

ZB# 04-39

Steven Segreti

59-1-1.3

ZBA #04-39 STEVEN SEGRETTI
(INTERP) 7 FOREST LANE (59-1-1/8)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Approved 6-28-04

Stevex segreti 496-4061

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: May 6, 2004

APPLICANT: **Steven M. & Mary T. Segreti**
7 Forest Lane
Salisbury Mills, NY 12577

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: May 6, 2004

FOR : **Mary T. Segreti**

LOCATED AT: **7 Forest Lane**

ZONE: **R-4 Sec/Blk/Lot: 59-1-1.3**

DESCRIPTION OF EXISTING SITE: **Single Family Dwelling with Home Occupation**

IS DISAPPROVED ON THE FOLLOWING GROUNDS: **48-37 Home Occupation: A second kitchen is not customarily in a single family dwelling.**

1. **A variance is required to permit a second kitchen in a single family dwelling for a home occupation.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: USE:

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:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

04-39

Lou

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

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be 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 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 percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

MAY 06 2004

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2004-644

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 Steven Segreti / Mary Segreti

Address 17 Forest Lane, Salisbury Mills, NY Phone # 496-4061

Mailing Address Same 12577 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 North side of Forest Lane
(N, S, E or W)
and 50 feet from the intersection of Hillcrest

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

3. Tax Map Description: Section 59 Block 1 Lot 1.3

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

a. Existing use and occupancy 1 family b. Intended use and occupancy at-home business

