

**ZB# 04-31**

**George Kaiser**

**46-1-22**

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

ZBA #04-31 GEORGE KAISER (AREA)  
24 SPLIT TREE DR. (46-1-22)

George & Jean Kaiser 561-3326

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

**COPY**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

DATE: **March 4, 2004**

APPLICANT: **George & Jean Kaiser**  
**24 Split Tree Drive**  
**New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: **2/24/2004**

FOR : **Fence**

LOCATED AT: **24 Split Tree Drive**

ZONE: **R-4 Sec/Blk/ Lot: 46-1-22**

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

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing <sup>6'</sup> ~~5ft~~ fence installed without first obtaining a building permit. Exceeds maximum height of 4'. This is a corner lot.

  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4 USE: 48-14-C-1-1 Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

4'

6  
5'

2  
1'

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

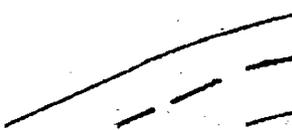
cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

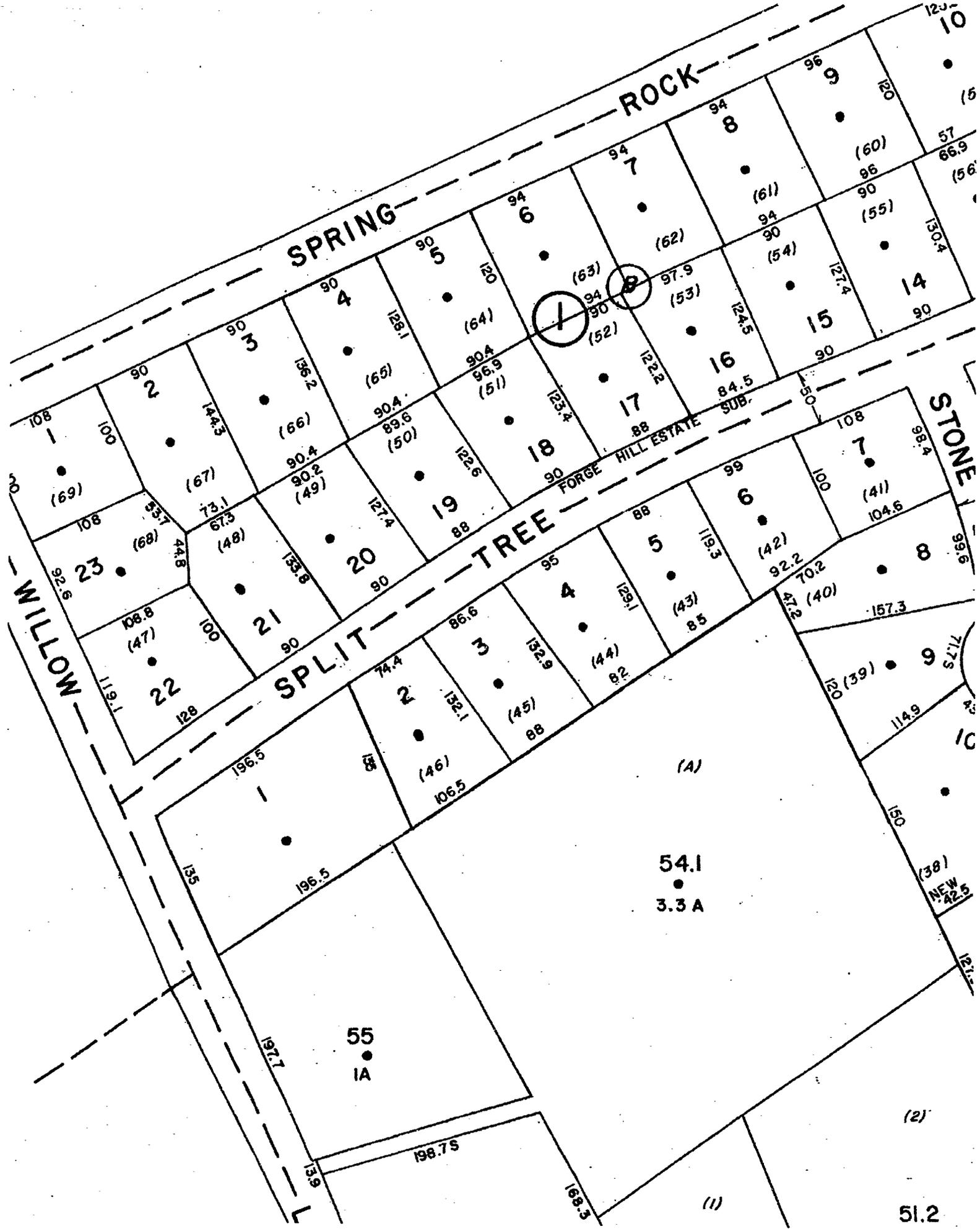
04-31

**COPY**

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**SECTION 43**





(2)

(1)

51.2

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 reinspected after correction.

RECEIVED

FEB 19 2004

1000 of New Windsor Bldg. Dept.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway 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 # 2004-258

**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

X Owner of Premises GEORGE & JEAN KAISER

X Address 24 SPLIT TREE DR NEW WINDSOR Phone # 561 3326

X Mailing Address SAME 12583 Fax # \_\_\_\_\_

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

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

*Call*

Address \_\_\_\_\_

Phone \_\_\_\_\_

*Frank  
Gerbies*

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)

*565-0001  
not.  
346*

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

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

3. Tax Map Description: Section 46 Block 1 Lot 22

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

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

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

*3/25/04  
Sold by Mr. Kason  
fence is 6'*

*Existing  
5ft  
Stockade  
Fence*

6. Is this a corner lot? \_\_\_\_\_

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 \_\_\_\_\_

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

\_\_\_\_/\_\_\_\_/\_\_\_\_  
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.

*Frank Lisi*  
\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Address of Applicant).....

