

**ZB# 04-44**

**Howard Brown**

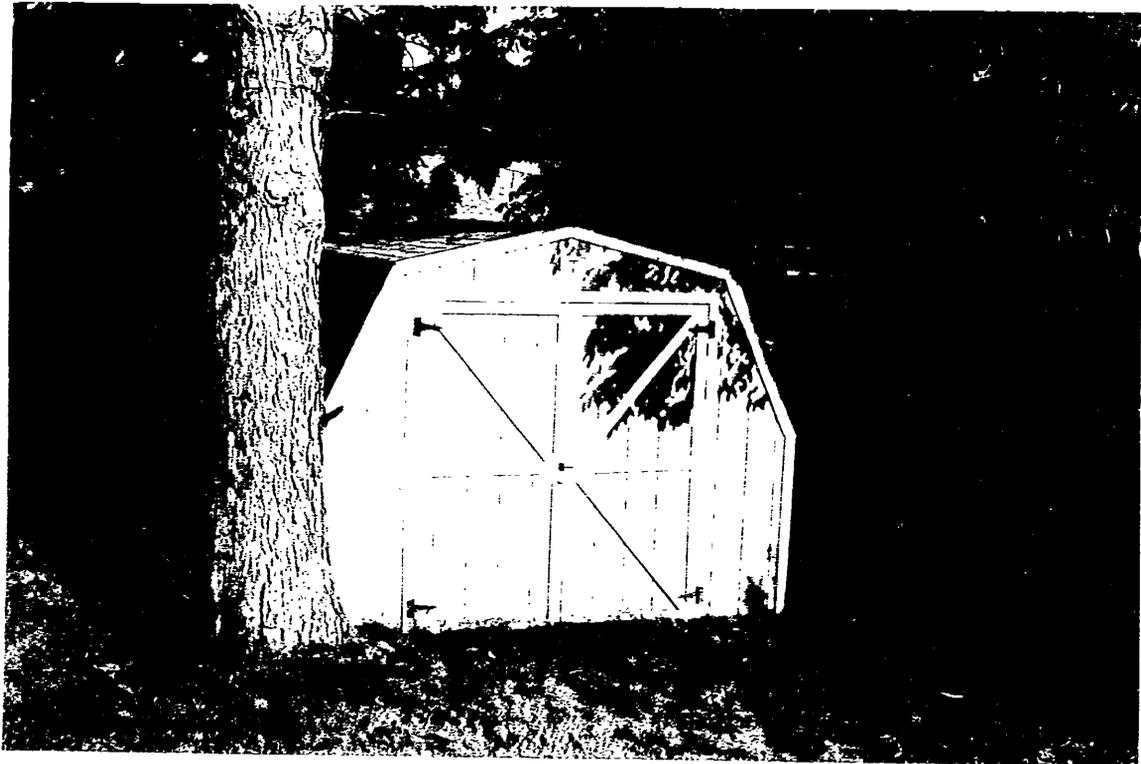
**25-4-12**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
*Granted 7-12-04*

ZBA # **04-44** HOWARD BROWN (AREA) —  
129 GLENDALE DR. (25-4-12)



Howard Brown 561-1349



1 of 3

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

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

DATE: 5/18/04

APPLICANT: Howard Brown  
120 Glendale Dr.  
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing 10x14 Ground Level Deck

LOCATED AT: 120 Glendale Drive

ZONE: R-4 Sec/Blk/ Lot: 25-4-12

DESCRIPTION OF EXISTING SITE: One Family House

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing attached 10x14 lower deck does not meet min 40' rear yard set back.

**COPY**

  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

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

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

40'

36'

4'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

04-44

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

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

RECEIVED

MAY 10 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 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 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.

FOR OFFICE USE ONLY:  
Building Permit #: 2004-0685

**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 Howard Brown

X Address 120 Glendale Dr Phone # 561-1349

X Mailing Address 120 Glendale Dr Fax # \_\_\_\_\_

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

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

Name of Contractor \_\_\_\_\_

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

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer. \_\_\_\_\_

(Name and title of corporate officer)

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

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

3. Tax Map Description: Section 25 Block 4 Lot 12

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 Existing

6. Is this a corner lot? No

10x14  
Wood deck  
(ground-level)