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

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 _____

10. Estimated cost _____ Fee \$ 50 -

PAID
ZONING BOARD

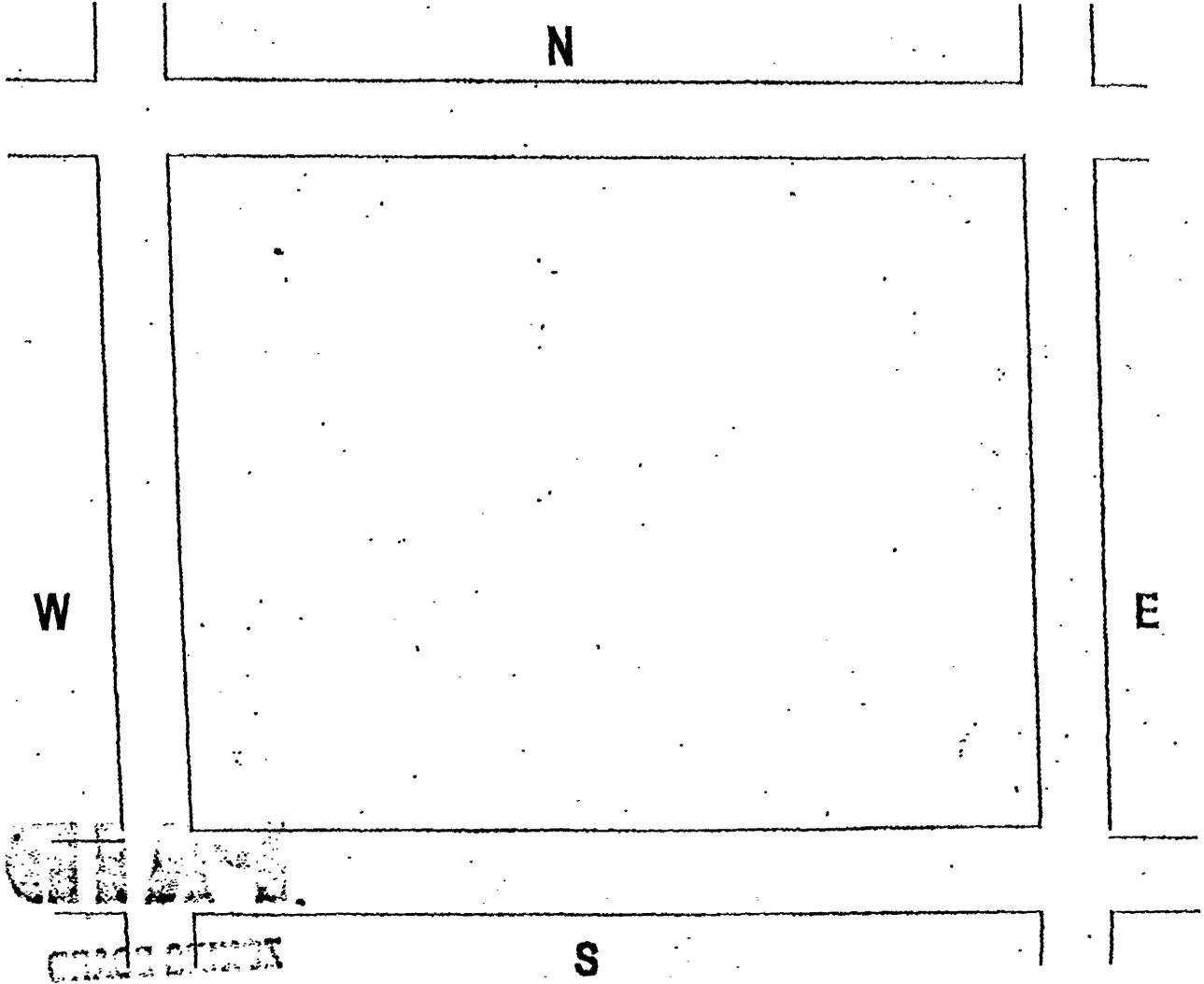
Low
CH# 2039

(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.





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 21, 2004

Steven Segreti
7 Forest Lane
Salisbury Mills, NY 12577

SUBJECT: REQUEST FOR VARIANCE #04-39

Dear Mr. Segreti:

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

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

MEMORANDUM OF
DECISION GRANTING

STEVEN SEGRETI

INTERPRETATION

CASE #04-39
-----X

WHEREAS, Steven Segreti, owner(s) of 7 Forest Lane, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for second kitchen in single family home for home occupation (48-37) at 7 Forest Lane in an R-4 Zone (59-1-1.3

WHEREAS, a public hearing was held on June 28, 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 consisting of a single family home located in a neighborhood of residential properties.
 - (b) The applicant seeks to convert part of his home to a kitchen in support of a business.
 - (c) The applicant proposes no new construction, merely conversion of the existing garage space.

- (d) The new kitchen will be serviced by the same heating and electricity service as services the existing home and no new utilities will be installed.
- (e) The applicant has agreed that the premises will never be used for the construction, erection or maintenance of an apartment and that it will remain at all times a single family home subject to a legal occupancy by only one family unit.
- (f) The nature of the business will not be retail and will not require significant additional traffic for pickups, deliveries or supplies

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 provided that there is no significant additional traffic, commercial or otherwise, by allowing the granting of the requested area variance(s).
9. It is the finding of the Zoning Board of Appeals that the addition of the second, commercial type, kitchen in the one family residence does not change its legal status as a single-family residence and should be permitted for the purpose of conducting a home business.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a second kitchen in single family home for home occupation (48-37) at 7 Forest Lane in an R-4 Zone (59-1-1.3 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: June 28, 2004

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

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 391.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-39

NAME & ADDRESS:

**Steven Segreti
7 Forest Lane
Salisbury Mills, NY 12577**

THANK YOU,

MYRA

L.R.08-09-04



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



FILE #04-39 TYPE:INTERP. AND/OR VARIANCE

APPLICANT Name & Address:

Steven Segreti
7 Forest Lane
Salisbury Mills, NY 12577

TELEPHONE: 496-4061

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # <u>2047</u>

ESCROW: COMMERCIAL \$500.00 CHECK # 2048



<u>DISBURSEMENTS:</u>		<u>MINUTES</u>	<u>ATTORNEY</u>
		<u>\$5.50 / PAGE</u>	<u>FEE</u>
PRELIMINARY:	<u>3</u> PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	<u> </u> PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>4</u> PAGES	\$ <u>22.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	<u> </u> PAGES	\$ _____	\$ _____

