by Planning Board Engineer of improvements to be completed, based on approved site plan: Four percent (4 %) of the first fifty thousand dollars, and two percent (2 %) of that amount over fifty thousand dollars, of the accepted improvement cost estimate, as referenced in (g), above. To be paid at time of stamp of approval of the plan.
- (i) Recreation fees per sub-section E of this Section.

(2) Special Permit Fees.

(a) Application Fees (each renewal).

- [1] Residential (Single-family and Two-family only):
One Hundred Dollars (\$ 100), plus publication and other costs.
- [2] All Other (including Multifamily and Commercial-industrial):
Two Hundred Dollars (\$ 200), plus publication and other costs.
- [3] Mobile Home Courts: Two Hundred Dollars (\$ 200) or Ten Dollars (\$ 10) per unit, whichever is greater, plus publication and other costs.
- [4] Planned Unit Development (PUD): One Thousand Dollars (\$ 1000), plus publication and other costs.

(b) Additional Planned Unit Development (PUD) Fees.

- [1] Upon PUD Concept Approval: One Hundred Dollars (\$ 100). plus publication and other costs and Town Consultant Review Fees.
- [2] Upon PUD Preliminary Plan Application: Two Hundred Fifty Dollars (\$ 250), plus publication and other costs and Town Consultant Review Fees.

(3) Land Subdivision (including Lot Line Change).

(a) Application Fee.

- X [1] Minor Subdivisions and Lot Line Change: Fifty Dollars (\$ 50).
- X [2] Major Subdivisions: One Hundred Fifty Dollars (\$ 150).

(b) At Pre-preliminary (sketch) Plat Approval.

- [1] Lot Line Change: Twenty-five Dollars (\$ 25).
- [2] Minor Subdivisions: Fifty Dollars (\$ 50).
- [3] Major Subdivisions: One Hundred Dollars (\$ 100).

(c) At Preliminary Plat Approval.

[1] Lot Line Change: Twenty-five Dollars (\$ 25).

[2] Minor Subdivisions: One Hundred Dollars (\$ 100).

[3] Major Subdivisions: One Hundred Fifty Dollars or Fifteen Dollars (\$ 15) per lot, whichever is greater.

(d) At Final Plat Approval.

[1] Lot Line Change: Fifty Dollars (\$ 50).

[2] Major and Minor Subdivisions: One Hundred Dollars (\$ 100), plus Five Dollars (\$ 5) per lot.

(e) Final Plat Section Fee: One Hundred Fifty Dollars (\$ 150).

(f) Recreation Fees per Sub-section E of this Section.

(g) Applicants shall reimburse the cost for Town Consultant Review Fees per sub-section F of this Section.

(h) Bulk land transfer (final plat): One Hundred Dollars (\$ 100).

(i) Town Engineer's inspection of public improvements for entire subdivision, inclusive of all sections: Five percent (5 %) of the Public Improvement Bond Amount, as approved by the Town Engineer and Town Board.

(j) At the time of subdivision approval and prior to stamp of approval, the applicant shall submit a cost estimate for all private improvements required as part of the subdivision approval (ie. private roads, private drainage facilities, etc.) or otherwise required by this Town Code, with such cost estimate to be based on current and prevailing wage rates and cost of materials for the completion of such improvements. The estimate shall bear an acknowledgment that the applicant agrees to the amounts set forth therein. The cost estimate shall be as acceptable to the Planning Board Engineer.

(k) Town Engineer's review of private roads and other private improvements required as part of the Subdivision approval: Four percent (4 %) of the first fifty thousand dollars, and two percent (2 %) of that amount over fifty thousand dollars, of the accepted improvement cost estimate.

E. RECREATION FEES.

(1) Residential subdivision.

(a) Recreation fees shall be assessed against all residential subdivision lots subject to land subdivision review and approval.

(b) The recreation fee shall be calculated on the basis of One Thousand Dollars (\$ 1000) per lot.

(2) Other Dwelling Units.

(a) Recreation fees shall be assessed against all dwelling units subject to site plan review and approval.

(b) The recreation fee shall be calculated on the basis of One Thousand Dollars (\$ 1000) per dwelling unit.

(c) Said recreation fee amount may be reduced to Five Hundred Dollars (\$ 500) per lot or dwelling unit if, at the discretion of the Town Board, active recreational facilities are constructed on-site with a value equal to or greater than an amount equal to Five Hundred Dollars (\$ 500) per residential building lot or dwelling unit served by said facilities, as calculated by the Town Engineer.

F. TOWN CONSULTANT REVIEW FEES.

(1) Upon Application to the Town Board, Town Planning Board or Zoning Board of Appeals for any action or approval required in accordance with the procedures set forth by Town Law, the applicant shall post with the Town of New Windsor a deposit to cover all Engineering Consultant Fees, Planning Consultant Fees, Attorney Fees or any other necessary consultant fees deemed necessary by the reviewing Board. Said deposit shall be in the amount as prescribed below.

X (a) Residential Subdivisions: \$150.00 per lot for each lot up to four (4) lots, and \$75.00 per lot for each lot over the initial four (4) lots.

X (b) Lot Line Changes: \$150.00 minimum, or such amount (up to a maximum of \$400.00) as deemed appropriate at the time of application.

X (c) Multi-family Site Plans: \$100.00 per unit up to 40 units, and \$25.00 per unit for each unit over the initial 40 units.

X (d) Commercial Subdivisions: \$400.00 per lot for each lot up to four (4) lots and \$200.00 per lot for each over the initial four (4) lots.

- X (e) Site Plans: \$750.00 minimum, or such amount (up to a maximum of \$2,000) as deemed appropriate at the time of application.
- (2) Any portion of the deposit not expended during the review of such application shall be returned to the applicant upon final action by the Town.
 - (3) Should the actual review fees of the consultant exceed the deposit made to the Town for the application, the applicant shall reimburse the Town for the difference prior to final stamp of approval.
 - (4) Such deposit made to the Town for the review of any application shall be made in a form acceptable to the Town Comptroller and shall be placed in such an account deemed appropriate by the Town Board. There shall be no requirement for the Town to pay interest on these deposits.

G. SANITATION.

- (1) Tap and Inspection fees for single family dwellings:
 - (a) Conversions (from septic to public system):
One Hundred (\$100.00) Dollars.
 - (b) RESERVED FOR FUTURE USE
 - (c) Revamp or repair of existing hookups:
One Hundred (\$100.00) Dollars.
 - (d) Reinspection of any of above: Fifty (\$50.00) Dollars.
- (2) Tap and Inspection fees for multifamily dwellings (also includes condominiums, cooperatives and mobile home parks):
 - (a) RESERVED FOR FUTURE USE
 - (b) Revamp or repair of existing hookups: One Hundred (\$100.00) dollars per lateral.
 - (c) Reinspection of any of above: (Fifty (\$50.00) Dollars per lateral.
- (3) Outside Haulers:
 - (a) Permit application fee: Two Hundred (\$200.00) Dollars.
 - (b) Sampling or testing fee: at cost

PUBLIC NOTICE OF HEARING BEFORE

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 35

Request of HERBERT MASON and BARBARA MASON for a VARIANCE of the regulations of the Zoning Local Law to permit subdivision of parcels, thereby creating a lot with insufficient rear yard on Lot #1, insufficient setback for house trailer on Lot #2, insufficient setback for 2 sheds on Lot #2 and insufficient lot area on Lot #3, all in an R-3 zone;

being VARIANCES of Sections 48-12-Table of Use/Bulk Regulations, Columns C & G, Section 48-14A(B) and Section 27A-19 of Mobile Home Law, for property situated as follows:

West side of Mt. Airy Road, New Windsor, N. Y.
known and designated as New Windsor Tax Map:
Section 32 - Block 2 - Lots 9 and 10.41

SAID HEARING will take place on the 13th day of January, 1992 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 7:30 o'clock p.m.

RICHARD FENWICK, Chairman

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

91-35

Date: 12/17/91

I. ✓ Applicant Information:

- (a) Herbert Mason - 110 Mt. Airy Rd. - New Windsor 564-6090
(Name, address and phone of Applicant) (Owner)
- (b) N/A
(Name, address and phone of purchaser or lessee)
- (c) David Kintzer - Hudson Valley Prof. Plaza - Newburgh 561-2258
(Name, address and phone of attorney)
- (d) Anthony Valdina - 4 Pleasant View Ave. - Newburgh 561-8367
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- Use Variance Sign Variance
- Area Variance Interpretation

III. ✓ Property Information:

- (a) R-3 110-112 Mt. Airy Rd. 32-2-9+10.41
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NC
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 1931
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO
- _____
- _____
- _____

IV. Use Variance. N/A

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

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

V. ✓ Area variance: LOT # 1 (Rear Yard)

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of use/BULK Regs., Col. G.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd. <u>40 Ft.</u>	<u>16.7 FT.</u>	<u>23.3 FT.</u>
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio**		
Parking Area		

* Residential Districts only
 ** No-residential districts only

✓ (b) The legal standard for an "area" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you may have made to alleviate the difficulty other than this application.
There is no other way to locate property line and still comply with Town Code. To separate house from property that is joint owned by both Herbert Mason and Barbara Mason Wolf

VI. Sign Variance: N/A

(a) 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>
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			

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

(b) ^{1/14} The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. ✓ Area variance: Lot #2

(a) Area variance requested from New Windsor Zoning Local Law, Section 279-17, Table of Mobile Home Law Regs., Col. 48-14 (B).

