

**ZB# 02-49**

**Paresh Modh**

**67-4-20.1**

Prelim.

Sept. 23, 2002

OK for Hearing 9/23

Public Hearing:  
Nov. 25, 2002.

Case 67-4-20.1

#02-49-~~1234~~, Mall, Food

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553

Variances Granted 11/25/02





# 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

January 28, 2003

Paresh Modh  
1136 Rt. 94  
New Windsor, NY 12553

SUBJECT: ZBA #02-49 VARIANCE REQUEST

Dear Mr. Modh:

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

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

MEMORANDUM OF  
DECISION GRANTING

**PARESH MODH**

AREA VARIANCES

#02-49  
-----X

**WHEREAS, PARESH MODH**, owners of 1136 Route 94, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a 5 ft. 6 inch side yard and 7 ft. rear yard variance for existing shed; and a 23 ft. rear yard variance for existing deck at 1136 Route 94, in an NC zone; and

**WHEREAS**, a public hearing was held on the 25<sup>th</sup> day of November, 2002 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

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

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

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

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

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties.
  - (b) The shed is existing on the property and existed there when the present owner purchased the property approximately two years ago.
  - (c) There have been no complaints made, formally or informally, about the shed.

- (d) The shed has not caused the ponding or collection of water or affected the course of water drainage from the property.
- (e) The shed is similar in size to other sheds in the area.
- (f) The deck existed on the property when the property owner purchased the property approximately two years ago. Due to its condition, it was replaced on the same footprint.
- (g) Without the deck, a person exiting the home would likely sustain serious injury and a deck is necessary for the safety of individuals exiting the home.
- (h) There have been no complains, formal or informal, about the deck.
- (i) The deck is not constructed on top of any easements, including those for sewer and water.
- (j) The deck has not caused the ponding or collection of water or affected the course of water drainage from the property.

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

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local

Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

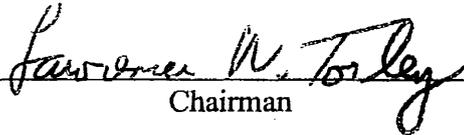
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 5 ft. 6 inch side yard and 7 ft. rear yard variance for existing shed; and a 23 ft. rear yard variance for existing deck, at the above residence, in an NC 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 Applicant.

Dated: January 15, 2003

  
Chairman

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

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: JANUARY 15, 2003**  
**SUBJECT: REFUND REMAINDER OF ESCROW**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 203.00 TO  
CLOSE OUT ESCROW FOR:**

**ZBA FILE # 02-49**

**NAME: PARESH MODH**

**ADDRESS: 1136 RT. 94**

**NEW WINDSOR, NY 12553**

**THANK YOU,**

**MYRA**

*L.R.  
1/15/03*

PAY TO THE ORDER OF

Town of New Windsor \$50.<sup>00</sup>

DATE 10/18/06

1001

Fifty Dollar & 00/100

DOLLARS

THIS CHECK IS VALID ONLY IF THE MICR LINE AT THE BOTTOM IS READ CORRECTLY

FOR 28A 002-11  
Value apply

from [Signature]

⑆02190215⑆ ⑆80180863⑆ 1001



UNION BANK OF SWITZERLAND

DATE 10/15/05

PAY TO THE ORDER OF

John A. New Windsor

\$ 300.<sup>00</sup>

Three hundred dollars

UNION BANK OF SWITZERLAND

200 400-00

FOR Cash

John A. New Windsor

UNION BANK OF SWITZERLAND

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

**RECEIPT  
#936-2002**

**10/18/2002**

**Modh, Paresh And Marie** #02-49

**Received \$ 50.00 for Zoning Board Fees on 10/18/2002. Thank you for  
stopping by the Town Clerk's office.**

**As always, it is our pleasure to serve you.**

**Deborah Green  
Town Clerk**

MODH, PARESH

Mr. Paresch Modh appeared before the board for this proposal.

MR. TORLEY: Request for 5 ft. 6 in. side yard and 7 ft. rear yard variances for existing shed plus 23 ft. rear yard variance for existing deck at 1136 Route 94 in an NC zone. Is there anyone in the audience who wishes to speak on this matter? Again, anyone in the audience? Let the record show there is none. Sir?

MS. CORSETTI: Wait a second. For the record, we sent out 34 notices to adjacent property owners on October 22, 2002 and nobody's here to participate with this one.

MR. TORLEY: Sir, tell us what the difficulty is, you wish to address, go ahead, you're looking for a, these are existing sheds, how long have the sheds been there?

MR. MODH: I have no idea. When I bought the property two years ago, it was there.

MR. KANE: Do you know of any complaints formally or informally about the sheds?

MR. MODH: No, nobody has complained.

MR. KANE: Have they created any water hazards or runoffs in the area?

MR. MODH: No.

MR. KANE: Are they similar in size to other sheds in the area?

MR. MODH: Yes.

MR. TORLEY: Are they, what kind of foundation are the sheds on, are they on concrete or slabs or what?

MR. MODH: I don't know actually.

MR. TORLEY: It would be economically infeasible for

you to move the shed to some point in your property that would meet the zoning requirements?

MR. MODH: I have no idea.

MR. TORLEY: It would be very difficult and awkward to try to move them?

MR. MODH: Yes.

MR. TORLEY: And this existing deck, again, this is the new deck, is that what I'm looking at?

MR. MODH: Yes, the existing was there.

MR. KANE: Again, any idea of the age of the deck, how long it's been existing?

MR. MODH: The existing deck when I bought the house it was there.

MR. TORLEY: But it was in poor condition and you needed to replace it?

MR. MODH: Yeah.

MR. KANE: You used the same footprint?

