

ZB# 02-46

JoAnn Paden

24-7-5

Prelim.

*Aug. 12, 2002.
NO SHOW*

ZBA

APPROVED

7/14/03

ZBA 02-46 PADEN, JOANN
24-7-5 (AREA) 221 FRANKLIN ST.

Area 24-7-5.

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

FILE # 02-46 TYPE: AREA USE _____

APPLICANT: JoAnn Padon
221 Franklin St.
New Windsor, NY

TELE: 565-6468

*RESIDENTIAL: \$ 50.00 CHECK # 170
**COMMERCIAL: \$150.00 CHECK # _____
*INTERPRETATION: \$150.00 CHECK # _____

ESCROW: \$300.00 / \$500.00 CHECK # 171

DISBURSEMENTS:

	MINUTES	ATTORNEY FEES
	\$4.50 PER PAGE	\$35.00 / MEETING
PRELIM..... <u>2/12/02</u>	<u>\$ 4.50</u>	\$ <u>35.00</u>
2 ND PRELIM..... <u>6/9/03</u>	<u>18.00</u>	<u>35.00</u>
3 RD PRELIM.....	_____	_____
PUB HEARING..... <u>7/14/03</u>	<u>None</u>	<u>35.00</u>
PUB HEARING (CONT)...	_____	_____
TOTAL	\$ <u><u>22.50</u></u>	\$ <u><u>70.00</u></u>

OTHER CHARGES:..... \$ _____



ESCROW POSTED: \$ 300.00
AMOUNT DUE: \$ _____
REFUND DUE: \$ 207.50



1
r

A

LOT 36*

LOT 44*

LOT 35*

LOT 34*

75.00

75.00

N69°01'00"E

150.00

160.23
Filed Map: 165

34±

13±

39±

119.99

CHAIN LINK FENCE

ENCLOSED PORCH

1 STORY FRAME

P
O
O
L

G
A
R
A
G
E

BLACKTOP

chain link fence

PAVEMENT

STREET

E.F.

FRANKLIN

N20°59'00"W

S20°59'00"E

0.52± ACRES

58±

LC = 121.34

R = 3,648.05'

R = 25.00 LC = 39.64
90° 51' 19"

20.00

EDGE

PAVEMENT

GARDEN

AVENUE

50'

02-46

IRON PIPES FOUND

MAP OF SURVEY FOR
LOT 45*
SECTION 2
EAST WINDSOR PARK

TOWN OF NEW WINDSOR

ORANGE COUNTY, N.Y.

SCALE: 1" = 20'

JULY 15, 1987

CERTIFIED TO:

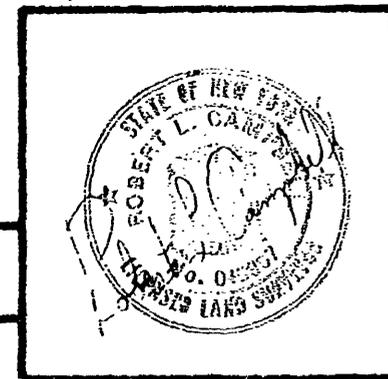
COMMONWEALTH LAND TITLE INSURANCE CO.

NORSTAR BANK & THE HUDSON VALLEY, N.A.

ROBERT R. JO-ANN A. PADEN

KAR-VIN ABSTRACT CORP.

GER-CAMPBELL-GRAY & RAILING ENGINEERS & SURVEYORS
100 HACKENSACK ROAD WAPPINGERS FALLS, NEW YORK P.C.



021

*-PORTION OF FILED MAP N° 1343

Shy



Town of New Windsor

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

OFFICE OF THE ZONING BOARD OF APPEALS

November 12, 2003

Ms. JoAnn Paden
221 Franklin Street
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #02-46

Dear Ms. Paden:

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

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

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

-----x
In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

JO ANN PADEN

AREA

CASE #02-46
-----x

WHEREAS, Ms. JoAnn Paden, owner(s) of 221 Franklin Street, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 4 ft 6" Front Yard Setback for proposed porch/deck on a corner lot in an R-4 Zone;

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

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

WHEREAS, there was one spectator appearing at the public hearing; and

WHEREAS, the spectator neither endorsed or objected to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The applicant seeks permission to erect a front porch.
 - (c) Without the porch, a safety hazard would exist since a person exiting the home would be likely to sustain serious injury.

- (d) In the erection of the porch, the applicant will remove no trees or substantial vegetation.
- (e) The erection of the porch will not cause the ponding or collection of water or divert the flow of water drainage.
- (f) The porch, if permitted, will not make the home appear to be closer to the road than are neighboring homes.
- (g) The porch will be consistent in style and appearance with the existing home and with those homes in the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

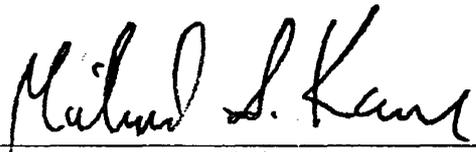
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 4 ft 6" Front Yard Setback for proposed porch/deck on a corner lot in an R-4 Zone; as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: November 3, 2003

A handwritten signature in black ink, reading "Michael S. Kane". The signature is written in a cursive style and is positioned above a horizontal line.

Chairman

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

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

DATE: 7/23/02

APPLICANT: JoAnn Paden
221 Franklin Street
New Windsor, NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Proposed 13ft9inx16ft6in deck

LOCATED AT: 221 Franklin Street

ZONE: R-4 Sec/Blk/ Lot: 24-7-5

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed front deck will encroach on the required front yard setback. This is a corner lot.


