

ZB# 03-24

Jean Lewis

53-3-2

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

APPROVED

6/23/03

ZBA 03-24 JEAN LEWIS
(AREA) 15 SHAW ROAD (53-3-2)

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

FILE # 03-24 TYPE: AREA USE _____

APPLICANT: Jean Lewis
15 Shaw Rd
Rock Tavern, N.Y. 12575

TELE: 496-6024

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

ESCROW: ~~\$500.00~~^{300.00} CHECK # 1622

DISBURSEMENTS:

	<u>MINUTES</u> <u>\$4.50 PER PAGE</u>	<u>ATTORNEY FEES</u> <u>\$35.00 / MEETING</u>
PRELIM..... <u>5/12</u>	\$ <u>13.50</u>	\$ <u>35.00</u>
2 ND PRELIM.....	_____	_____
3 RD PRELIM.....	_____	_____
PUB HEARING..... <u>6/23</u>	\$ <u>18.00</u>	\$ <u>35.00</u>
PUB HEARING (CONT')...	_____	_____
TOTAL	\$ <u><u>31.50</u></u>	\$ <u><u>70.00</u></u>

OTHER CHARGES:..... \$ _____



ESCROW POSTED: \$ 300.00
AMOUNT DUE: \$ _____
REFUND DUE: \$ 198.50

8/11/03
L.R.

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

JEAN LEWIS

AREA

CASE #02-24

WHEREAS, Jean Lewis, owners of 15 Shaw Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 7 ft. Front Yard Setback and 14 ft. Side Yard Setback for proposed deck in an R-1 zone; and

WHEREAS, a public hearing was held on the June 23, 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 single family home located in a neighborhood of single family homes.
 - (b) The applicant seeks a variance for the construction of a deck.
 - (c) The deck will not interfere with either well or septic.
 - (d) The proposed deck, if constructed, will not create the ponding or collection of water or divert the flow of water runoff.

- (e) The applicant, in constructing the proposed deck, pursuant to the agreement will remove no trees or substantial vegetation.
- (f) The deck is similar in appearance to other decks in the neighborhood.
- (g) The deck will not be constructed over any easements.
- (h) The lot is a pre-existing, non-conforming lot.

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.

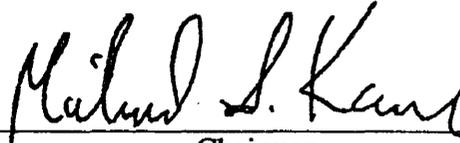
NOW, THEREFORE, BE IT

1. **RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 7 ft. Front Yard Setback and 14 ft. Side Yard Setback for proposed deck on 15 Shaw Road in an R-1 zone (53-3-2) 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: August 14, 2003

A handwritten signature in cursive script, reading "Michael S. Kears", is written over 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: 5/1/03

**APPLICANT: JEAN LEWIS
15 SHAW ROAD
ROCK TAVERN, NY 12575**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 5/1/03

FOR : DECK

LOCATED AT: 15 SHAW RD

ZONE: R-1 Sec/Blk/ Lot: 53-3-2

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. PROPOSED ATTACHED FRONT & SIDE DECK WILL NOT MEET MIMIMUM
REQUIRED FRONT & SIDE YARD SET-BACK.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-1 USE: E-5 & F-5 Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

45'

38'

7'

REQ'D SIDE YD:

20'

6'

14'

