

ZB# 02-67

Robert Andrews

56-1-25.6

02-67

ANDREWS, ROBERT (AREA)
179 TOLEMAN ROAD 56-1-25.6
PROPOSED GARAGE

Preliminary
12/19/02
3/24/03 P.H.

APPROVED

4/03

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Robert Andrews
177 Tolman Rd
Washingtonville, NY

FILE# 02-67

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE \$ 18.00 12/9
2ND PRELIMINARY- PER PAGE \$ _____
3RD PRELIMINARY- PER PAGE \$ _____
PUBLIC HEARING - PER PAGE 3/24 \$ 13.50
PUBLIC HEARING (CONT'D) PER PAGE \$ _____
TOTAL \$ 31.50

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: \$ 35.00 12/9
2ND PRELIM. \$ _____
3RD PRELIM. \$ _____
PUBLIC HEARING 3/24 \$ 35.00
PUBLIC HEARING (CONT'D) \$ _____
TOTAL \$ 70.00

MISC. CHARGES:

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

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$ _____
REFUND DUE TO APPLICANT . . \$ 198.50

INTERPRETATION: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

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MISC. CHARGES:

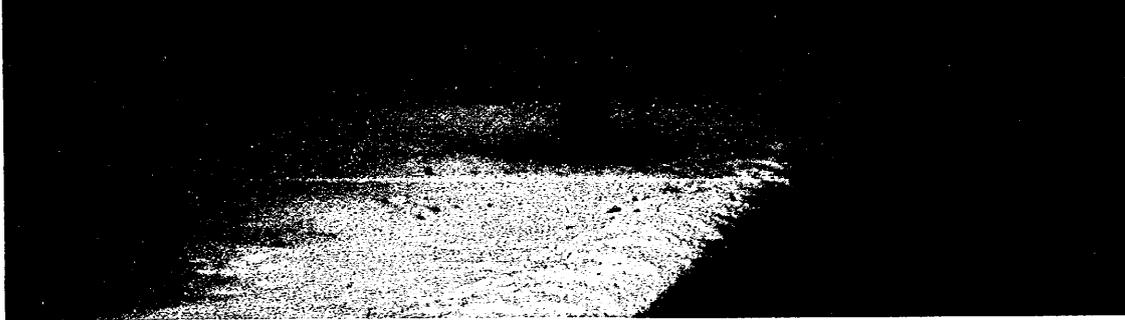
..... \$ _____
 TOTAL \$ _____

LESS ESCROW DEPOSIT \$ 300.00
 (ADDL. CHARGES DUE) \$ _____
 REFUND DUE TO APPLICANT .. \$ 198.50

1/22/03 Have application - He ordered P.H. List

Need Pictures







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

April 29, 2003

Mr. Robert Andrews
179 Toleman Road
Washingtonville, NY 10992

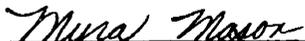
SUBJECT: 56-1-25.6 VARIANCE REQUEST

Dear Mr. Andrews:

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

ROBERT ANDREWS

AREA

CASE #02-67
-----X

WHEREAS, Robert Andrews, owners of 179 Toleman Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an request for variance of 48-14-A-1 (B); 5 ft. required side yard and 10 ft. maximum building height to construct detached garage in an R-1 zone; and

WHEREAS, a public hearing was held on the March 24th, 2003 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

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

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

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

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

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

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties;
 - (b) Construction of the proposed detached garage will not cause the ponding or collection of water or create water hazards of any kind or divert the flow of water drainage from the property;

- (c) The proposed garage will not be any higher than the existing house or the other houses in the neighborhood;
- (d) The garage will be consistent in size and appearance with other garages in the neighborhood;
- (e) The property is served by a driveway which proceeds directly from the street immediately adjacent to the driveway serving the neighbor's 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 variance of 48-14-A-1 (B); 5 ft. required side yard and 10 ft. maximum building

height to construct detached garage in an R-1 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: April 23, 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: APRIL 25, 2003
SUBJECT: ESCROW REFUND

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

ZBA FILE #02-67

NAME: ROBERT ANDREWS

ADDRESS: 179 TOLEMAN ROAD

WASHINGTONVILLE, NY 10992

THANK YOU,

MYRA

*4/25/03
L.R.*

ROBERT ANDREWS #02-67

Mr. Robert Andrews appeared before the board for this proposal.