*Jean Q. Karsen*  
\_\_\_\_\_  
(Signature of Building Inspector)

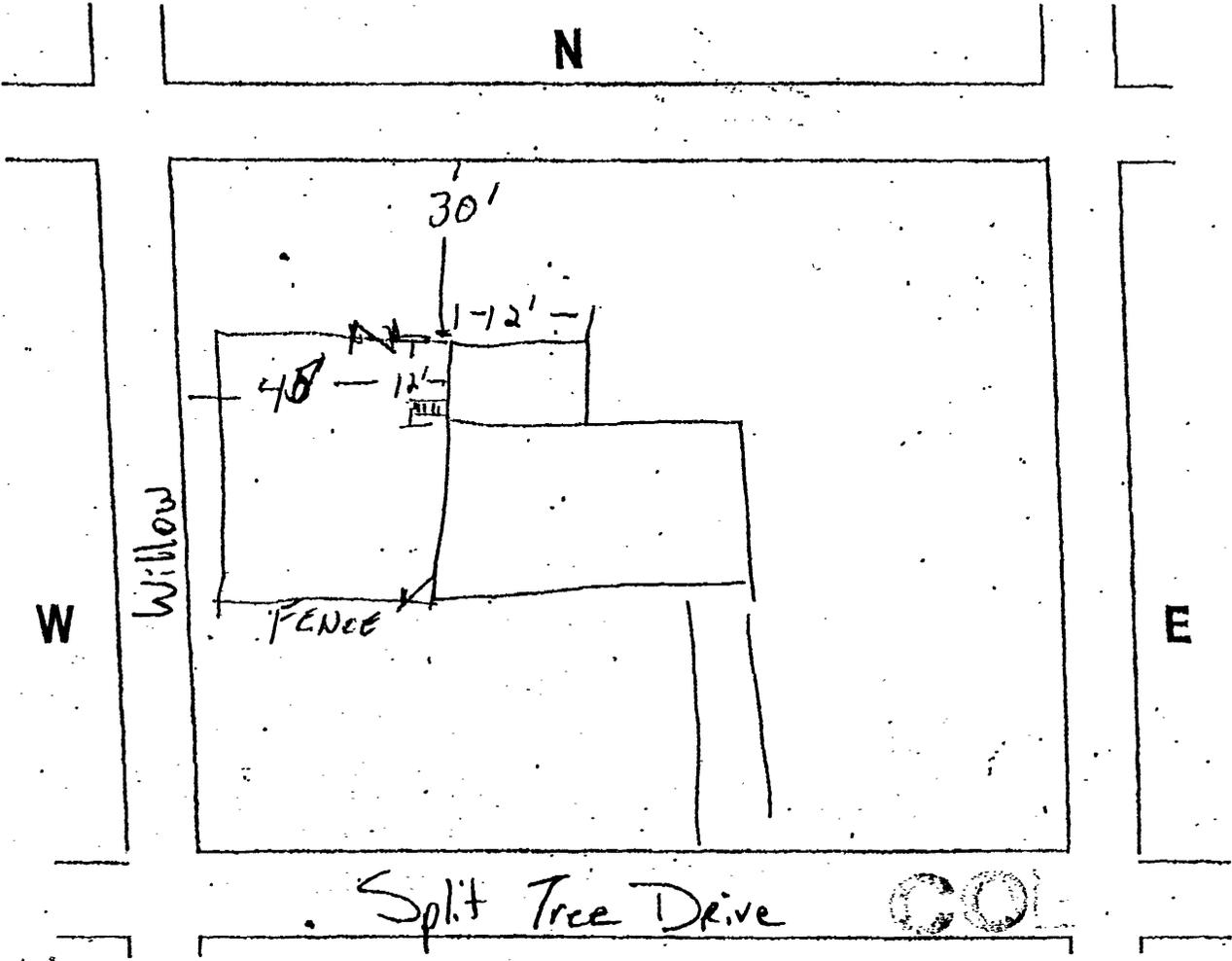
24 SPLIT TREE DR.  
\_\_\_\_\_  
(Address of Applicant)