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 1000 Fee \_\_\_\_\_

\$50.00

**PAID**

**RECEIVED**

ch # 6498

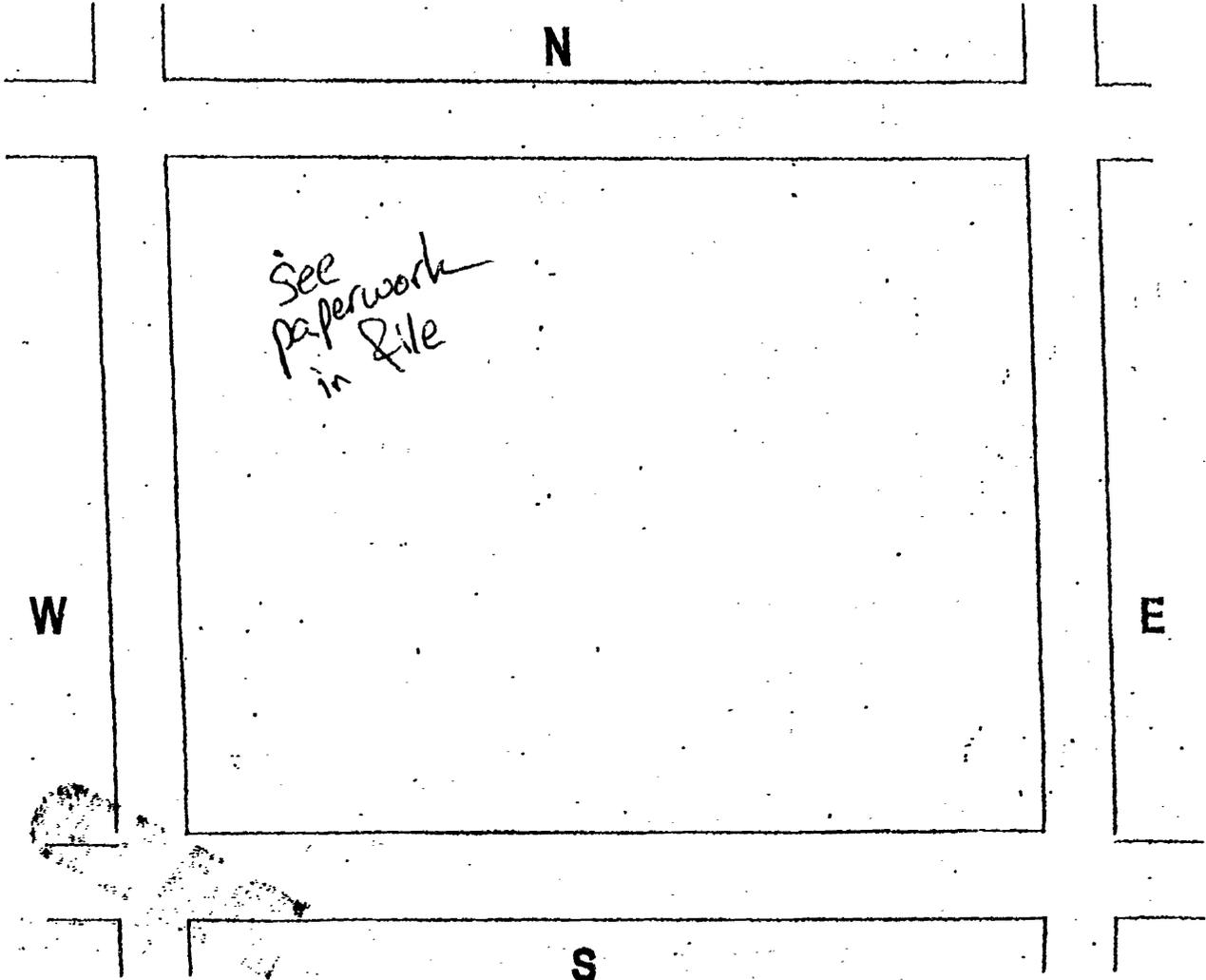
**ZONING BOARD** dc



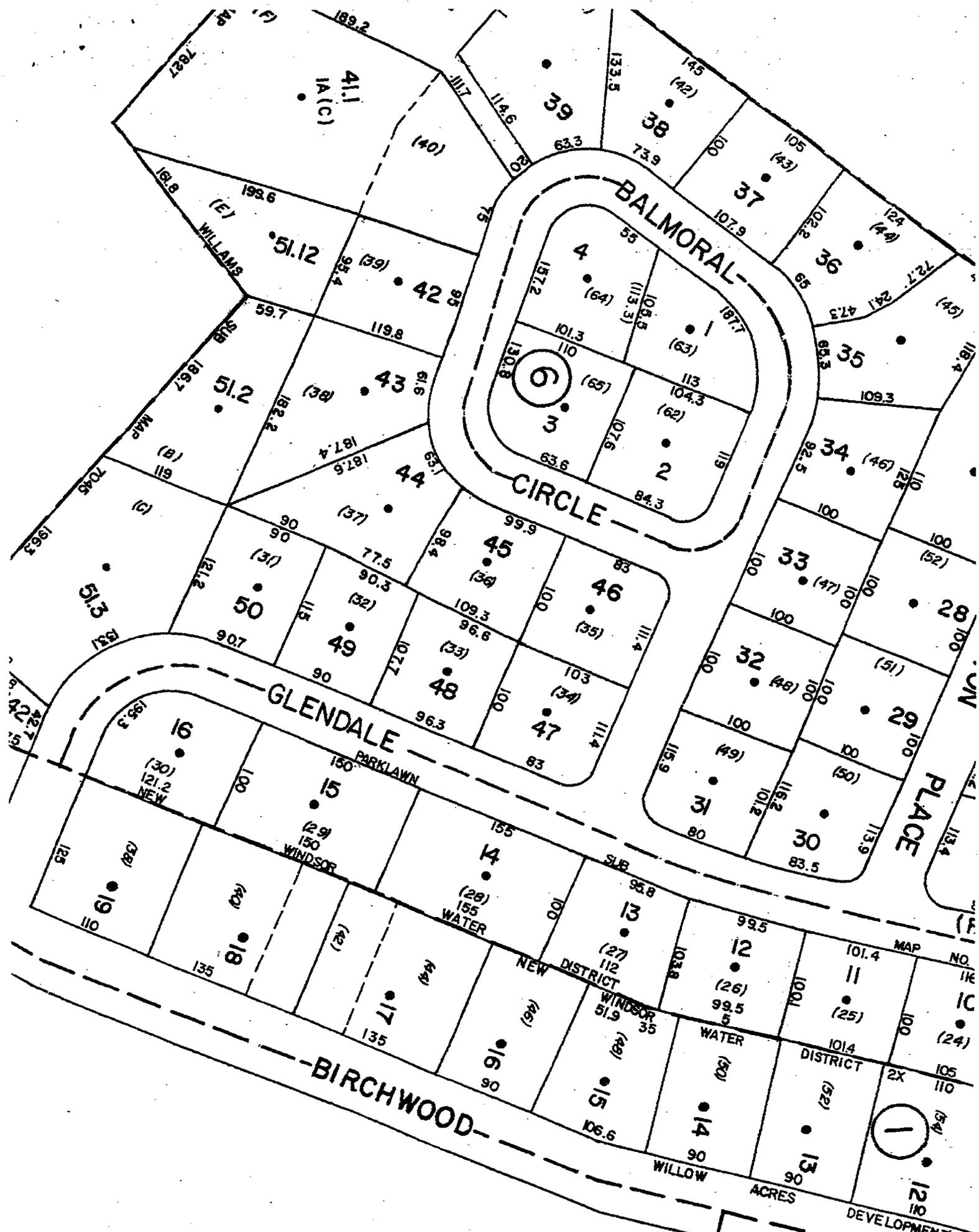
PLOT PLAN

NOTE:

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



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
APPLICANT



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

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

DATE: **May 13, 2004**

APPLICANT: **Howard & Estelle Brown  
120 Glendale Dr.  
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: **May 10, 2004**

FOR : **Howard Brown**

LOCATED AT: **120 Glendale Dr.**

ZONE: **R-4 Sec/Blk/ Lot: 25-4-12**

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. **Existing 10 x 12 shed does not meet 10' set back from property line.**

  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4 USE: Residential Bulk Tables 48-14 A(b)

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

10'

3"

7"

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

04-44

**COPY**

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

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

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and 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 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 10 2004

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:  
Building Permit #: 2004-668

**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 Harold Brown

Address 120 Glendale Dr Phone # 5617349

Mailing Address 120 Glendale Dr Fax # \_\_\_\_\_

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

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

Name of Contractor \_\_\_\_\_

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

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

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

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

3. Tax Map Description: Section 25 Block 4 Lot 12

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 Existing 10x12 Shed

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 \_\_\_\_\_

X 10. Estimated cost 600

**PAID**

Fee 50.00

**ZONING BOARD**

Ch.# 6416

\_\_\_\_/\_\_\_\_/\_\_\_\_  
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 Lial & Louis Krychear**  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4818  
(845) 563-4895 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

**INSTRUCTIONS**

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

*[Signature]*  
(Signature of Applicant)

*120 Glendale Dr*  
(Address of Applicant)

*[Signature]*  
(Owner)

