

**ZB# 04-27**

**Russell Kogge**

**21-4-4**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
Granted 5-24-04

ZBA #04-27 RUSSELL KOGGE (AREA)  
9 WOODLAWN AVE. (21-4-4)

Marianne Kogge 562-5332

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

**COPY**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

DATE: **March 25, 2004**

APPLICANT: **Russell Kogge**  
**9 Woodlawn Avenue**  
**New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: **3/23/04**

FOR : **Existing attached pool deck**

LOCATED AT: **9 Woodlawn Avenue**

ZONE: **R-4 Sec/Blk/ Lot: 21-4-4**

DESCRIPTION OF EXISTING SITE: **Existing one-family house**

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. **Existing attached pool deck does not meet minimum 15' side yard set-back.**

  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4 USE: F-8 Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

15'

3'

12'

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

04-27



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

COPY

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 corrected for correction.

RECEIVED

MAR 23 2004

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and 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 bond 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 perc 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.

FOR OFFICE USE ONLY:  
Building Permit # 2004-386

**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 RUSSELL + MARIANNE KOBBE

Address 9 WOODLAWN AVE, NEW WINDSOR NY Phone # 562 5332

Mailing Address SAME Fax # \_\_\_\_\_

Name of Architect —

Address — Phone —

Name of Contractor —

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 S side of WOODLAWN AVE  
(N,S,E or W)  
and 321.7 feet from the intersection of MACARTHUR AVE

2. Zone or use district in which premises are situated R-4 Is property a flood zone? Y N ✓

3. Tax Map Description: Section 21 Block 4 Lot 4

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

a. Existing use and occupancy SFD b. Intended use and occupancy SFD

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

6. Is this a corner lot? no

7. Dimensions of entire new construction. Front 15 Rear 18 Depth 35 Height 2'-4" No. of stories 1

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 ch # 998

**ZONING BOARD**

**PAID**

3, 23, 04  
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 Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 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.

William N. Kogge  
(Signature of Applicant)

9 Woodlawn Ave New Windsor, Ny 12553  
(Address of Applicant)

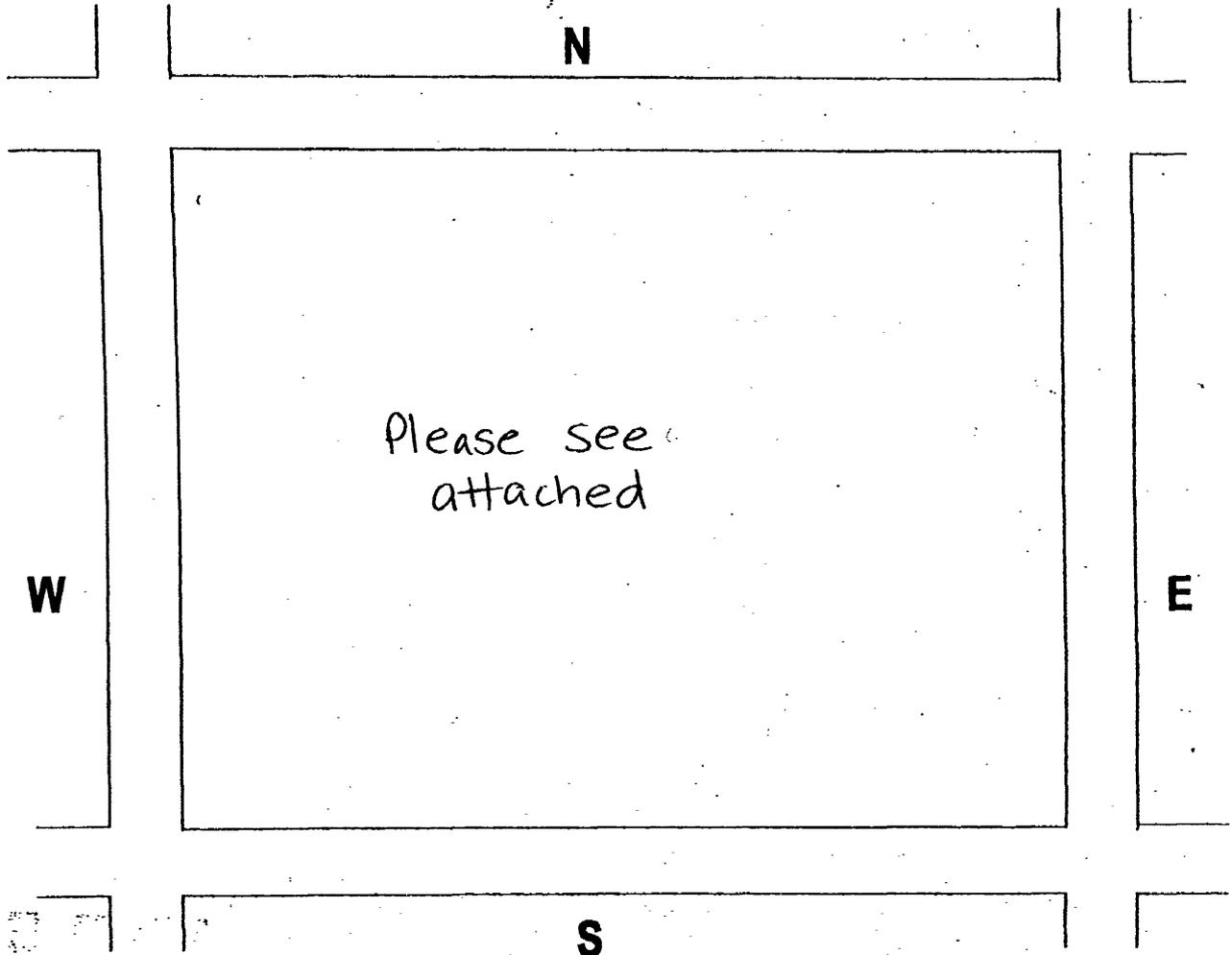
Russell E. Kogge  
(Signature of Applicant)