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

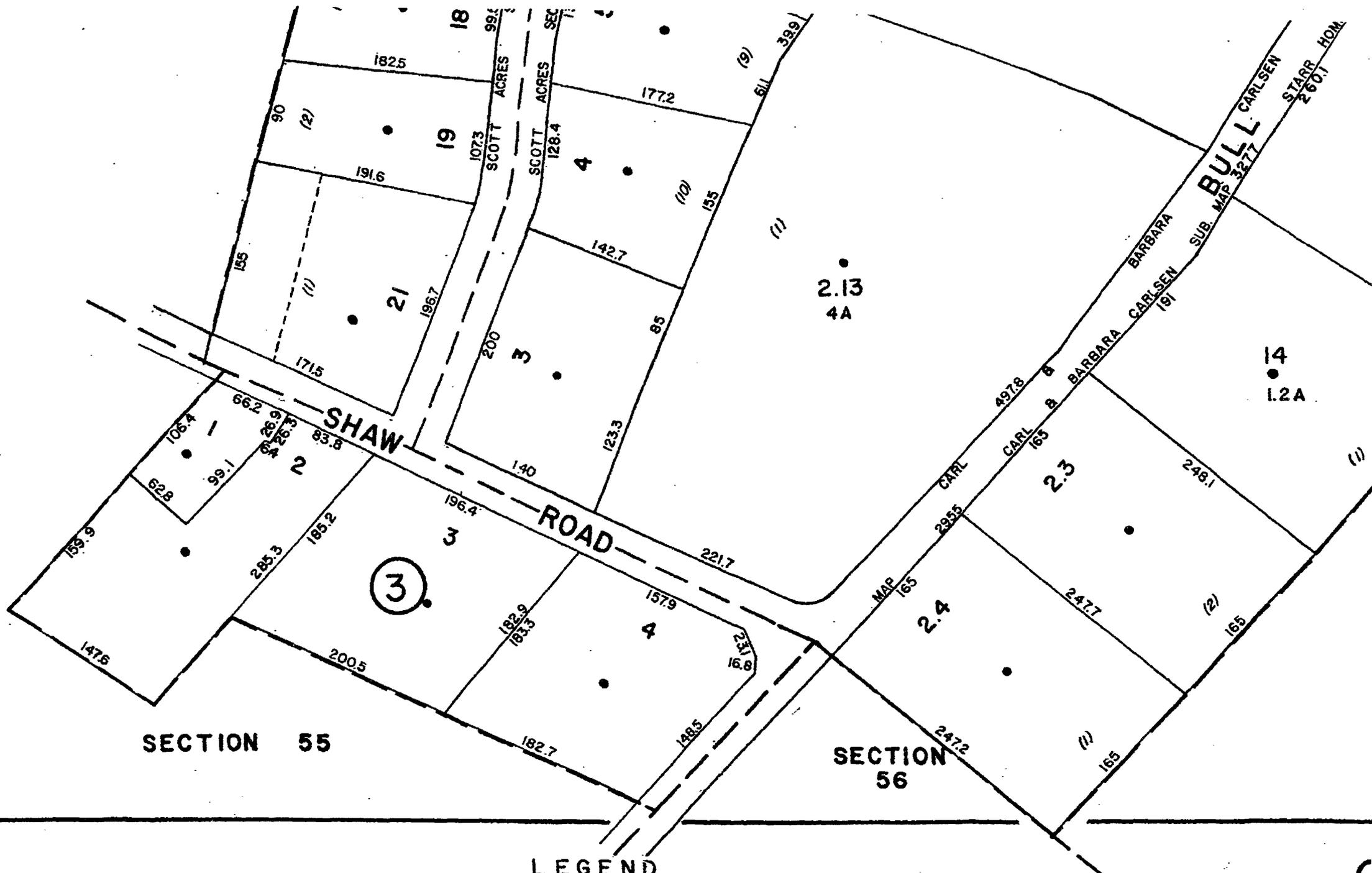
MIN LIVABLE AREA:

DEV COVERAGE:

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

APPROVED

N 530,500
E 548,500



LEGEND

STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN BLOCK NO.
CITY TOWN OR VILLAGE	EASEMENT LINE	TAX MAP PARCEL NO.	FILED PLAN LOT NO.
BLOCK & SECTION LIMIT	MATCH LINE	AREAS (Deed) 11.1A, (Calculated) 11.6A(C)	STATE HIGHWAYS N.Y. STATE HWY NO. 17
			COUNTY HIGHWAYS COUNTY HWY. NO. 4

P
D

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 or 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

APR 30 2003

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2003-410

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 Jean P Lewis

Address 15 Shaw Rd Phone # 496-6024

Mailing Address 15 Shaw Rd Fax # N/A

Name of Architect _____

Address _____ Phone _____

Name of Contractor Owner

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 _____

X 3. Tax Map Description: Section 53 Block 3 Lot 2

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 _____

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

X 6. Is this a corner lot? NO

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

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

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

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

ZONING BOARD

10. Estimated cost _____ Fee P50.00

PAID

Will TURN in PLANS AFTER 2BA CH# 1608

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 Krychear
New Windsor Town Hall
588 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 codes 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.

Sean P. Lewis
(Signature of Applicant)