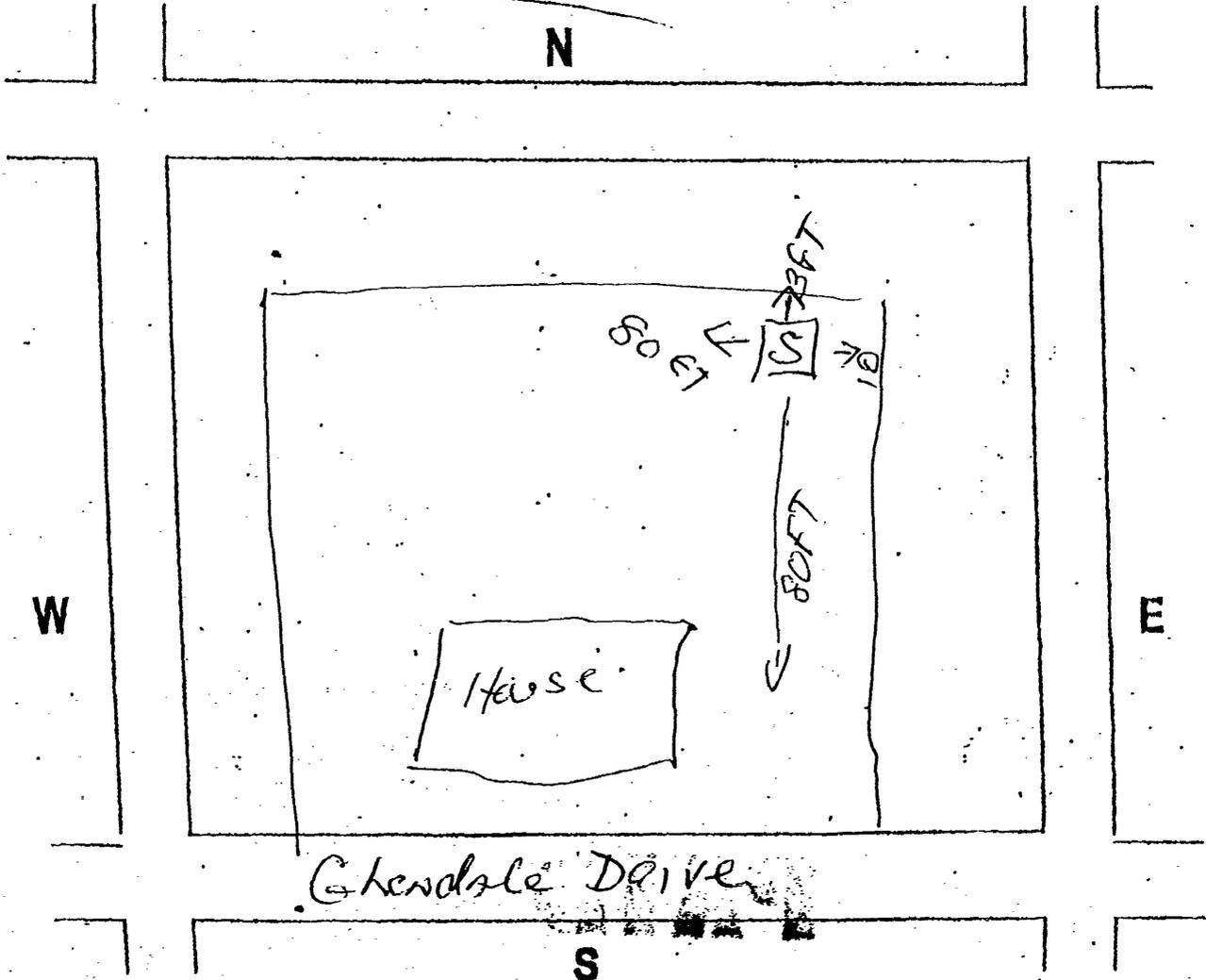
*120 Glendale Dr*

(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.







# 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 22, 2004

Howard Brown  
120 Glendale Drive  
New Windsor, NY 12553

**SUBJECT: REQUEST FOR VARIANCE #04-44**

Dear Mr. Brown:

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

In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

**HOWARD BROWN**

**AREA**

CASE #04-44

**WHEREAS, Howard Brown**, owner(s) of 120 Glendale Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for:  
4 ft. Rear Yard Setback for existing 10 ft. X 14 ft. lower deck (Use G-8)  
10 ft. Rear Yard Setback for existing 16 ft. X 20 ft. upper deck (Use G-8)  
7 ft. Rear Yard Setback for existing 10 ft. X 12 ft. shed (48-14 A(b))

All at 120 Glendale Drive in an R-4 Zone (25-4-12)

**WHEREAS**, a public hearing was held on July 12, 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) A shed has been on the applicant's property for approximately ten to fifteen years and decks have been on the property for approximately six years. During this

time, there have been no complaints about either the sheds or the decks, either formal or informal.

- (c) In the building of the shed or deck, the ponding or collection of water was not created, nor was water drainage diverted.
- (d) In constructing the shed or decks, no trees or substantial vegetation were removed.
- (e) Neither the decks nor the shed were built on top of nor do they interfere with any easements including, but not limited to, water, sewer and utility easements.