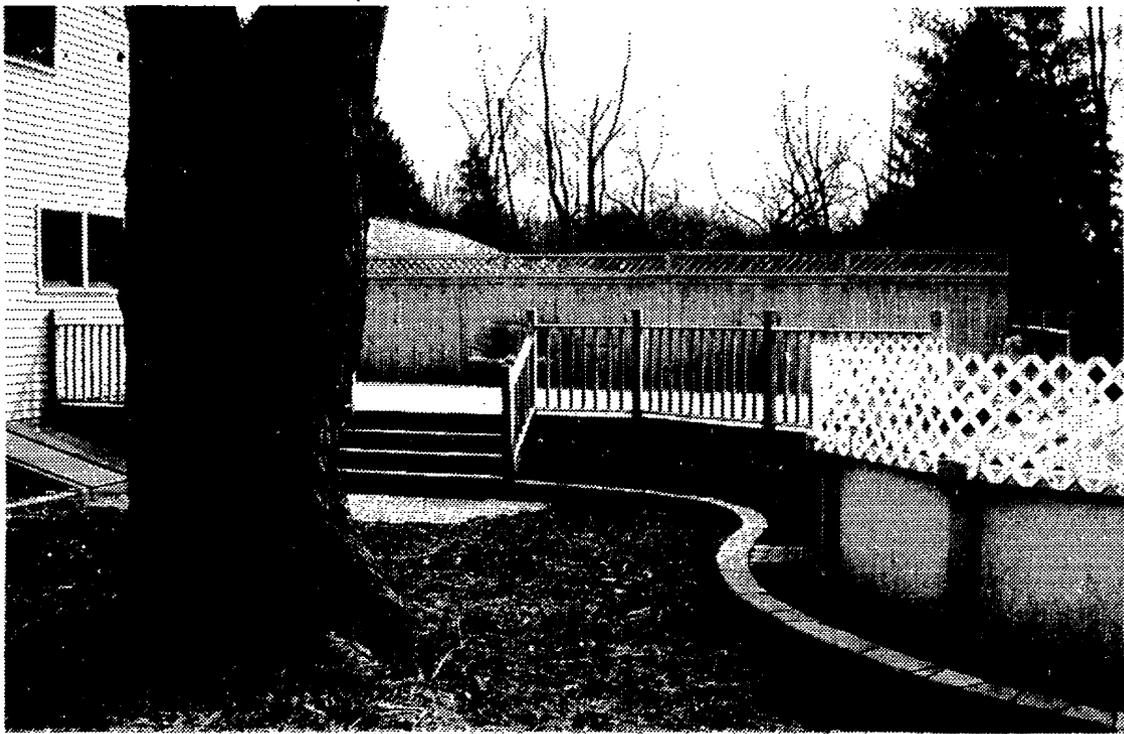
9 Woodlawn Ave New Windsor, Ny 12553  
(Address of Applicant)