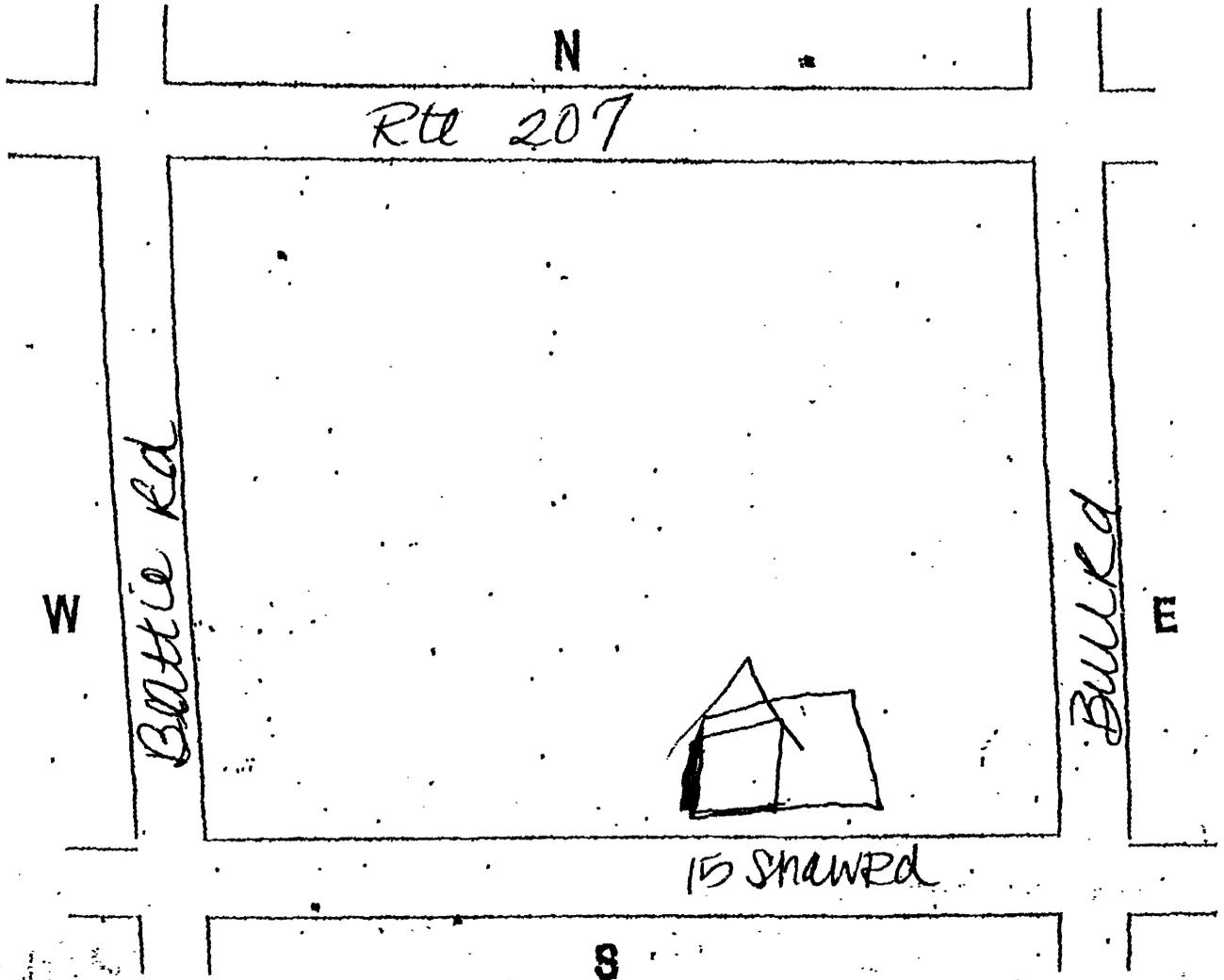
(Address of Applicant)

Sean P. Lewis
(Owner's Signature)

(Owner's Address)

NOTE:

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



SKETCH/AREA TABLE ADDENDUM

Case No

File No mom

Property Address 18 SHAW ROAD

City ROCK TAVERN

County

State NY

Zip 12575

Borrower

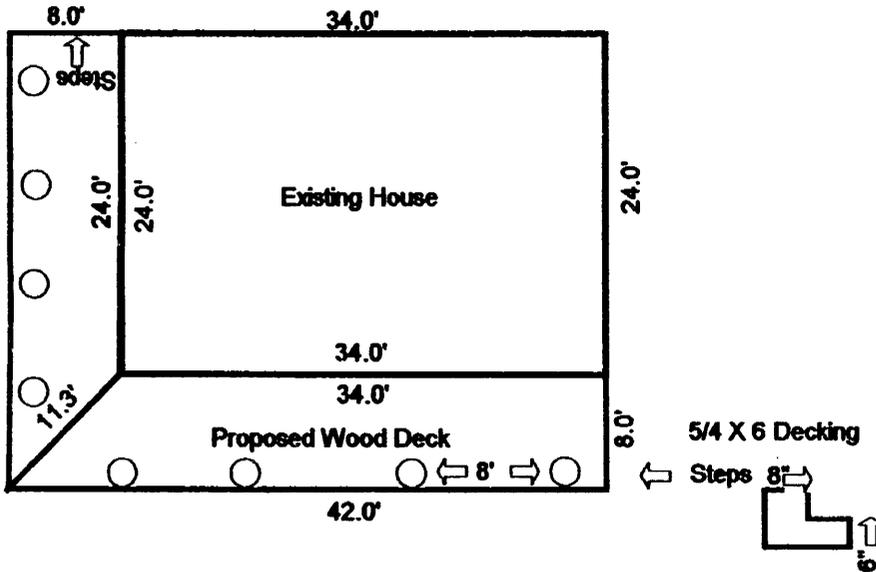
Lender/Client

L/C Address

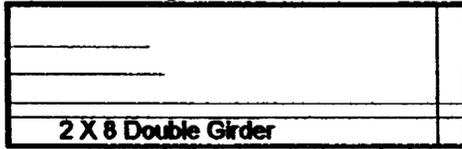
Appraiser Name

Appr Address

IMPROVEMENTS SKETCH

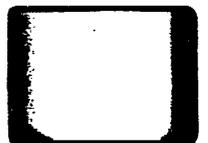


36" Tall Railings



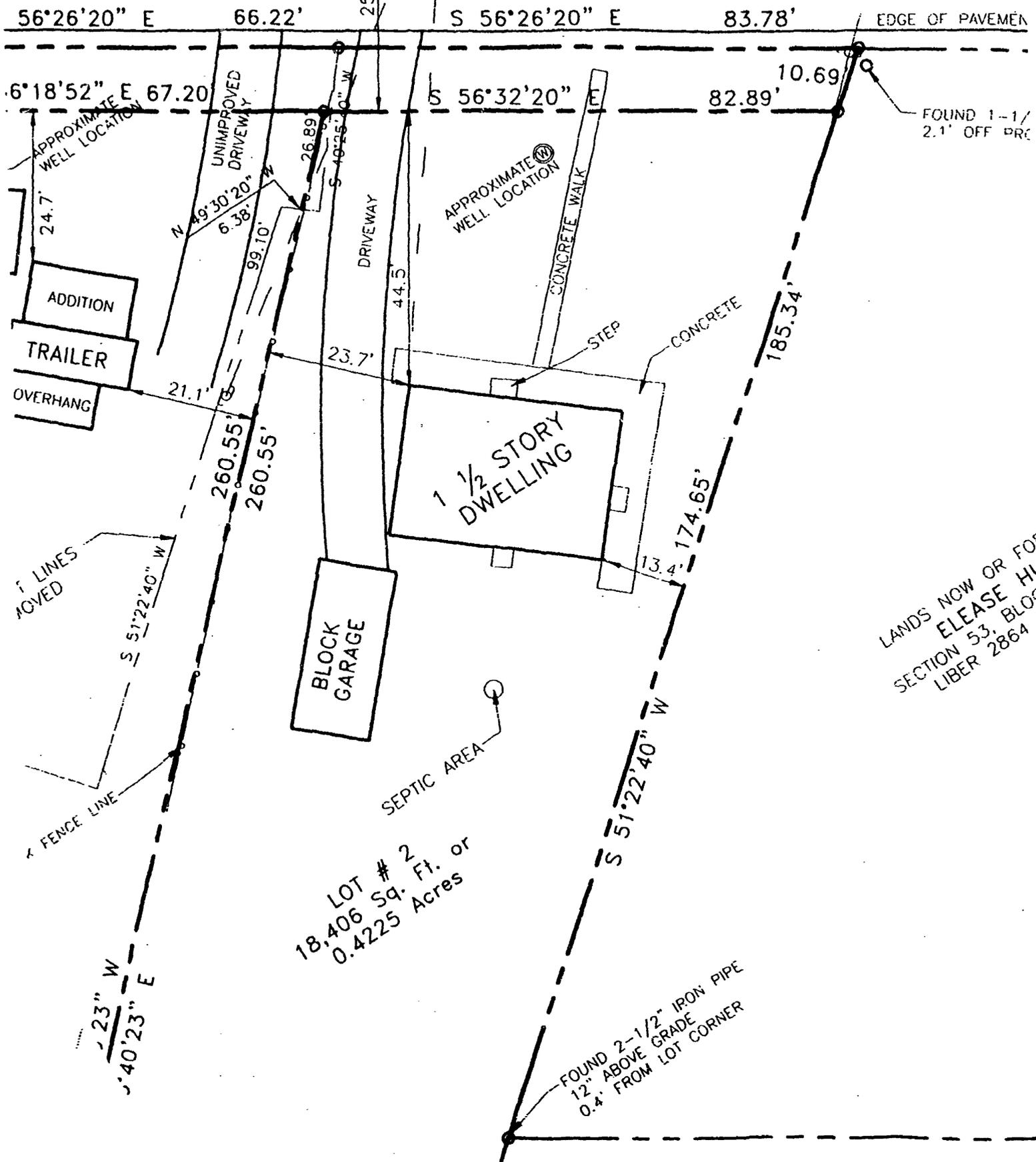
- Joist Hung To Building With 3" Lags
- 4 X 4 Posts On Corner
- 2 X 8 Double Girder With Joist Hung To It
- 2 X 8 Floor Joist 16 OC"
- 14" Above Grade