**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 Request for:

4 ft. Rear Yard Setback for existing 10 ft. X 14 ft. lower deck (Use G-8)

10 ft. Rear Yard Setback for existing 16 ft. X 20 ft. upper deck (Use G-8)

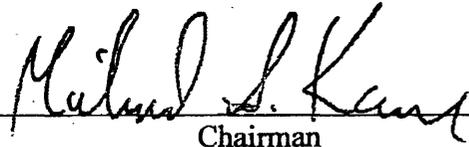
7 ft. Rear Yard Setback for existing 10 ft. X 12 ft. shed (48-14 A(b))

All at 120 Glendale Drive in an R-4 Zone (25-4-12) 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: July 12, 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 \$ 191.50 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #04-44**

**NAME & ADDRESS:**

**Howard Brown  
120 Glendale 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 #04-44      TYPE: AREA

APPLICANT Name & Address:

**Howard Brown  
120 Glendale Drive  
New Windsor, NY 12553**

TELEPHONE:    561-1349

RESIDENTIAL:	\$ 50.00	CHECK # <u>6505</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:            RESIDENTIAL \$300.00            CHECK # 6506



<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:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	<u>\$ 22.00</u>	<u>\$ 35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

TOTAL:                            \$ 38.50                            \$ 70.00



ESCROW POSTED:                            \$ 300.00  
LESS: DISBURSEMENTS:                    \$ 108.50

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

REFUND DUE:                                \$ 191.50

Cc:

HOWARD BROWN (04-44)

Mr. Howard Brown appeared before the board for this proposal.

MR. KANE: Request for 4 ft. rear yard setback for existing 10 ft. x 14 ft. lower deck, 10 ft. rear yard setback for existing 16 ft. x 20 ft. upper deck and 7 ft. rear yard setback for existing 10 ft. x 12 ft. shed all at 120 Glendale Drive. Tell us what you want to do, sir.

MR. BROWN: I want to apply for the variance for the existing structure that I have there and everyone in the neighborhood in the same development has a deck and a shed in basically same area.

MR. KANE: How long has the, I guess we can take them all, the decks and the shed been in existence?

MR. BROWN: The shed has been there about 10, 15 years and the decks are since '98.

MR. KANE: Any complaints formally or informally about any of the three?

MR. BROWN: None that I know of.

MR. KANE: Have you created any water hazards or runoffs with the building of the deck or the placement of the shed?

MR. BROWN: No.

MR. KANE: Cut down any trees or substantial vegetation?

MR. BROWN: No.

MR. KANE: Any easements running through your property?

MR. BROWN: No.

MR. KANE: Do you have Town water and sewer?

MR. BROWN: Yes, I do.

MR. REIS: What brings you to the board after so many years?

MR. BROWN: We're planning to sell our house.

MR. MINUTA: With respect to the tax maps shown, we have shown New Windsor water district has a dashed line running through the properties, is that pertinent to this hearing?

MR. BROWN: There's nothing that goes through our property.

MR. MINUTA: Well, we're showing a New Windsor water district line through here, typically that's indicative of some sort of easement, I would anticipate.

MR. BABCOCK: What are you looking on, Joe?

MR. KANE: It's right on the center property line on his rear property line that line going right across.

MR. BABCOCK: On what piece of paper?

MR. MINUTA: Tax map.

MR. KRIEGER: Could be a boundary line for a water district.

MR. REIS: If it's an easement still not going to be impacting the location of the shed and decks.

MR. KRIEGER: Usually if it's an easement, it would be

two parallel lines describing the strip.

MR. BABCOCK: It's probably a district boundary line, in my mind, on some of the, these houses are in District 5, the other set's in District 6, it's just where they add it to the next district.

MR. MINUTA: Thank you, Mike.

MR. KANE: Yeah, okay.

MR. MINUTA: Nothing further from me.

MR. KANE: At this point, I will open up the public portion of the meeting and ask if there's anybody here for this particular meeting? Seeing as there is not we will close the public portion and ask Myra how many mailings.

MS. MASON: On June 22nd, I mailed out 78 addressed envelopes.

MR. MINUTA: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Any responses?

MR. KANE: No.

MR. MINUTA: Make a motion we grant Mr. Howard Brown his request for a 4 foot rear yard setback for the existing 10 foot by 14 foot lower deck, 10 foot rear yard setback for the existing 16 foot by 20 foot upper deck and 7 foot rear yard setback for the existing 10 foot by 12 foot at 120 Glendale Drive in an R-4 zone.

MR. RIVERA: Second it.

ROLL CALL

July 12, 2004

44

MR. MINUTA	AYE
MS. LOCEY	AYE
MR. REIS	AYE
MR. RIVERA	AYE
MR. KANE	AYE





**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. 04-44**

**Request of HOWARD BROWN**

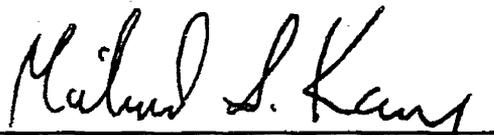
**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for:**

**4 ft. Rear Yard Setback for existing 10 ft. X 14 ft. lower deck (Use G-8)**  
**10 ft. Rear Yard Setback for existing 16 ft. X 20 ft. upper deck (Use G-8)**  
**7 ft. Rear Yard Setback for existing 10 ft. X 12 ft. shed (48-14 A(b))**

**All at 120 Glendale Drive in an R-4 Zone (25-4-12)**

**PUBLIC HEARING will take place on JULY 12, 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) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

June 22, 2004

Howard Brown  
120 Glendale Drive  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-44

Dear Mr. Brown:

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 ad. 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:

120 Glendale Drive  
New Windsor, NY

is scheduled for the July 12, 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

HOWARD BROWN (04-44)

Mr. Howard Brown appeared before the board for this proposal.