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.







NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 21-4-4

In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

**RUSSELL KOGGE**

**AREA**

CASE #04-27

**WHEREAS, Russell Kogge**, owner(s) of 9 Woodlawn Avenue, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 12 ft. Side Yard Setback (Bulk Tables F-8) for existing attached pool deck in an R-4 Zone ;

**WHEREAS**, a public hearing was held on May 24, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, Phyllis Drennan of Remax Realty, representing 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 variance is sought for a pool deck which has been in existence.
  - (c) There were no cutting down of trees or substantial vegetation in the building of the pool and deck.

- (d) The deck does not create the ponding or collection of water or divert the flow of water drainage.
- (e) The deck has been in existence approximately two to four years, during which time there has been no complaints, either formal or informal.
- (f) The deck is not on top of nor does it interfere with any easements, including, but not limited to, water, sewer, or utilities.

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

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

**NOW, THEREFORE, BE IT**

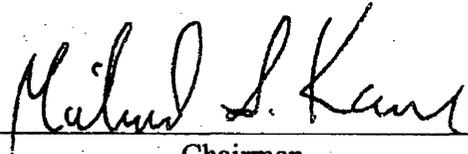
1. **RESOLVED,** that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 12 ft. Side Yard Setback (Bulk Tables F-8) for existing attached pool deck at 9 Woodlawn Avenue in an R-4 Zone (21-4-4) as sought by the

Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

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

Dated: May 24, 2004

A handwritten signature in cursive script, reading "Michael S. Kane", is written above a horizontal line.

Chairman

**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: 08-09-04**  
**SUBJECT: ESCROW REFUND 04-27**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 197.00 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #04-27**

**NAME & ADDRESS:**

**RUSSELL KOGGE  
4524 SANDY WOODS DRIVE  
WAKE FOREST, NC 27587**

**THANK YOU,**

**MYRA**

**L.R.08-09-04**



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



FILE #04-27      TYPE:AREA

APPLICANT Name & Address:

**Russell & Marianne Kogge  
9 Woodlwan Avenue  
New Windsor, NY 12553**

**ADDRESS AFTER 4/25/03  
4524 Sandy Woods Drive  
Wake Forest, NC 27587**

TELEPHONE:    562-5332 (AFTER 4/25 - 919-562-4322)

RESIDENTIAL:	\$ 50.00	CHECK # <u>1006</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:            RESIDENTIAL \$300.00            CHECK # 1007



<u>DISBURSEMENTS:</u>		<u>MINUTES</u> \$5.50 / PAGE	<u>ATTORNEY</u> <u>FEE</u>
PRELIMINARY:	<u>3</u>	PAGES	\$ <u>16.50</u>
2 <sup>ND</sup> PRELIMINARY:	_____	PAGES	\$ _____
PUBLIC HEARING:	<u>3</u>	PAGES	\$ <u>16.50</u>
PUBLIC HEARING:	_____	PAGES	\$ _____

TOTAL:                            \$ 33.00                            \$ 70.00



ESCROW POSTED:                    \$ 300.00  
LESS: DISBURSEMENTS:            \$ 103.00

AMOUNT DUE:                            \$ \_\_\_\_\_

REFUND DUE:                            \$ 197.00

Cc:    Phyllis Drennan, Realtor

PUBLIC HEARINGS:

RUSSELL KOGGE (04-27)

MR. KANE: Request for 12 foot side yard setback for existing pool deck at 9 Woodlawn Avenue. Is there anybody in the audience for this particular hearing? Thank you. Tell us and your name.