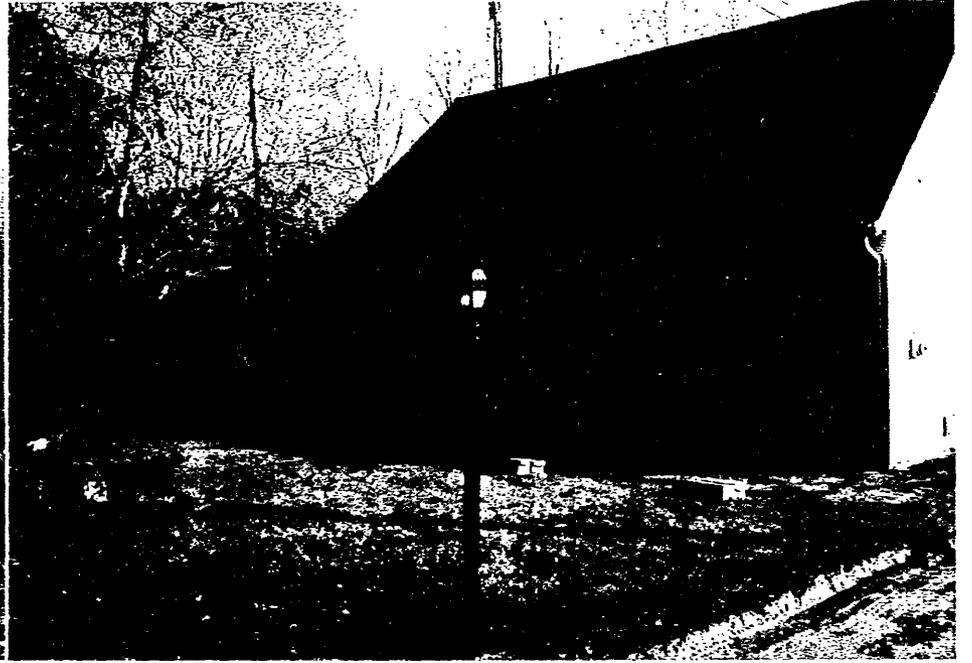
Footings 8' from House 8' Apart
Metal Brackets On Footings With 4 X 4 Posts



OF PAVEMENT

SHAW ROAD









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

September 11, 2003

Ms. Jean Lewis
15 Shaw Road
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #02-24 (53-3-2)

Dear Ms. Lewis:

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

PUBLIC HEARINGS:

JEAN LEWIS (#02-24)

MR. TORLEY: Request for 7 ft. required front yard setback and 14 ft. required side yard setback for proposed deck on 15 Shaw Road in an R-1 zone.

Mrs. Jean Lewis appeared before the board for this proposal.

MRS. LEWIS: This is my daughter.

MR. TORLEY: So what's the difficulty?

MRS. LEWIS: Nothing, we're waiting for you to approve it.

MR. TORLEY: Well, no--

MR. KANE: It will be very much like the preliminary meeting, just go through it.

MR. TORLEY: Explain what you want to do.

MRS. LEWIS: We're just going over basically the existing walkway that's in front of the house and on the side a little bit farther about a foot over the cover, it's concrete. Do you have, I think I gave you the pictures?

MS. MASON: Yes.

MRS. LEWIS: And it's going to be probably 16 inches off the ground, 16 inches above and we're not far enough off the property line on that side of the house on the left side.

MR. TORLEY: This is a corner lot?

MRS. LEWIS: No.

MR. KANE: No but the proposed deck that you're putting up is going to be for both entrances, the side entrance to your house and the front entrance?

MRS. LEWIS: Yes.

MR. KANE: Without the deck, do you consider it a safety hazard?

MRS. LEWIS: Yes.

MR. MC DONALD: You have a well, right?

MRS. LEWIS: Yes, in the front and septic is in the back so it doesn't interfere with either one.

MR. RIVERA: So you're not creating any water runoffs or hazards?

MRS. LEWIS: No, not that I know of.

MR. KANE: Mike, the reason for the side yard is she's 13.4 from the corner of the house to the side property if I'm reading that correctly?

MR. BABCOCK: Yeah and she's going out larger, she's making it one foot larger on the side.

MR. KANE: And then this part of New Windsor even without the deck would the 13.4 be okay?

MR. BABCOCK: No, no, well, apparently, the house is pre-existing.