	Requirements	Proposed or Available	Variance Request
→	Min. Lot Area <u>30' Ft.</u>	<u>9.6 Ft.</u>	<u>20.4 Ft.</u>
→	Min. Lot Width _____	_____	_____
→	Reqd. Front Yd. <u>Shed #1 10 Ft.</u>	<u>3 Ft.</u>	<u>7 Ft.</u>
→	Reqd. Side Yd. <u>Shed #2 10 Ft.</u>	<u>5 Ft.</u>	<u>5 Ft.</u>
	Reqd. Rear Yd. _____	_____	_____
	Reqd. Street Frontage* _____	_____	_____
	Max. Bldg. Hgt. _____	_____	_____
	Min. Floor Area* _____	_____	_____
	Dev. Coverage* _____ %	_____ %	_____ %
	Floor Area Ratio** _____	_____	_____
	Parking Area _____	_____	_____

set back for mobile Home
cessory bldg. # back

* Residential Districts only
** No-residential districts only

(b) The legal standard for an "area" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you may have made to alleviate the difficulty other than this application.
There is no other way to locate property line and still comply with Town Code. To separate house from property that is joint owned by both Herbert Mason and Barbara Mason Wolf.

VI. Sign Variance: ^{1/17}

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

	Requirements	Proposed or Available	Variance Request
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____

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

(b) ^{1/A} The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. ✓ Area variance: Lot #3 (Lot Area)

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. D.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>21,780 sq. ft.</u>	<u>21,685 Sq. ft.</u>	<u>95 sq. ft.</u>
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only
 ** No-residential districts only

(b) The legal standard for an "area" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you may have made to alleviate the difficulty other than this application.
In order for the dedication of 25 ft. FROM center line for highway purposes creates a need for 95 sq. ft. Lot Area

VI. Sign Variance: 1/17

(a) 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>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____

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

signs. *N/A*

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

VII. Interpretation. *N/A*

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

(b) Describe in detail the proposal before the Board:

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

There will be no changes.

IX. Attachments required:

- Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- Copy of tax map showing adjacent properties.
- Copy of contract of sale, lease or franchise agreement.
- Copy of deed and title policy.
- Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- Copy(ies) of sign(s) with dimensions and location.
- Checks in the amount of \$~~100.00~~ ^{250.00} payable to TOWN OF NEW WINDSOR. *(multifamily fee)*
- Photographs of existing premises which show all present

X. Affidavit.

Date: 12/17/91

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/or 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.

x Patricia Mason
(Applicant)

Sworn to before me this

17th day of December, 1991.
Patricia A. Barnhart

PATRICIA A. BARNHART
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 1992

XI. ZBA Action:

(a) Public Hearing date: _____.

(b) Variance: Granted Denied

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

December 16, 1991

Herbert & Barbara Mason
110 Mt. Airy Rd.
New Windsor, NY 12553

Re: Variance List/500 Ft.
Tax Map Parcel 32-2-9 & 10.41

Dear Mr. Mason:

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

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

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

Sincerely,

Leslie Cook (cd)

LESLIE COOK
Sole Assessor

LC/cad
cc: Pat Barnhart

Central Hudson Gas & Electric Corp.

✓ c/o Tax Agent

South Rd.

Poughkeepsie, NY 12602

✓ Stellway, Henry

308 Route 207

Newburgh, NY 12550

✓ Karnavezos, Thomas N. & Andrea

132 Mt. Airy Rd.

New Windsor, NY 12553

✓ Karnavezos, Nicholas P.

124 Mt. Airy Rd.

New Windsor, NY 12553

✓ Karnavezos, Peter & Sophia

124 Mt. Airy Rd.

New Windsor, NY 12553

✓ Fayó, Anna E.

134 Mt. Airy Rd.

New Windsor, NY 12553

✓ Silver Stream, Inc.

614 Little Britain Rd.

New Windsor, NY 12553

✓ Manager, City of New York, DEP

Bureau of Water Supply

Office of Water Supply Lands (OWSL)

P.O. Box 66

Valhalla, NY 10595

✓ Fusco, Salvatore R. & Mary C.

140 Mt. Airy Rd.

New Windsor, NY 12553

✓ DeRosa, Michael & Lillian

RD2 Mt. Airy Rd., Box 239

New Windsor, NY 12553

✓ Sisters of The Presentation of Blessed Virgin Inc.

Mt. St. Joseph Rte. 207

New Windsor, NY 12553

✓ Dibrizzi, Cosimo

647 Little Britain Rd.

New Windsor, NY 12553

✓ Panella, Rocco & Elizabeth

105 Mt. Airy Rd.

New Windsor, NY 12553

✓ Prendergast, Thomas F. & Debra W.

645 Little Britain Rd.

New Windsor, NY 12553

- ✓ Ayers, Donald C. & Gilda
107 Mt. Airy Rd.
New Windsor, NY 12553
- ✓ Marshall, Daniel A. & Kim B.
109 Mt. Airy Rd.
New Windsor, NY 12553
- ✓ Bennett, Gerard A. & Marie T.
2 Elizabeth Lane
New Windsor, NY 12553
- ✓ Ogden, Davey
4 Elizabeth Lane
New Windsor, NY 12553
- ✓ McDermott, John & Karen
6 Elizabeth Lane
New Windsor, NY 12553
- ✓ Bullock, Larry & Mary A.
8 Elizabeth Lane
New Windsor, NY 12553
- ✓ De Rico, Fred & Mary
10 Elizabeth Lane
New Windsor, NY 12553
- ✓ Garofolo, James J. & Mary
12 Elizabeth Lane
New Windsor, NY 12553
- ✓ Domalavage, Albert & Patricia
14 Elizabeth Lane
New Windsor, NY 12553
- ✓ Yankow, Rickie & Eileen B.
16 Elizabeth Lane
New Windsor, NY 12553
- ✓ Zerillo, William & Abbie
7 Elizabeth Lane
New Windsor, NY 12553
- ✓ Owens, Carol
18 Elizabeth Lane
New Windsor, NY 12553
- ✓ Pacione, Frank D. & Ida G.
MD36 129 Mt. Airy Rd.
New Windsor, NY 12553
- ✓ Evangelisto, Joseph J. & Clotilda R.
5 Elizabeth Lane
New Windsor, NY 12553
- ✓ Santillo, Joseph P. & Pamela J. Carman
3 Elizabeth Lane
New Windsor, NY 12553

Barbero, Paul & Angela
1 Elizabeth Lane
New Windsor, NY 12553

Johns, Winthrop D.
9 Elizabeth Lane
New Windsor, NY 12553

Morris, Gregory A. & Colleen
11 Elizabeth Lane
New Windsor, NY 12553

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: 91-26

DATE: 2 DEC. 1991

REVISED 12-10-91

APPLICANT: Herbert Mason

110 Mt. Airy Rd.

New Windsor, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7 Nov. 1991

FOR (SUBDIVISION - ~~SITE PLAN~~) _____

LOCATED AT West side of Mt. Airy Rd.

ZONE R-3

DESCRIPTION OF EXISTING SITE: SEC: 32 BLOCK: 2 LOT: 9+10.41

IS DISAPPROVED ON THE FOLLOWING GROUNDS: LOT 1

REAR YARD

Carl Scheeler *en*
PLANNING BOARD CHAIRMAN

REQUIREMENTSPROPOSED OR
AVAILABLEVARIANCE
REQUEST

<u>REQUIREMENTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>R3</u> USE <u>A 10</u>		
MIN. LOT AREA		
MIN. LOT WIDTH		
REQ'D FRONT YD		
REQ'D SIDE YD.		
REQ'D TOTAL SIDE YD.		
REQ'D REAR YD.	<u>40 FT</u>	<u>16.7 Ft.</u> <u>23.3 Ft.</u>
REQ'D FRONTAGE		
MAX. BLDG. HT.		
FLOOR AREA RATIO		
MIN. LIVABLE AREA		
DEV. COVERAGE		
O/S PARKING SPACES		

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

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

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: 91-26

DATE: 2 DEC 1991

APPLICANT: HERBERT MASON

110 MT. AIRY ROAD

NEW WINDSOR, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7 NOVEMBER 1991

FOR (SUBDIVISION - ~~SITE PLAN~~) _____

LOCATED AT WEST SIDE OF MT. AIRY ROAD

_____ ZONE R-3

DESCRIPTION OF EXISTING SITE: SEC: 32 BLOCK: 2 LOT: 9 & 10.41

IS DISAPPROVED ON THE FOLLOWING GROUNDS: LOT #2

MOBILE HOME SET BACK PER SEC. 27A-19 ACCESSORY BLDG. SET

BACK PER SEC. 48-14 A(B)

SHED #1 SHED #2

Carl Schiefer *CS*
PLANNING BOARD CHAIRMAN

<u>REQUIREMENTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>R-3</u> USE <u>A-10</u>		
SET BACK FOR <u>30 FT.</u> MOBILE HOME (PER SECTION 27A-19)	<u>9.6 FT</u>	<u>20.4 FT</u>
ACCESSORY BLDG. <u>SHED #1) 10 FT.</u>	<u>3 FT.</u>	<u>7 FT.</u>
SET BACK (PER <u>SHED #2) 10 FT.</u> SECTION 48-14 A-(B))	<u>5 FT.</u>	<u>5 FT.</u>
REQ'D SIDE YD.	_____	_____
REQ'D TOTAL SIDE YD.	_____	_____
REQ'D REAR YD.	_____	_____
REQ'D FRONTAGE	_____	_____
MAX. BLDG. HT.	_____	_____
FLOOR AREA RATIO	_____	_____
MIN. LIVABLE AREA	_____	_____
DEV. COVERAGE _____ %	_____ %	_____ %
O/S PARKING SPACES _____	_____	_____

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

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

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: 91-26

DATE: 2 Dec. 1991

APPLICANT: Herbert Mason

Revised 12-10-91

110 Mt. Airy Rd.

New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7 Nov. 1991

FOR (SUBDIVISION - ~~SITE PLAN~~) _____

LOCATED AT West side of Mt. Airy Rd.