BUILDING INSPECTOR

PERMITTED 35ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 8-E

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

30ft6in

4ft6in

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

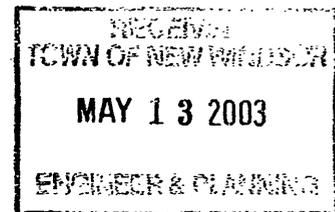
MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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



02-46

IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

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

RECEIVED

JUL 22 2002

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2002-835

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

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

Richard E Wixon 845-568-0125
1-914-805-6505

Owner of Premises Joanne Padon

Address 221 Franklin ST. Phone # (845) 565-6468

Mailing Address 221 Franklin ST. New Windsor NY, 12553 Fax #

Name of Architect Richard E Wixon

Address 222 Franklin ST. New Windsor NY Phone (845) 568-0125

Name of Contractor Wixon Remodeling Inc.

Address 222 Franklin St. New Windsor

Phone (845) 568-0125

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

If applicant is a corporation, signature of duly authorized officer

Richard W. Ditty, President

(Name and title of corporate officer)

1. On what street is property located? On the East side of Franklin
and Corner feet from the intersection of Garden St.
(N, S, E or W)
2. Zone or use district in which premises are situated residential Is property a flood zone? Y N ✓
3. Tax Map Description: Section 24 Block 7 Lot 5
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
- a. Existing use and occupancy residential b. Intended use and occupancy residential
5. Nature of work (check if applicable) New Bldg. Addition Alteration Repair Removal Demolition Other Deck
6. Is this a corner lot? yes
7. Dimensions of entire new construction. Front 16'6" Rear _____ Depth 13'9" Height 4'0" No. of stories _____
8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor _____
- Number of bedrooms 4 Baths 3 Toilets 3 Heating Plant: Gas _____ Oil ✓
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost

4,500.00

Fee

\$50-

PAID

CH # 1011

July 11th 1992
date

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

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Liel & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12683
(845) 683-4818
(845) 683-4885 FAX

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

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Richard E. Wijn

(Signature of Applicant)

222 Franklin St. New Windsor NY 12553.

(Address of Applicant)

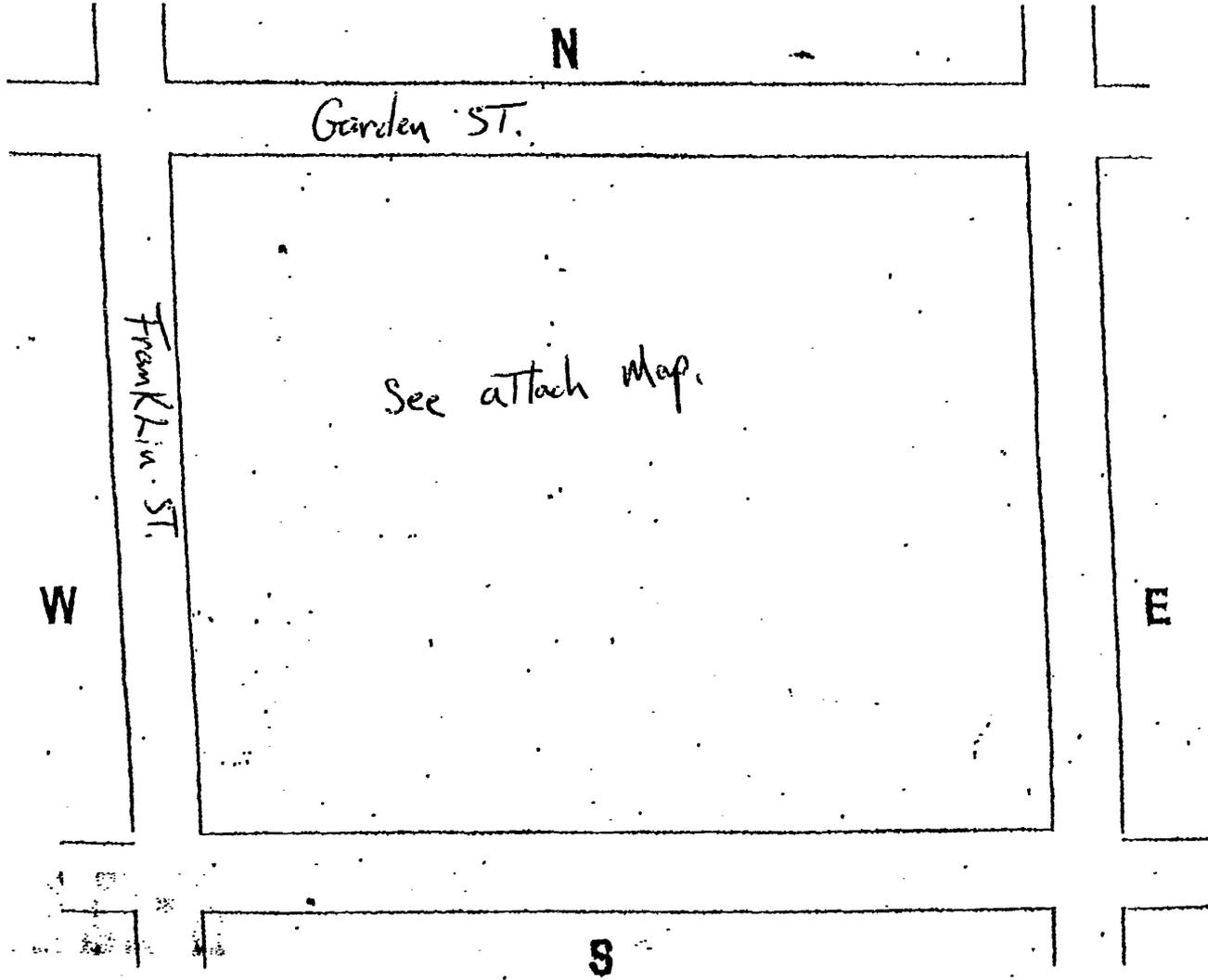
J. Ann A. Pahn

(Owner's Signature)