MR. TORLEY: Request for 5 foot required side yard and 10 foot maximum building height to construct detached garage, 48-14-A-1(B) at 179 Toleman Road in an R-1 zone.

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

MR. ANDREWS: I just want to build a garage, I want to leave room between the garage and the existing house.

MR. TORLEY: So it's a detached garage?

MR. ANDREWS: It's detached.

MR. KANE: Will you be creating runoffs or water hazards with the building of the garage?

MR. ANDREWS: Not really, no, not that I foresee. I'm having all the drainage put in.

MR. KANE: Garage itself, will it be similar in size to other garages in the area?

MR. ANDREWS: There's one right next door that's one level, I'm going to have two levels, I have a wood shop upstairs.

MR. KRIEGER: If permitted, will it be any higher than the existing house?

MR. ANDREWS: No, no.

MR. KRIEGER: Will it be higher than other houses in the neighborhood?

MR. ANDREWS: No.

MR. KANE: Do you think the appearance of it would drastically affect the appearance of the neighborhood?

MR. ANDREWS: No.

MR. TORLEY: Mike, we only have a requirement for 10 foot side yard in R-1?

MR. BABCOCK: Yes, it's a detached garage, Mr. Chairman.

MR. TORLEY: So it's an accessory building?

MR. BABCOCK: That's correct.

MR. RIVERA: Are you going to build up, is this the garage?

MR. ANDREWS: No, that's my neighbor's garage, my garage is going to be right next to it, our driveways go up side by side and connect straight into here.

MR. KANE: How far off the street is the garage going to be?

MR. ANDREWS: I'd say 200 feet.

MR. TORLEY: So you basically have a shared driveway?

MR. ANDREWS: Yes.

MR. TORLEY: Are you replacing with a separate driveway?

MR. ANDREWS: No, just going straight in.

MR. TORLEY: Where is your neighbor's?

MR. ANDREWS: Well, they connect right here and his goes down right along here.

MR. TORLEY: It's a shared driveway?

MR. ANDREWS: No, no, they're just right next to each other and they're connected for easy access.

MR. TORLEY: In building this garage you're not going

to--Mike, I started a sentence for you, in building this garage, he's not going to change any water flows?

MR. KANE: We covered that.

MR. ANDREWS: I have a drainage ditch that we put from the middle of the house all the way down around there already and there's existing drainage there also.

MR. TORLEY: So there will be a drainage ditch along the property line?

MR. ANDREWS: And there already is one there but we're going to redo it all.

MR. REIS: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: Make a motion that we grant Mr. Andrews--

MR. BABCOCK: Did you open it up to the public?

MR. TORLEY: Found no one in the audience wishing to speak and we opened and closed it.

MR. REIS: Make a motion that we grant Mr. Andrews his requested variance for 179 Toleman Road.

MR. KANE: Second it.

ROLL CALL

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

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 (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: ~~SEPTEMBER~~ ^{NOVEMBER} 13, 2002

APPLICANT: ROBERT ANDREWS
179 TOLEMAN ROAD
WASHINGTONVILLE, NY 10992

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: ~~10~~/31/02

FOR : PROPOSED 24X24 FT. DETACHED GARAGE

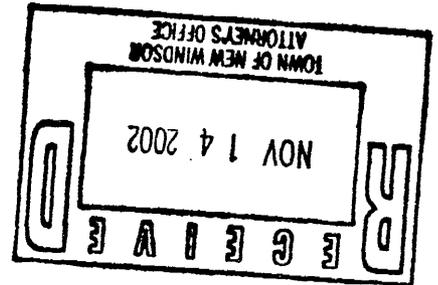
LOCATED AT: 179 TOLEMAN RD.

ZONE: R-1

DESCRIPTION OF EXISTING SITE: SECTION 56, BLOCK 1, LOT 25.6

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. PROPOSED DETACHED GARAGE WILL NOT MEET MINIMUM 10FT. SIDE YARD.
2. PROPOSED DETACHED GARAGE WILL EXCEED MAXIMUM 15FT. HEIGHT.



Frank Linn
BUILDING INSPECTOR

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

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

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway 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.

RECEIVED
MAY 2002
FOR OFFICE USE ONLY:
Building Permit #: 2002-1175

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 Robert F. Andrews Jr.