MRS. LEWIS: The house was built in 1960 I believe. I moved into it in '72.

MR. KANE: Thank you.

MRS. LEWIS: I've been in it since '72.

MR. TORLEY: I'll open it up to the public. Does anyone in the audience wish to speak on this matter? Anyone in the audience wish to speak on this? In which case, I'll close the public hearing and ask for the mailings.

MS. MASON: On the second day of June, I mailed out 32

envelopes containing the notice of public hearing and I've had no responses.

MR. TORLEY: Back to your court, gentlemen.

MR. KANE: With the creating of the deck, there's no creation of water runoff hazards or water hazards, no cutting down of any trees?

MRS. LEWIS: No.

MR. KANE: The deck itself won't change the character of the neighborhood in your opinion?

MRS. LEWIS: No.

MR. TORLEY: I see what appears to be power lines, am I looking at that correctly? Maybe it's a lot line change, okay. Again, you'll not be, you asked about the easements, et cetera?

MR. KANE: Yes. No, I didn't ask but this doesn't appear to be any on the survey you're not building over any easements, septic?

MRS. LEWIS: No, the well is way out front and the septic is in the back.

MR. TORLEY: This is a pre-existing, non-conforming lot?

MR. BABCOCK: That's correct.

MR. KANE: Accept a motion?

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

MR. KANE: I move that we approve the requested variances by Jean Lewis for 15 Shaw Road.

MR. MC DONALD: Second it.

ROLL CALL

MR. REIS

AYE

June 23, 2003

14

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

AYE
AYE
AYE
AYE

**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: ESCROW REFUND - 03-24 - LEWIS

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

ZBA FILE #03-24

NAME: JEAN LEWIS

ADDRESS: 15 SHAW ROAD

ROCK TAVERN, NY 12575

THANK YOU,

MYRA

L.R. 8-11-03



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

May 16, 2003

Jean Lewis
15 Shaw Road
New Windsor, NY 12553

Re: 53-3-2 ZBA#03-24

Dear Ms. Lewis,

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.

Sincerely,

J. Todd Wiley (BAA)

J. Todd Wiley, IAO
Sole Assessor

JTW/baw
Attachments

CC: Myra Mason, ZBA

52-1-37
Washingtonville Soccer Club Inc.
Box 24
Washingtonville, NY 10992

53-2-2.13
Masako & Randolph Den
315 Bull Rd
Rock Tavern, NY 12575

53-2-2.4
Grace & Fred DiDonato
310 Bull Rd
Rock Tavern, NY 12575

53-2-3
Joyce & Phillip De Freese
12 Shaw Rd
Rock Tavern, NY 12575

53-2-4
Wilma T Joyce
21 Carpenter Rd
Rock Tavern, NY 12575

53-2-5
Evelyn & Craig Levine
19 Carpenter Rd
Rock Tavern, NY 12575

53-2-6
Michael Buck
17 Carpenter Rd
Rock Tavern, NY 12575

53-3-1
Roger A. Smith
P.O. Box 123
Rock Tavern, NY 12575

53-3-3
Elease Hull
C/o Debra S. Hull- Robinson
11 Sunlight Hill
Yonkers, NY 10704

53-3-4
Kimberly & Norman Vitale
3 Shaw Rd
Rock Tavern, NY 12575

53-4-17
Wilma & Marinus Vorman
20 Carpenter Rd
Rock Tavern, NY 12575

53-4-18
Dawn & Dean Romer
22 Carpenter Rd
Rock Tavern, NY 12575

53-4-19
Neil Christman
24 Carpenter Rd
Rock Tavern, NY 12575

53-4-21
Carolyn & Dennis McHenry
18 Shaw Rd
Rock Tavern, NY 12575

55-1-50
Cori & Michael Drummond
39 Shaw Rd
Rock Tavern, NY 12575

55-1-51; 55-1-52
Alice & Charles Maehrlein
29 Shaw Rd
Rock Tavern, NY 12575

55-1-53.1
Deborah & Joseph Migliorini
305 Bull Rd
Washingtonville, NY 10992

55-1-53.21
Marie & Joseph Beneducci
6 Hampshire Drive
Washingtonville, NY 10992

55-1-53.22
Marie R. Wahlbon
F/K/A Marie R. Sharpe
281 Bull Rd
Washingtonville, NY 10992

55-1-53.23
County of Orange
255-275 Main Street
Goshen, NY 10924

55-1-53.24
Margaret & Reuben De Freese
301 Bull Rd
Washingtonville, NY 10992

55-1-54
Josephine Ferrari
L.E. Paul Ferrari
255 Bull Rd
Washingtonville, NY 10992