221 Franklin St New Windsor, NY.

PLOT PLAN

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



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

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: AUGUST 11, 2003
SUBJECT: JO ANN PADEN #02-46

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 207.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #02-46

NAME: JO ANN PADEN

ADDRESS: 221 FRANKLIN STREET

NEW WINDSOR, NY 12553

THANK YOU,

MYRA



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



FILE #02-46 TYPE: AREA

APPLICANT:
JO ANN PADEN

TELEPHONE: 565-6468

RESIDENTIAL:	\$ 50.00	CHECK # 170
COMMERCIAL	\$ 150.00	CHECK #
INTERPRETATION	\$ 150.00	CHECK #

ESCROW: RESIDENTIAL \$300.00 CHECK # 171

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

<u>DISBURSEMENTS:</u>		<u>MINUTES</u> \$4.50 / PAGE	<u>ATTORNEY</u> FEE
PRELIMINARY:	<u>1</u>	PAGES	\$ <u>4.50</u>
2 ND PRELIMINARY:	<u>4</u>	PAGES	\$ <u>35.00</u>
PUBLIC HEARING:	<u> </u>	PAGES	\$ <u> </u>
PUBLIC HEARING:	<u>0</u>	PAGES	\$ <u>35.00</u>
		TOTAL:	\$ <u>70.00</u>

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

ESCROW POSTED:	\$300.00
LESS: DISBURSEMENTS:	\$ <u>92.50</u>
AMOUNT DUE:	\$ <u> </u>
REFUND DUE:	\$ <u>207.50</u>

L.R. 8/11/03

PRELIMINARY MEETINGS:

JO-ANN PADEN (#02-46)

MR. TORLEY: By State Law, the Zoning Board of Appeals can only take its actions after a public hearing. We hold these preliminary meetings for you so you understand the kind of things going on at the public hearing, we get an idea of what you want, you have an idea of what kind of questions you'll be asked and nobody gets surprised. Cause hopefully, this is the only time in your lives you'll be doing this, most of you. Let's begin with the first preliminary meeting. Request for 4 ft. 6 in. front yard setback for proposed deck on a corner lot at 221 Franklin Street in an R-4 zone.

Ms. Jo-Ann Paden appeared before the board for this proposal.

MR. TORLEY: What's the problem?

MS. PADEN: I just want to extend my front porch that's there four feet out to come over to the side, make it like a wraparound, attach it and it's four feet shorter from where the edge of the road is.

MR. TORLEY: So you want to extend your porch?

MS. PADEN: Yes, come around to here, the steps here come around to here.

MR. TORLEY: Make it wider than it is now?

MS. PADEN: Maybe only a couple inches because I have a walk-through here, it's just going to come right out, I have a picture of the house.

MR. TORLEY: We may have it in the file.

MR. KANE: Is that going to be across the front?

MS. PADEN: Yes, see this flower box, it's going to come out to that so this will come around to the steps.

MR. TORLEY: Is it going to extend out further than the edge of the house where it's now sitting, come out further than that coming around here?

MS. PADEN: Yes.

MR. TORLEY: Not going to be wider than that?

MS. PADEN: No, it's going to come out to this flower box here.

MR. TORLEY: So it's going to be wider than the house?

MS. PADEN: This house sticks out a little more.

MR. BABCOCK: It's the yellow here.

MR. TORLEY: I got you. I was wondering why she needed it.

MR. KANE: Basically, you're connecting the two sets of stairs that you have?

MS. PADEN: Yes.

MR. KANE: How wide would that make the deck in total?

MR. BABCOCK: The deck is 13 feet wide across the house plus the four foot of stairs, the deck itself is 13 feet and then the stairs are four foot wide and then the stairs go back to the other set of stairs 25 feet.

MR. KANE: But that we're not concerned with, we're concerned extending it in front of the house with the 13 foot section?

MR. BABCOCK: That's correct.

MR. TORLEY: Still need a variance whether or not it's a corner lot?

MR. BABCOCK: Yeah because it's the front yard, yes.

MS. PADEN: It's not right on the corner.

MR. TORLEY: Sometimes corner lots can make odd--

MS. PADEN: I have a driveway and another lot next to me.

MR. KANE: Do you feel the building of this particular deck in this fashion is more for safety reasons too for the front of your house?

MS. PADEN: It will improve that too, yes.

MR. TORLEY: This will not obstruct the vision of any drivers?

MS. PADEN: No.

MR. KANE: With the building of it, you're not going to create any water hazards or runoffs?

MS. PADEN: No.

MR. MC DONALD: Cut down any trees or anything like that?

MS. PADEN: No.

MR. MC DONALD: Over any septic or sewage?

MS. PADEN: No.

MR. TORLEY: Over any other easements?