ZONE R-3

DESCRIPTION OF EXISTING SITE: SEC: 32 BLOCK: 2 LOT: 9+10.41

IS DISAPPROVED ON THE FOLLOWING GROUNDS: LOT 3

LOT AREA

Carl Schiefer @
PLANNING BOARD CHAIRMAN

REQUIREMENTS

PROPOSED OR
AVAILABLE

VARIANCE
REQUEST

<u>REQUIREMENTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>R 3</u> USE <u>A 10</u>		
MIN. LOT AREA	<u>21780 SQ FT</u>	<u>21685 SQ FT</u> <u>95 SQ FT</u>
MIN. LOT WIDTH	_____	_____
REQ'D FRONT YD	_____	_____
REQ'D SIDE YD.	_____	_____
REQ'D TOTAL SIDE YD.	_____	_____
REQ'D REAR YD.	_____	_____
REQ'D FRONTAGE	_____	_____
MAX. BLDG. HT.	_____	_____
FLOOR AREA RATIO	_____	_____
MIN. LIVABLE AREA	_____	_____
DEV. COVERAGE	_____ %	_____ %
O/S PARKING SPACES	_____	_____

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

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

ZONING BOARD OF APPEALS
DECEMBER 9, 1991

AGENDA:

7:30 P.M. - ROLL CALL

MOTION TO ACCEPT MINUTES OF 11/25/91 MEETING IF AVAILABLE.

PRELIMINARY MEETING:

ET UP FOR
PUBLIC
HEARINGS

1. STENT, JEFFREY - SECOND PRELIMINARY - Request for 11 ft. 6 in. front yard and 9 ft. 6 in. rear yard variance for existing pool, deck and shed at 15 Melrose Avenue in R-4 zone. Revised notice of denial issued by B.I.

ET UP
FOR
PUBLIC
HEARING

2. MASON, HERBERT - Referred by Planning Board in conjunction with a lot line change. Request for (1) 23.3 rear yard variance for Lot #1, (2) setback variance for trailer on Lot #2 (9.6 ft. provided, 30 ft. required), and (3) setback variance for accessory bldgs. on Lot #2 (10 ft. required) for property located on west side of Mt. Airy Road in R-3 zone.

SEND TO CC.P.A.

FORMAL DECISIONS: (SUBJECT TO AVAILABILITY)

- (1) WILLIAMS - APPROVED
- ~~(2) SHEAFE~~
- ~~(3) CONGREGATION AGUDAS ISRAEL~~

NOTE: I HAVE ENCLOSED COPY OF YOUR VOUCHER FOR PAYMENT OF YOUR SERVICES FOR LAST HALF OF 1991. PLEASE SIGN REVERSE SIDE WHERE INDICATED WITH "X" AND BRING TO MEETING.

MASON, HERBERT SUBDIVISION (91-26) MT. AIRY ROAD

Mr. Herbert Mason came before the Board representing this proposal.

MR. MASON: I live on 110 Mt. Airy Road. I wanted to separate my house from the piece of property that we have which would be a subdivision.

MR. SCHIEFER: So, what you're asking for is a two lot subdivision?

MR. MASON: Actually, it would be three, I have a piece across the road that the road divides and we had bought a piece from Cornovitz (phonetic), our neighbor, that sets behind our property and this backed up against the aqueduct and that piece we wanted to be a piece of lot to, in other words, just take that line out, it's a landlocked piece.

MR. EDSALL: Mr. Chairman, this is quite a confusing application in certain ways, maybe we can get some clarifications and answers out of the way.

MR. SCHIEFER: If you would because I'm trying to follow this on the map.

MR. EDSALL: Maybe if we can get the attention of all the members, we can try to make some decisions. First off, I think you have to make a decision and the attorney will have to guide on whether or not what is called out on lot 3 on the east side of Mt. Airy Road which is evidently a separate deed parcel, is in fact a separate lot now or it isn't.

MR. VAN LEEUWEN: If it's across the road and a town road passes through, the land, it's automatically a separate lot, even though it might be part of the deed, of the original lot.

MR. EDSALL: It's a separate deed parcel, it may be reflected in the same deed, it's part of the same tax map number, it's a separate parcel and evidently the same deed from what we understand. I'm looking if maybe the attorney can put it on record so we can get that out of the way, does that constitute a separate lot already?

MR. PETRO: Could it be sold, I think that would be a clue, could you sell that piece across the street even though it still has the same tax lot number?

MR. KRIEGER: Whether or not it has the same tax number is not controlling in the question whether or not it's a separately deedable parcel, the question is whether it's subdivided. If it's listed on the deed as a separate parcel and identified that way and has it's own metes and bounds description, it's assuming that it has it's own chain of title that's how it got there, it's a separate parcel. It's identified as such.

MR. VAN LEEUWEN: I have a piece of parcel, Town of New Windsor that is not a situation like this and I have a tax map for both parcels even though they are separately deeded.

MR. KRIEGER: You have one tax map parcel encompasses both parcels?

MR. VAN LEEUWEN: They are both separate deeds treated as one by the tax people.

MR. KRIEGER: Whether or not the tax people treat them as one is not controlling. The question of whether or not you can sell one. They don't have the ability to pass or the legal right to pass on subdivision to pass on whether they separately exist, they incorporate it into a tax parcel for their own purposes in doing the tax and their purposes are not the same purposes as are here. So, based on the information that I hear at this point, looks to me that this is a separate parcel.

MR. EDSALL: Let's move through in an organized fashion. I have a copy of the deed I'll verify possibly a little bit later whether or not this is a separate parcel or not in the deeds. If that is the case, you're telling us we need not consider that lot under this application, it's already a lot. We don't have to look at it.

MR. KRIEGER: Doesn't have to be broken off. If it's a separately identified parcel, if it's contained in the same metes and bounds --

MR. EDSALL: As long as it's a separate parcel, all

right, we got that out of the way. Second point is what we understand is being proposed is, I guess, it would be the southwesterly end of the property we are having a lot line eliminated so we are combining a landlocked parcel along the city aqueduct property with this property. That is another part of this application. To the left of the plan, there is an old deed drawing.

MR. VAN LEEUWEN: Acquired this piece in the back of, he wants to move that line.

MR. EDSALL: That is the second thing we are doing.

MR. VAN LEEUWEN: This can be treated as a lot line change.

MR. EDSALL: We are actually combining lots, lot line by elimination of a line so that is the second thing we are doing, took us a while to figure it out. The next thing --

MR. VAN LEEUWEN: You're creating a lot in the tax map, creating a lot where his house is on here and you're moving the lot line to the rear of the property.

MR. EDSALL: Now that we have gotten those two out of the way, the next thing that's being proposed is actually two lot minor subdivision to create the residential parcel on the north corner and leave the balance as it is. One of the problems we ran into on the northern corner you have got the multitude of easements for the utility lines so that is what all the runways are. We have asked that they, the question we ran into is that he has central sewer and he has as is noted in note 8 on the plan, he has a community water system, a licensed community water system serving the trailer park, serving the property that is a subject of a State license and that is under the review of the Orange County Health Department who have issued a permit and it's regularly inspected. Does that and I believe you very well could say that constitutes a community water system or central water. If that is the case, even with all these easements subtracted, he meets the minimum bulk requirements of 21,780 for lot area on lot 1. If you determine it is not central water, then he needs a variance so that is the next step.

November 13, 1991

29

MR. SCHIEFER: How much would he need, he's got 37,000 plus?

MR. EDSALL: Well, the net area as is noted in note 7 is only 25,779, which means he doesn't have the required but if you determine that it's central water, he's okay.

MR. VAN LEEUWEN: Does have central water.

MR. EDSALL: I'm just looking to put it on the record so we have some basis for all these decisions.

MR. BABCOCK: In Beaver Dam Lake there's a community water system and that is considered central water and you get the benefit. The lot size is determined by the availability of the water and sewer.

MR. SCHIEFER: In my estimation, it's central water.

MR. KRIEGER: I don't see why not.

MR. SCHIEFER: Approved by the county, he's got a permit for it so I assume --

MR. VAN LEEUWEN: I don't think he has to go to the Zoning Board of Appeals.

MR. EDSALL: The last two things we are going to do while the Board is asking any questions, Mike and I are going to check to see that the rest of the bulk requirements are okay and I'll check the deeds quick to see what the story is with the other side.

MR. SCHIEFER: While our Engineer and Building Inspector are are working on it, do you have any other questions of the applicant?

MR. KRIEGER: If he's going to make a two lot subdivision and they want to establish lot 3 as a separate lot since it would still be under the four, why could he simply approve that in the same application?

MR. SCHIEFER: I thought lot 3 we established is a separate lot.