MR. KANE: Request for 4 ft. rear yard setback for existing 10 ft. x 14 ft. lower deck, 10 ft. rear yard setback for existing 16 ft. x 20 ft. upper deck and 7 ft. rear yard setback for existing 10 ft. x 12 ft. shed all at 120 Glendale Drive in an R-4 zone. Tell us what you want to do.

MR. BROWN: Just want to get a variance to make everything okay.

MR. KANE: How long have the decks been up?

MR. BROWN: Since '99, I believe.

MR. KANE: Any permit taken for the decks?

MR. BROWN: Yes.

MR. KANE: What about the shed, how long?

MR. BROWN: Shed has been up a while, about 15, 20 years.

MR. KANE: Any complaints?

MR. BROWN: Everybody in the neighborhood, everybody has their own shed and deck and the shed as you can see in the picture is in an inconspicuous area, doesn't even stand out, that's the deck.

MR. KANE: Mike, not that it makes a difference but if you're doing the back, the rear setback for the upper deck doesn't the lower deck since it's underneath it fall into that variance?

MR. BABCOCK: Yes, it does but, Mr. Chairman, what we did is we wrote these all up separately in case he was not successful with one but maybe the other.

MR. KANE: Cutting down of trees or removing of substantial shrubbery?

MR. BROWN: No.

MR. KANE: Create any water hazards or runoffs with the building of the deck?

MR. BROWN: No.

MR. KANE: As you said, the decks and the shed are similar to other decks and sheds in the neighborhood?

MR. BROWN: Absolutely. In fact, this is in the back corner of the neighbor, everybody else's shed is in their back corner.

MR. KANE: Right.

MR. MC DONALD: It's not over any easements or anything?

MR. BROWN: No.

MR. KANE: I'm okay.

MR. REIS: Accept a motion?

MR. KANE: Was the shed built on a cement pad or--

MR. BROWN: No, it's on cinderblock foundation, it's removable.

MR. KANE: And we covered no complaints either formally or informally, right? Anything else? Okay, I'll accept your motion.

MR. REIS: Make a motion that we set up Mr. Howard Brown for his requested 4 foot rear yard setback for existing lower deck, 10 foot rear deck yard setback for existing upper deck and 7 foot rear yard setback for existing shed all at 120 Glendale Drive.

ROLL CALL

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



RESULTS OF Z.B.A. MEETING OF: June 17, 2004

PROJECT: Brown

ZBA # 04-44  
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) Rs S) Mc      VOTE: A \_\_\_ N \_\_\_  
RIVERA A  
MCDONALD A  
REIS A      CARRIED: Y 4 N 0  
~~MINUTA~~  
KANE A

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

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

No Easements  
No Complaints



# Town of New Windsor

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

## Assessor's Office

June 8, 2004.

Howard Brown  
120 Glendale Drive  
New Windsor, NY 12553

Re: 25-4-12 ZBA#04-44

Dear Mr. Brown:

According to our records, the attached list of property owners are within five hundred (500) feet of the above-mentioned property.

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

A handwritten signature in cursive that reads "J. Todd Wiley, IAO". The signature is written in black ink and is enclosed in a hand-drawn circle.

J. Todd Wiley, IAO  
Sole Assessor

JTW/lrd  
Attachments

CC: Myra Mason, ZBA

25-1-8  
Robert VanVoorhis  
60 Birchwood Drive  
New Windsor, NY 12553

25-1-9  
Mark Grammer  
Barbara Grammer Booth  
58 Birchwood Drive  
New Windsor, NY 12553

25-1-10  
Dulce & Dennis Kelly  
56 Birchwood Drive  
New Windsor, NY 12553

25-1-12  
Robert & Eleanor Spreer  
54 Birchwood Drive  
New Windsor, NY 12553

25-1-13  
Vito & Mary Speranza  
52 Birchwood Drive  
New Windsor, NY 12553

25-1-14  
Edward & Patricia Callahan  
50 Birchwood Drive  
New Windsor, NY 12553

25-1-15  
Frank & Ruth Iessi  
48 Birchwood Drive  
New Windsor, NY 12553

25-1-16  
John Beltempo  
Roxanne Lopez  
46 Birchwood Drive  
New Windsor, NY 12553

25-1-17  
Charlene Romaine  
John Bittman  
44 Birchwood Drive  
New Windsor, NY 12553