MS. PADEN: No.

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

MR. KANE: Accept a motion?

MR. TORLEY: Yes, sir.

MR. KANE: I move we set up Miss Paden for a public hearing on her requested variance at 221 Franklin Street.

June 9, 2003

6

MR. MC DONALD: Second it.

ROLL CALL

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

MR. TORLEY: One of the things you'll have to be doing is sending out a letter to your neighbors, everybody within 500 feet of your property, it's a form legal letter in some respects, so talk to your neighbors so they know that you're putting up a deck and not a cell tower or a toxic waste dump. So talk to your neighbors, it's very important and that's it for now.

MS. PADEN: Thank you.



RESULTS OF Z.B.A. MEETING OF: July 14, 2003

PROJECT: Josiah Paden ZBA # 02-46
P.B.#

USE VARIANCE: NEED: EAF _____ PROXY _____

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

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

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

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

ALL VARIANCES - PRELIMINARY APPEARANCE:

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

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES



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

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

No surffs - trees
Mr. Wixon - No concerns or comments

TOWN OF NEW WINDSOR ZONING BOARD
PUBLIC HEARING FOR:

Joann Paden
DATE: July 14, 2003

SIGN-IN SHEET

	NAME	ADDRESS	
1.	<i>Richard Wixen</i>	<i>Wixen</i>	<i>222 Franklin St. No Comments</i>
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

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

Appeal No. 02-46

Request of JO ANN PADEN

for a VARIANCE of the Zoning Local Law to Permit:

Request for 4 ft. 6 inch Front Yard Setback for proposed deck on a corner lot.

being a VARIANCE of Section 48-14 (BULK TABLES 8-E)

for property located at: 221 FRANKLIN STREET - NEW WINDSOR, NY

known and designated as tax map Section 24 Block 7 Lot 5

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



Chairman

TOWN OF NEW WINDSOR
REQUEST FOR NOTIFICATION LIST

DATE: JUNE 10, 2003 PROJECT NUMBER: ZBA# 02-46 P.B. # _____

APPLICANT NAME: JO ANN PADEN

PERSON TO NOTIFY TO PICK UP LIST:

JO ANN PADEN
221 FRANKLIN STREET
NEW WINDSOR, NY 12553

TELEPHONE: 565-6468

TAX MAP NUMBER: SEC. 24 BLOCK 7 LOT 5
SEC. _____ BLOCK _____ LOT _____
SEC. _____ BLOCK _____ LOT _____

PROPERTY LOCATION: 221 FRANKLIN STREET
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

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

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

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



NEW WINDSOR ZONING BOARD XX

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



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 174

TOTAL CHARGES: _____



Town of New Windsor

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

ZONING BOARD OF APPEALS

June 17, 2003

Ms. Jo Ann Paden
221 Franklin Street
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #02-46

Dear Ms. Paden:

This is just a reminder that your Public Hearing before the Zoning Board of Appeals for your requested variance at:

221 Franklin Street
New Windsor, NY

is scheduled for the July 14th, 2003 agenda.

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

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



Town of New Windsor

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

Assessor's Office

June 11, 2003

Jo Ann Paden
221 Franklin Street
New Windsor, NY 12553

Re: 24-7-5 ZBA#02-46

Dear Ms. Paden:

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

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/lrd
Attachments

CC: Myra Mason, ZBA

24-3-7.1
John & Jeryl Robbins
224 Parkway Drive
New Windsor, NY 12553

24-3-8.1
Peter & Diane Vanderwerff
226 Parkway Drive
New Windsor, NY 12553

24-3-9
Stacey Hughes
228 Parkway Drive
New Windsor, NY 12553

24-3-10
George & Gina Lippi
230 Parkway Drive
New Windsor, NY 12553

24-3-11
Michael Burke
232 Parkway Drive
New Windsor, NY 12553

24-3-12
Elizabeth Soto
234 Parkway Drive
New Windsor, NY 12553

24-3-13
Gerald & Joyce Stiller
236 Parkway Drive
New Windsor, NY 12553

24-3-14
Kimberly Gann
238 Parkway Drive
New Windsor, NY 12553

24-3-15
Nestor & Norma Scudroni
240 Parkway Drive
New Windsor, NY 12553

24-5-4
Consolidated Rail Corporation
6 Penn Center Plaza
Philadelphia, PA 19103

24-5-24
Patricia Lang
223 Garden Street
New Windsor, NY 12553

24-5-25
Travis Durrwachter
Stacy Liparidis
225 Garden Street
New Windsor, NY 12553

24-5-26
Robert & Christina Christie
227 Garden Street
New Windsor, NY 12553

24-5-27
Joseph Chiarella
Chiarina Gucciardo
229 Garden Street
New Windsor, NY 12553