TOTAL: \$ 38.50 \$ 70.00



ESCROW POSTED: \$ 500.00
LESS: DISBURSEMENTS: \$ 108.50

AMOUNT DUE: \$ _____

REFUND DUE: \$ 391.50

Cc:

PUBLIC HEARINGS:

STEVEN SEGRETI (04-39)

MR. KANE: Request for second kitchen in single-family home for home occupation at 7 Forest Lane in an R-4 zone.

Mr. Steven Segreti appeared before the board for this proposal.

MR. KANE: At this point, I'll ask if there's anybody in the audience for this particular hearing? Seeing as there's not, tell us what you want to do.

MR. SEGRETI: Last year my wife started an at home dessert business and she primarily sold to friends and family and it has expanded, she now has the opportunity to sell to a restaurant and to do that she needs a health department certification and the health department requires that the kitchen meet certain requirements, which our present kitchen can't possibly satisfy so we wanted to take half of our garage and turn it into a kitchen that will satisfy the health department so she can continue to expand.

MR. KANE: Will the utilities, gas and electric be on the same meter as the house?

MR. SEGRETI: Yes, it's all one meter.

MR. KANE: You'll state for the record at this point that this will never be used as a second apartment?

MR. SEGRETI: No, it won't be used as an apartment.

MR. MINUTA: Is this to be a commercial kitchen classified as a commercial?

MR. SEGRETI: It's at home, I'm not sure of the

legalities as far as the wording, but it's an at home business kitchen, it has three sinks as per the health department requirements.

MR. KANE: How does she distribute, what it is she makes?

MR. SEGRETI: She makes it and then delivers it herself.

MR. KANE: So you don't have any unnecessary traffic coming into the neighborhood, no pickups at the house, anything along those lines?

MR. SEGRETI: And as a matter of fact, she doesn't like people coming to her house, she doesn't want, she'd much rather bring it to them.

MR. REIS: You're not going to have that 50 foot tractor trailer parked there?

MR. KANE: Mike, any problem with that as far as it being a home business?

MR. BABCOCK: No, that's actually, yes, her he can do the home business, it's just not what he wants to do is not listed as one of the home businesses and the second kitchen creates a need for him to be here.

MR. KANE: We're looking at, we're going to approve it as a second kitchen not basically a commercial, it's a home business.

MR. REIS: There's no change to the exterior of the building at all?

MR. SEGRETI: Other than the garage door that used to be in that bay coming off and being sided over to match the siding, that's the only exterior difference.

MR. MINUTA: Will there be a hood and an ansol system installed?

MR. SEGRETI: There's only an oven, no flame or so there shouldn't be the need for an ansol system.

MR. BABCOCK: Typically, the same as a pizza oven, it's not required, he doesn't have a deep fat fryer, doesn't have a stove, all he's got is the oven.

MR. SEGRETI: Just to bake the cheesecakes.

MR. KANE: You'll have a fire extinguisher down there?

MR. SEGRETI: Yes.

MR. KANE: And we put that in the record, okay?

MR. RIVERA: Will there be a large volume of traffic for delivery of supplies and equipment?

MR. SEGRETI: No, she pretty much picks up what she needs, she does the residential shopping and the ones that she makes she delivers herself on her errands.

MR. KRIEGER: The equipment you asked was about outgoing, the question he asked was about incoming.

MR. KANE: Okay.

MR. KRIEGER: The materials before the cooking process.

MR. KANE: Basically she does it all in and out, there's no other trucks, no kind of traffic coming in?

MR. SEGRETI: Yes, it's not that kind of volume, at least when it becomes that, it will hopefully be a shop somewhere.