November 13, 1991

30

MR. BABCOCK: What I wanted to say before is that what I had told the applicant is that if this plan right here in front of us is approved, he'll be required to file three new deeds, that would be for Andy's review, one for the deed across the street and get his own tax map number, one for where his house is and one for the rest, that would clear it all up.

MR. KRIEGER: That was the origin of my comment is just to break it out from the separate deed, if you have separate parcels.

MR. BABCOCK: The applicant's agreed that to have his attorney draw them up and be reviewed by you.

MR. EDSALL: One of the problems if it doesn't constitute a legal lot now you can't create it without a variance because that one doesn't meet either bulk requirements with central water or without central water so that is where the problem comes in and he needs a variance for lot 3. If it's a pre-existing lot, we're not doing anything with it.

MR. KRIEGER: When I say it's pre-existing, that doesn't indicate it has grandfather status one way or another. I have no information whether it has grandfather status. All I mean to indicate is a separate parcel.

MR. BABCOCK: Right now, if he ever wants to build a house there --

MR. SCHIEFER: Then you go to the Zoning Board of Appeals.

MR. BABCOCK: Let's say he wants to build a house 600 feet now he definitely needs --

MR. KRIEGER: If he's refused a building permit on a question the Zoning Board of Appeals has variance power and also interpretation power and so if he wants to establish a dispute it for instance for argument sake, disputed grandfather status, that would be the place for it to be heard.

MR. SCHIEFER: Do we now know this is a separate lot?

MR. VAN LEEUWEN: Yes, it is, once the town road

November 13, 1991

31

crosses the property.

MR. SCHIEFER: I just heard the attorney question some things. I thought it was.

MR. KRIEGER: It's a separate lot, whether or not this separate lot as it exists meets the zoning requirements. I offer no opinion nor does the Planning Board have to make an opinion on that. This is without any guarantee that they do anything with it separate.

MR. PETRO: To follow up, he should file the separate deed so he gets his own tax number.

MR. SCHIEFER: He has central water, they are separate lots.

MR. EDSALL: Anything else you want to go onto?

MR. LANDER: We are going to need a variance here for side yard, isn't this house a little close?

MR. VAN LEEUWEN: How long has the house been there?

MR. MASON: 1951.

MR. DUBALDI: Putting in a lot line, you're going to need a variance.

MR. EDSALL: We have to check to see what the trailer law calls for, it's not a big, it's part of the trailer law. We'll check that now.

MR. BABCOCK: Maybe we should decide what is the side and rear yard on this lot.

MR. VAN LEEUWEN: Don't mess it up any further than he's already got it messed up. He's got an airport there, he's got all these things there.

MR. LANDER: He needs 40 feet.

MR. SCHIEFER: Does he need a variance here, Andy, what he's putting a lot line through here and creating the side yard distances.

MR. KRIEGER: First of all, is that required, would that be required anyway, is it a side yard or is it a

rear yard and is 9, 6, they're potentially in violation of the code before you reach the question of whether or not he's grandfathered.

MR. LANDER: I think from Valdina (phonetic) here give us the rear yard because he said the rear yard proposed is 16'7" and that's what it is on the corner of the one family dwelling so that's the rear yard so Mr. Valdina says.

MR. KRIEGER: Well, okay, so the line, the lot line that runs approximately northwest to southeast is the rear yard, let's assume for arguments sake that the rear yard of the parcel for the one family dwelling but what is it as to the house trailer parcel, it doesn't automatically, the rear yard of the house trailer parcel because if you have a piece of bread with two sides, you know, merely because there's butter on one side doesn't mean there's butter on the other.

MR. VAN LEEUWEN: You can do it.

MR. KRIEGER: I didn't say you couldn't do it.

MR. BABCOCK: Typically when, if somebody comes in and changed the use of their building, you have a house and they want to make it into a retail or they want to make it into an office that triggers the codes as far as bringing it up to code and as far as the setbacks on different projects. I don't know that this wouldn't trigger the codes but in my opinion, it doesn't trigger the code because it's a pre-existing condition.

MR. SCHIEFER: I'm going to have to ask for legal determination.

MR. KRIEGER: According to the code, if this were for argument sake let us say this was a side yard as to the dominant parcel lot #2, let's suppose that this is a side yard as to lot #2, it's a rear yard to lot number, whatever the heck, this is lot #1, let's suppose for arguments sake it's a side yard as to lot #2, is that within the, is the 9'6" distance what is allowed for a side yard?

MR. EDSALL: I'm trying to read the deeds, I missed the whole thing.

MR. BABCOCK: In an R-3 zone, required side yard is 15 feet.

MR. KRIEGER: Let's suppose for instance I'm not willing to say what is the minimum required if it were a front yard.

MR. BABCOCK: Thirty-five feet.

MR. KRIEGER: Rear yard?

MR. BABCOCK: Forty feet.

MR. KRIEGER: No matter what you call it, it doesn't qualify.

MR. PETRO: And it would screw up the two family residence on the east side because you only have 15 feet to that lot line so you have to leave that as a side yard.

MR. SCHIEFER: The question here is this. A pre-existing condition and I don't see where it is pre-existing, if we put that lot line but I'll leave that up to you, Andy.

MR. KRIEGER: I'm not sure and I didn't mean to sound like I'm ducking the question but it seems like an interpretation and interpretation of the zoning law is not within the province of this Board.

MR. SCHIEFER: They may need a variance, if you're not willing to make the determination I need an interpretation.

MR. PETRO: Can you move that trailer at all like ten more feet away?

MR. BABCOCK: Well, you have to remember there's two different requirements here, you know, a mobile home park is what that is is a different requirement than what a one family dwelling would be.

MR. PETRO: Is it a mobile home park then?

MR. BABCOCK: Yes, it is.

MR. PETRO: What is the requirement then?

MR. SCHIEFER: The side yard distance in a mobile home park.

MR. PETRO: Or the smallest distance away?

MR. BABCOCK: A pre-existing mobile home or new one, that's the difference?

MR. SCHIEFER: Andy is this a pre-existing condition before?

MR. VAN LEEUWEN: Mr. Chairman, it's not when you're creating a lot line, it's not a pre-existing.

MR. PETRO: It's a pre-existing mobile home park so we can go.

MR. KRIEGER: You have one show but not both.

MR. PETRO: Go with the lowest requirements.

MR. VAN LEEUWEN: I have an idea on the SEQRA, I'd like our attorney and engineer to come up with some answers for us.

MR. EDSALL: I think you have a legal question here, I'll tell you one thing, the plans and the deeds were not prepared by the same surveyor because there's very little similarities but I do get the impression that they were two different deed parcels from the lot what is called out as lot 2 and what is called out here as lot 3. I'm just trying to make some semblance.

MR. SCHIEFER: Let's see what Mike comes up with, how far a trailer has to be set up.

MR. PETRO: In a pre-existing park?

MR. BABCOCK: We don't have pre-existing right now, if you want to build a mobile home park, it's got to be 30 feet from any park boundary.

MR. SCHIEFER: Doesn't meet that either. What I'm saying this has to go to the Zoning Board of Appeals.

MR. VAN LEEUWEN: At this rate we're going, yes.

MR. KRIEGER: Seems you have even another question and that's 15 feet is the minimum on side yard setback, he's got the two trailers at the top of the map of what is, I think, pretty obviously a side yard.

MR. SCHIEFER: That's pre-existing. The way I see it and do you have any, this is not pre-existing this; we agree now it does not meet the requirements, it goes to the Zoning Board of Appeals.

MR. VAN LEEUWEN: Has to.

MR. KRIEGER: They have to have Mike for what now for the trailer or for the home?

MR. SCHIEFER: For the trailer.

MR. PETRO: Well, the home wouldn't have it either.

MR. VAN LEEUWEN: Home only has 15 feet.

MR. BABCOCK: Home has 16'7".

MR. EDSALL: It would need a rear yard setback for that.

MR. PETRO: And then you need probably a side yard or whatever that is.

MR. VAN LEEUWEN: Side is 21 feet.

MR. DUBALDI: Are we taking the sheds into consideration?

MR. PETRO: What is the side yard for a home?

MR. BABCOCK: Fifteen feet.

MR. PETRO: He's already there.

MR. SCHIEFER: I think we need interpretation and variance from the Zoning Board of Appeals.

MR. BABCOCK: The same procedure for a variance and interpretation. It's the same procedure. If instead of sending him to the Zoning Board of Appeals for an interpretation, if that's the suggestion of the Board and him finding out he does need a variance might as

November 13, 1991

36

well send him for a variance.

MR. KRIEGER: Interpretation and variances if needed.

MR. DUBALDI: What about the sheds that are behind the house trailer, are we going to consider those structures?

MR. LANDER: Do they have a fixed floor?

MR. MASON: They belong to the people who own the trailers. I believe they are the sheds that you buy and put up.

MR. DUBALDI: Two sheds behind the house trailer because that changes it from a 9.6 variance to 2 feet.

MR. MASON: One shed that's right behind, okay, one of them is an outside oil tank that's covered, had to be put in a container for the EPA.

MR. BABCOCK: DEC.

MR. MASON: You had to have containers on all the oil tanks if it's outside, you know, you got a water problem so we put a shed over the tanks.

MR. SCHIEFER: It's got to go to the Zoning Board of Appeals.

MR. KRIEGER: Didn't we run into that concern before within the last year or so where something was sent to the Zoning Board of Appeals and they sent it back and we came up with a, if recollection serves me right, we came up with a kind of broader forwarding language that would encompass that difficulty the Board, this Board sent it over for an interpretation and they sent it back.