55-1-55.1
Laura & Joseph Zaccaro
283 Bull Rd
Washingtonville, NY 10992

55-1-55.2
John D. Lyall
289 Bull Rd
Washingtonville, NY 10992

55-1-55.3
Lisa & Raymond Cassidy
21 Shaw Rd
Rock Tavern, NY 12575

56-1-12
Margene & Anthony Rivera
280 Bull Rd
Washingtonville, NY 10992

56-1-13
Veronica A. Molfetas
C/o George Miller & Sons
24 Sands Station Rd
P.O. Box 845
Middletown, NY 10940

56-1-14
Deborah & Rueben DeFreese
292 Bull Rd
Washingtonville, NY 10992

56-1-15
Eleanor & Edmund Huston
296 Bull Rd
Washingtonville, NY 10992

56-1-16
Barbara Perrone & Susan Giannico
300 Bull Rd
Washingtonville, NY 10992

56-1-17
Antonietta & Gennaro Acierno
304 Bull Rd
Washingtonville, NY 10992

56-1-18
Colleen & Anthony Fayo
308 Bull Rd
Washingtonville, NY 10992



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

Jean Lewis
15 Shaw Road
Rock Tavern, NY 12575

SUBJECT: PUBLIC HEARING LIST FOR ZBA FILE #03-24

Dear Ms. Lewis:

On May 13th, 2003 your \$25.00 deposit check for Public Hearing List, which was submitted to me with your application, has been sent to the Assessor's Office along with a request that they prepare a list of properties located within 500 feet of your property.

The Assessor's Office will notify you when the list is complete. At that time you will be asked to come in and pick up the list and pay a balance due. When this is complete, please come to my office and we will schedule a date for your public hearing.

If you have any questions, please feel free to contact me at the above number.

Myra Mason,
Secretary to the Zoning Board of Appeals

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

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

Appeal No. 03-24

Request of JEAN LEWIS

for a VARIANCE of the Zoning Local Law to Permit:

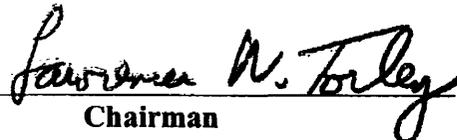
Request for 7 ft. Required Front Yard Setback and 14 ft. Required Side Yard Setback for proposed deck.

being a VARIANCE of Section R-1 use E-5 & F-5

for property located at: 15 Shaw Road - New Windsor, NY

known and designated as tax map Section 53 Block 3 Lot 2

PUBLIC HEARING will take place on JUNE 23RD, 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

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

ZONING BOARD OF APPEALS

June 4, 2003

Ms. Jean Lewis
15 Shaw Road
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #03-24 - PUBLIC HEARING

Dear Ms. Lewis:

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

15 Shaw Road
Rock Tavern, NY

is scheduled for the June 23rd, 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

Sent 6/5



RESULTS OF Z.B.A. MEETING OF:

May 12, 2003

PROJECT: Jean Lewis

ZBA #
P.B.#

03-24



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) K S) Reis VOTE: A 4 N 0

RIVERA A
~~MCDONALD~~
 REIS A
 KANE A
 TORLEY A

CARRIED: Y N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____.

RIVERA _____
 MC DONALD _____
 REIS _____
 KANE _____
 TORLEY _____

CARRIED: Y _____ N _____.

Deck same as others in neighborhood

JEAN LEWIS (03-24)

MR. TORLEY: Request for 7 ft. required front yard setback and 14 ft. required side yard setback for proposed deck on 15 Shaw Road in an R-1 zone. You need to speak loudly. So what seems to be the problem?

MS. LEWIS: I'd like to put a deck over an existing patio walkway that I have around my house and it's within the, it's not far enough off the property line.

MR. TORLEY: So what your, you have a concrete pad, you want to put the deck here?

MS. LEWIS: Yes.

MR. TORLEY: So it covers the entire concrete area?

MS. LEWIS: Yes.

MR. TORLEY: How far off the ground would it be?

MS. LEWIS: It will be 15 1/2, 16 inches.

MR. TORLEY: When does it become a--did we ever figure that out?

MS. BABCOCK: Maybe we can clear this up. You're getting a little bit bigger than what the concrete slab is?

MS. LEWIS: Yes, about a foot maybe.

MR. BABCOCK: See the second line in Mr. Chairman, that's where the concrete would go and they're going just a little bit bigger to square it off.

MR. KANE: Will it be the same size as other decks in your particular neighborhood, similar?

MS. LEWIS: Similar, yes.

MR. KANE: Will you be creating water hazards or runoffs with the deck?

MS. LEWIS: No.

MR. TORLEY: I see by the map it's well and septic, so the survey shows that this will not impinge on either the well or septic?

MS. LEWIS: No.