24-5-28
George & Antoineite Wilkinson
231 Garden Street
New Windsor, NY 12553

24-5-29
Mathew & Marta Farrell
233 Garden Street
New Windsor, NY 12553

24-5-30
Brendan Jr. & Ellen Dooley
235 Garden Street
New Windsor, NY 12553

24-5-31
Wilfred & Maureen Fookes
237 Garden Street
New Windsor, NY 12553

24-5-32
John & Angela Davidson
239 Garden Street
New Windsor, NY 12553

24-5-33
Joseph Dziegelewski
241 Garden Street
New Windsor, NY 12553

24-5-34
Leo & Anne Marino
243 Garden Street
New Windsor, NY 12553

24-5-35
John & Kathleen Gaudio
245 Garden Street
New Windsor, NY 12553

24-5-36
Bernard King
247 Garden Street
New Windsor, NY 12553

24-5-37
Joseph & Diane Gross
249 Garden Street
New Windsor, NY 12553

24-5-38
John & Helen Pollock
251 Garden Street
New Windsor, NY 12553

24-5-39
Michael & Madelene Knaggs
253 Garden Street
New Windsor, NY 12553

24-6-1
William & Linda Holderfield
236 Spruce Street
New Windsor, NY 12553

24-6-2
Louis O'Neil
Jacalyn Hamilton
238 Spruce Street
New Windsor, NY 12553

24-6-3
William Murphy
Kathleen McGuinness
240 Spruce Street
New Windsor, NY 12553

24-6-4
Richard & Angela Case
224 Garden Street
New Windsor, NY 12553

24-6-5
Esther Krutchick
18 Kings Gate Road
Suffern, NY 10901

24-6-6
Erniel & Serena Zeger
228 Garden Street
New Windsor, NY 12553

24-6-7
Richard & Karen Wixon
222 Franklin Street
New Windsor, NY 12553

24-6-8
Frank & Frances Vanasco
224 Franklin Street
New Windsor, NY 12553

24-6-9
Mary Olympia
226 Franklin Street
New Windsor, NY 12553

24-6-10
Remo & Angela Decapite
227 Parkway Drive
New Windsor, NY 12553

24-6-11
Andrew Krieger
219 Quassaick Avenue
New Windsor, NY 12553

24-6-12
John Martin
223 Parkway Drive
New Windsor, NY 12553

24-7-1
Robert Cici Sr.
229 Parkway Drive
New Windsor, NY 12553

24-7-2
Edward & Mary Grant
227 Franklin Street
New Windsor, NY 12553

24-7-3
Matthew Driver
225 Franklin Street
New Windsor, NY 12553

24-7-4
David & Doris Hamblin
223 Franklin Street
New Windsor, NY 12553

24-7-6
Dale & Dayna Cosh
222 Margo Street
New Windsor, NY 12553

24-7-7
Joseph Jr. & Pamela Santillo
224 Margo Street
New Windsor, NY 12553

24-7-8
John & Kathleen Marullo
226 Margo Street
New Windsor, NY 12553

24-7-9
Helen Rarick
228 Margo Street
New Windsor, NY 12553

24-7-10
Carol Rochetti Smith
230 Margo Street
New Windsor, NY 12553

24-7-11 & 24-7-12
Ralph Petrillo
231 Parkway Drive
New Windsor, NY 12553

24-8-2 & 24-8-3
Steven & Arlene Levine
233 Parkway Drive
New Windsor, NY 12553

24-8-4 & 24-8-5
John & Eileen O'Shaughnessy
231 Margo Street
New Windsor, NY 12553

24-8-6
Heidi & Edward Rightmeyer
229 Margo Street
New Windsor, NY 12553

24-8-7
Robert Pacella
227 Margo Street
New Windsor, NY 12553

24-8-8
Anthony & Gilda Billesimo
225 Margo Street
New Windsor, NY 12553

24-8-9
Donald & Marilyn Hearn
223 Margo Street
New Windsor, NY 12553

24-8-10
John & Amy Finnegan
221 Margo Street
New Windsor, NY 12553

24-8-11
Ettore & Jeanne Giammarco
222 Leslie Avenue
New Windsor, NY 12553

24-8-12
Leonard & Angelina Feroli
224 Leslie Avenue
New Windsor, NY 12553

24-8-13
Stephanie Wajda
226 Leslie Avenue
New Windsor, NY 12553

24-8-14
Stephen & Anna De Winter
228 Leslie Avenue
New Windsor, NY 12553

24-8-15
Lloyd Jenne
230 Leslie Avenue
New Windsor, NY 12553

24-8-16
John & Lillian Pelella
232 Leslie Avenue
New Windsor, NY 12553

39-1-11
Richard Schade
Mary Rhyne
65 Harth Drive
New Windsor, NY 12553

24-8-17
Alexander & Rose Cosenza
234 Leslie Avenue
New Windsor, NY 12553

39-1-12
Quentin & Roseann Welsh
67 Harth Drive
New Windsor, NY 12553

24-8-18
Elizabeth Burroughs
236 Leslie Avenue
New Windsor, NY 12553

39-1-13
Primo & Camille Antonucci
69 Harth Drive
New Windsor, NY 12553

25-5-36
George Richardson
512 Balmoral Circle
New Windsor, NY 12553

39-1-14
Jan & Mary Brown
71 Harth Drive
New Windsor, NY 12553

25-5-37
Tricia Kent
514 Balmoral Circle
New Windsor, NY 12553

39-1-15
Donald & Gay Ann Suttlehan
73 Harth Drive
New Windsor, NY 12553

25-5-38
Pamela Lounsbury
Kathleen Willis
516 Balmoral Circle
New Windsor, NY 12553

39-1-16
Michael Kirtio
75 Harth Drive
New Windsor, NY 12553

25-5-39 & 25-5-40.2
Louis & Albertina Lopez
518 Balmoral Circle
New Windsor, NY 12553