MR. SCHIEFER: Send it over for interpretation and variances.

MR. BABCOCK: The one problem with that is is that the Zoning Board will not accept an application without numbers on it. We have to fill in the dots and put the numbers on it.

MR. SCHIEFER: I'd ask for a variance on the side yard

distance on the house trailer on the dwellings.

MR. PETRO: - One family dwelling.

MR. BABCOCK: What we can do is find out how far the shed is off the property line.

MR. SCHIEFER: They are going to be closer yet.

MR. DUBALDI: The shed was built around the oil tanks.

MR. MASON: We set concrete slab, put a container and the tank in the container tank and put a shed over that container tank.

MR. SCHIEFER: We need side yard variances on the trailer, on the single family dwelling and the sheds.

MR. PETRO: Rear yard on the single family?

MR. LANDER: I make a motion to approve Herbert Mason Subdivision.

MR. DUBALDI: I'll second it.

ROLL CALL:

Mr. Petro	No
Mr. VanLeeuwen	No
Mr. Dubaldi	No
Mr. Lander	No
Mr. Schiefer	No

MR. EDSALL: Just for the record in case it's determined that what is shown as lot 3 in fact isn't a separate deed parcel the applicant submits this plan they'd also be seeking area variances relative to that proposed lot for the creation of that as a separate and individual.

MR. SCHIEFER: If it's determined but I thought --

MR. KRIEGER: Based on the information that I have heard, yes. Mr. Edsall, now has raised a question that frankly I didn't think about and that's suppose what is identified as a separate lot and the deed doesn't, you can't clearly figure out which lot it is.

November 13, 1991

38

MR. EDSALL: I'm telling you the 1937 deed doesn't bear any resemblance to what in on this plan.

MR. KRIEGER: As long as he's going to apply to the Zoning Board for a variance, he might as well apply for a variance on lot 3.

MR. PETRO: Just assure that you can do something with that at a later date.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office
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New Windsor, New York 12553
(914) 562-8640
- Branch Office
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Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: HERBERT MASON MINOR SUBDIVISION
PROJECT LOCATION: 110 MOUNT AIRY ROAD
SECTION 32-BLOCK 2-LOTS 9 AND 10.41
PROJECT NUMBER: 91-26
DATE: 13 NOVEMBER 1991
DESCRIPTION: THE APPLICATION INVOLVES THE MINOR SUBDIVISION
OF A 7.67 +/- ACRE PARCEL INTO THREE (3) LOTS.
THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The project is located within the R-3 Zone. The Applicant indicates bulk requirements for lots with central sewer only. Given the information noted under Plan Note 8, it is my understanding that this site is served by a valid "community water system", having a New York State Department of Health Permit, which is reviewed under the authority of the Orange County Health Department. As such, it is my opinion that this application could be considered one which is served by both central sewer and central water; therefore, the bulk requirements would be somewhat less than those indicated on the plan and a variance may not be necessary for the lots on the west side (based on the current information shown on the plan, variances would be required). This should be discussed by the Board and, if possible, a determination made if this is an acceptable position.
2. With regard to the portion of the overall parcel on the east side of Mt. Airy Road, indicated as proposed Lot 3, this lot is evidently an existing deed parcel which is currently part of the overall tax parcel. The Planning Board Attorney should determine if same qualifies the parcel as a separate building lot as it currently exists, or if a formal subdivision of the lot would be required. If a formal subdivision of the lot is required, based on the bulk information shown, a variance would be required for that lot. Further, since it is not served by the water system, greater bulk values would apply. If variances are required, the Applicant should decide if they wish to pursue the creation of "Lot 3" at this time.

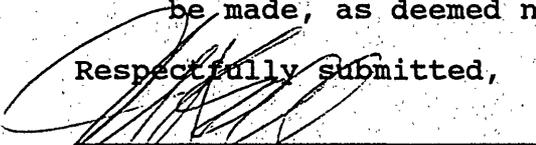
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: HERBERT MASON MINOR SUBDIVISION
PROJECT LOCATION: 110 MOUNT AIRY ROAD
SECTION 32-BLOCK 2-LOTS 9 AND 10.41
PROJECT NUMBER: 91-26
DATE: 13 NOVEMBER 1991

3. As the Board may note, there exists a "land-locked" parcel to the west of the site (Tax Lot 10.41). The plan notes that this will be "added to overall property"; this should be clarified in that same would be added to proposed Lot 2. When the new deeds are prepared for the lots as eventually approved, this land being joined to Lot 2 should be part of a single parcel in the deed of record.
4. If the subdivision is approved, the deeds should reflect the existence of the numerous easements through the property for the various utility lines serving both lots. If possible, some indication of responsibility for maintenance of the lines should be agreed to, for the record.
5. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
6. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
7. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
8. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:MASON.mk

ZONING BOARD OF APPEALS
JANUARY 13, 1992

B.D.

AGENDA:

7:30 P.M. - ROLL CALL

MOTION TO ADOPT MINUTES OF 11/25/91 AND 12/09/91 MINUTES AS APPROVED WRITTEN.

PRELIMINARY MEETING:

NO SHOW
1. CONNOTILLO, JOS. - Request for 20 ft. rear yard variance for deck in order to obtain a certificate of compliance. Location: 314 Burroughs Lane in R-4 zone.

SET UP FOR
PUBLIC HEARING
2. MANS-TOYOTA OF NEWBURGH - Request for 20 s.f. sign variance to erect a double-faced sign on lot owned by C.P. Mans, located on Route 9W in NC zone. Present: Richard Gaillard of Toyota.

PUBLIC HEARING:

APPROVED
3. HERBERT MASON - Request for (1) 23.3 ft. rear yard variance for subdivision of Lot #1, (2) 20.4 ft. set back for mobile home and 7 ft. and 5 ft. set backs for accessory building (sheds) on Lot #2 and (3) 95 s.f. lot area variance on Lot #3 for property located on west side of Mt. Airy Road in R-3 zone.

FORMAL DECISIONS:

- ~~XXXXXXXXXX~~
(2) CUTI
(3) CONGREGATION AGUDAS ISRAEL

APPROVED

PAT - 563-4630 (O)
562-7107 (H)

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: 91-26

DATE: 2 DEC 1991

APPLICANT: HERBERT MASON
110 MT. AIRY RD.
NEW WINDSOR NY 12553

1 26A
12-9-91

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7 NOV 1991

FOR (SUBDIVISION - ~~SITE PLAN~~) _____

LOCATED AT WEST SIDE OF MT. AIRY RD.

ZONE R-3 SEND TO O.C.P.D.

DESCRIPTION OF EXISTING SITE: SEC: 32 BLOCK: 2 LOT: 9 & 10, 41

NEED TO SEND THREE NEW DISAPPROVALS

LOT 1 LOT 2 LOT 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

- 1) VARIANCES (BULK) AS NOTED BELOW, FOR LOT # 1
- 2) SETBACK VARIANCE FOR TRAILER ON LOT #2 (9.6' PROV., 30' REQ'D)
- 3) SETBACK VARIANCE FOR ACCESSORY BLDGS ON LOT #2 (10' REQ'D)

20.4'
VARIANCE REQUEST
3'
7'
5' 5'

LOT	REQ AREA	PROPOSED	VARIANCE REQUEST
5	Lot 3	21,780	21,685
			95'

[Signature]
PLANNING BOARD CHAIRMAN
MARK J. EDYALL PE FOR CARL SCHOFER

<u>REQUIREMENTS</u>		<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>R-3</u>	USE <u>A-10</u>		
MIN. LOT AREA	<u>21 780 SF</u>	<u>25 779 (NET)</u>	<u>—</u>
MIN. LOT WIDTH	<u>100 FT</u>	<u>200</u>	<u>—</u>
REQ'D FRONT YD	<u>35 FT</u>	<u>160</u>	<u>—</u>
REQ'D SIDE YD.	<u>15 FT</u>	<u>42.9</u>	<u>—</u>
REQ'D TOTAL SIDE YD.	<u>30 FT</u>	<u>115.9</u>	<u>—</u>
REQ'D REAR YD.	<u>40 FT</u>	<u>16.7</u>	<u>23.3</u> ✓
REQ'D FRONTAGE	<u>60 FT</u>	<u>109</u>	<u>—</u>
MAX. BLDG. HT.	<u>35 FT</u>	<u>20</u>	<u>—</u>
FLOOR AREA RATIO	<u>—</u>	<u>—</u>	<u>—</u>
MIN. LIVABLE AREA	<u>1000 SF</u>	<u>1880 +/-</u>	<u>—</u>
DEV. COVERAGE	<u>20</u> %	<u>5</u> %	<u>—</u> %
O/S PARKING SPACES	<u>—</u>	<u>—</u>	<u>—</u>

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

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

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 13 November 1991
SUBJECT: Mason - Minor Subdivision

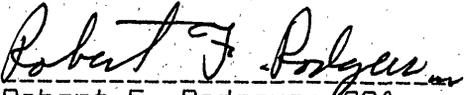
PLANNING BOARD REFERENCE NUMBER: PB-91-26
DATED: 7 November 1991

FIRE PREVENTION REFERENCE NUMBER: FPS-91-082

A review of the above referenced subject minor subdivision plan was conducted on 8 November 1991.

This minor subdivision plan is accepted.

PLANS DATED: 7 November 1991; Revision 1.


Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.

✓
CC: M.E.

91-26
Orig.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
Anthony Valdina for the building or subdivision of
Herbert Mason & Barbara Mason Wolf has been
reviewed by me and is approved _____
disapproved _____

If disapproved, please list reason _____

A manhole is required where a clean out is indicated

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Juan D. Masten

SANITARY SUPERINTENDENT

Nov. 7, 1991

DATE

CC: M.E.

11-8-97

91-26

NOV - 7 1991

Orig.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Anthony D. Velding for the building or subdivision of

Herbert & Barbara Mason Wolf has been

reviewed by me and is approved

disapproved _____

If disapproved, please list reason

There is no town code included. See

HIGHWAY SUPERINTENDENT

John D. D.

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

✓
cc: M.E.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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 Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION ¹⁻³
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR P/B # _____

WORK SESSION DATE: 6 Nov 1991 APPLICANT RESUB. REQUIRED: Full

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Mason

PROJECT STATUS: NEW o OLD _____

REPRESENTATIVE PRESENT: Mr Mason

MUNIC REPS PRESENT: BLDG INSP. _____
 FIRE INSP. X
 ENGINEER X
 PLANNER _____
 P/B CHMN. _____
 OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Will try to create parcel #1 as lot.
later fix plan bulk table - re lot with parcel #1
Needs to go to ZBA

next avail agenda

Handwritten initials

NOV 7 1987

91-26

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
OR LOT LINE CHANGE APPROVAL

- Minor Subdivision - Lands of*
1. Name of Project Herbert Mason & Barbara Mason Wolf
 2. Name of Applicant Herbert Mason Phone 564-6090
Address 110 Mt. Airy Rd., New Windsor, N.Y. 12553
(Street No. & Name) (Post Office) (State) (Zip)
 3. Owner of Record Herbert Mason & Barbara Mason Wolf Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
 4. Person Preparing Plan Anthony Valdina Phone 561-8367
Address 4 Pleasant View Ave., Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
 5. Attorney David Kintzer Phone 561 2258
Address Hudson Valley Pw, Plaza Newburgh N.Y. 12580
(Street No. & Name) (Post Office) (State) (Zip)
 6. Person to be notified to represent applicant at Planning Board Meeting Herbert Mason Phone 564-6090
(Name)
 7. Location: On the West side of Mt. Airy Rd.
500'± feet Southerly
(Street) (Direction)
of Rt. 207
(Street)
 8. Acreage of Parcel 7.67± Acres 9. Zoning District R 3
 10. Tax Map Designation: Section 32 Block 2 Lot 9 & 10.41
 11. This application is for Subdivision

PLANNING BOARD
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550
Appointed in Official Capacity
Commission Expires December 31, 1987

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? No

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership
Section 33 Block 1 Lot(s) 22

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

_____ being duly sworn, deposes and says that he resides at _____ in the County of _____ and State of _____ and that he is (the owner in fee) of _____

(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

Robert Mason
(Owner's Signature)

7th day of November 1991

(Applicant's Signature)

Pauline G. Townsend
Notary Public

(Title)

PAULINE G. TOWNSEND
Notary Public, State of New York
No. 4643692
Appointed in Orange County
My Commission Expires December 31, 1991

14-16-4 (2/87)—Text 12

PROJECT I.D. NUMBER

617.21

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR <i>Herbert Mason</i>	2. PROJECT NAME <i>Minor Subdivision - Lands of Herbert Mason & Barbara Mason Wolf</i>
3. PROJECT LOCATION: Municipality <i>Town of New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>110 Mt. Airy Rd. New Windsor, N.Y. 12553</i>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration <i>Subdivision</i>	
6. DESCRIBE PROJECT BRIEFLY: <i>Divide property into 3 lots</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>7.67</i> acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <i>Variance Required</i>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>Herbert Mason</i>	Date: <i>11/6/91</i>
Signature: <i>Herbert G Mason</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

_____ Name of Lead Agency _____

_____ Print or Type Name of Responsible Officer in Lead Agency _____ Title of Responsible Officer _____

_____ Signature of Responsible Officer in Lead Agency _____ Signature of Preparer (if different from responsible officer) _____

_____ Date _____

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Herbert mason, deposes and says that he resides at 110 Mt Airy Road New Windsor N.Y. 12553
(Owner's Address)

in the County of Orange

and State of New York

and that he is the owner in fee of Taxmap section 32
Block 2 Lot 9 ~~10~~ & 10.41

which is the premises described in the foregoing application and

that he has authorized DAVID M. KITZER

to make the foregoing application as described therein.

Date: 11-7-91

Herbert mason
(Owner's Signature)

Miriam Brewer
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.

Surveyor

X
91-26

NOV - 7 1991

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Herbert Mason, deposes and says that he
resides at 110 Mt. Airy Rd., New Windsor, N.Y. 12553
(Owner's Address)

in the County of Orange
and State of New York

and that he is the owner in fee of Tax Map Section 32-
Block 2 - Lot 9 & 10.41

which is the premises described in the foregoing application and
that he has authorized Anthony D. Valdina
to make the foregoing application as described therein.

Date: 11/6/91

Herbert Mason
(Owner's Signature)

Paul H. Townsend
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

Surveyor

91-26

NOV - 7 1991

TOWN OF NEW WINDSOR PLANNING BOARD

MINOR SUBDIVISION CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

- 1. Environmental Assessment Statement
- *2. Proxy Statement
- 3. Application Fees
- 4. Completed Checklist

II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

- 1. Name and address of Applicant.
- *2. Name and address of Owner.
- 3. Subdivision name and location.
- 4. Tax Map Data (Section-Block-Lot).
- 5. Location Map at a scale of 1" = 2,000 ft.
- 6. Zoning table showing what is required in the particular zone and what applicant is proposing.
- 7. Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
- 8. Date of plat preparation and/or date of any plat revisions.
- 9. Scale the plat is drawn to and North Arrow.
- 10. Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
- 11. Surveyor's certification.
- 12. Surveyor's seal and signature.

*If applicable.

- 13. ✓ Name of adjoining owners.
- 14. NA Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. NA Flood land boundaries.
- 16. NA A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
- 17. ✓ Final metes and bounds.
- 18. ✓ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical centerline of the street.
- 19. ✓ Include existing or proposed easements.
- 20. ✓ Right-of-Way widths.
- 21. NA Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
- 22. ✓ Lot area (in square feet for each lot less than 2 acres).
- 23. ✓ Number the lots including residual lot.
- 24. NA Show any existing waterways.
- *25. NA A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
- 26. ✓ Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
- 27. ✓ Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
- 28. ✓ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

*If applicable.

- 29. NA Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
- 30. NA Provide "septic" system design notes as required by the Town of New Windsor.
- 31. NA Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
- 32. NA Indicate percentage and direction of grade.
- 33. # ✓ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
- 34. ✓ Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
- 35. NA Indicate location of street or area lighting (if required).

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: Anthony D. Valdes
Licensed Professional

Date: 11/7/91

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

LIBER 1988 PG 1098

~~LIBER 1084 PG 350~~

B. F. Mason Wolf
SEVENTY TWO

THIS INDENTURE, made the *21st* day of November, nineteen hundred and ~~seventy one~~
BETWEEN BARBARA L. MASON WOLF, residing at Mt. Airy Road,
(no number), New Windsor, New York,

party of the first part, and HERBERT MASON, residing at Mt. Airy Road,
(no number), New Windsor, New York,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

TEN and 00/100-----(\$10.00)-----

dollars,

lawful money of the United States,

paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or

successors and assigns of the party of the second part forever,

An undivided one half interest in

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected

lying and being in the Town of New Windsor, County of Orange and State of New York, bounded and described as follows:-BEGINNING at a point in the middle of the public highway, in the southerly boundary of the lands of Andrew Veseley and Matilda, his wife, and running thence north thirty degrees five minutes east, 185.94 feet along a wall line; thence north sixty-five degrees eight minutes west, 334.29 feet along a wall line to the middle of public highway aforementioned; thence along said public highway south thirty four degrees fifty-two minutes east, 367.47 feet more or less to the point or place of beginning; containing seven hundred eleven thousandth (0.711) acres of land, more or less.

ALSO all that piece or parcel of land situated in the Town of New Windsor, and described as follows:-BEGINNING at a point in the middle of the public highway, in the southerly boundary of the lands of Andrew Veseley and Matilda, his wife, and running thence south thirty degrees five minutes west, 328.82 feet to a fence post in stone wall line; thence along a stone wall north sixty-seven degrees, twenty-five minutes west, 465.36 feet to a wall corner; thence along a stone wall north twenty-two degrees twenty nine minutes east. 486.47 feet to a fence post in wall corner; thence along a stone wall north eighty-four degrees fifty-nine minutes east, 165.50 feet to the middle of the aforementioned public highway; thence along said public highway south thirty degrees thirty-six minutes east, 65.84 feet; thence further along said public highway south thirty-four degrees fifty-two minutes east, 367.47 feet to the place or point of beginning.

Containing 5.304 more or less acres.

The above bearings are as the needle pointed in January, 1935.

BEING and INTENDED to be the same premises conveyed by Mary Stone to Barbara L. Mason by deed dated April 23rd, 1937 and recorded in the Orange County Clerk's office on April 24, 1937 in Liber 781 of deeds at page 45.