MR. KRIEGER: If a variance is granted, that's one of

the conditions that will be put on it so that you won't, there not be any additional commercial traffic.

MR. SEGRETI: Right.

MR. KRIEGER: So it's not a question of hopefully if the business grows where that becomes necessary you won't be able to do it here.

MR. SEGRETI: Right.

MR. KANE: At this point, I will just hold the questions and open the meeting up to the public and I will ask one more time if there's anybody here for this particular meeting? Seeing as there isn't, we'll close the public portion and ask Myra how many mailings?

MS. MASON: On the 11th of June, I mailed out 47 envelopes and I had no responses.

MR. RIVERA: Accept a motion?

MR. KANE: Yes and please phrase it correctly as far as the commercial aspect.

MR. RIVERA: Okay, I make a motion that we grant Steven Segreti the requested second kitchen in the single family home for the occupation of the home business meaning residential to maintain residential and not commercial use at 7 Forest Lane.

MR. MC DONALD: Second it.

ROLL CALL

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

STEVEN SEGRETI (04-39)

Mr. Steven Segreti appeared before the board for this proposal.

MR. KANE: Request for second kitchen in a single family home for home occupation.

MR. SEGRETI: Good evening.

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

MR. SEGRETI: My name is Steven Segreti, I live at 7 Forest Lane. My wife started an at-home business making cheesecakes for family and friends and through word of mouth, it expanded where a commercial customer wanted to acquire her cheesecakes. So we contacted the health department because it needs to be health department certified to make cheesecakes and they gave us a list of criteria for the kitchen to have which our regular kitchen doesn't have. So we wanted to take half our garage and make it into the kitchen that satisfies the health department so we can hopefully get her business moving in a direction where we can open a shop one day.

MR. KANE: Our concern on some of these, especially with second kitchens in the home is that nobody is going to be using this to have an apartment in their home, so that's something that we'll cover and ask you on record in the public hearing that that's not something that you're going to do, okay. Are you going to be having a second meter for electric or are you going to run it off the main house?

MR. SEGRETI: Off my regular meter.

MR. KANE: Any locked doors between the main house and where this is going to be or just open up a regular door to go into the home?

MR. SEGRETI: Actually from the one car garage it will enter into the--

MR. KANE: So the whole one car garage is going to become the kitchen?

MR. SEGRETI: It's a two car garage and half of it will be the kitchen and you'll have to exit the house to go into the garage and from the garage you'll go into the kitchen, the new kitchen.

MR. KANE: So it's not going to be connected, you'll have to go through the garage to get into the kitchen, it's going to be totally separate?

MR. SEGRETI: Yes.

MR. KANE: We'll ask you in the public hearing to state for the record and legally that you won't be using it as an apartment.

MR. SEGRETI: No.

MR. KANE: I don't think we need to cover trees.

MR. SEGRETI: The outside is not going to change other than the one door will get closed up.

MR. KANE: Mike, Steve?

MR. REIS: Just again just a point of information, Mike, are we all clear as far as zoning?

MR. BABCOCK: Yeah, it's a home occupation. I think you talked a little or your wife has talked a little bit about it and how much of the floor he can occupy and so on and so forth and he's got pretty much that, I've got all the highlighted stuff here, I assume that they told you and the reason he's here tonight is cause

he wants to put the second kitchen in, we want to make sure the board is there, he cannot have a restaurant in his house, he can't have any on premise consumption of the food, I don't really know how they're going to distribute the cakes.

MR. SEGRETI: She delivers it to the customers.

MR. KANE: Then I'll probably look for at the public hearing that there's just an addendum to if the board decides to approve it that variances go with the home and I want to make sure that that kitchen, that garage will never be converted to an apartment. So we'll probably put some addendum if we do.

MR. SEGRETI: Hopefully when we open the shop it will become the kids' playroom.

MR. KANE: Any questions?