MR. TORLEY: So the concrete itself is degraded and replacing the concrete with a wood deck will improve the value of the house?

MS. LEWIS: Oh, yes.

MR. TORLEY: Eliminate a safety hazard of rough concrete?

MS. LEWIS: That's right.

MR. TORLEY: Any questions at this time?

MR. KANE: You're not going to be creating any water hazards or runoffs?

MS. LEWIS: No.

MR. KANE: By the picture, I have to ask you, you won't be cutting down any trees?

MS. LEWIS: No.

MR. KANE: Have to ask.

MR. TORLEY: Gentlemen, are there any other questions?

MR. KANE: No, sir, Mr. Chairman. Accept a motion?

MR. TORLEY: Yes, sir.

MR. KANE: Move that we set up a public hearing for Jean Lewis on her requested variances at 15 Shaw Road.

MR. REIS: Second it.

ROLL CALL

May 12, 2003

16

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

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: MAY 6, 2003

FOR: 03-24 ESCROW

FROM: JEAN LEWIS

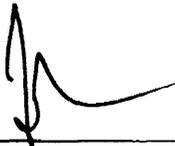
15 SHAW ROAD

ROCK TAVERN, NY 12575

CHECK NUMBER: 1622

AMOUNT: \$300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

5/6/03

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

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

**RECEIPT
#429-2003**

05/06/2003

Lewis, Jean P. #03-24

**Received \$ 50.00 for Planning Board Fees, on 05/06/2003. Thank you for
stopping by the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**

ZBA #03-24 ASSESSOR'S LIST

Jean P. Lewis
15 Shaw Rd. 496-6024
Rock Tavern, NY 12578

55-150/212

1623

Date April 30, 2003

Pay To
The Order Of

Town of New Windsor

\$ 25 ~~00~~

Twenty-five and ~~00~~/~~100~~

Dollars

HUDSON UNITED BANK
21 EAST MAIN STREET
WASHINGTONVILLE, NY 10992

For *Hewlett*

Jean P. Lewis

⑆0212019001⑆ 721300237011 1623

ZBA #03-24 ESCROW

Jean P. Lewis
15 Shaw Rd. 496-6024
Rock Tavern, NY 12578

55-150/212

1622

Date April 30, 2003

Pay To
The Order Of

Town of New Windsor

\$ 300. ~~00~~

Three hundred and ~~00~~/~~100~~

Dollars

HUDSON UNITED BANK
21 EAST MAIN STREET
WASHINGTONVILLE, NY 10992

For *escrow*

Jean P. Lewis

⑆0212015031⑆ 721300237011 1622



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 6, 2003

Jean Lewis
15 Shaw Road
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #03-24

Dear Ms. Lewis:

This letter is to inform you that you have been placed on the May 12th, 2003 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

15 Shaw Road
Rock Tavern, NY 12575

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



RECEIVED
TOWN OF NEW WINDSOR
MAY - 5 2003
ENGINEER & PLANNING

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

Application Type: Use Variance Area Variance
Sign Variance Interpretation

Date _____

I. Owner Information:

Jean P Lewis

Phone Number: (845) 496-6024

Fax Number: () N/A

(Name) 15 SHAW RD ROCK TAVERN, NY 12575
(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 () _____

Fax Number: () _____

(Name) _____
(Address) _____

V. Property Information:

Zone: R1 Property Address in Question: 15 SHAW RD

Lot Size: _____ Tax Map Number: Section 53 Block 3 Lot 3

a. What other zones lie within 500 feet? None

b. Is pending sale or lease subject to ZBA approval of this Application? NO

c. When was property purchased by present owner? September 1972

d. Has property been subdivided previously? Yes If so, When: PRIOR TO Sept. 1972

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? NO

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

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

TOWN OF NEW WINDSOR
MAY - 5 2003
ENGINEER & PLANNING

03-24

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:

1st day of MAY 2003,

Jean P Lewis
 Owner's Signature (Notarized)

JEAN P Lewis
 Owner's Name (Please Print)

Moishe Gruber
 Signature and Stamp of Notary

 Applicant's Signature (If not Owner)

PLEASE NOTE:

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

MOISHE GRUBER
 NOTARY PUBLIC, STATE OF NEW YORK
 NO. 01GR4340440
 QUALIFIED IN ORANGE COUNTY
 COMMISSION EXPIRES SEPT. 30, 2005

RECEIVED
 TOWN OF NEW WINDSOR
 MAY - 5 2003
 ENGINEER & PLANNING

**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 _____, 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.	45'	38'	7'
Reqd. Side Yd.	20'	6'	14'
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:
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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:

The deck will be covering
existing concrete patio which is broken
up and to make an improvement to
the property.

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