~~TOGETHER~~ with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

~~TOGETHER~~ with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Alfred F. Cavallari

Barbara L. Mason Wolf
BARBARA L. MASON WOLF

~~LIBER 1984 PG 351~~

LIBER 1988 PG 1099

*Imya
Lester
4/6*

STATE OF NEW YORK, COUNTY OF ORANGE

On the 21st day of November 1972, before me personally came BARBARA L. MASON WOLF

LIBER 1888 PG 1100

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

ALFRED F. CAVALARI

Notary Public in the State of New York
Residing in the County of Orange
Comm. Ex. 1111, 1972, 1975

STATE OF NEW YORK, COUNTY OF

On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

On the day of 19, before me personally came

LIBER 1884 PG 352

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

STATE OF NEW YORK, COUNTY OF

On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

NO.

SECTION
BLOCK
LOT
COUNTY OR TOWN

471

Ch R R

TO

Recorded At Request of The Title Guarantee Company
RETURN BY MAIL TO:

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by

THE TITLE GUARANTEE COMPANY



ALFRED F. CAVALARI
ATTORNEY AT LAW
VALES GATE, N. Y. 12584

Zip No.

ORANGE COUNTY
049514
REAL ESTATE STATE OF
TRANSFER TAX NEW YORK
DEPT. OF TAXATION JUL 19 1974
\$ 00.00

ORANGE COUNTY
050564
REAL ESTATE STATE OF
TRANSFER TAX NEW YORK
DEPT. OF TAXATION SEP 11 1974
\$ 00.00

Orange County Clerk's Office, s.s.
Presented to the Clerk on the 11th day
of Sept. 19 74 at 10:15
Doede in Liber 1988
at page 1078
Examined.
C. N. Winters
Clerk

Orange County Clerk's Office, s.s.
Recorded on the 11th day
of July 19 74 at 11:11
o'clock AM in Liber 1984
Reed at page 350
and Examined.
C. N. Winters
Clerk

E. 715

11.10.1

THIS INDENTURE, made the 17th day of January, nineteen hundred and seventy-eight BETWEEN PETER KARNAVEZOS and SOPHIA KARNAVEZOS, husband and wife, both residing at Mt. Airy Road (no number), Town of New Windsor, Orange County, New York

32-2-10.41 ✓

party of the first part, and HERBERT MASON, residing at M.D. 35, Mt. Airy Road, Town of New Windsor, Orange County, New York, and BARBARA MASON WOLF, residing at M.D. 35, Mt. Airy Road, Town of New Windsor, Orange County, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, and being more accurately bounded and described as follows:

BEGINNING at a fence and wall intersection, said intersection marking the southeasterly corner of lands of Herbert Mason as recorded in Liber 781, page 45 of Orange County Deed Records, said point of beginning being located, South 37°-34'-37" West 304.03' from the intersection of the southerly line of Mt. Airy Road with the northeasterly corner of lands of Mason and the most northerly corner of lands of Peter Karnavezos; thence from said point of beginning and through lands of Karnavezos, South 37°-17'-01" West 213.48' to a point in the line of the New York City Water Supply Aqueduct; thence following a fence and along said line of New York City Water Supply Aqueduct, North 41°-58'-59" West 458.03' to a fence and wall intersection, said point marking the most southerly corner of lands now or formerly of the Sister's of the Presentation of the Blessed Virgin Mt. Saint Joseph; thence following a wall and along said lands, North 28°-26'-50" East 71.35' to a point, said point being the southwesterly corner of lands of Herbert Mason; thence following a wall and fence and along the southerly line of lands of Mason, South 59°-50'-52" East 464.56' to the point of beginning. Containing 64601 square feet or 1.483+ acres.

BEING a portion of the premises conveyed to Peter Karnavezos and Sophia Karnavezos by George T. Katsaros and Penelope M. Katsaros by Deed dated April 12, 1972 and recorded April 14, 1972 in the Orange County Clerk's Office in Liber 1903 of Deeds at Page 668.

SUBJECT to a purchase money mortgage in the amount of \$3,000.00, which said mortgage is to be executed and delivered by the party of the second part to the party of the first part as security for a portion of the purchase price on this conveyance and which said mortgage is TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Peter A. Karnavezos L.S.
PETER KARNAVEZOS

Sophia Karnavezos L.S.
SOPHIA KARNAVEZOS

LIBER 2051 PAGE 817

2091 817

32-2-9 ✓

781
45

In Witness Whereof, the party of the first part has caused these presents to be signed and delivered by its duly authorized President and its corporate seal to be hereunto affixed and the parties of the second part have hereunto set their hands and seals this 22nd day of April, 1937.

The Port Jervis Real Estate and Loan Association
(Corporate seal affixed)

By Graham S. DeWitt, President

Stephen C. Hallock L. S.

Frances L. Hallock L. S.

State of New York

County of Orange SS

On this 22nd, day of April, Nineteen hundred and thirty seven before me personally came Graham S. DeWitt to me personally known who, being by me duly sworn did depose and say that he resides in the City of Port Jervis, Orange County, N. Y., that he is the President of the The Port Jervis Real Estate and Loan Association, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Dorothy Hoppey, Notary Public

State of New York

County of Orange SS

On this 22nd day of April, Nineteen hundred and thirty seven before me personally came Stephen C. Hallock and Frances L. Hallock, his wife, to me known and known to me to be the same persons described in and who executed the foregoing instrument, and they severally acknowledged to me that they executed the same.

Dorothy Hoppey, Notary Public

A true record entered April 24, 1937 at 9 A. M.

C. E. Durbin

Clari

ROOM This Indenture made the 23rd day of April, Nineteen hundred and thirty seven between Mary Stone, of Number 1271 Lincoln Place, City of Brooklyn, New York, party of the first part, and Barbara L. Mason of the Town of New Windsor, Orange County, New York, party of the second part,

Witnesseth, that the party of the first part, in consideration of Ten and 00/100 dollars (\$10.00) lawful money of the United States, and other good and valuable considerations, paid by the party of the second part, does hereby grant and release unto the party of the second part, her heirs, legal representatives and assigns forever,

ALL that piece or parcel of land situated in the Town of New Windsor, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point in the middle of the public highway, in the southerly boundary of the lands of Andrew Veseley and Matilda, his wife, and running thence north thirty degrees five minutes east, 185.94 feet along a wall line; thence north sixty five degrees eight minutes west, 334.29 feet along a wall line to the middle

781
46

32-2-9

of public highway aforementioned; thence along said public highway south ^{thirty} four degrees fifty two minutes east, 367.47 feet more or less to the point of place of beginning, containing seven hundred eleven thousandth, (0.711) acres of land, more or less.

Also all that piece or parcel of land situated in the Town of New, and described as follows:

BEGINNING at a point in the middle of the public highway, in the ^{south -} ~~erly~~ boundary of the lands of Andrew Veseley and Matilda, his wife, and runn ^{five} thence south thirty degrees five minutes west, 328.82 feet to a fence post ^{twelve} stone wall line; thence along a stone wall north sixty seven degrees, ^{corner} minutes west, 465.36 feet to a wall corner; thence along a stone wall ^{165.8} north two degrees twenty nine minutes east 486.47 feet to a fence post in wall, ^{public} thence along a stone wall north eighty four degrees fifty nine minutes east ^{further} feet to the middle of the aforementioned public highway; thence along said ^{367.47} highway south thirty degrees thirty six minutes east, 65.84 feet; thence ^{367.47} along said public highway south thirty four degrees fifty two minutes east, feet to the place or point of beginning. Containing 5.304 more or less ac

The above bearings are as the needle pointed in January 1935.

Being the same premises described and conveyed in that certain deed from Andrew Vesely and Matilda Vesely, his wife, to Mary Stone, dated March 1935, and recorded in the office of the Clerk of Orange County, N. Y. on May 14, 1935, in Deed Book 756 at page 367.

**PREVIOUS
DOCUMENTS
IN POOR
ORIGINAL
CONDITION**

X RECEIVED
91-26

NOV - 7 1991

ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance

*not in flood plain
Per Mason*

FOR OFFICIAL USE ONLY

Permit No. _____

Fee Received _____ Date _____

_____ of _____

_____ County, New York

Permit Application for Development
in
Flood Hazard Areas

- A. General instructions page 4 (Applicant to read and sign)
B. For assistance in completing or submittal of this application contact:

_____, Floodplain Administrator,
(Name)

(Address)

_____, NY () _____ - _____.

1. Name and Address of Applicant

Herbert _____ Mason _____
(First Name) (MI) (Last Name)

Street Address: 110 Mt. Airy Road

Post Office: New Windsor State: N.Y. Zip Code: 12553

Telephone: (914) 564 - 1690

2. Name and Address of Owner (If Different)

(First Name)

(MI)

(Last Name)

Street Address: _____

Post Office: _____

State: _____

Zip Code: _____

Telephone: () _____ - _____

3. Engineer, Architect, Land Surveyor (If Applicable)

Anthony
(First Name)

D.
(MI)

Valdina
(Last Name)

Street Address: _____

4 Pleasant View Ave.

Post Office: _____

Newburgh

State: _____

N.Y.

Zip Code: _____

12550

Telephone: _____

(914) 561

- 8367

PROJECT LOCATION

Street Address: ¹¹⁰ Mt. Airy Rd.
New Windsor, N.Y.