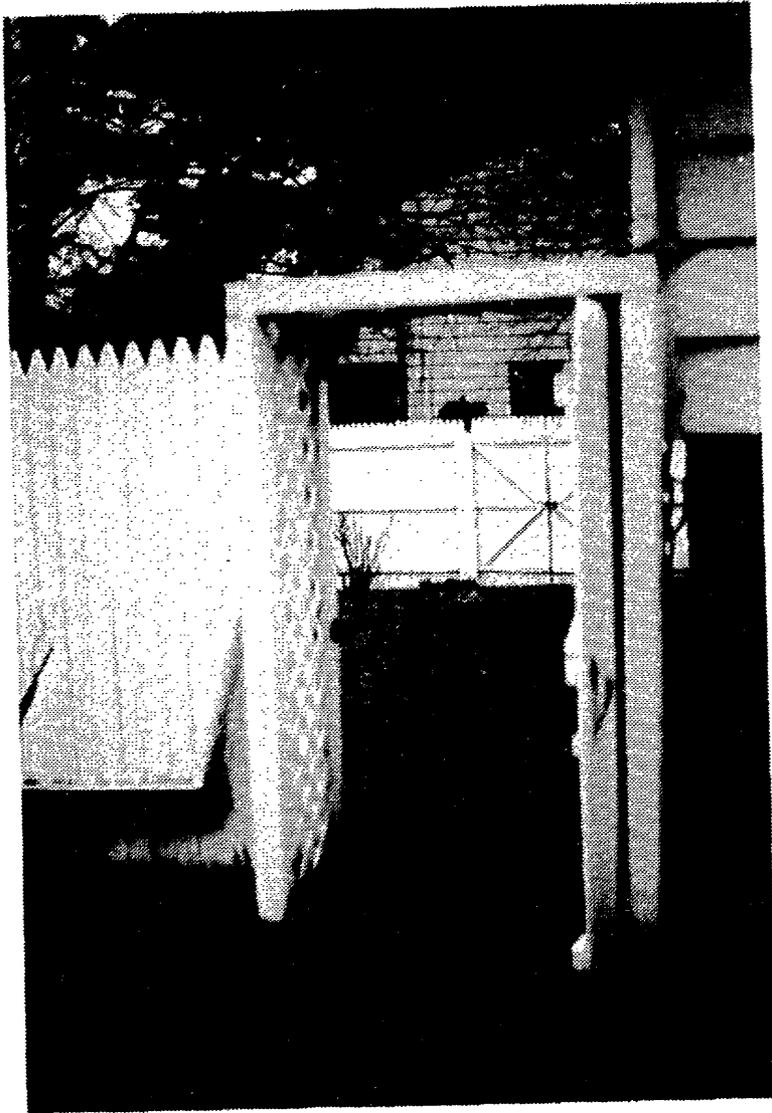
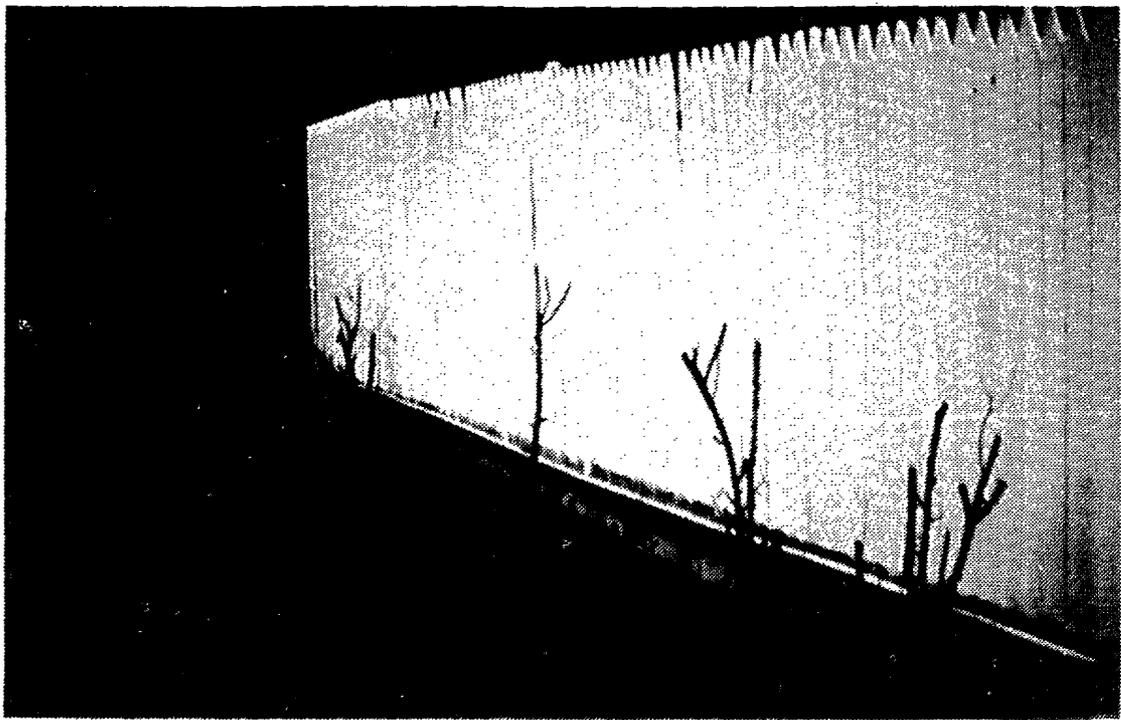
*A. Jean Q. Kaiser*  
(Owner's Signature)

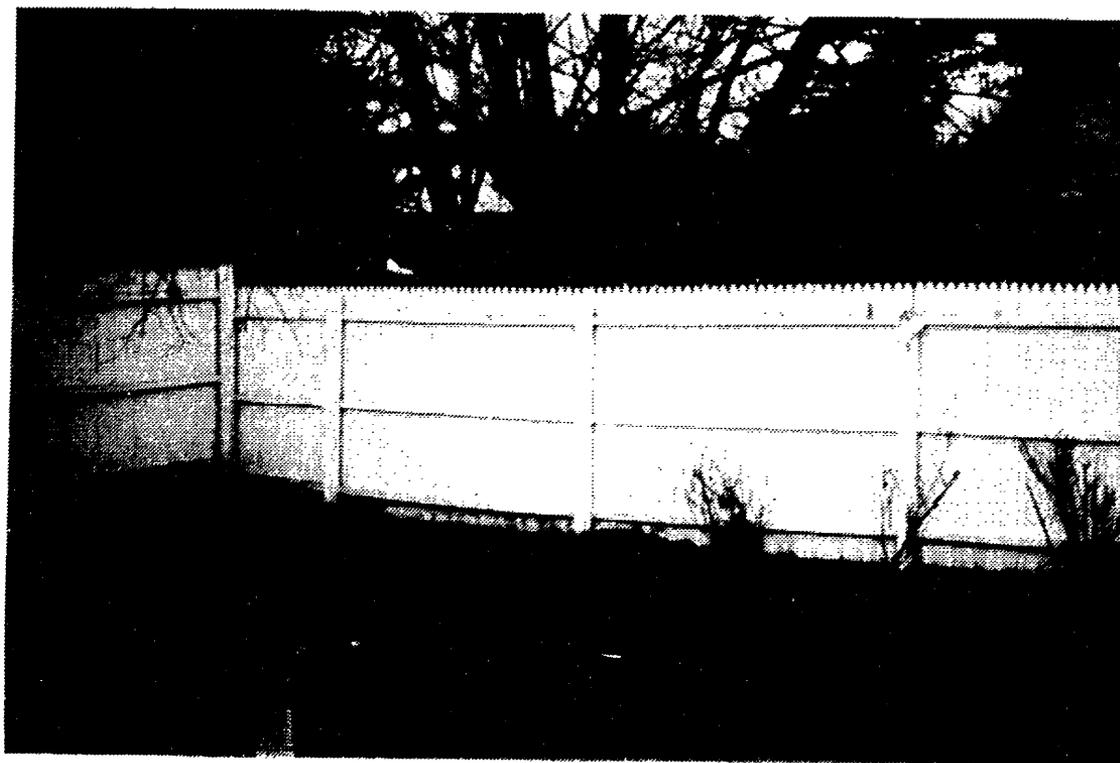
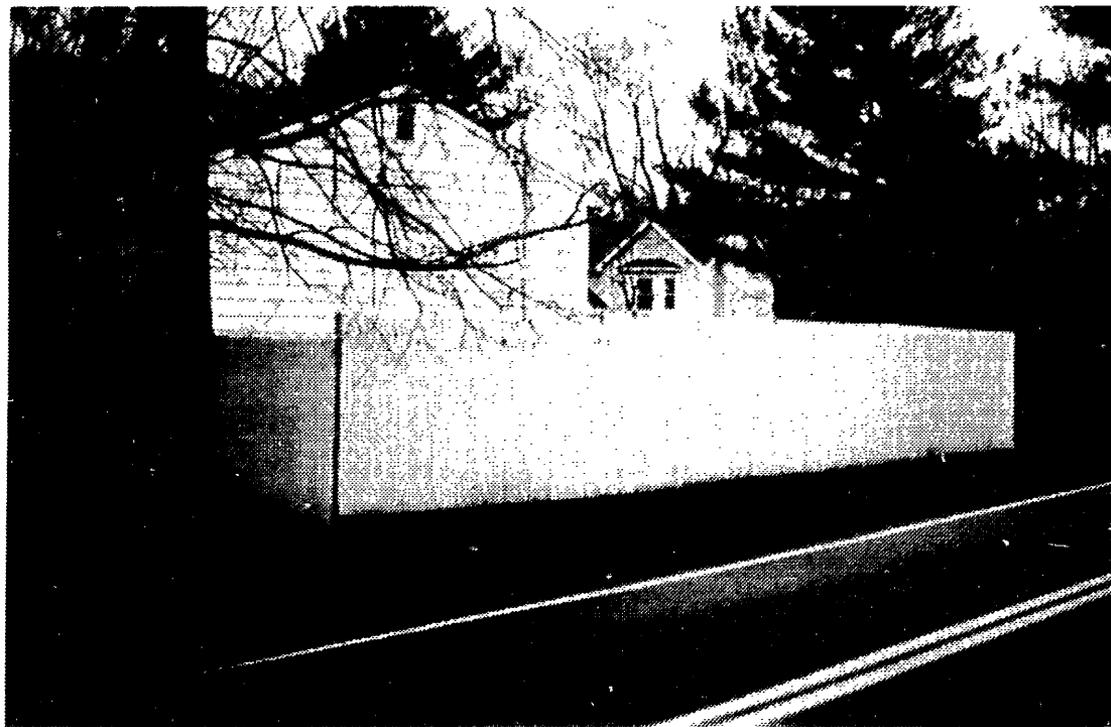
(Address of Applicant)  
**24 SPLIT TREE DR.**  
(Owner's Address)