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Make a motion that we set up Steven Segreti for a public hearing for his request for a second kitchen at 7 Forest Lane.

MR. RIVERA: Second it.

ROLL CALL

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



RESULTS OF Z.B. MEETING OF: June 28, 2007

PROJECT: Steven Seguti

ZBA # 04-39

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) RV S) M VOTE: A _____ N _____.



RIVERA A
 MC DONALD A
 REIS A
 MINUTA A
 KANE A

CARRIED: Y _____ N _____.

stated "Not to be used as an apartment"

No commercial traffic.

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 on the following Proposition:

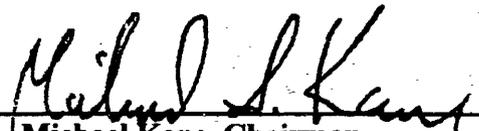
Appeal No. 04-39

Request of STEVEN & MARY SEGRETI

for a VARIANCE of the Zoning Local Law to Permit:

Request for second kitchen in single family home for home occupation (48-37) at 7 Forest Lane in an R-4 Zone (59-1-1.3)

PUBLIC HEARING will take place on JUNE 28, 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

May 27, 2004

Steven & Mary Segreti
7 Forest Lane
Salisbury Mills, NY 12577

Re: 59-1-1.3 ZBA# 04-39

Dear Mr. & Mrs. Segreti:

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 \$65.00, minus your deposit of \$25.00.

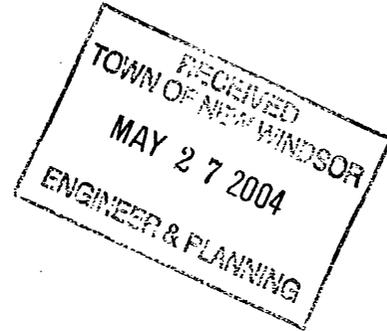
Please remit the balance of \$40.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board



57-1-88.21
Highview Estates of
Orange County, Inc.
P.O. Box 286
Salisbury Mills, NY 12577

58-1-19
Paul Diaz & Nilsa Alvarez Diaz
9 Park Road
Salisbury Mills, NY 12577

58-1-30
Kenneth & Elizabeth Stuber
15 Park Road
Salisbury Mills, NY 12577

58-1-33
Lori Ann McManus
14 Ashley Court
Salisbury Mills, NY 12577

58-1-36
James & Deborah Quinn
2 Ashley Court
Salisbury Mills, NY 12577

58-7-16
Gregory & Anna Rodstrom
20 Park Road
Salisbury Mills, NY 12577

58-7-19
Richard & Karen Mastropietro
14 Park Road
Salisbury Mills, NY 12577

59-1-1.4
Ruth & William Youmans, Jr.
3 Forest Lane
Salisbury Mills, NY 12577

59-1-4
Emilio Rodriguez
28 Hillcrest Drive
Salisbury Mills, NY 12577

59-1-8
State of N.Y.- Comptroller Office
c/o Colin Campbell - 5th Floor
Gov. A.E. Smith Building
Albany, NY 12236

57-1-88.22
Louis & Janet Nowicki
106 Station Road
Salisbury Mills, NY 12577

58-1-20
Brian Donohue
7 Park Road
Salisbury Mills, NY 12577

58-1-31
John & Catherine Julian
17 Park Road
Salisbury Mills, NY 12577

58-1-34
John & Sheila Vallancourt
10 Ashley Court
Salisbury Mills, NY 12577

58-1-37
Lawrence Ross
34 Mecca Drive
Salisbury Mills, NY 12577

58-7-17
Robert Allen & Anamaria Bermo
18 Park Road
Salisbury Mills, NY 12577

59-1-1.1
Melisa Moccia
Salvatore Circelli
30 Hillcrest Drive
Salisbury Mills, NY 12577