MR. MODH: Oh, yes.

MR. TORLEY: No.

MR. KANE: Little bit bigger.

MR. BABCOCK: It was 8 by 8, now it's 12 by 12.

MR. TORLEY: You felt that the additional distance of the deck made the deck more useful?

MR. MODH: Yes.

MR. KANE: And without the deck there, it would be a safety hazard coming out the back door?

MR. MODH: Yes.

MR. TORLEY: Are there other houses in your neighborhood that have similar, not necessarily identical but similar kinds of decks?

MR. MODH: Nobody has a deck on the, like that, I only have one neighbor.

MR. TORLEY: Only one neighbor and you had 34 letters?

MS. CORSETTI: It's 500 feet, so that's a long distance.

MR. TORLEY: This is not over any easements?

MR. MODH: No.

MR. KANE: Accept a motion?

MR. TORLEY: If there are no other questions, yes.

MR. KANE: Move that we approve the requested variance at 1136 Route 94.

MR. REIS: Second it.

ROLL CALL

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

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

1 of 2

**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

8/15/02

(Amended)

APPLICANT: Paresh Modh  
1136 Route 94  
New Windsor, NY 12553

ZONING BOARD

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing 8x12 shed

<sup>23ft.</sup>  
& rear yard for deck.

LOCATED AT: 1136 Route 94

ZONE: NC Sec/Blk/ Lot: 67-4-20.1

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing shed does not meet minimum 10ft set-back.

  
BUILDING INSPECTOR

PERMITTED 10ft

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: NC USE: 48-14-A-1-B

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

4ft6in

5ft6in

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

3ft

7ft

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

**IMPORTANT**  
**YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION**

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

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway 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 here is no fee for this.

**RECEIVED**

AUG 12 2002

**BUILDING DEPARTMENT**

**ZONING BOARD**

**FOR OFFICE USE ONLY:**  
Building Permit #: \_\_\_\_\_

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

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

Owner of Premises PARESH R. MODH

Address 1136 Route 94 Phone # 562 2816

Mailing Address New Windsor NY 12553 Fax # \_\_\_\_\_

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

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

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

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

3. Tax Map Description: Section 67 Block 4 Lot 20.1

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

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

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

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories Shed

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

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

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

10. Estimated cost \_\_\_\_\_

Fees \$50.00

Ch# 1276 dtl  
8/12/02

**PAID**

\_\_\_\_\_  
date

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

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Liel & Louis Krychew  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12653  
(845) 563-4618  
(845) 563-4995 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_



INSTRUCTIONS

ORANGE COUNTY

- 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.

X [Signature]  
(Signature of Applicant)

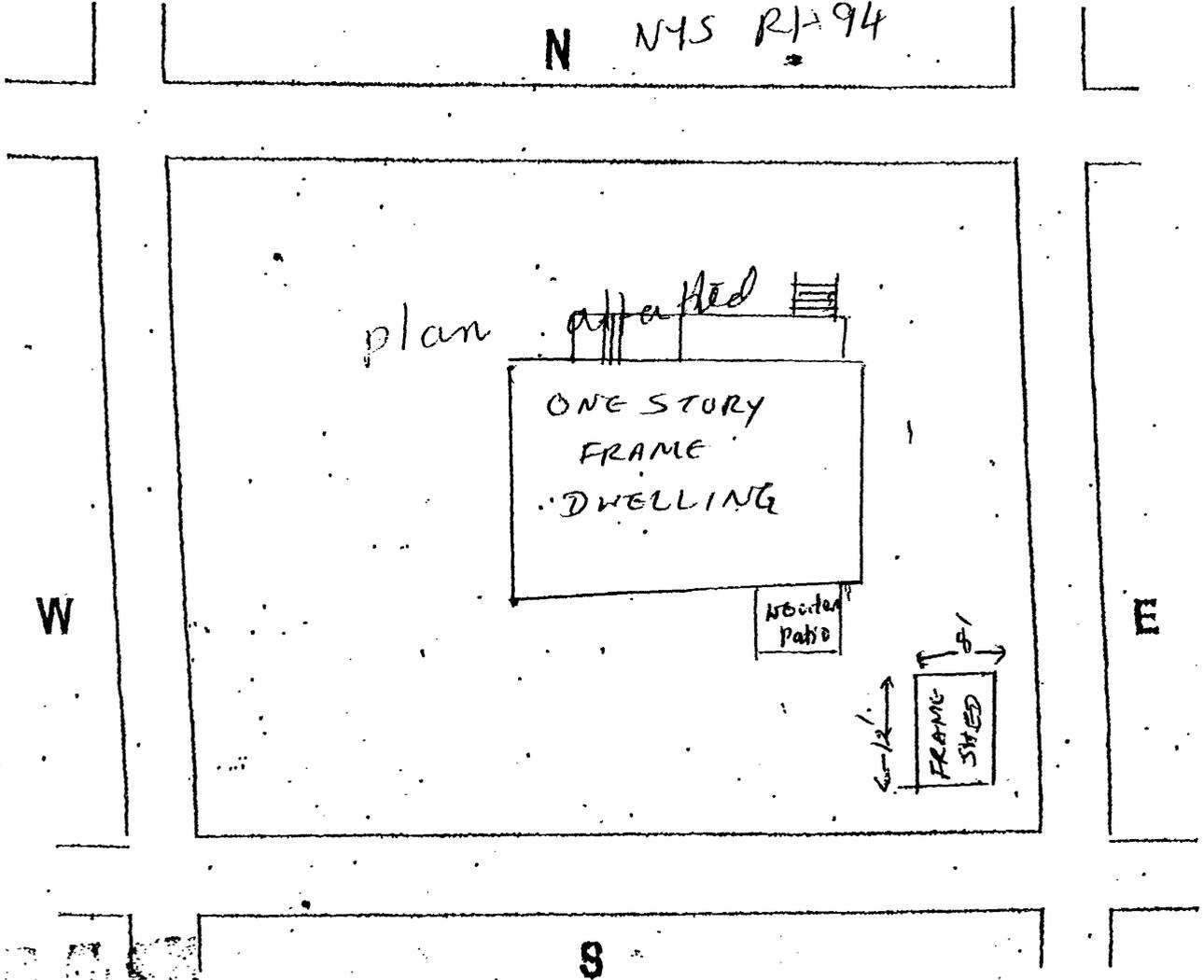
1136 Rt 94 New Windsor NY 12653  
(Address of Applicant)