MS. DRENNAN: Phyllis Drennan with Remax, I'm here for Russell.

MR. KANE: And we do have a proxy on file, I have a note.

MR. BABCOCK: Yes.

MR. KANE: Tell us what's going on, Phyllis.

MS. DRENNAN: Well, they're looking for a 12 foot side yard variance for a deck.

MR. KANE: For an existing attached pool deck?

MS. DRENNAN: Right.

MR. KANE: Do you know was there any cutting down of trees or substantial shrubbery in the building of the pool and the deck?

MS. DRENNAN: Not that I know of.

MR. KANE: Create any water hazards or runoffs?

MS. DRENNAN: No complaints.

MR. KANE: About how long has the deck and the pool been existing?

MS. DRENNAN: Four, two to four years, I'm not sure.

MR. KANE: During that time period, were there any complaints formally or informally about the deck and the pool?

MS. DRENNAN: No, she asked her next door neighbor, they didn't complain.

MR. KANE: Any easements going through where the pool and the deck are?

MS. DRENNAN: No, not that I know of.

MR. KANE: Since there's nobody here in the audience for it, I will open and close the public portion of the hearing. Michael, how many mailings did we have?

MR. BABCOCK: Five envelopes were mailed on the 5th day of May.

MR. REIS: Any responses, Mike?

MR. BABCOCK: No.

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

MR. RIVERA: Accept a motion?

MR. KANE: Yes, I will.

MR. RIVERA: Make a motion that we grant Russell Kogge his requested 12 foot side yard setback for the existing attached pool deck at 9 Woodlawn Avenue.

MR. REIS: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE

May 24, 2004

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MR. KANE

AYE

PRELIMINARY MEETINGS:

RUSSELL KOGGE (04-27)

MR. REIS: Request for 12 ft. side yard setback (bulk tables F-8) for existing attached pool deck at 9 Woodlawn Avenue in an R-4 zone.

Ms. Marianne Kogge appeared before the board for this proposal.

MR. REIS: Tell us what you'd like to accomplish.

MS. KOGGE: I would like to get a C.O. for my deck, that's what I'm working on.

MR. MC DONALD: This deck is existing?

MS. KOGGE: Yes.

MR. MC DONALD: How long has it been there?

MS. KOGGE: About, well, we replaced the deck that had been there but this new deck is about two, three years old.

MR. MC DONALD: No complaints about the deck?

MS. KOGGE: No.

MR. MC DONALD: Formal or informal?

MS. KOGGE: No.

MR. MC DONALD: It's not over any existing right-of-ways or sewer or water or anything like that?

MS. KOGGE: No.

MR. MINUTA: Deck causing any watershed problems?

MS. KOGGE: No.

MR. MINUTA: And it meets the current code?

MS. KOGGE: Yes, they told me it will pass other than this problem.

MR. REIS: When you erected this deck--

MS. KOGGE: My husband.

MR. REIS: --is it about the same size as the original, much bigger or--

MS. KOGGE: It extends further from the house and it's longer than the original one and it's four feet wider which is the four feet is the problem.

MR. REIS: Similar to other size decks in the neighborhood?

MS. KOGGE: There's not many decks that I know of.

MR. KRIEGER: Similar doesn't have to be identical.

MS. KOGGE: I couldn't tell you, I haven't seen many decks in the area.

MR. MC DONALD: Deck extends from your back door all the way to the pool, right?

MS. KOGGE: Yes.

MR. MC DONALD: If it wasn't there, if you came out of the door, you'd have a fall?

MS. KOGGE: Yes.

MR. REIS: Any other questions?

April 26, 2004

4

MR. MC DONALD: Accept a motion?

MR. REIS: Yes.

MR. MC DONALD: Motion that we set Mr. Russell Kogge for a public hearing on his request for his 12 foot side yard setback for his existing attached pool deck.

MR. MINUTA: Second it.