59-1-2
Peter & Andrea LaChance
20 Ridgeview Road
Salisbury Mills, NY 12577

59-1-5
Daniel & Kathleen Burke
26 Hillcrest Drive
Salisbury Mills, NY 12577

59-5-1
Danny & Janine Rhein
19 Ridgeview Road
Salisbury Mills, NY 12577

58-1-18
Carol Lynn
11 Park Road
Salisbury Mills, NY 12577

58-1-29
Philip & Clara Locascio
13 Park Road
Salisbury Mills, NY 12577

58-1-32
John & Denise Meyer
7 Ashley Court
Salisbury Mills, NY 12577

58-1-35
James & Maureen Pawlak
6 Ashley Court
Salisbury Mills, NY 12577

58-7-15
Michael & Dorothy Cooke
22 Park Road
Salisbury Mills, NY 12577

58-7-18
Thomas & Janet Sheehy
16 Park Road
Salisbury Mills, NY 12577

59-1-1.2
Michael & Elizabeth Mahoney
32 Hillcrest Drive
Salisbury Mills, NY 12577

59-1-3
Gilda Ferraioli
1 Forest Lane
Salisbury Mills, NY 12577

59-1-6
Thomas & Sonia Briody
24 Hillcrest Drive
Salisbury Mills, NY 12577

59-5-2
Don Ramrikhi
Tonya Perkins Ramrikhi
17 Ridgeview Road
Salisbury Mills, NY 12577

59-5-3
Vincent & Marina Araneo
15 Ridgeview Road
Salisbury Mills, NY 12577

59-5-4
John & Julie Bergin
11 Ridgeview Road
Salisbury Mills, NY 12577

59-5-5
James & Suzanne Meehan
9 Ridgeview Road
Salisbury Mills, NY 12577

59-5-6
Robert & Bonnie D'Jovin
7 Ridgeview Road
Salisbury Mills, NY 12577

59-5-7
Juan & Maureen Llorens
65 Cromwell Hill Road
Monroe, NY 10950

59-5-12 & 59-5-28
Mary Jane Gisselbrecht
8 Birchwood Lane
Salisbury Mills, NY 12577

59-5-13.1
William & Diane Feuerbach
8 Finley Drive
Salisbury Mills, NY 12577

59-5-13.2
Paul & Dina Cavazza
4 Finley Drive
Salisbury Mills, NY 12577

59-6-1.1
Ralph Dragonetti, Jr.
6 Forest Lane
Salisbury Mills, NY 12577

59-6-3
James & Ann Carlone
31 Hillcrest Drive
Salisbury Mills, NY 12577

59-6-4
Jeffrey Finkelstein
29 Hillcrest Drive
Salisbury Mills, NY 12577

59-6-5
Anton & Alma Kronaj
25 Hillcrest Drive
Salisbury Mills, NY 12577

59-6-6
Kelly Ann & William Schaefer, Jr.
53 Valley View Drive
Salisbury Mills, NY 12577

59-6-7
Kelly Shalian
6 Ridgeview Road
Salisbury Mills, NY 12577

59-6-8
Vincent & Helen Kiefer
8 Ridgeview Road
Salisbury Mills, NY 12577

59-6-9
Katherine Suman
12 Ridgeview Road
Salisbury Mills, NY 12577

59-6-10
Raymond & Colleen Washburn
2 Forest Lane
Salisbury Mills, NY 12577



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 11, 2004

Steven Segreti
7 Forest Lane
Salisbury Mills, NY 12577

SUBJECT: REQUEST FOR VARIANCE #04-39

Dear Mr. Segreti:

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:

7 Forest Lane
Salisbury Mills, NY

is scheduled for the June 28th, 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: May 24, 2004

PROJECT: Steven Segreti

ZBA # 04-39
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) ML S) SL VOTE: A 3 N _____
RIVERA _____
~~MCDONALD~~ _____
REIS _____
~~MINUTA~~ _____
KANE _____
CARRIED: Y N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