X [Signature]  
(Owner's Signature)

1136 Rt. 94 New Windsor NY 12653

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.



**BEARING BASIS:**

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

**DEED OF RECORD:**

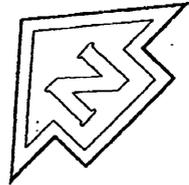
BEING LIBER 5208 PAGE 18, FILED WITH OFFICE OF THE ORANGE COUNTY CLERK.

**TAX LOT DESIGNATION:**

SECTION 67, BLOCK 4, LOT 20.1, AS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS.

**GENERAL MAP NOTES:**

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



LANDS NOW OR FORMERLY  
**PETERSON**  
LIBER 2589 PAGE 175

PAVED DRIVEWAY

(DEED= 107.55')

107.35'

R.R. TIE CURBING

MANHOLE

S43°10'00"E

1" I.P.I.PE FOUND

AREA=  
0.178 ACRES

CORNER RR TIES ON LINE

DRAIN

EDGE R.R. TIES ON LINE

1/2" I.R.O.D FOUND

GRAVEL DRIVEWAY

88.79'

88.22'

END WALL 2.4' WEST OF LINE

LANDS NOW OR FORMERLY  
**ERIE PROPERTIES CORPORATION**  
LIBER 2985 PAGE 314

LAND SURVEY PREPARED FOR  
**PARESH R. MODH**

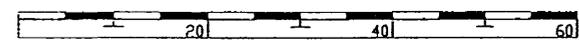
LOCATED IN THE TOWN OF NEW WINDSOR

ORANGE COUNTY

NEW YORK

SCALE: 1"= 20'

AUGUST 30, 2000



SCALE IN FEET

**REVISIONS:**

**CERTIFICATION:**

I, ANTHONY A. SORACE, P.L.S., DO HEREBY CERTIFY IN MY PROFESSIONAL OPINION, ONLY TO PARTIES LISTED BELOW THAT THIS SURVEY IS THE RESULT OF AN ACTUAL FIELD SURVEY COMPLETED ON AUGUST 30, 2000 AND COMPLIES WITH MINIMUM STANDARDS FOR SURVEYS EXCEPTED BY NEW YORK STATE ASSOCIATION OF LAND SURVEYORS. THIS CERTIFICATION DOES NOT RUN WITH TITLE TO THE LAND.

- PARESH R. MODH
- FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK
- HOME LOAN and INVESTMENT BANK, FSB
- BNY MORTGAGE COMPANY LLC, ITS SUCCESSORS AND/OR ASSIGNS.

**SURVEY No. 0095**

**SURVEYOR:**

ANTHONY A. SORACE, P.L.S. L.I.C. No. 50187

1/2" I.P.I.PE FOUND 1.3' NORTH OF PROPERTY CORNER

FRAME SHED

WOODEN PATIO

ONE SOTRY FRAME DWELLING NO. 7136

C.M.C. PORCH

WELL

U.POLE

PINE TREE ROW

HEDGE

EDGE OF PAVEMENT

N43°48'00"W

71.44'