ROLL CALL

MR. REIS	AYE
MR. MC DONALD	AYE
MR. MINUTA	AYE



RESULTS OF Z.B.A. MEETING OF: May 24, 2004

May 24, 2004

PROJECT: Kogge

ZBA # 04-27  
P.B.#



USE VARIANCE:      NEED: EAF      PROXY

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

PUBLIC HEARING:      STATEMENT OF MAILING READ INTO MINUTES \_\_\_\_\_

VARIANCE APPROVED:      M) SR S) ML VOTE: A \_\_\_\_\_ N \_\_\_\_\_.

RIVERA      ✓  
~~MCDONALD~~      ✓  
REIS      ✓  
~~MINUTA~~      ✓  
KANE      ✓

CARRIED: Y ✓ N \_\_\_\_\_.

Large empty rectangular box with horizontal lines, likely for additional notes or signatures.



**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. 04-27**

**Request of RUSSELL KOGGE**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 12 ft. Side Yard Setback ) for existing attached pool deck at**

**being a VARIANCE of Section (Bulk Tables F-8**

**for property located at: 9 Woodlawn Avenue in an R-4 Zone**

**known and designated as tax map Section 21 Block 4 Lot 4**

**PUBLIC HEARING will take place on MAY 24<sup>TH</sup>, 2004**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**

  
\_\_\_\_\_  
Michael Kane, Chairman



1763

# Town of New Windsor

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

## Assessors Office

April 27, 2004

Russell Kogge  
9 Woodlawn Avenue  
New Windsor, NY 12553

Re: 21-4-4 ZBA# 04-27

Dear Mr. Kogge:

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 \$75.00 , minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

A handwritten signature in black ink that reads "J. Todd Wiley" followed by a circled set of initials, likely "IAO".

J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

9-1-26  
Ernest Borchert, et al  
Borchert Living Trust  
278 Lattintown Road  
Marlboro, NY 12542

18-3-18  
Jonathan & Eileen Stein  
8 Hickory Avenue  
New Windsor, NY 12553

18-3-22  
Roy Brower  
14 Hickory Avenue  
New Windsor, NY 12553

18-3-25  
Julia Dayton  
c/o Julia Araiza  
20 Hickory Avenue  
New Windsor, NY 12553

19-4-84  
Daniel & Sosamma Samuel  
168 Union Avenue  
New Windsor, NY 12553

19-4-87 & 19-4-88  
Mary & James Silvagni  
129 Cedar Avenue  
New Windsor, NY 12553

19-4-92  
Glen Marshall  
121 Cedar Avenue  
New Windsor, NY 12553

21-2-4  
Marie Smith  
226 MacArthur Avenue  
New Windsor, NY 12553

21-2-13  
NY Central Lines, LLC  
c/o CSX  
500 Water Street (J-910)  
Jacksonville, FL 32202

21-3-3  
Susan & David Carter  
17 Hickory Avenue  
New Windsor, NY 12553

18-3-15 & 18-3-16  
Bonnie Collins  
Ruth Cherry  
118 Cedar Avenue  
New Windsor, NY 12553

18-3-19  
Charlotte & Frank Chivattoni, Sr.  
10 Hickory Avenue  
New Windsor, NY 12553

18-3-23  
Joseph & Donna Hall  
16 Hickory Avenue  
New Windsor, NY 12553

18-3-26  
Terrance Berean  
22 Hickory Avenue  
New Windsor, NY 12553

19-4-85  
Frank & Mary Faitak  
133 Cedar Avenue  
New Windsor, NY 12553

19-4-89  
Henry & Rosemary Ellingsen  
125 Cedar Avenue  
New Windsor, NY 12553

21-2-2  
Louis Bozzone  
c/o Commercial Offset Printers  
222 MacArthur Avenue  
New Windsor, NY 12553

21-2-5 & 21-2-6  
Bears Manufacturing Company  
3815 West Cortland Street  
Chicago, IL 60647

21-3-1  
Joseph & Josephine Beltempo  
74 Judson Road  
Montgomery, NY 12549

21-3-5  
Helen Tucker  
13 Hickory Avenue  
New Windsor, NY 12553

18-3-17  
Anna & Sally Thompson  
6 Hickory Avenue  
New Windsor, NY 12553

18-3-21  
Anthony Demarco, Ann Marie Demarco &  
Mary Lou Dooley  
12 Hickory Avenue  
New Windsor, NY 12553