**PLOT PLAN**

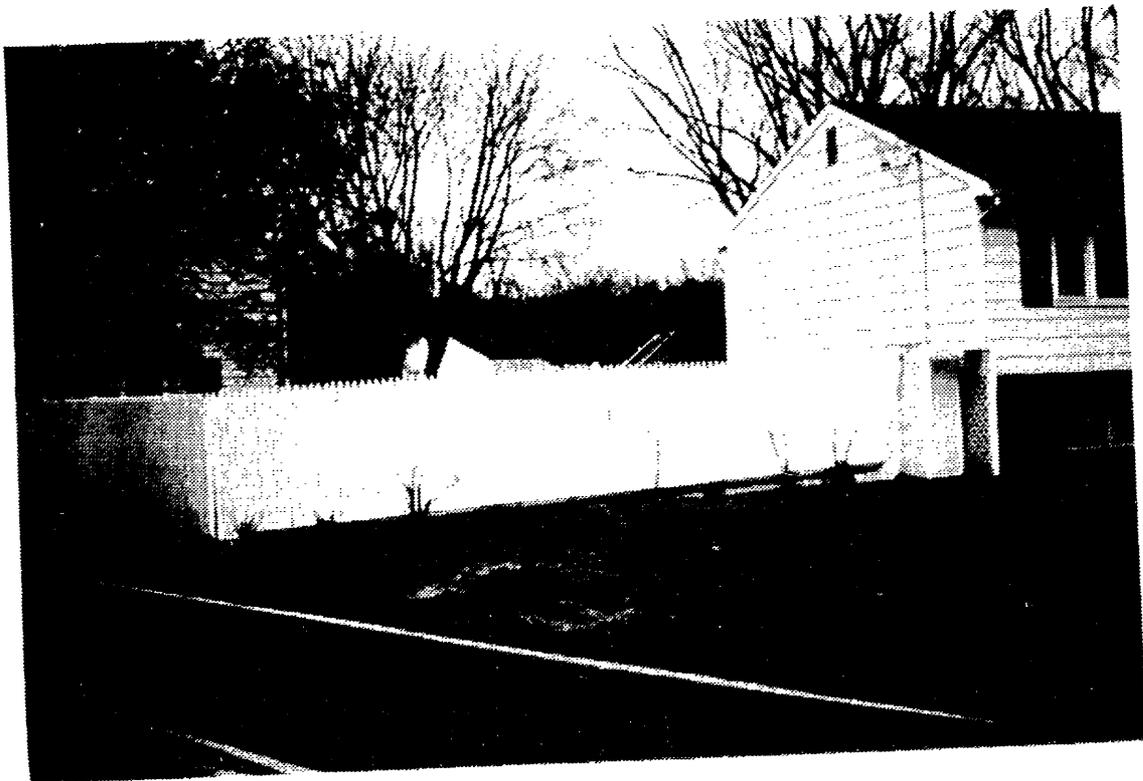
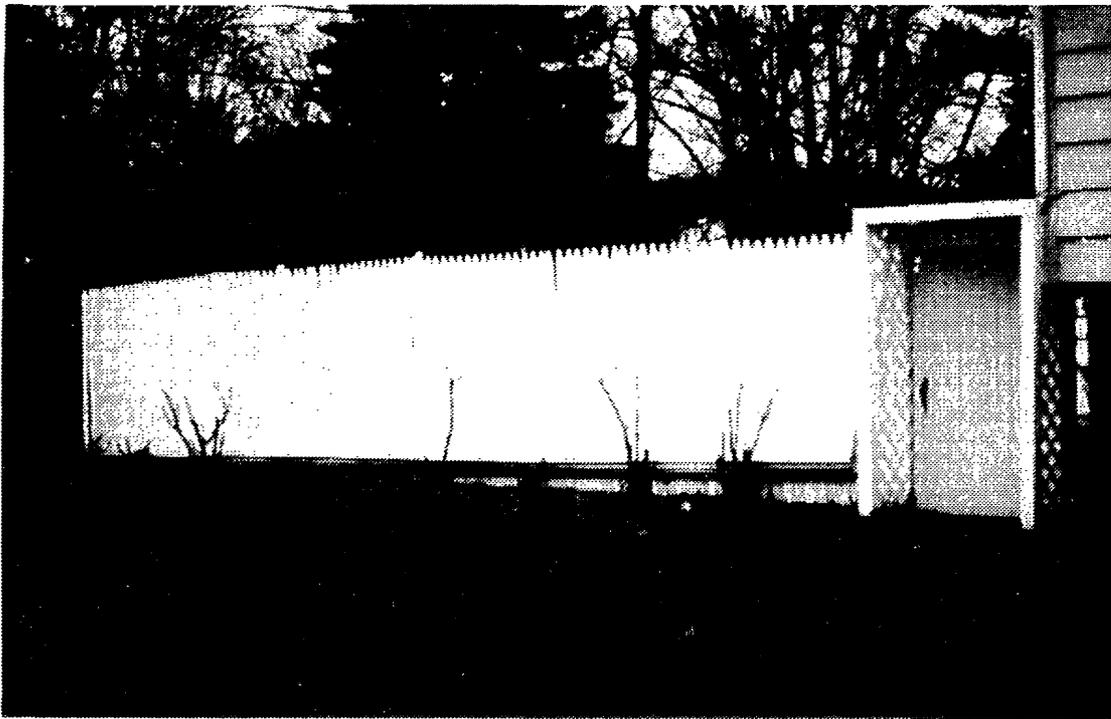
**NOTE:** Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