LANDS NOW OR FORMERLY  
**MOSHIL, INC.**  
LIBER 4694 PAGE 109

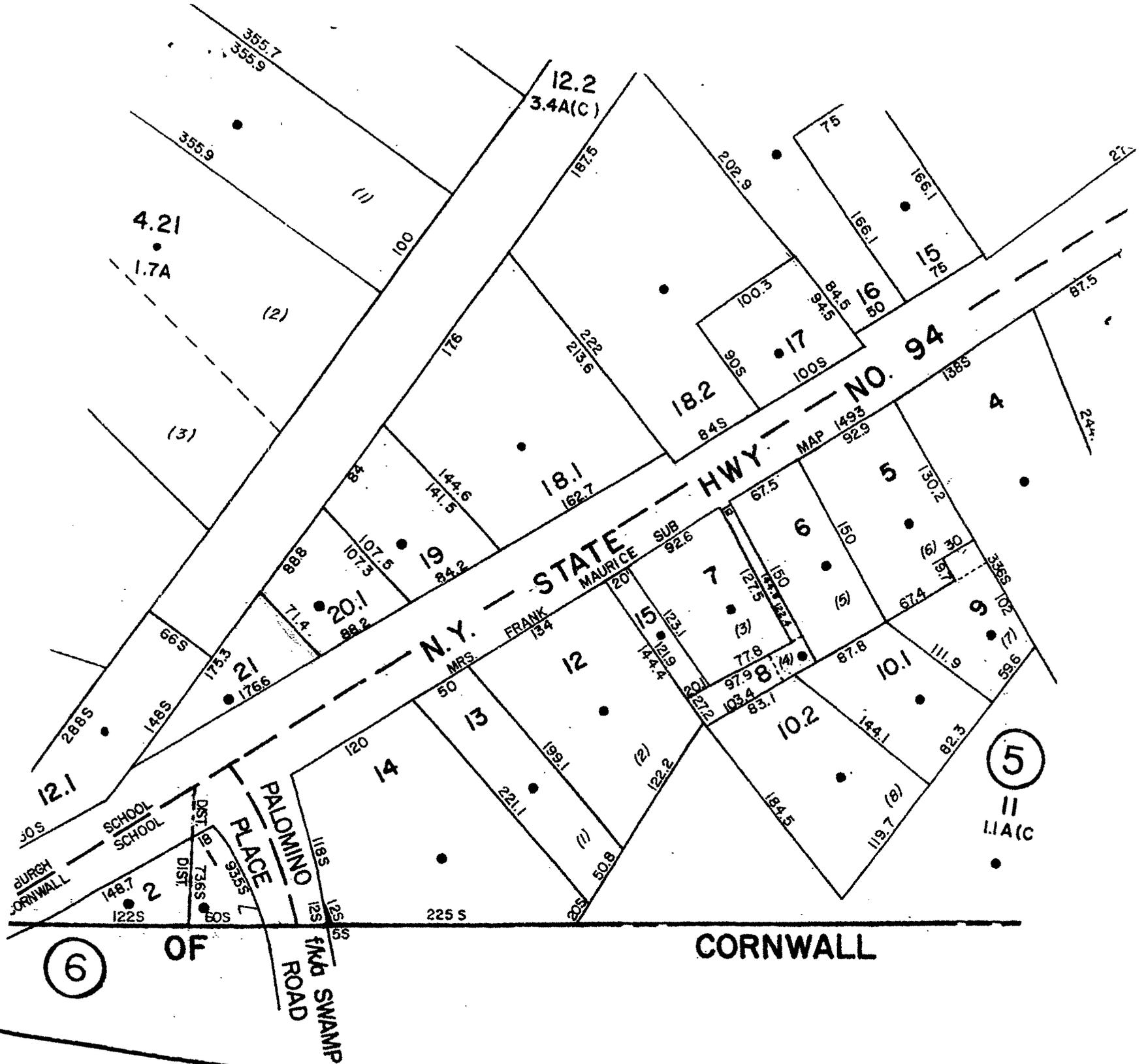
ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY, MARKED WITH AN ORIGINAL LAND SURVEYORS RAISED EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

THE ALTERATION OF THIS SURVEY MAP BY ANYONE OTHER THAN THE ORIGINAL PREPARER IS MISLEADING CONFUSING AND NOT IN THE GENERAL WELFARE AND BENEFIT OF THE PUBLIC. IT IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

N.Y.S. HIGHWAY ROUTE 94

(845) 496-3367

**ANTHONY A. SORACE, P.L.S.**  
PROFESSIONAL LAND SURVEYOR  
ROCK TAVERN, NEW YORK - 12575  
© 2000 BY ANTHONY A. SORACE, P.L.S.



NO.	(4)	FILED PLAN BLOCK NO.	(2)	(4)
NO.	32	FILED PLAN LOT NO.	(13)	
1) 11.1A, (Calculated) 11.6A(C)		STATE HIGHWAYS	N.Y. STATE HWY NO. 17	
1) 66 (Scaled) 755		COUNTY HIGHWAYS	COUNTY HWY. NO. 4	

**ORANGE COI**

Photo No: 8-497,498  
 Date of Photo: 3-1-65

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

*Prelim.*  
*Sept. 23, 2002*  
*#02-49.*  
*(2) of (2)*

**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: 8/2/02

APPLICANT: Paresh Modh  
1136 Rt. 94  
New Windsor, NY 12553

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing 12x12 deck

LOCATED AT: 1136 Rt. 94

ZONE: NC Sec/Blk/ Lot: 67-4-20.1

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 12x12 open deck, enlarged with out a permit does not meet existing set-back.

*J. Frank Livi*  
BUILDING INSPECTOR

PERMITTED 40ft

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: NC USE: G-8 (R-3 zone)

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

17ft

23ft

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

**IMPORTANT**  
**YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION**

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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 **BUILDING DEPARTMENT** inspection report. Building to be completed at this time. Well water test required and engineer's certification letter for septic system required.
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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.

**RECEIVED**

JUL 31 2002

**FOR OFFICE USE ONLY:**  
Building Permit # 2002-872

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

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

Owner of Premises: PARISH B. MODH

Address 1136 Route 94 Phone # 562 2816

Mailing Address Same Fax # \_\_\_\_\_

Name of Architect N/A

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor N/A

Address \_\_\_\_\_ Phone \_\_\_\_\_

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

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the Route 94 side of WEST  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

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

3. Tax Map Description: Section 67 Block 4 Lot 20.1

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

a. Existing use and occupancy Residence b. Intended use and occupancy \_\_\_\_\_

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

6. Is this a corner lot? NO enclosing deck 12' x 12'

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

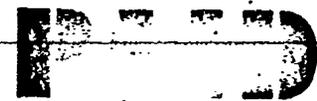
8. If dwelling, number of dwelling units: N/A Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Bath \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

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

10. Estimated cost \$700- Fee 50-

cell # 1267

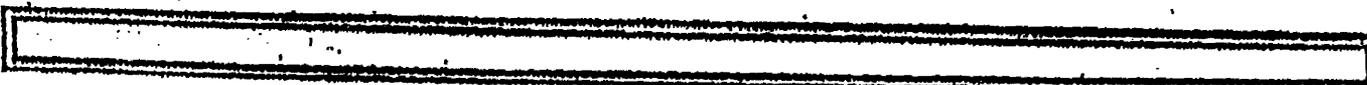


7/126/02  
date

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

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Liel & Louis Krychew  
New Windsor Town Hall  
656 Union Avenue  
New Windsor, New York 12653  
(845) 663-4818  
(845) 663-4865 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 codes 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.