Address 179 Tokman Rd. Phone # 496-4035

Mailing Address Washingtonville N.Y. 10992 Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor To be Determined

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 Tolman Rd. 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 X

3. Tax Map Description: Section _____ Block _____ Lot _____

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 Garage

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

6. Is this a corner lot? no

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height 25' No. of stories _____

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

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

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

10. Estimated cost _____ Fee \$ 50

02-67

2884

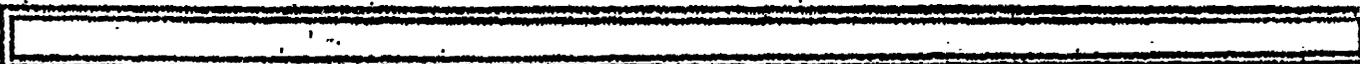
PAID

____/____/____
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 Kryohear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12653
(845) 563-4618
(845) 563-4685 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.

(Signature of Applicant)
Robert F. [Signature]

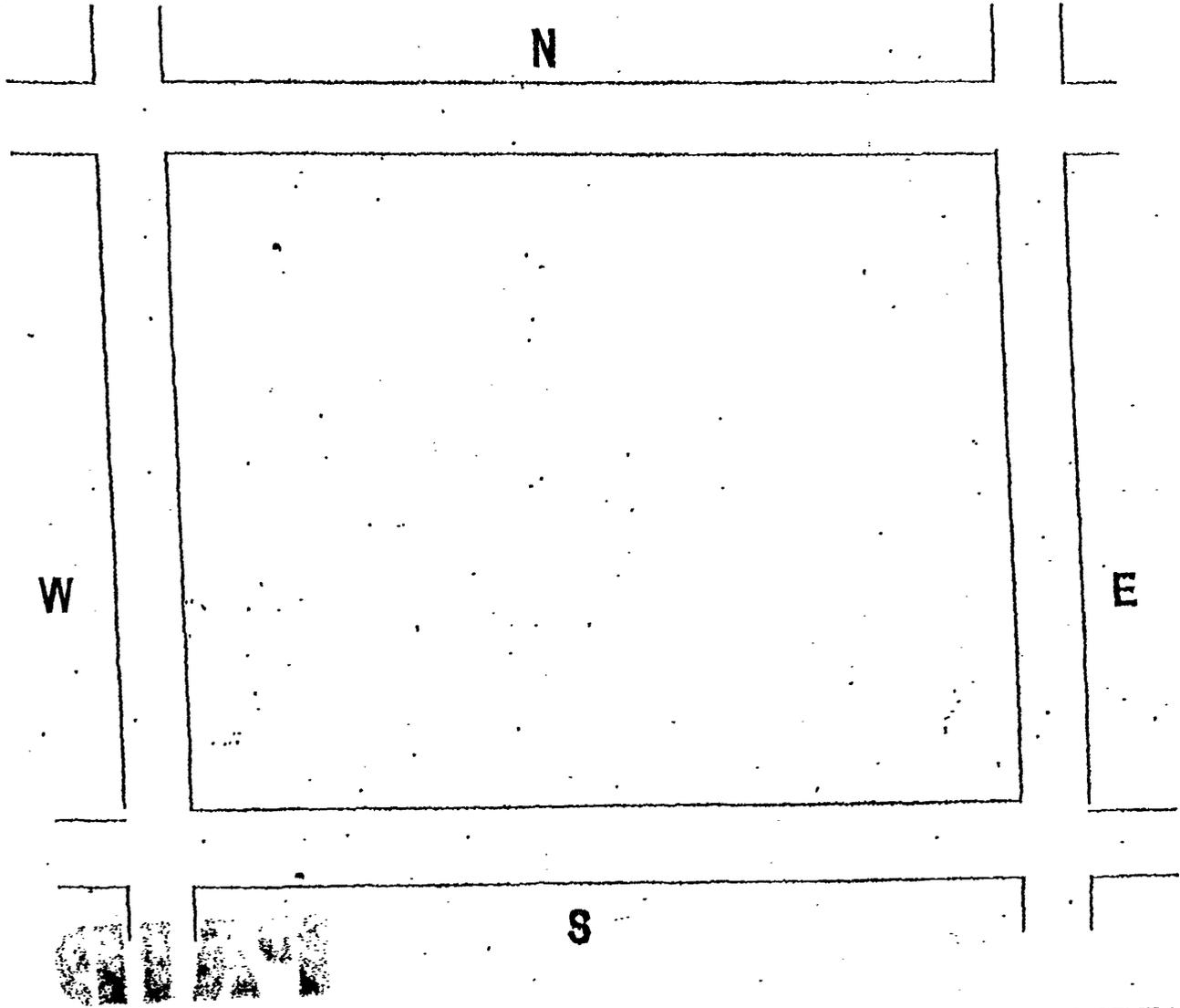
(Owner's Signature)

(Address of Applicant)
179 Telamon Rd. Washingtonville 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.