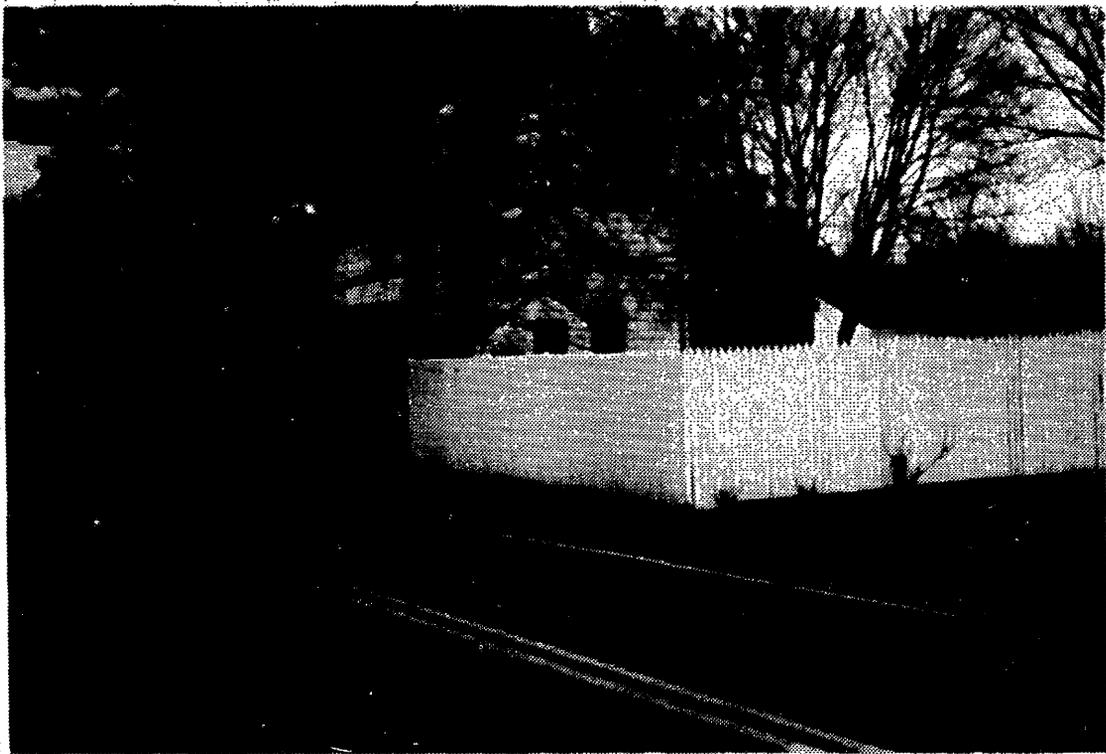












-----X  
In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

**GEORGE & JEAN KAISER**

**AREA**

CASE #04-31  
-----X

**WHEREAS, George Kaiser** , owner(s) of 24 Split Tree Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 2 ft. Maximum Height for existing 6 ft. fence on a corner lot (48-14-C-1-1) at 24 Split Tree Drive in an R-4 Zone (46-1-22)

**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**, 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 applicant has an existing six foot fence which he seeks to replace.
  - (c) The property is a corner property being located on the corner of two adjacent roadways thus, legally having two front yards, although, it appears visually to

have only one. The proposed fence will be in the portion of the yard which visually appears to be the side yard.

- (d) The existing fence has been in place for approximately 30 years, during which time there have been no complaints, formal or informal.
- (e) Neither the existing fence nor the proposed replacement fence will interfere with the safe operation of motor vehicles on the adjacent roadways.
- (f) The fence will not create the ponding or collection of water or divert the flow of water drainage.
- (g) The fence will not be on top of , nor will 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).