39-2-12
Joanna Mollard
64 Harth Drive
New Windsor, NY 12553

25-5-41.1
Emil & Leda Sarich
522 Balmoral Circle
New Windsor, NY 12553

25-6-4
Tina Russak
517 Balmoral Circle
New Windsor, NY 12553

39-1-10
Samuel & Francine Leghorn
63 Harth Drive
New Windsor, NY 12553

77



Town of New Windsor

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

ZONING BOARD OF APPEALS

May 13, 2003

Joann Paden
221 Franklin Street
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #02-46

Dear Ms. Paden:

This letter is to inform you that you have been placed on the June 9th, 2003 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

221 Franklin Street
New Windsor, NY 12553

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

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

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

RECEIPT
#477-2003

05/21/2003

Paden, Joann #02-46

Received \$ 50.00 for Zoning Board Fees, on 05/21/2003. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: MAY 13, 2003

FOR: 02-46 ESCROW

FROM: JO-ANN PADEN

221 FRANKLIN STREET

NEW WINDSOR, NY 12553

CHECK NUMBER: 171

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

5 | 21 | 07

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

171
Date 9 May 63 25-7003/2213
469
Pay to the Order of The Town of New Windsor \$ 300.00
Three Hundred Dollars no/100 Dollars
CHARTER ONE BANK
For James A. Pedon
⑆221370030⑆ ⑆4690042034⑆ 0171

170
Date 9 May 63 25-7003/2213
469
Pay to the Order of The Town of New Windsor \$ 50.00
Fifty Dollars no/100 Dollars
CHARTER ONE BANK
For James A. Pedon
⑆221370030⑆ ⑆4690042034⑆ 0170

August 12, 2002

4

PADEN, JOANN

No Show.



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

APPLICATION FOR VARIANCE

5-7-03 Application Type: Use Variance Area Variance
Date Sign Variance Interpretation

I. **Owner Information:** Phone Number: (845) 565-6468
Jo-Ann PADEN Fax Number: ()
(Name)
221 FRANKLIN ST.
(Address)

II. **Purchaser or Lessee:** Phone Number: ()
 Fax Number: ()
(Name)

(Address)

III. **Attorney:** Phone Number: ()
 Fax Number: ()
(Name)

(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ()
Augusto Fax Number: ()
(Name)

(Address)

V. **Property Information:**
Zone: R-4 Property Address in Question: 221 Franklin St.
Lot Size: _____ Tax Map Number: Section 24 Block 7 Lot 5
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? _____
c. When was property purchased by present owner? 1985
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? _____
f. Is there any outside storage at the property now or is any proposed? YES

****PLEASE NOTE:*****

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

RECEIVED
TOWN OF NEW WINDSOR
MAY 13 2003
ENGINEER & PLANNING

02-46

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

APPLICATION FOR VARIANCE - continued

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

Area Variance requested from New Windsor Zoning Local Law,

Section 24, Table of _____ Regs., Col. _____.

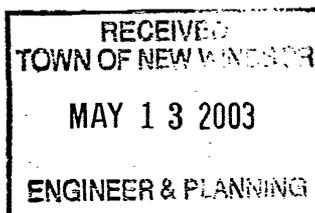
	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.	30ft. 6"	8.5 ft.	4'6" 3.6 ft.
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

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



02-46

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

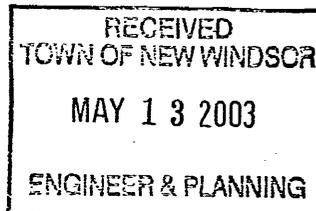
APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

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

The proposed variance of 3.6 ft for additional porch area will not block sidewalks of traffic or pedestrians, will not have a physical or environmental impact on community. It will however make entrance & exit of side door safer, and enhance the look of the front property.

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



02-46

XII. ADDITIONAL COMMENTS:

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

XIII. ATTACHMENTS REQUIRED:

- Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- Copies of signs with dimensions and location.
- Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
 - One in the amount of \$ 300.00 or 500.00 , (escrow)
 - One in the amount of \$ 50.00 or 150.00 , (application fee)
 - One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- Photographs of existing premises from several angles.

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

9th day of May 2003,

Jo Ann A. Paden
Owner's Signature (Notarized)

Jo Ann A. Paden
Owner's Name (Please Print)

Esther M. OGG

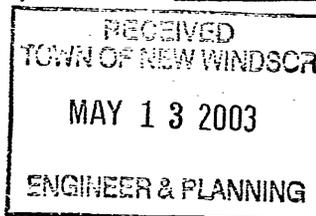
ESTHER M. OGG
Notary Public, State of New York
NO. 01OG5073590
Qualified in Orange County

Signature and Stamp of Notary Public Expires February 24, 2007

Applicant's Signature (If not Owner)