LOT 8

N 37° 51' 00" E 150.00'

PROPOSED
24' X 24' GARAGE
(2 STORIES)

LOT 7

EXISTING 3 B.R.
58.4' X 24.7'

LOT 5

LOT 6

EXISTING DRIVEWAY

SHALE DRIVE

43,560 S.F.
1.0 ACRE

N 52° 08' 50" W

190.8'

E 65° 00' 25" S

S 37° 51' 00" W 150.00'

← TO WASHINGTONVILL

TOLEMAN ROAD

TO RT 207 →

APPLICATION FOR A VARIANCE REQUIRED - SIDE YARD

SURVEY BY. E.G. GREVAS L.S.



VICTOR B. BUCKSTAD P.E. P.C.

CONSULTING ENGINEER

33 HUDSON ROAD

WASHINGTONVILLE N.Y. 10992-1845-496 6805

LANDS OF ANDREWS • NEW WINDSOR • ORANGE CO. • N.Y.

PROPOSED 24' X 24' GARAGE

DR. BY V.B.B.

DATE: 10-21-02

REV. NO.

CHK. BY V.D.D.

SCALE: 1" = 50'

SHEET 1 OF 1



Town of New Windsor

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

ZONING BOARD OF APPEALS

March 19, 2003

Mr. Robert Andrews, Jr.
170 Toleman Road
Washingtonville, NY 10992

SUBJECT: PUBLIC HEARING - ZONING BOARD

Dear Mr. Andrews:

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

170 Toleman Road
Washingtonville, NY

is scheduled for the March 24th, 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
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE

02-67 1

Date

Application Type: Use Variance Area Variance

Sign Variance Interpretation

I. Owner Information:

Phone Number: (845) 496-4035

Robert Andrews Jr.
(Name)

Fax Number: ()

179 Tolerman Rd. Washingtonville N.Y. 10992
(Address)

II. Purchaser or Lessee:

Phone Number: ()

(Name)

Fax Number: ()

(Address)

III. Attorney:

Phone Number: ()

(Name)

Fax Number: ()

(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number ()

(Name)

Fax Number: ()

(Address)

V. Property Information:

Zone: R1 Property Address in Question: 179 Tolerman Rd.
Lot Size: 1.1 Tax Map Number: Section 56 Block 1 Lot 25.6

- a. What other zones lie within 500 feet? _____
- b. Is pending sale or lease subject to ZBA approval of this Application? no
- 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? no
- f. Is there any outside storage at the property now or is any proposed? Small shed

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

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

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

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE:

Area 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>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	<i>10 Ft.</i>	<i>5 Ft.</i>	<i>5 Ft.</i>
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.	<i>15 Ft.</i>	<i>25 Ft.</i>	<i>10 Ft.</i>
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.

**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:

By Building the Garage it will not
be out of place looking, there are 2 story houses all around.
Including my house and neighbors house. The Garage will be
right next to an Existing garage. The Reason for side yard
Variance is I would like to have the space Between my Existing
house and the garage. The height variance is to have a small
Wood Shop upstairs.

PLEASE NOTE:

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

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.)

I will have drainage put behind and along side garage all the way to Road. Between house and garage I will landscape and put patio in. Reason for Extra Space.

XIII. ATTACHMENTS REQUIRED:

- ~~Copy of referral from Building /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.~~
- ~~Copies of signs with dimensions and location.~~
- Three checks: (each payable to the TOWN OF NEW WINDSOR)
 - One in the amount of \$ _____, (escrow)
 - One in the amount of \$ _____, (application fee)
 - ~~One in the amount of \$ 25.00 (Public Hearing List Deposit)~~
- Photographs of existing premises from several angles.

3-3-03

Date:

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.

Robert F. Andrews Jr.
 (Applicant Signature)

Sworn to before me this 3rd day of
 March, 2003.