18-3-24  
Martha Mylonas  
18 Hickory Avenue  
New Windsor, NY 12553

18-3-27  
Scott Vanderessen  
Anita Zamzow  
24 Hickory Avenue  
New Windsor, NY 12553

19-4-86  
Lewis & Katherine Seymour  
131 Cedar Avenue  
New Windsor, NY 12553

19-4-90  
Kevin & Dawn Fahy  
123 Cedar Avenue  
New Windsor, NY 12553

21-2-3  
Louis P Bozzone  
224 MacArthur Avenue  
New Windsor, NY 12553

21-2-7  
AEI Orange Realty Corp.  
c/o APA Transport Corp.  
2100 88<sup>th</sup> Street  
North Bergen, NJ 07047

21-3-2  
John Keeser  
19 Hickory Avenue  
New Windsor, NY 12553

21-3-6 & 21-3-7  
Hamlin & Melody Rashada  
11 Hickory Avenue  
New Windsor, NY 12553

21-3-8  
Kim & Kevin McDonnell, Sr.  
9 Hickory Avenue  
New Windsor, NY 12553

21-3-11  
Richard & Jeannette Voellmann  
124 Cedar Avenue  
New Windsor, NY 12553

21-3-14  
Veronica & Richard Casnocha  
8 Woodlawn Avenue  
New Windsor, NY 12553

21-3-16.2  
Charles Comfort, Jr.  
14 Woodlawn Avenue  
New Windsor, NY 12553

21-4-1  
James & Margaret Britney  
15 Woodlawn Avenue  
New Windsor, NY 12553

21-4-5  
Sandor & Christine Helfgott  
7 Woodlawn Avenue  
New Windsor, NY 12553

21-4-8  
Carmine DaMario  
40 Clancy Avenue  
New Windsor, NY 12553

21-4-12 & 21-4-13  
John Jaczko, Jr.  
186 Union Avenue  
New Windsor, NY 12553

21-4-16  
Donald & Dolores Ferguson  
178 Union Avenue  
New Windsor, NY 12553

21-3-9  
Mary Mussari  
5 Hickory Avenue  
New Windsor, NY 12553

21-3-12.1  
Patrick Cusack  
126 Cedar Avenue  
New Windsor, NY 12553

21-3-15  
Carol Cotton & Helen Leary  
12 Woodlawn Avenue  
New Windsor, NY 12553

21-3-17.1  
Wayne Porter  
219 MacArthur Avenue  
New Windsor, NY 12553

21-4-2  
Martin Smith & Marianne Greene  
13 Woodlawn Avenue  
New Windsor, NY 12553

21-4-6  
Kevin & Valerie Morrison  
5 Woodlawn Avenue  
New Windsor, NY 12553

21-4-9  
Margaret Dobbins & Marilyn Thole  
c/o Rev. Lynne Starr-Post  
231 MacArthur Avenue  
New Windsor, NY 12553

21-4-14  
Jacqueline Perez & Andres Rodriguez  
184 Union Avenue  
New Windsor, NY 12553

21-4-17  
Santo & Lisa Mule  
174 Union Avenue  
New Windsor, NY 12553

21-3-10  
Donald & Chin Quicksell  
122 Cedar Avenue  
New Windsor, NY 12553

21-3-13  
Junghee Lee & Min Hwang  
78 Vails Gate Heights Drive  
New Windsor, NY 12553

21-3-16.1  
Glenn & Kathy Anderson  
16 Woodlawn Avenue  
New Windsor, NY 12553

21-3-17.2  
Jo-Ann Romanik  
18 Woodlawn Avenue  
New Windsor, NY 12553

21-4-3  
Frances & John Fasano, Jr.  
11 Woodlawn Avenue  
New Windsor, NY 12553

21-4-7  
Carol Piatt  
170 Union Avenue  
New Windsor, NY 12553

21-4-11  
Ariel Nunez & Angela Muniz  
233 MacArthur Avenue  
New Windsor, NY 12553

21-4-15  
Marjorie Jacaruso  
180 Union Avenue  
New Windsor, NY 12553

22-1-1.2  
Woodlawn Cemetery Association  
93 Union Avenue  
New Windsor, NY 12553