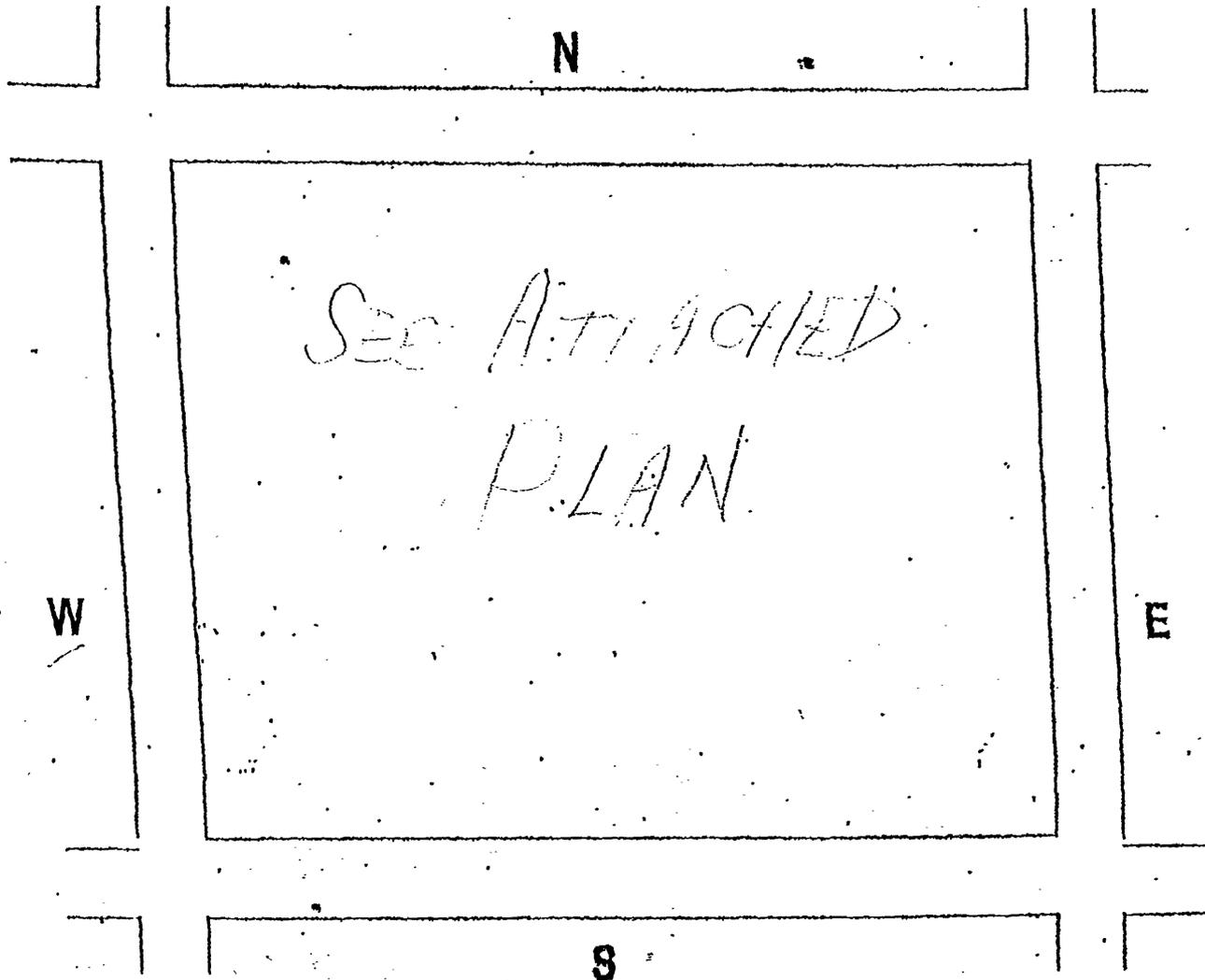
Jason Brown  
(Signature of Applicant)

1136 Route 94  
(Address of Applicant)

Jason Brown  
(Owner's Signature)

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.



67-4-20.1

**BEARING BASIS:**

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

**DEED OF RECORD:**

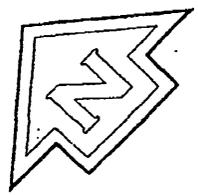
BEING LIBER 5208 PAGE 18, FILED WITH OFFICE OF THE ORANGE COUNTY CLERK.

**TAX LOT DESIGNATION:**

SECTION 67, BLOCK 4, LOT 20.1, AS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS.

**GENERAL MAP NOTES:**

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



LANDS NOW OR FORMERLY  
**PETERSON**  
LIBER 2589 PAGE 175

S43°10'00"E

AREA =  
0.178 ACRES

1" L PIPE FOUND

PAVED DRIVEWAY

(DEED = 107.55')

107.35'

R.R. TIE CURBING

MANHOLE

88.79'

CORNER RR TIES ON LINE

DRAIN

EDGE RR. TIES ON LINE

1/2" IRON FOUND

GRAVEL DRIVEWAY

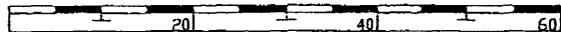
88.22'

END WALL 2.4' WEST OF LINE

LANDS NOW OR FORMERLY  
**ERIE**  
PROPERTIES CORPORATION  
LIBER 2985 PAGE 314

LAND SURVEY PREPARED FOR  
**PARESH R. MODH**

LOCATED IN THE TOWN OF NEW WINDSOR  
ORANGE COUNTY NEW YORK  
SCALE: 1" = 20' AUGUST 30, 2000



SCALE IN FEET

**REVISIONS:**

**CERTIFICATION:**

I, ANTHONY A. SORACE, P.L.S., DO HEREBY CERTIFY IN MY PROFESSIONAL OPINION, ONLY TO PARTIES LISTED BELOW THAT THIS SURVEY IS THE RESULT OF AN ACTUAL FIELD SURVEY COMPLETED ON AUGUST 30, 2000 AND COMPLIES WITH MINIMUM STANDARDS, FOR SURVEYS EXCEPTED BY NEW YORK STATE ASSOCIATION OF LAND SURVEYORS. THIS CERTIFICATION DOES NOT RUN WITH TITLE TO THE LAND.