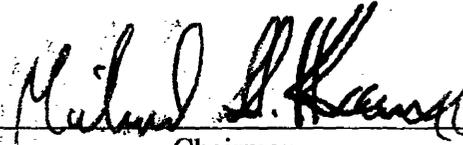
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 2 ft. Maximum Height for existing 6 ft. fence on a corner lot (48-14-C-1-1) at 24 Split Tree Drive in an R-4 Zone (46-1-22) 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:

  
Chairman



# 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 14, 2004

George & Jean Kaiser  
24 Split Tree Drive  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-32

Dear Mr. Kaiser:

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

**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 04-31**

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

**ZBA FILE #04-31**

**NAME & ADDRESS:**

**George & Jean Kaiser  
24 Split Tree Drive  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

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



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



FILE #04-31      TYPE: AREA

**APPLICANT Name & Address:**

**George & Jean Kaiser  
24 Split Tree Drive  
New Windsor, NY 12553**

TELEPHONE:    561-3326

RESIDENTIAL:	\$ 50.00	CHECK #1284
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:            RESIDENTIAL \$300.00            CHECK #1283



<u>DISBURSEMENTS:</u>		<u>MINUTES</u> <u>\$5.50 / PAGE</u>	<u>ATTORNEY</u> <u>FEE</u>
PRELIMINARY:	<u>3</u> PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	<u>   </u> PAGES	\$ <u>      </u>	\$ <u>      </u>
PUBLIC HEARING:	<u>3</u> PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
PUBLIC HEARING:	<u>   </u> PAGES	\$ <u>      </u>	\$ <u>      </u>

TOTAL:                    \$ 33.00                    \$ 70.00



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

AMOUNT DUE:              \$       

REFUND DUE:                \$ 197.00

Cc:

GEORGE KAISER (04-31)

Mr. George Kaiser appeared before the board for this proposal.

MR. KANE: Request for 2 ft. maximum height for existing 6 ft. fence on a corner lot at 24 Split Tree Drive in an R-4 zone.

MR. KANE: Good evening, sir, tell us what you want to do, sir.

MR. KAISER: I'd like to get a variance for my fence, it's been existing for quite some time and I now find out it's supposedly illegal.

MR. KRIEGER: What's quite some time?

MR. KAISER: Thirty years.

MR. KANE: Approximately 30 years old, George, any complaints about the fence formally or informally?

MR. KAISER: No.

MR. KANE: And to your knowledge, there's no restriction of vision on the road on that side where the fence is?

MR. KAISER: One of the board members, Len McDonald, last time I was here he said that he lives on that same block and he's never had a problem.

MR. KANE: And got to ask it but there were no cutting down of trees or substantial shrubbery in the building of the fence 30 years ago?

MR. KAISER: No.

MR. KANE: No water hazards or creating any runoffs?

MR. KAISER: Actually, I solved a problem.

MR. KANE: Any complaints formally or informally about the fence?

MR. KAISER: As I said last time, a neighbor who lives in back had said that the fence caused a problem for backing out of his driveway out onto Willow Lane, Willow is a high traffic road so took the fence and I moved it eight foot in closer to my house and that solved the problem.

MR. KANE: Great.

MR. REIS: Fence not running over any easements or right-of-ways?

MR. KAISER: Not that I know of.

MR. KANE: Okay, at this point, I'll ask if there's anybody in the audience for this particular meeting? We'll open and close the public portion of the hearing and Michael, I'll ask you how many mailings we had?

MR. BABCOCK: Fifty-seven mailings on May 10th and no responses.

MR. KANE: Mike, any questions?

MR. REIS: I'm good. Accept a motion?

MR. RIVERA: I'm good.

MR. KAEN: Yes, I will.

MR. REIS: I make a motion that we grant Mr. George Kaiser his requested two foot maximum height variance for a 6 foot fence at 24 Split Tree Drive.

May 24, 2004

29

MR. RIVERA: Second it.

ROLL CALL

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

GEORGE KAISER (04-31)

MR. REIS: Request for 2 ft. maximum height for existing 6 ft. fence on a corner lot at 24 Split Tree Drive in an R-4 zone.

Mr. George Kaiser appeared before the board for this proposal.

MR. REIS: Good evening, sir, tell us what you want to do.

MR. KAISER: We'd like to get a variance on the fence that I have had there for since I've owned the home on a height requirement because I never knew the corner rule that that would be considered the front of my house. I thought it was the side of my house since it's listed on 24 Split Tree Drive, I never figured the side of the house would be the front of the house but that appears to be the case.

MR. REIS: Because you're on a corner lot.

MR. KAISER: Yes.

MR. REIS: How long has the fence been there, sir?

MR. KAISER: Probably 30 years.

MR. REIS: Have you ever had any complaints about this?

MR. KAISER: No, I had an inquisition, not an inquisition, a neighbor more or less told me that 37 Willow Lane they had trouble backing out of their driveway on Willow Lane so I took out a full section and moved the entire fence inward so they'd have a view of Willow Lane backing out.

MR. REIS: Great. Do we have any photographs?

MS. MASON: Yes.

MR. MINUTA: Guess that sums up my next question, viewing at this point in time is not an issue from the corner?

MR. KAISER: No, no, I moved it in a full, the fence extends 43 three foot, 40 and 42 foot so I have moved it in that far.

MR. REIS: It's necessary that you have the fence there, it's enclosing your yard for pets or--

MR. KAISER: Yes.

MR. REIS: Similar to other fences in the area?

MR. KAISER: More or less. On the way here, I've seen 6 foot fence for privacy and other purposes.

MR. MINUTA: You're not encroaching on any easements?

MR. KAISER: No, as a matter of fact, the whole thing is at least ten foot away from the blacktop and I know that the water tap for New Windsor runs right down on my property and that's plenty of room out there.

MR. MINUTA: Pictures are very helpful, the particular use is actually to indicate from the corner where, how the fence meets in some sort of either photograph from the corner just so that we can get a view of the viewing angle.

MR. KAISER: I gave like five photographs.

MR. MINUTA: All right, these will suffice, thank you.

MR. MC DONALD: Mike, only reason is because of the fact that he's got two front yards?

MR. BABCOCK: Yeah, if he wasn't on a corner lot, he would be permitted to exactly put a fence exactly where it is.

MR. MC DONALD: I know it's not a hindrance because I come out of the street four or five times a day. Accept a motion?

MR. REIS: Please.