# 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 11, 2004

Phyllis Drennan, Realtor  
c/o Remax  
100 Commerce Drive – Suite 105  
New Windsor, NY 12553

SUBJECT: KOGGE REQUEST FOR VARIANCE #04-27

Dear Ms. Drennan:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

9 Woodlawn Avenue  
New Windsor, NY

is scheduled for the May 24<sup>th</sup>, 2004 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



RESULTS OF Z.B.A. MEETING OF: April 26, 2004

PROJECT: Russell Kagge ZBA # 04-27  
P.B.# \_\_\_\_\_

USE VARIANCE:      NEED: EAF \_\_\_\_\_      PROXY \_\_\_\_\_

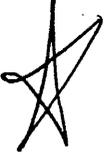
LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_ N \_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_ N \_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_ N \_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_ N \_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_ N \_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_ N \_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_ N \_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_ N \_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

ALL VARIANCES - PRELIMINARY APPEARANCE:



SCHEDULE PUBLIC HEARING: M) MC S) MN VOTE: A 3 N 0  
~~RIVERA~~ \_\_\_\_\_  
MCDONALD A \_\_\_\_\_  
REIS A \_\_\_\_\_ CARRIED: Y 3 N 0  
MINUTA A \_\_\_\_\_  
~~KANE~~ \_\_\_\_\_

PUBLIC HEARING:      STATEMENT OF MAILING READ INTO MINUTES \_\_\_\_\_

VARIANCE APPROVED:      M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_ N \_\_\_

RIVERA \_\_\_\_\_  
MC DONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_ N \_\_\_

*Decl has been there 2-3 years*  
*No Complaints*  
*No Easements*  
*No Draining Problems*  
*Similar in size & appearance*

**TOWN OF NEW WINDSOR**  
**REQUEST FOR NOTIFICATION LIST**

DATE: 04-19-2004 PROJECT NUMBER: ZBA# 04-27 P.B. # \_\_\_\_\_

APPLICANT NAME: RUSSELL KOGGE

PERSON TO NOTIFY TO PICK UP LIST:

MARIANNE KOGGE  
9 WOODLAWN AVENUE  
NEW WINDSOR, NY 12553

TELEPHONE: 562-5332

TAX MAP NUMBER: SEC. 21 BLOCK 4 LOT 4  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: 9 WOODLAWN AVENUE  
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: \_\_\_\_\_

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

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) \_\_\_\_\_

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



NEW WINDSOR ZONING BOARD XXX

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



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 1008

TOTAL CHARGES: \_\_\_\_\_

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

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 04-19-2004

FOR: 04-27 ESCROW

FROM: RUSSELL & MARIANNE KOGGE

9 WOODLAWN AVENUE

NEW WINDSOR, NY 12553

ADDRESS AS OF 4/25/04: 4524 SANDY WOODS DRIVE  
WAKE FOREST, NC 27587 (919-562-4322)

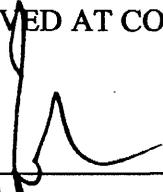
CHECK NUMBER: 1007

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME

DATE

  
\_\_\_\_\_

4/23/04

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

ZBA #04-27

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

**RECEIPT**  
**#400-2004**

04/23/2004

Kogge, Russell G.  
9 Woodlawn Avenue  
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 04/23/2004. 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

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

## ZONING BOARD OF APPEALS

April 19, 2004

Russell & Marianne Kogge  
9 Woodlwan Avenue  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-27

Dear Mr. & Mrs. Kogge::

This letter is to inform you that you have been placed on the April 26, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

9 Woodlawn Avenue  
New Windsor, NY

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

Cc: Phyllis Drennan, Realtor

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Marianne Kogge, deposes and says that he resides  
(OWNER)

at 9 Woodlawn Ave, New Windsor in the County of Orange  
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ )  
designation number (Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ ) which is the premises described in

the foregoing application and that he authorizes:

Phyllis Drennen and/or David Kogge  
(Applicant Name & Address, if different from owner)

\_\_\_\_\_  
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 4/27/04

Marianne Kogge  
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this: 27<sup>th</sup> day of April 2004