- PARESH R. MODH
- FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK
- HOME LOAN and INVESTMENT BANK, FSB
- BNY MORTGAGE COMPANY LLC, ITS SUCCESSORS AND/OR ASSIGNS

**SURVEY No. 0095**

**SURVEYOR:**

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

ONE SOTRY  
FRAME DWELLING  
NO. 1136

WOODEN PATIO

FRAME SHED

CONC. PORCH

WELL

U.POLE

1/2" L PIPE FOUND 1.3' NORTH OF PROPERTY CORNER

N35°30'00"E

N43°48'00"W

71.44'

LANDS NOW OR FORMERLY  
**MOSHIL, INC.**  
LIBER 4694 PAGE 109

S58°55'00"W

N.Y.S. HIGHWAY ROUTE 94

**RECEIVED**

AUG 01 2002

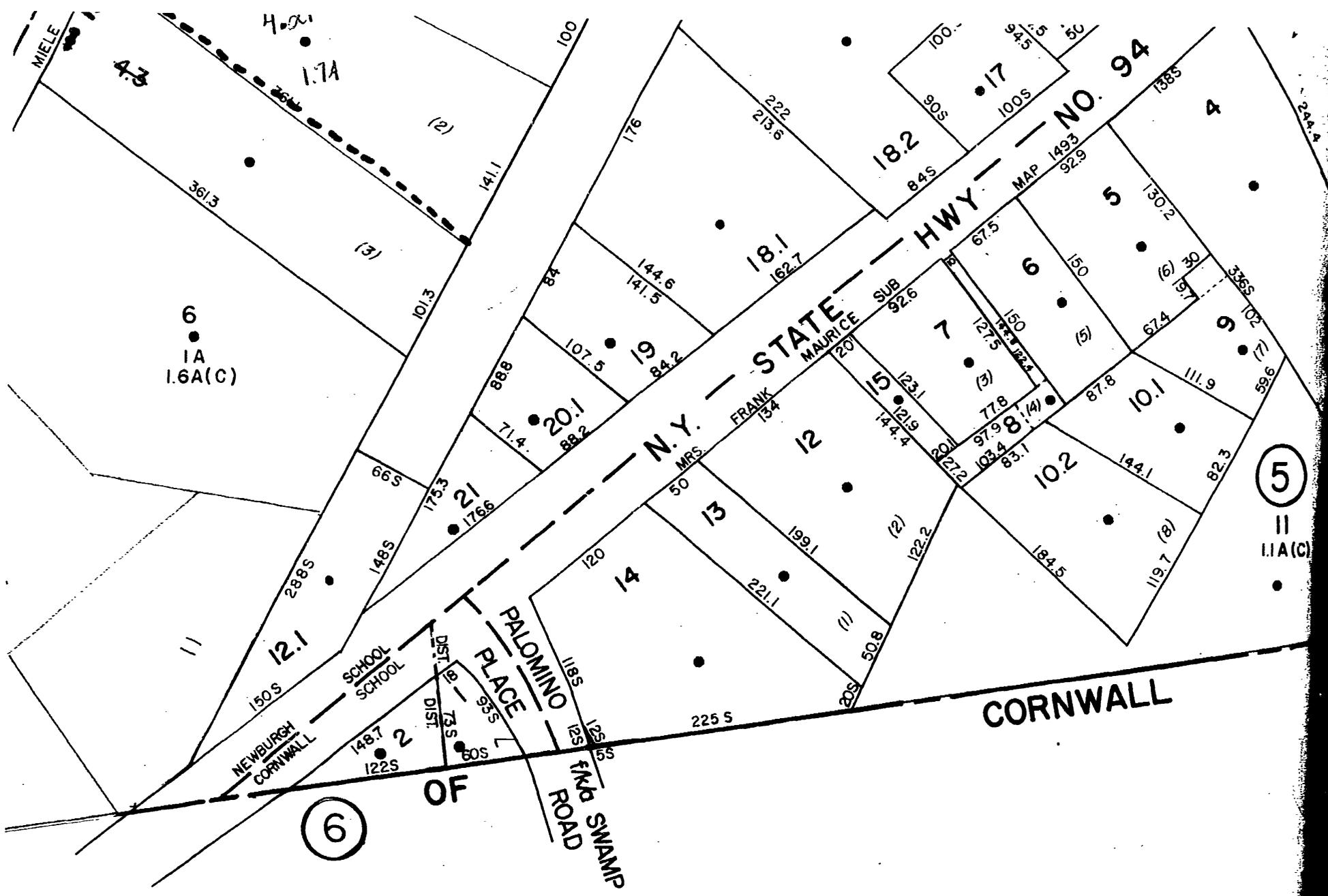
**BUILDING DEPARTMENT**

(845) 496-3367

**ANTHONY A. SORACE, P.L.S.**  
PROFESSIONAL LAND SURVEYOR  
ROCK TAVERN, NEW YORK - 12575  
© 2000 BY ANTHONY A. SORACE, P.L.S.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY, MARKED WITH AN ORIGINAL LAND SURVEYOR'S RAISED EMBOSSED SEAL, SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

THE ALTERATION OF THIS SURVEY MAP BY ANYONE OTHER THAN THE ORIGINAL PREPARER IS MISLEADING, CONFUSING AND NOT IN THE GENERAL WELFARE AND BENEFIT OF THE PUBLIC. IT IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.