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

RIVERA _____
MC DONALD _____ CARRIED: Y _____ N _____.
REIS _____
MINUTA _____
KANE _____

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



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 18, 2004

Steven Segreti
7 Forest Lane
Salisbury Mills, NY 12577

SUBJECT: REQUEST FOR VARIANCE #04-39

Dear Mr. Segreti:

This letter is to inform you that you have been placed on the May 24th, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

7 FOREST LANE
SALISBURY MILLS, 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 REQUEST FOR NOTIFICATION LIST

DATE: 05-18-04 PROJECT NUMBER: ZBA# 04-39 P.B. # _____

APPLICANT NAME: STEVEN SEGRETI

PERSON TO NOTIFY TO PICK UP LIST:

STEVEN OR MARY SEGRETI
7 FOREST LANE
SALISBURY MILLS, NY 12577

TELEPHONE: 496-4061

TAX MAP NUMBER: SEC. 59 BLOCK 1 LOT 1.3
 SEC. _____ BLOCK _____ LOT _____
 SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 7 FOREST LANE
SALISBURY MILLS, 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: 2049

TOTAL CHARGES: _____

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

RECEIPT
#479-2004

05/18/2004

Segreti, Steven M. #04-39 ZBA

Received \$ 150.00 for Zoning Board Fees, on 05/18/2004. 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
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 05-18-04

FOR: 04-39 ESCROW

FROM: STEVEN SEGRETI

7 FOREST LANE

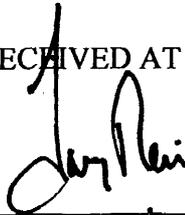
SALISBURY MILLS, NY 12577

CHECK NUMBER: 2048

TELEPHONE: 496-4061

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



5.18.04

NAME

DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



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



APPLICATION FOR VARIANCE

5-13-04
Date

Application Type: Use Variance Area Variance
Sign Variance Interpretation

I. **Owner Information:** Phone Number: (845) 496-4001
Steven M. & Mary T. Segreti Fax Number: ()
(Name)
7 Forest Lane, Salisbury Mills, NY 12577
(Address)

II. **Applicant:** Phone Number: (845) 496-4001
Mary T. Segreti Fax Number: ()
(Name)
7 Forest Lane, Salisbury Mills, NY 12577
(Address)

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

(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number (845) 496-4001
Fax Number: ()
Steven M. Segreti
(Name)

(Address)

V. **Property Information:**
Zone: R-4 Property Address in Question: 7 Forest Ln. Salisbury Mills
Lot Size: _____ Tax Map Number: Section 59 Block 1 Lot 1.3
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? No
c. When was property purchased by present owner? 1994
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? No

****PLEASE NOTE:****

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

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

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

On 7-15-03 I started an at-home business called "Heaven-Sent Desserts" Word-of-mouth has made me able to expand into commercial business. However, the existing kitchen in my home could not meet the requirements for baking cheesecakes. By modifying our 2-car garage into a 1-car garage & a kitchen that meets the Health Department requirements for my at-home business, I will be able to grow until my business is stable enough to move into a store-front shop. The proposed change will not alter the home's foot print. It will not change the appearance of the home other than the removal of one garage door. I will continue to deliver so there will be no traffic to or from the residence.

PLEASE NOTE:

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

04-39

COMPLETE THIS PAGE

**OWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

X. SIGN VARIANCE:

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

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

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

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs _____?

XI. INTERPRETATION:

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____

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

I am requesting the addition of a kitchen in our garage to meet the requirements of the Health Dept.

PLEASE NOTE:

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04-39

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:

14th day of May 2004

Christine Shankman
Signature and Stamp of Notary

Christine Shankman
 Notary Public, State of New York
 # 4698105
 Residing in Orange County
 Commission Expires May 31, 2007

Mary T. Segreti
Owner's Signature (Notarized)

Mary T. Segreti
Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

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

COMPLETE THIS PAGE



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	