Robert F. Andrews Jr.
 (Please Print Name)

PLEASE NOTE:

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

CHERYL L. CANFIELD
 Notary Public, State of New York
 Qualified in Orange County
 #01CA0073319
 Commission Expires April 22, 2006

Cheryl L. Canfield

PRELIMINARY MEETINGS:

ANDREWS, ROBERT

MR. TORLEY: Request for 5' side yard and 10' maximum building height to construct garage.

Mr. Robert Andrews appeared before the board for this proposal.

MR. ANDREWS: I'd like to build a garage, two floor.

MR. KANE: Do you have some pictures?

MR. ANDREWS: No, but I have a drawing of what it will look like.

MR. KANE: For the public hearing, can you take some pictures of the area just to show us?

MR. TORLEY: Give us an idea.

MR. ANDREWS: The only thing I would like to do though is in this initial one right here, it was 24 x 24, I'd like to put it up to 24 x 30, 24 wide, 30 deep.

MR. TORLEY: The depth is not the problem, right, Mike, just the width?

MR. ANDREWS: Yes, just the width, yeah, it was the width.

MR. KANE: And building height.

MR. ANDREWS: I may leave it 24 x 24, I'm into a bank so it's--

MR. REIS: You want to have us adjust that now?

MR. TORLEY: He's not asking for the length of the building doesn't affect it, just the side yard. Now one thing everything we do is based upon what you tell us, so if you need to have, if you ask for a five foot side yard variance and you need a 6 foot side yard variance, the bank can refuse you at some later date so

make sure of your distances.

MR. ANDREWS: Yeah.

MR. KANE: Any other buildings around you that have that 25 foot height?

MR. ANDREWS: Just my house and the neighbor's.

MR. KANE: This is going to extend over your house?

MR. ANDREWS: No, this will be behind my house. I'm trying to get as far back as possible. There's another garage right next door here.

MR. KANE: This is going to be higher than any other building in the area?

MR. ANDREWS: Not higher than my house or the neighbor's.

MR. KANE: How about other buildings in the neighborhood?

MR. ANDREWS: They're spread out pretty far, though.

MR. TORLEY: So basically you've got a two story house and you want to make a two story total garage?

MR. ANDREWS: Right.

MR. TORLEY: So it will blend in with the house and you have a lot space.

MR. ANDREWS: Yeah, I have a two car garage there but I want to put the 2 car or 2 floor garage.

MR. TORLEY: When you come to the public hearing, we'll need as Mike said some photographs and plans and things like that.

MR. ANDREWS: Yeah, I have plans.

MR. KANE: Show this to the gentlemen down there.

MR. ANDREWS: Yes.

MR. TORLEY: He needs the building height because it's one foot per on the side yard.

MR. BABCOCK: No, the building height says that if you go with the ten foot accessory building setback, you're only allowed to build 15 feet high and he's proposing 25 feet high.

MR. TORLEY: This is not attached to your house?

MR. ANDREWS: No.

MR. MC DONALD: Freestanding, right?

MR. ANDREWS: Yeah.

MR. MC DONALD: What's the purpose of the second floor? Is that going to be a completed second floor, finished?

MR. ANDREWS: I'm going to have a wood shop up top.

MR. MC DONALD: Not going to be an apartment?

MR. ANDREWS: No, wood shop.

MR. KANE: Going to be creating any water hazards or runoff?

MR. ANDREWS: No, not that I know of, I have an engineer, he came and looked at it.

MR. TORLEY: Not building it over a well or septic?

MR. ANDREWS: No.

MR. KANE: You cutting down any trees?

MR. ANDREWS: I have to cut down three trees.

MR. TORLEY: We'll be asking you the same kind of questions at the public hearing.

MR. ANDREWS: That's fine.

December 9, 2002

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MR. KANE: Accept a motion?

MR. TORLEY: Yes, sir.

MR. KANE: I move we have set up Mr. Andrews for a public hearing on his requested variances on Toleman Road.

MR. REIS: Second it.

ROLL CALL

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

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

**RECEIPT
#207-2003**

03/05/2003

Andrews, Robert & Carol

**Received \$ 50.00 for Zoning Board Fees, on 03/05/2003. 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: 03-05-03

FOR: ESCROW #02-67

FROM: ROBERT ANDREWS, JR.

170 TOLEMAN ROAD

WASHINGTONVILLE, NY 10992

CHECK NUMBER: 2997

AMOUNT: \$300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

3/5/07

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