**LEGEND**

---	TAX MAP BLOCK NO.	④	FILED PLAN BLOCK NO.	② ④
---	TAX MAP PARCEL NO.	32	FILED PLAN LOT NO.	(13)
---	AREAS	(Dead) 11.1A, (Calculated) 11.6A(C)	STATE HIGHWAYS	N.Y. STATE HWY NO. 17

**ORANGE CO**

Photo No: 8-497,498



Pls. publish immediately. Send bill to Applicant

**PUBLIC NOTICE OF HEARING**

**ZONING BOARD OF APPEALS**

**TOWN OF NEW WINDSOR**

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

Appeal No. 49

Request of Paresh Modh

for a VARIANCE of the Zoning Local Law to Permit:

existing shed w/ less than the allowable side &  
rear yards, plus rear yard variance for existing deck;

being a VARIANCE of Section 48-12-Table of Use/Bulk Regs.-Cols. FrG.

for property situated as follows:

1136 Route 94, New Windsor, N.Y.

known and designated as tax map Section 67, Blk. 4 Lot 20.1

**PUBLIC HEARING** will take place on the 25<sup>th</sup> day of November,  
2002 at the New Windsor Town Hall, 555 Union Avenue, New Windsor,  
New York beginning at 7:30 o'clock P.M.

Lawrence Torley  
Chairman

By: Patricia A. Corsetti, Secy.



# Town of New Windsor

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

## Assessors Office

October 4, 2002

Paresh Modh  
1136 Route 94  
New Windsor, NY 12553

34

Re: 67-4-20.1

Dear Mr. Modh:

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 \$55.00, minus your deposit of \$25.00.

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

Please be advised that the subject parcel is within five hundred (500) feet of the Town of Cornwall.

Sincerely,

John McDonald  
Acting Assessor

JM/lrd  
Attachments

CC: Pat Corsetti, ZBA

67-1-5  
Edward Jr. & Wendy Kimball  
41 Riley Road  
New Windsor, NY 12553 X

67-4-7.11  
Pasquale, Anna & Virginia Mugnano  
2 Cimorelli Drive  
New Windsor, NY 12553 X

67-4-21  
Moshill Inc.  
PO Box 631  
Highland Mills, NY 10930 X

67-1-6  
David & Helen Barasky  
35 Riley Road  
New Windsor, NY 12553 X

67-4-10  
Leonard & Carol Chidgey  
1160 Route 94  
New Windsor, NY 12553 X

67-5-4  
Ferdinando & Angela Collini  
PO Box 116  
Vails Gate, NY 12584 X

67-2-3.11  
William Garrison  
29 Riley Road  
New Windsor, NY 12553 X

67-4-11  
George & Edna Hopkins  
PO Box 31  
Vails Gate, NY 12584 X

67-5-5  
Robert Waltke  
Beecher Hill Road, Box 137A  
Walkkill, NY 12589 X

67-2-4  
Richard & Ann Bewick  
27 Riley Road  
New Windsor, NY 12553 X

67-4-12.1  
Joseph Castelo  
PO Box M2108  
Hoboken, NJ 07030 X

67-5-6  
Edward Kanemoto  
544 Lake Road  
Monroe, NY 10950 X

67-4-1.1  
Paul & Donna McCarthy  
58 Riley Road  
New Windsor, NY 12553 X

67-4-12.2  
Erie Properties Corp.  
401 South Water Street  
Newburgh, NY 12550 X

67-5-7  
Richard & Karen Mayer  
1113 Route 94  
New Windsor, NY 12553 X

67-4-2  
Andrew Stahl Jr.  
54 Riley Road  
New Windsor, NY 12553 X

67-4-15  
Tina Fratto  
PO Box 104  
Vails Gate, NY 12584 X

67-5-8 & 67-5-10.1  
Arthur Stockdale  
26 Kristie Lane  
Jericho, VT 05465 X

67-4-3  
Nilda Natal  
Roberto Alvarez (UX)  
50 Riley Road  
New Windsor, NY 12553 X

67-4-16  
Hudson Valley Drilling  
2177 Route 94  
Salisbury Mills, NY 12577 X

67-5-9  
Frank Maurice  
14 Maurice Lane, PO Box 366  
New Windsor, NY 12553 X

67-4-4.1  
Edward Miele  
Station Street, PO Box 116  
Southfields, NY 10975 X

67-4-17 & 67-4-18.2  
Jay Himelson  
18 Peterbush Drive  
Monroe, NY 10950 X

67-5-10.2  
Robert & Victoria Mule  
PO Box 565  
Vails Gate, NY 12584 X

67-4-4.21  
Michael Miele  
40 Riley Road, Unit#2  
New Windsor, NY 12553 X

67-4-18.1  
The Ciancio Corporation  
593 Lakeside Road  
Newburgh, NY 12550 X

67-5-11  
Refined Home Renovation Co.  
C/o Charles O'Kelly  
PO Box 2588  
Newburgh, NY 12550 X

67-4-6  
James Duffy  
30 Riley Road  
New Windsor, NY 12553 X

67-4-19  
Vernon & Brenda Peterson  
PO Box 494  
Vails Gate, NY 12584 X

67-5-12 & 67-5-13  
Frederick & Christine Nacchio  
408 Carlton Circle  
New Windsor, NY 12553 X

67-5-14  
Kenneth & Patricia Bates  
PO Box 294, Route 94  
Vails Gate, NY 12584

X

67-5-15  
County of Orange  
255-275 Main Street  
Goshen, NY 10924

X

67-6-1  
Santiago & Lidia Monroy  
1145 Route 94  
New Windsor, NY 12553

X

67-6-2  
Leif Finn Syversten  
1 Gerow Lane  
New Windsor, NY 12553

X



September 23, 2002

*plus 23 ft. rear yard  
for existing deck*

5

MODH, PARESH

MR. TORLEY: Request for 5 ft. 6 in. side yard and 7 ft. rear yard variances for an existing shed at 1136 Route 94 in an NC zone.