25-1-18  
Edward & Catherine Brodow  
40 Birchwood Drive  
New Windsor, NY 12553

25-1-19  
Dana & Liliann Putnam  
38 Birchwood Drive  
New Windsor, NY 12553

25-2-10  
Joseph Jr. & Catherine Hughes  
65 Hudson Drive  
New Windsor, NY 12553

25-2-11  
Theodore & Kathryn Annan  
63 Hudson Drive  
New Windsor, NY 12553

25-2-12  
Robert & Carol Griffin  
61 Hudson Drive  
New Windsor, NY 12553

25-2-13  
Thomasina Blair  
59 Hudson Drive  
New Windsor, NY 12553

25-2-14  
Peter & Adrianna Rappa  
53 Birchwood Drive  
New Windsor, NY 12553

25-2-15  
Robert & Virginia Basile  
Helen Basile  
55 Birchwood Drive  
New Windsor, NY 12553

25-2-16  
Robert Hurley  
57 Birchwood Drive  
New Windsor, NY 12553

25-2-17  
Melvin & Rose Marie Hedlund  
59 Birchwood Drive  
New Windsor, NY 12553

25-2-18  
John & Kathleen Workman  
61 Birchwood Drive  
New Windsor, NY 12553

25-3-11  
James & Nadine Collins  
62 Hudson Drive  
New Windsor, NY 12553

25-4-8  
David & Phyllis Chapman  
114 Glendale Drive  
New Windsor, NY 12553

25-4-10  
Levio & Rose Young  
116 Glendale Drive  
New Windsor, NY 12553

25-4-11  
Frank & Diann Puccio  
118 Glendale Drive  
New Windsor, NY 12553

25-4-13  
Stephen & Katharine Costello  
122 Glendale Drive  
New Windsor, NY 12553

25-4-14  
Joseph & Arlene Mathews  
124 Glendale Drive  
New Windsor, NY 12553

25-4-15  
Richard & Donna Hamel  
126 Glendale Drive  
New Windsor, NY 12553

25-4-16  
Mitchell Kolpan  
128 Glendale Drive  
New Windsor, NY 12553

25-5-16  
John McKinney  
Maureen McCallum  
303 Cloverdale Court  
New Windsor, NY 12553

25-5-17  
Richard & Grace Melville  
301 Cloverdale Court  
New Windsor, NY 12553

25-5-19  
Juan Santana  
Jose Vasquez  
Marly Santana  
113 Glendale Drive  
New Windsor, NY 12553

25-5-20  
Glenn & Diane Trapp  
115 Glendale Drive  
New Windsor, NY 12553

25-5-21  
Michael Melendez  
2415 Second Avenue  
New York, NY 10001

25-5-22  
Robert & Ronnie Silver  
404 Carlton Circle  
New Windsor, NY 12553

25-5-23  
Gary & Karen Coopersmith  
406 Carlton Circle  
New Windsor, NY 12553

25-5-24  
Christine Naclerio  
408 Carlton Circle  
New Windsor, NY 12553

25-5-25  
William Kreeger  
410 Carlton Circle  
New Windsor, NY 12553

25-5-26  
Joseph & Mary Hussey  
411 Carlton Circle  
New Windsor, NY 12553

25-5-27  
Ernest & Patricia Wagner  
409 Carlton Circle  
New Windsor, NY 12553

25-5-28  
John & Eleanor Lech  
407 Carlton Circle  
New Windsor, NY 12553

25-5-29  
Richard & Sandra Sollas  
405 Carlton Circle  
New Windsor, NY 12553

25-5-30  
Manuel Chambers  
403 Carlton Circle  
New Windsor, NY 12553

25-5-31  
Anthony & Carol Elias  
502 Balmoral Circle  
New Windsor, NY 12553

25-5-32  
John & Randee O'Connor  
504 Balmoral Circle  
New Windsor, NY 12553

25-5-33  
Sergio Valentin  
506 Balmoral Circle  
New Windsor, NY 12553

25-5-34  
Ann Marie Connolly  
508 Balmoral Circle  
New Windsor, NY 12553

25-5-35  
Val & Marcie Gray  
510 Balmoral Circle  
New Windsor, NY 12553

25-5-43  
Edgar Vidal  
526 Balmoral Circle  
New Windsor, NY 12553

25-5-44  
Darren & Karen Bullock  
528 Balmoral Circle  
New Windsor, NY 12553

25-5-45  
Byron & Angela Thomas  
530 Balmoral Circle  
New Windsor, NY 12553

25-5-46  
Elizabeth Shewring  
Louis Haines  
532 Balmoral Circle  
New Windsor, NY 12553

25-5-47  
Arnold & JoEllen Sabino  
501 Balmoral Circle  
New Windsor, NY 12553

25-5-48  
Jose & Carmen Aldebot  
125 Glendale Drive  
New Windsor, NY 12553

25-5-49  
Jeffrey Stringer  
Anastasia Howard  
127 Glendale Drive  
New Windsor, NY 12553