MR. MC DONALD: Motion to set up Mr. Kaiser for a public hearing on the request for two foot maximum height for his existing 6 foot fence on a corner lot at 24 Split Tree Drive.

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



PROJECT: George Kaiser ZBA# 04-31  
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) MR S) SR VOTE: A 3 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. 04-31**

**Request of GEORGE KAISER**

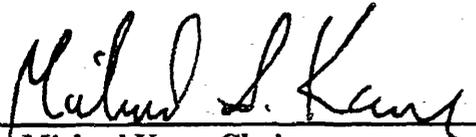
**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 2 ft. Maximum Height for existing 6 ft. fence  
being a VARIANCE of Section (48-14-C-1-1)**

**for property located at: on a corner lot at 24 Split Tree Drive in an R-4 Zone**

**known and designated as tax map Section 46 Block 1 Lot 22**

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

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



# Town of New Windsor

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

## Assessors Office

April 30, 2004

George & Jean Kaiser  
24 Split Tree Drive  
New Windsor, NY 12553

Re: 46-1-22 ZBA# 04-31

Dear Mr. & Mrs. Kaiser:

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 cursive that reads "J. Todd Wiley (IAO)". The initials "IAO" are circled.

J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

46-1-1  
Patricia Holder  
35 Willow Lane  
New Windsor, NY 12553

46-1-4  
Linda & Barry VanHouton, Jr.  
31 Spring Rock Road  
New Windsor, NY 12553

46-1-7  
John Ponessa  
25 Spring Rock Road  
New Windsor, NY 12553

46-1-18  
Robyn & Charles Lopresti, Jr.  
16 Split Tree Drive  
New Windsor, NY 12553

46-1-21  
Michael & Elizabeth Wallace  
22 Split Tree Drive  
New Windsor, NY 12553

46-2-2  
Glen & Alice Robinson  
21 Split Tree Drive  
New Windsor, NY 12553

46-2-5  
Alan & Carol Grilli  
15 Split Tree Drive  
New Windsor, NY 12553

46-2-9  
Sally & Joseph Santo, Jr.  
6 Stone Ledge Lane  
New Windsor, NY 12553

46-2-55  
Thomas & Maryalice Blake  
43 Willow Lane  
New Windsor, NY 12553

45-1-46.4  
William & Virginia Millar  
66 Willow Lane  
New Windsor, NY 12553

46-1-2  
Ray Adams  
35 Spring Rock Road  
New Windsor, NY 12553

46-1-5  
John Carvelli  
Veronica Ferguson  
29 Spring Rock Road  
New Windsor, NY 12553

46-1-16  
Geraldine & Leonard McDonald  
12 Split Tree Drive  
New Windsor, NY 12553

46-1-19  
Catherine & Donald Jollimore, Jr.  
18 Split Tree Drive  
New Windsor, NY 12553

46-1-23  
Maria & Frederick Coutant, Jr.  
37 Willow Lane  
New Windsor, NY 12553

46-2-3  
Richard & Linda Tanner  
19 Split Tree Drive  
New Windsor, NY 12553

46-2-6  
James & Mary Fordenbacker  
13 Split Tree Drive  
New Windsor, NY 12553

46-2-53  
Joanne & Silverio Diaz, Jr.  
49 Willow Lane  
New Windsor, NY 12553

45-1-4  
Robert & Dorothy Edey  
48 Willow Lane  
New Windsor, NY 12553

42-2-2  
Kathleen Nocton  
26 Willow Lane  
New Windsor, NY 12553

46-1-3  
Jennifer Westley  
33 Spring Rock Road  
New Windsor, NY 12553

46-1-6  
John & Diana Fraine  
27 Spring Rock Road  
New Windsor, NY 12553

46-1-17  
Helen Annan  
14 Split Tree Drive  
New Windsor, NY 12553

46-1-20  
Robin Bello  
20 Split Tree Drive  
New Windsor, NY 12553

46-2-1  
Steve Tarquini Land Development, LLC  
P.O. Box 261  
Blooming Grove, NY 10914

46-2-4  
Joseph & Patricia Loscalzo  
17 Split Tree Drive  
New Windsor, NY 12553

46-2-8  
Edwina Marshall  
4 Stone Ledge Lane  
New Windsor, NY 12553

46-2-54.1  
Jack & Claudia Aranson  
P.O. Box 4306  
47 Willow Lane  
New Windsor, NY 12553

45-1-46.3  
Michael William Lahey  
Judith Bogdanowicz  
70 Willow Lane  
New Windsor, NY 12553

42-2-3  
Gilbert & Barbara Ferrero  
2 Mark Street  
New Windsor, NY 12553

42-2-4  
John & Lucille Faricellia  
6 Mark Street  
New Windsor, NY 12553

42-2-8  
David Green  
12 Mark Street  
New Windsor, NY 12553

42-3-2  
Nyoka Young  
36 Willow Lane  
New Windsor, NY 12553

42-3-5  
Jose & Janet Gonzalez  
44 Willow Lane  
New Windsor, NY 12553

42-3-10  
Joseph & Rosalie McDermott  
9 Mark Street  
New Windsor, NY 12553

43-1-1  
David & Evelyn Garcia  
2 Harth Drive  
New Windsor, NY 12553

43-1-4  
Henry & Marie Lampack  
8 Harth Drive  
New Windsor, NY 12553

43-1-71  
Carol & Peter Lenahan  
28 Spring Rock Road  
New Windsor, NY 12553

43-1-74  
Martin & Dorothy Feldman  
34 Spring Rock Road  
New Windsor, NY 12553

42-2-6  
Pierina & Angelo Zazzi  
8 Mark Street  
New Windsor, NY 12553

42-2-21  
Vincent & Nancy Evans  
5 Lannis Avenue  
New Windsor, NY 12553

42-3-3  
Carol & Mary Strong  
38 Willow Lane  
New Windsor, NY 12553

42-3-8  
Raymond & Jean Phipps  
13 Mark Street  
New Windsor, NY 12553

42-3-11  
Randy Day & Lavetta McCollum  
7 Mark Street  
New Windsor, NY 12553

43-1-2  
Dennis & Susan Green  
4 Harth Drive  
New Windsor, NY 12553

43-1-5  
Paul & Rebecca Gatt  
10 Harth Drive  
New Windsor, NY 12553

43-1-72  
Cecelia & Herbert Burroughs  
30 Spring Rock Road  
New Windsor, NY 12553