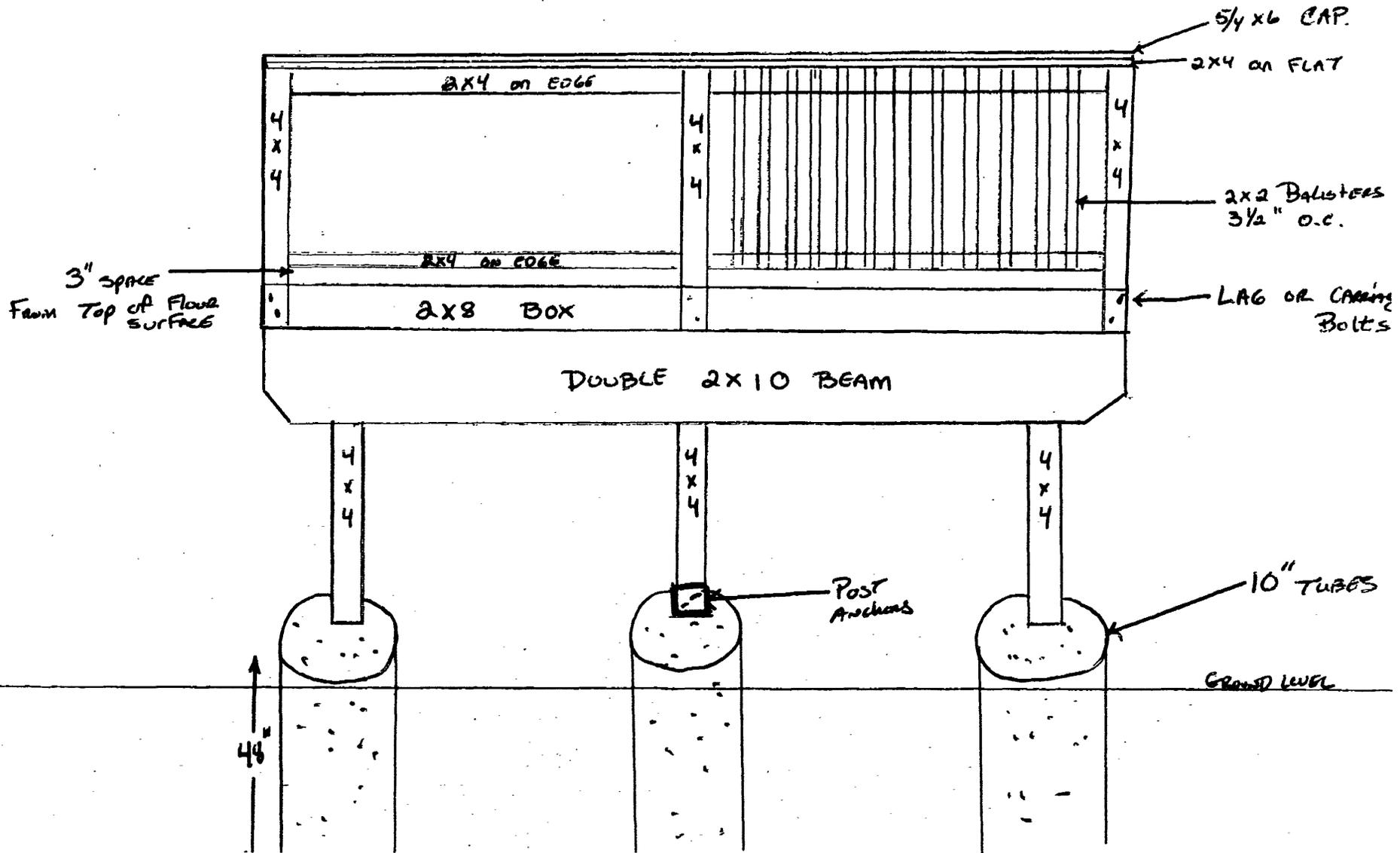
PLEASE NOTE:

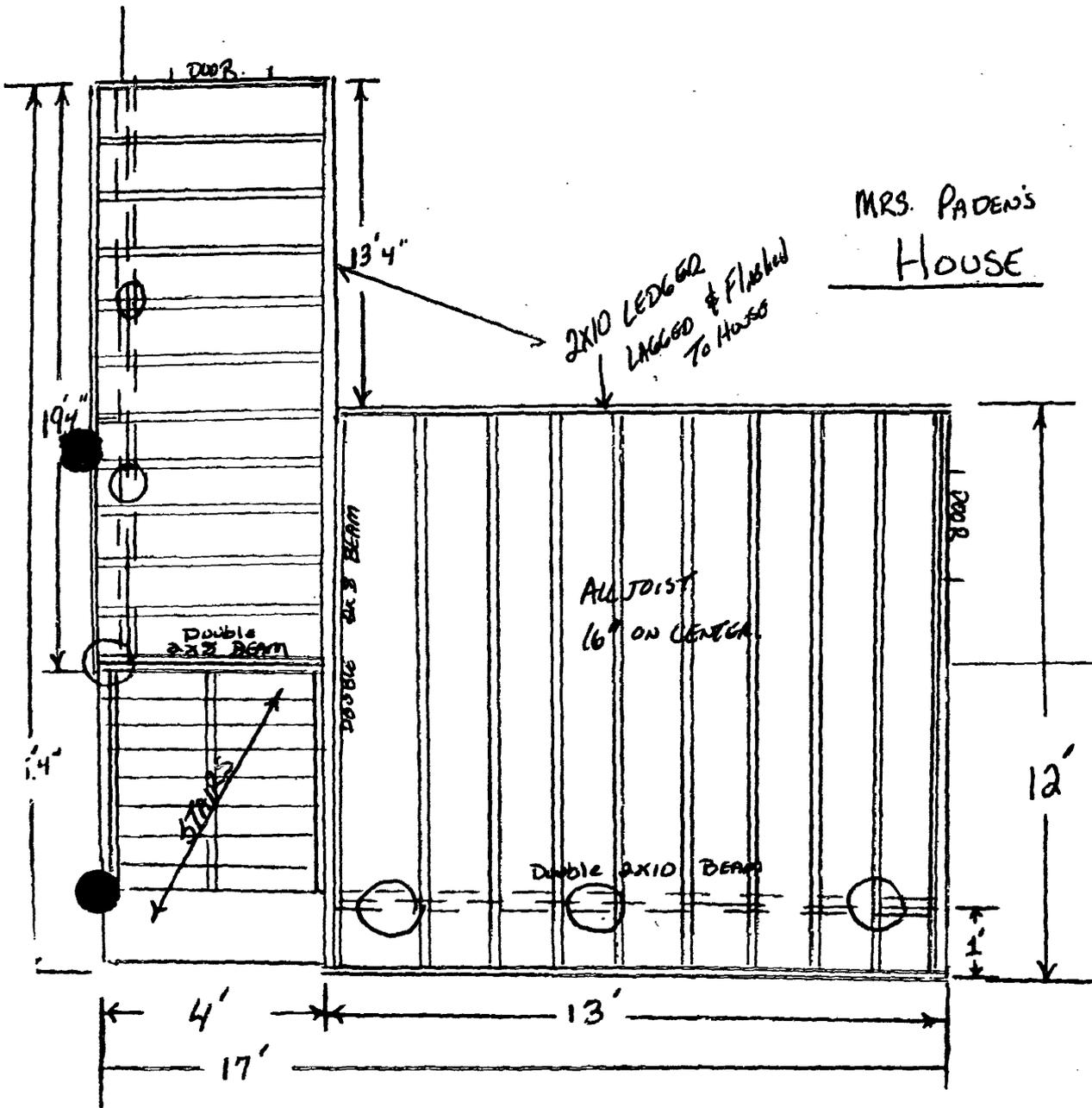
THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.