Tax Map No. 32

Name of, distance and direction from nearest intersection or other landmark
500'± Southerly from Route 207

Name of Waterway: _____

PROJECT DESCRIPTION (Check all applicable boxes and see Page 4, Item 3)

Structures

New Construction
 Addition
 Alteration
 Relocation
 Demolition
 Replacement

Structure Type

Residential (1-4 family)
 Residential (More than 4 family)
 Commercial
 Industrial
 Mobile Home (single lot)
 Mobile Home (Park)
 Bridge or Culvert

Estimated value of improvements if addition or alteration: _____

Other Development Activities

Fill Excavation Mining Drilling Grading
 Watercourse alteration Water System Sewer System
 Subdivision (New) Subdivision (Expansion)
 Other (Explain)

CERTIFICATION

Application is hereby made for the issuance of a floodplain development permit. The applicant certifies that the above statements are true and agrees that the issuance of the permit is based on the accuracy thereof. False statements made herein are punishable under law. As a condition to the issuance of a permit, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomsoever suffered, arising out of the project described herein and agrees to indemnify and save harmless to the community from suits, actions, damages and costs of every name and description resulting from the said project. Further, the applicant agrees that the issuance of a permit is not to be interpreted as a guarantee of freedom from risk of future flooding. The applicant certifies that the premises, structure, development, etc. will not be utilized or occupied until a Certificate of Compliance has been applied for and received.

Date

Signature of Applicant

_____ of _____
Flood Hazard Development Permit

Administrative Action
Completed by Floodplain Administrator

Proposed project located in _____ "A" zone with elevation
_____ "A" zone without elevation
_____ Floodway
_____ Coastal High Hazard Area (V-Zone)

Base flood elevation at site is _____

Source documents: _____

PLAN REVIEW

Elevation to which lowest floor is to be elevated _____ ft. (NGVD)
Elevation to which structure is to be floodproofed _____ ft. (NGVD)
Elevation to which compacted fill is to be elevated _____ ft. (NGVD)

ACTION

_____ Permit is approved, proposed development in compliance with applicable floodplain management standards.

_____ Additional information required for review. Specify: (i.e., encroachment analysis)

____ Permit is conditionally granted, conditions attached.

____ Permit is denied. Proposed development not in conformance with applicable floodplain management standards. Explanation attached. A variance, subject to Public Notice and Hearing, is required to continue project.

Signature _____ Date _____
(Permit Issuing Officer)

This permit is valid for a period of one year from the above date of approval.

BUILDING CONSTRUCTION DOCUMENTATION

The certified "As Built" elevation of lowest floor (including basement) of structure is _____ ft. NGVD.

Certification of registered professional engineer, land surveyor or other recognized agent, documenting these elevations is attached.

CERTIFICATE OF OCCUPANCY/COMPLIANCE

Certificate of Occupancy and/or Compliance Issued:

Date _____ Signature _____

_____ of _____
_____ County, New York

Development in Flood Hazard Areas
Instructions

1. Type or print in ink
2. Submit _____ copies of all papers including detailed construction plans and specifications.
3. Furnish plans drawn to scale, showing nature, dimension and elevation of area in question; existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. Specifically the following is required: (A) NGVD (Mean Sea Level) elevation of lowest floor including basement of all structures; (B) description of alterations to any watercourse; (C) statement of techniques to be employed to meet requirements to anchor structures, use flood resistant materials and construction practices; (D) show new and replacement potable water supply and sewage systems will be constructed to minimize flood damage hazards; (E) Plans for subdivision proposal greater than 50 lots or 5 acres (whichever is least) must provide base flood elevations if they are not available; (F) Additional information as may be necessary for the floodplain administrator to evaluate application.

4. Where a non-residential structure is intended to be made watertight below the base flood level, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction and certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of the local floodplain management regulations.
5. No work on the project shall be started until a permit has been issued by the floodplain administrator.
6. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory compliance.
7. Applicant will provide all required elevation certifications and obtain a certificate of compliance prior to any use or occupancy of any structure or other development.

Applicant's signature _____ Date _____

CERTIFICATE OF COMPLIANCE
for
FLOODPLAIN DEVELOPMENT

_____ of _____
County, N.Y.
(Applicant shall fill in all pertinent information in Section A
including 1 or 2)

SECTION A

Premises location _____

Applicant
Name & Address _____

Telephone No. _____

Permit No. _____
Variance No. _____
Date _____

CHECK ONE

New Building _____
Existing Building _____
Other (List) _____

1. I certify that I have completed the above project in accordance with the Community's floodplain management regulations and have met all the requirements which were conditions of my permit. I now request completion of this Certificate of Compliance by the program administrator.

Signed _____

Date _____

2. I certify that I have completed the above project in accordance with conditions of variance number _____, dated _____ to the Community's floodplain management regulations and have met all requirements which were a condition of the variance. I now request completion of this certificate of compliance by the program administrator.

Signed _____

Date _____

SECTION B (Local Administrator will complete, file, and return a copy to the applicant.)

Final Inspection Date _____ by _____

This certifies that the above described floodplain development complies with requirements of Flood Damage Prevention Local Law No. _____, or has a duly granted variance.

Signed _____
(Local Administrator)

Date _____

Supporting Certifications: Floodproofing, elevation, hydraulic analysis, etc; (List).

N.F. ST. JOSEPH'S SOCIETY OF NEW YORK INC.
 LIBER 880 - PAGE 367
 SEC. 32 - BLK. 2 - LOT 80

N.F. HENRY STELLMAN
 LIBER 2087 - PAGE 88
 SEC. 32 - BLK. 2 - LOT 8

SITE LOCATION MAP
 SCALE: 1"=2000'

NOTES:
 1) Unauthorized alterations or additions to this map is a violation of Section 7203(2) of the N.Y.S. Education Law.
 Copies of this map not having the original int. or embossed seal of the Land Surveyor shall not be valid.
 Guarantees or Certifications are non transferable.
 Subject to grants, easements and right-of-ways of record, if any.
 Not responsible for utilities on, over or under the lands and not visible at time of survey.

Zone R-3 Single Family Requirements With Central Water & Sewer

REQUIRED	PROPOSED	VARIANCE REQUESTED
Area: 21,780 Sq. Ft.	37,157 ^{1/2}	
Width: 100 Feet	200'	
Front Setback: 35 Feet	100'	
Side Yard: 15 Feet	42.9'	
Both Sides: 30 Feet	115.9'	
Rear Yard: 40 Feet	16.7'	23.3'
Frontage: 60 Feet	108'	
Block Height: 35 Feet	20'	
Liveable Area: 1000 Sq. Ft.	1800 ^{1/2} Sq. Ft.	5%
Developed: 15%		

MOBILE HOME PARK
 LOT #2

REQUIRED	PROPOSED	VARIANCE REQUESTED
Lot Line Setback: 30'	9.6'	20.4'
18-21 Mobile Home Law		
ACCESSORY SHED #1		
Set Back = 10'	3'	7'
ACCESSORY SHED #2		
Setback = 10'	5'	5'

ABOVE VARIANCES REQUESTED GRANTED FORMAL APPROVAL BY THE ZONING BOARD OF APPEALS ON 27 JAN. 1992.

Remaining Area: 25,770^{1/2} Sq. Ft.

Parcel #	Area	Acres
Parcel #1	21,685 ^{1/2} Sq. Ft.	0.50
Lot #1	37,157 ^{1/2} "	0.85
Lot #2	part of Parcel 2 from Deed in note 3A	0.44
Lot #3	part of Parcel 2 from Deed in note 3A, 3B and filed map in note 3C	5.67
Total		7.47

Owner:
 Herbert Mason & Barbara Mason Wolf
 110 Mt. Airy Road
 New Windsor, N.Y. 12553

MINOR SUBDIVISION - LANDS OF
HERBERT MASON & BARBARA MASON WOLF

TOWN OF NEW WINDSOR · ORANGE CO. · NEW YORK

SCALE: 1"=30'
 DATE: 23 OCT. 1991
 REV: 7 NOV. 1991
 REV: 3 DEC. 1991
 ZONING REQUIREMENTS AND VARIANCES REQUESTED
 REV: 21 FEB. 1992 ZBA APPROVAL

Job No: 91-27
ANTHONY D. VALDINA
 LAND SURVEYOR
 4 PLEASANT VIEW AVE.
 NEWBURGH, N.Y. 12550
 N.Y.S. LIC. NO. 049120

SUB DIVISION APPROVAL GRANTED
 BY TOWN OF NEW WINDSOR PLANNING BOARD
 ON **MAR 26 1992**
 BY *Ronald Lander*
 RONALD LANDER
 SECRETARY

Certified Correct to: Herbert Mason, and Barbara Mason Wolf, from a field survey made on 10 June 1991.



N.F. PETER & SOPHIA KARNAVELOS
 LIBER 1903 - PAGE 668
 SEC. 32 - BLK. 2 - LOT 42
 LOT #4A "KARNAVELOS SUBDIVISION MAP #4364"
 VACANT

OWNERS CERTIFICATION
 I HEREBY STATE THAT I AM FAMILIAR WITH THIS MAP AND CONSENT TO ITS TERMS AND CONDITIONS AND THE FILING OF SAID MAP IN THE OFFICE OF THE CLERK OF ORANGE COUNTY.
 Herbert Mason 11-7-91
 OWNER DATE

N.F. HERBERT MASON
 LIBER 1866 - PAGE 439
 SEC. 33 - BLK. 1 - LOT 22
 VACANT

N.F. WILLIAM & ABBIE CERILLO
 LIBER 2044 - PAGE 234
 SEC. 33 - BLK. 1 - LOT 21