43-1-75  
John & Patricia Luongo  
36 Spring Rock Road  
New Windsor, NY 12553

42-2-7  
Charlene & Joseph Hunt, Jr.  
10 Mark Street  
New Windsor, NY 12553

42-3-1  
Edward & Olive Jollie  
32 Willow Lane  
New Windsor, NY 12553

42-3-4  
John & Rhonda Rios  
40 Willow Lane  
New Windsor, NY 12553

42-3-9  
Michael Clayton  
11 Mark Street  
New Windsor, NY 12553

42-3-12  
Richard & Diane Storey  
5 Mark Street  
New Windsor, NY 12553

43-1-3  
Joseph & Joan Masi  
6 Harth Drive  
New Windsor, NY 12553

43-1-70  
William Marulanda, Jr.  
Angelita Rivera  
26 Spring Rock Road  
New Windsor, NY 12553

43-1-73  
Christopher & Virginia Negrinelli  
32 Spring Rock Road  
New Windsor, NY 12553

43-1-76  
James & Patti Crossetta  
31 Willow Lane  
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

George & Jean Kaiser  
24 Split Tree Drive  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-31

Dear Mr. Kaiser:

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:

24 Split Tree Drive  
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 20, 2004

PROJECT: George Kaiser

ZBA # 04-31  
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 \_\_\_\_\_  
MINUTA A \_\_\_\_\_  
~~KANE~~ \_\_\_\_\_

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

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

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

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

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

*Does not block view*  
*Similar to other fences*  
*No easements*

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

DATE: 04-26-2004 PROJECT NUMBER: ZBA# 04-31 P.B. # \_\_\_\_\_

APPLICANT NAME: GEORGE & JEAN KAISER

PERSON TO NOTIFY TO PICK UP LIST:

GEORGE & JEAN KAISER  
24 SPLIT TREE DRIVE  
NEW WINDSOR, NY

TELEPHONE: 561-3326

TAX MAP NUMBER: SEC. 46 BLOCK 1 LOT 22  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_  
SEC. \_\_\_\_\_ B LOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: 24 SPLIT TREE DRIVE  
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: 1285

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

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

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 04-19-2004

FOR: 04-31 ESCROW

FROM: JEAN & GEORGE KAISER

24 SPLIT TREE DRIVE

NEW WINDSOR, NY 12553

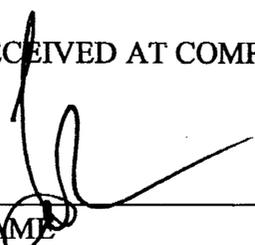
CHECK NUMBER: 561-3326

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME

DATE

  
7/23/09

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

ZBA # 04-31

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

**RECEIPT**  
**#397-2004**

04/23/2004

Kaiser, Jean A.  
24 Split Tree Drive  
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

George & Jean Kaiser  
24 Split Tree Drive  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-31

Dear Mr. & Mrs. Kaiser:

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

24 Split Tree Drive  
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



# 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:

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

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

**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"

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

4/5/04  
Date

Application Type: Use Variance  Area Variance   
Sign Variance  Interpretation

I. Owner Information: Phone Number: (845) 561-3326  
GEORGE KAISER Fax Number: ( )  
(Name)  
24 SPLIT TREE DR  
(Address)

II. Applicant: Phone Number: (845) 561-3326  
GEORGE KAISER Fax Number: ( )  
(Name)  
24 SPLIT TREE DR  
(Address)

III. Forwarding Address, if any, for return of escrow: Phone Number: ( )  
Fax Number: ( )  
(Name)  
(Address)

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

V. Property Information:  
Zone: R-4 Property Address in Question: 24 SPLIT TREE DR  
Lot Size: \_\_\_\_\_ Tax Map Number: Section 46 Block 1 Lot 22  
a. What other zones lie within 500 feet?  
b. Is pending sale or lease subject to ZBA approval of this Application?  
c. When was property purchased by present owner? AUGUST 1978  
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? YES

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

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

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.			
Reqd. Rear Yd.			
Reqd. St Front* →	4'	6'	2'
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.**

**04-31**

COMPLETE THIS PAGE

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:

FIRST, THE FENCE WAS THERE WHEN I PURCHASED THE HOUSE 25 YEARS AGO. IT SURROUNDED A 24'x30'x6' GROUND POOL WHICH I FOUND IN TERRIBLE SHAPE AND REMOVED. SINCE THEN I PAINTED AND CARED FOR THE FENCE AND PLANTED AWARD WINNING ROSES. I KNOW FROM MANY POSITIVE COMMENTS THAT MANY INDIVIDUALS USE THE FENCE AS A GUIDE TO WHERE THEY ARE. FOR MY FAMILY IT HAS PROVIDED A MEASURE OF PRIVACY FROM THE TRAFFIC ON WILLOW LANE. ALSO, IT SOLVES A DRAINAGE PROBLEM. BY ROUTING THE ROOF WATER TO A LOW GUTTER, THE "ROOF RAIN WATER" IS MOVED AWAY FROM THE HOUSE BY AS MUCH AS 40'. A GARDEN INSIDE THE ENCLOSURE PRODUCES FRUIT UNDISTURBED BY ANIMALS. I KNOW OF NO OTHER APPLICATION THAT WOULD AFFORD ALL THESE BENEFITS.

**PLEASE NOTE:**

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

04-31

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:

5<sup>th</sup> day of April 2004

*Perry Boies* 779-131-650  
 Owner's Signature (Notarized)

Owner's Name (Please Print)

*Mary Ann Hotaling*  
 Signature and Stamp of Notary

MARY ANN HOTALING  
 Notary Public, State of New York  
 No. 01HO5062877

Applicant's Signature (If not Owner)

PLEASE NOTE:

Qualified in Orange County  
 Commission Expires July 8, 2005

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

COMPLETE THIS PAGE

04-31