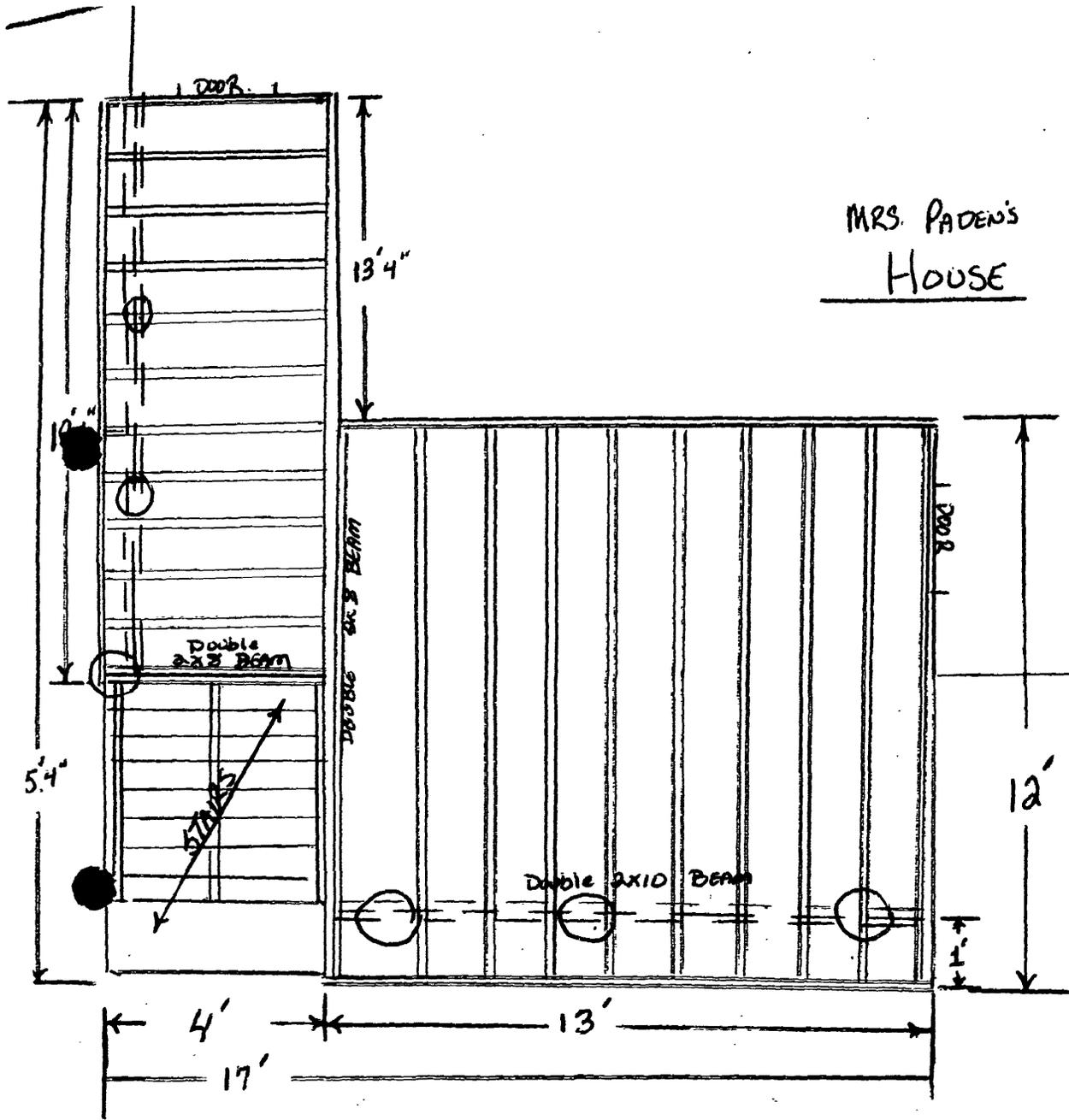
02-46

02-46





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MRS. PADEN'S
HOUSE

02-46