Mr. Paresch Modh appeared before the board for this proposal.

MR. TORLEY: Tell us what you want to do.

MR. PARESH: When I bought the house, the shed was existing, I bought the house less than two years ago, I didn't know anything about it at that time and I have a second one also for the--

MR. BABCOCK: Mr. Chairman, on the agenda, she doesn't have the, he's here for two variances, one for a shed, one for an existing deck.

MR. TORLEY: This is place with two front yards, basically?

MR. BABCOCK: No.

MR. KANE: Michael, do you have the specs on the requirements for the existing deck?

MR. BABCOCK: Yeah, it's an existing 12 x 12 deck, he's required to be 40 feet from the rear yard, he's 17 feet so he needs a 23 foot variance rear yard.

MR. KRIEGER: For the deck.

MR. KANE: Was there any existing permit application for the outstanding permit for the deck or the shed?

MR. BABCOCK: No, it appears from here and we can ask the applicant, it appears from here that there was an 8 x 5 deck, when they rebuilt it, they rebuilt it to 12 x 12.

MR. PARESH: 8 x 8 and I put it 12 x 12.

MR. KANE: The size of the shed that you have, that's

similar in size to other sheds in the neighborhood?

MR. PARESH: Yes, I think it's smaller than next door.

MR. KANE: Do you know of any complaints formally or informally about the deck or the shed?

MR. PARESH: No.

MR. MC DONALD: Not over any water or sewer easements of any sort? Nothing's underneath it?

MR. PARESH: No.

MR. TORLEY: Now, a variance can't be granted because you want to, and area variances are a balancing act of the difficulties that you have combined with the code versus any adverse affects on your neighbors, so you have to be able to tell us what is the reason you couldn't put the deck or the shed in such a place on your property that you meet the zoning.

MR. PARESH: The deck was 8 x 8, it was too small, so I thought I have to make it longer and it's not touching anybody's property.

MR. KANE: 12 x 12 deck isn't overly big for the neighborhood, other homes in the neighborhood have similar size decks?

MR. PARESH: They don't have decks in the neighborhood cause I don't have any neighbors, only one neighbor I have and he was a new house.

MR. REIS: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: Make a motion we set up Mr. Paresh for his requested variances at 1136 Route 94.

MR. MC DONALD: Second it.

ROLL CALL

September 23, 2002

7

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

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# 02-49  
Date: 10/18/02

I. Applicant Information:

- (a) Paresh Modh, 1136 Rt. 94, New Windsor, NY x  
(Name, address and phone of Applicant) (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of contractor/engineer/architect/surveyor)

II. Application type:

- Use Variance  Sign Variance  
 Area Variance  Interpretation

III. Property Information:

- (a) NC (same as above) 67-4-20.1 88.8 x 107.3 ±  
(Zone) (Address of Property in Question) (S-B-L) (Lot size)
- (b) What other zones lie within 500 feet? R-4.
- (c) Is pending sale or lease subject to ZBA approval of this Application? No.
- (d) When was property purchased by present owner? 10/16/00.
- (e) Has property been subdivided previously? Yes.
- (f) Has property been subject of variance previously? -. If so, when? -.
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? No.
- (h) Is there any outside storage at the property now or is any proposed? N/A.

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law,  
Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

(Describe proposal) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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.

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✓ V. Area Variance:

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

	Permitted	Proposed or Available	Variance Request
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Shed: Reqd. Side Yd.	10 ft.	4 ft. 6 in.	5 ft. 6 in.
Deck: Reqd. Rear Yd.	40 ft.	17 ft.	23 ft.
Shed: Reqd. Rear Yd.	10 ft.	3 ft.	3 ft.
Reqd. Street Frontage*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ratio**			
Parking Area			

\* Residential Districts only

\*\* Non-residential districts only

(b) 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. Describe

why you believe the ZBA should grant your application for an area variance:

Applicant states that there will not be an undesirable change to the property.

**VI. Sign Variance:**

(a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	_____	_____	_____
Sign #2	_____	_____	_____
Sign #3	_____	_____	_____
Sign #4	_____	_____	_____

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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 \_\_\_\_\_.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**VIII. Additional comments: N/A.**

(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.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IX. Attachments required:

- Copy of referral from Bldg./Zoning Inspector or Planning Board.
- Copy of tax map showing adjacent properties.
- 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.
- Copy(ies) of sign(s) with dimensions and location.
- Two (2) checks, one in the amount of \$ 50.00 and the second check in the amount of \$ 300.00, each payable to the TOWN OF NEW WINDSOR.
- Photographs of existing premises from several angles.

X. Affidavit.

Date: 10/18/02

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 [Signature]  
(Applicant)

Sworn to before me this

18th day of October, 2002.

XI. ZBA Action: Patricia A. Corsetti

(a) Public Hearing date: 11/25/02.

PATRICIA A. CORSETTI  
Notary Public, State of New York  
No. 01BA4904434  
Qualified in Orange County  
Commission Expires August 31, 2005.