DL# 806 - 303-406 exp. 02-06-11

**JENNIFER MEAD**  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/2006

\_\_\_\_\_  
Applicant's Signature (If different than owner)

Jennifer Mead  
Signature and Stamp of Notary

\_\_\_\_\_  
Representative's Signature

**THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.**

**\*\* PLEASE NOTE:  
ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RECEIVED**

APR 08 2004

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**BUILDING DEPARTMENT**

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

**ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

RECEIVED  
TOWN OF NEW WINDSOR

APR 19 2004

ENGINEER & PLANNING

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME





TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

4/8/04  
Date

Application Type: Use Variance  Area Variance   
Sign Variance  Interpretation

I. Owner Information:

Phone Number: (845) 562 5332  
Fax Number: ( )  
RUSSELL / MARIANNE KOGGE  
(Name)  
9 Woodlawn Ave New Windsor  
(Address)

II. Applicant:

SAME  
(Name) Phone Number: ( )  
Fax Number: ( )  
(Address)

III.

(AFTER APRIL 25)  
Forwarding Address, if any, for return of escrow: Phone Number: (919) 562 4322  
KOGGE Fax Number: ( )  
(Name)  
4524 Sandy Woods Dr, Wake Forest, NC 27587  
(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number ( )  
Fax Number: ( )  
(Name)  
(Address)

V. Property Information:

Zone: \_\_\_\_\_ Property Address in Question: 9 Woodlawn Ave  
Lot Size: .26 Tax Map Number: Section 21 Block 4 Lot 4  
a. What other zones lie within 500 feet? \_\_\_\_\_  
b. Is pending sale or lease subject to ZBA approval of this Application? I think so  
c. When was property purchased by present owner? 12/1981  
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? I don't think so  
f. Is there any outside storage at the property now or is any proposed? garage?

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

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

04-27

COMPLETE THIS PAGE

**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,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	15'	3'	12'
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

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

04-27

COMPLETE THIS PAGE

We are asking the ZBA to allow us to keep our deck.

It was built 4'2" wider than our house to allow a stairway for access to our side yard.

We do not believe it has been a detriment to our neighborhood in any way. In fact, we believe, it has added to the overall value of the neighborhood.

All our neighbors, including those on either side of us, have said they have no problem with it.

If we are forced to take it down, this would decrease the value of our home which would not be good for the value of our neighbors' homes.

We hope you will allow us to keep our deck.

Thank you

04-27

**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:

*please see attached*

**PLEASE NOTE:**

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

**04-27**

COMPLETE THIS PAGE

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 (if available) showing the size and location of the lot, 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. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT THREE(3) SETS OF THE PHOTOS.)

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:

2<sup>ND</sup> day of April 2004.

Russell G Kogge  
 Owner's Signature (Notarized)

Russell G Kogge  
 Owner's Name (Please Print)

[Signature]  
 Signature and Stamp of Notary

ANNEMARIE FORNERIS  
 Notary Public, State of New York  
 Certified in Orange County  
 Reg. No. 01FO4985929  
 Commission Expires 9/3/2005

[Signature]  
 Applicant's Signature (If not Owner)

PLEASE NOTE.

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

COMPLETE THIS PAGE

04-27

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Russell G Kogge, deposes and says that he resides  
(OWNER)

at 9 Woodlawn Ave New Windsor in the County of Orange  
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map  
(Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ )  
designation number (Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ ) which is the premises described in

the foregoing application and that he authorizes:

\_\_\_\_\_  
(Applicant Name & Address, if different from owner)

\_\_\_\_\_  
( Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 4/2/2004

\*\*  
Russell G Kogge  
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:  
2<sup>nd</sup> day of April 2004

\_\_\_\_\_  
Applicant's Signature (If different than owner)

[Signature]  
Signature and Stamp of Notary

ANNEMARIE FORNERIS  
Notary Public, State of New York  
Certified in Orange County  
Reg. No. 01FO4985929  
Commission Expires 9/2/2005

[Signature]  
Representative's Signature

**THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.**

\*\* PLEASE NOTE:  
**ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

COMPLETE THIS PAGE