25-5-50  
George & Kimberly Ciaschi  
129 Glendale Drive  
New Windsor, NY 12553

25-5-52  
County of Orange  
255-275 Main Street  
Goshen, NY 10924

25-6-1  
Dennis & Patricia Soricelli  
511 Balmoral Circle  
New Windsor, NY 12553

25-6-2  
Robert & Ellen Doerr  
507 Balmoral Circle  
New Windsor, NY 12553

25-6-3  
Frank & Linda Soricelli  
525 Balmoral Circle  
New Windsor, NY 12553

25-6-4  
Tina Russak  
517 Balmoral Circle  
New Windsor, NY 12553

26-1-1.1  
Balco Equities, LTD.  
PO Box 4633  
New Windsor, NY 12553

40-1-19  
Jean Davis  
48 Scottchtown Drive  
Middletown, NY 10941

40-1-1  
Robert McKnight Jr.  
51 Birchwood Drive  
New Windsor, NY 12553

40-1-20  
Melvina Totaan  
43 Birchwood Drive  
New Windsor, NY 12553

40-1-2  
Eric & Trina Miller  
57 Hudson Drive  
New Windsor, NY 12553

40-1-21  
William & Kelly Thompson  
#174 Wilbur Boulevard  
Poughkeepsie, NY 12603

40-1-3  
Clarence & Ruth Starsiak  
55 Hudson Drive  
New Windsor, NY 12553

40-1-22  
Sharon & Gus Palentino  
47 Birchwood Drive  
New Windsor, NY 12553

40-1-4  
John & Alberta Ponessa  
53 Hudson Drive  
New Windsor, NY 12553

40-1-23  
John & Kathleen McParland  
49 Birchwood Drive  
New Windsor, NY 12553

40-1-5  
Wilson Jr. & Joanne Smith  
51 Hudson Drive  
New Windsor, NY 12553

40-2-1  
Lawrence & Mary McGrath  
60 Hudson Drive  
New Windsor, NY 12553

40-1-6  
Sally Scheiner  
9130 Taverna Way  
Boyton Beach, FL 33437

40-2-2  
Richard Julian  
58 Hudson Drive  
New Windsor, NY 12553

40-1-7  
Michele Starkey  
47 Hudson Drive  
New Windsor, NY 12553

40-2-3  
Michael & Linda Robinson  
56 Hudson Drive  
New Windsor, NY 12553

40-1-8  
Jeffrey Barrett  
45 Hudson Drive  
New Windsor, NY 12553

40-1-18  
Josephine DeWingaerde  
39 Birchwood Drive  
New Windsor, NY 12553

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

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 06-03-04

FOR: ESCROW 04-44

FROM: HOWARD BROWN

120 GLENDALE DRIVE

NEW WINDSOR, NY 12553

CHECK NUMBER: 6506

TELEPHONE: 561-1349

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

Jan Rei                      6/3/04  
NAME                                      DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING.

THANK YOU

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

**RECEIPT**  
**#542-2004**

06/03/2004

Brown, Howard *ZBA 04-44*  
120 Glendale Drive  
New Windsor, New York 12553

Received \$ 50.00 for Zoning Board Fees, on 06/03/2004. 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

June 3, 2004

Howard Brown  
120 Glendale Drive  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-44

Dear Mr. Brown:

This letter is to inform you that you have been placed on the June 14<sup>th</sup>, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

120 Glendale 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

## REQUEST FOR NOTIFICATION LIST

DATE: 06-03-04 PROJECT NUMBER: ZBA# 04-44 P.B. # \_\_\_\_\_

APPLICANT NAME: HOWARD BROWN

PERSON TO NOTIFY TO PICK UP LIST:

HOWARD BROWN  
120 GLENDALE DRIVE  
NEW WINDSOR, NY 12553

TELEPHONE: 561-1349

TAX MAP NUMBER: SEC. 25 BLOCK 4 LOT 12  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_  
SEC. \_\_\_\_\_ B LOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: 120 GLENDALE 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: 6508

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



TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

5-23-09  
Date

Application Type: Use Variance  Area Variance   
Sign Variance  Interpretation

I. Owner Information:

Phone Number: (813) 561-1319  
Fax Number: ( )  
Estelle + Howard Brown  
(Name)  
180 Glendale Dr New Windsor Ny 12553  
(Address)

II. Applicant:

Phone Number: ( )  
Fax Number: ( )  
Jeme  
(Name)  
  
(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: Same  
Lot Size: \_\_\_\_\_ Tax Map Number: Section 25 Block 4 Lot 12  
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? \_\_\_\_\_  
d. Has property been subdivided previously? \_\_\_\_\_ If so, When: \_\_\_\_\_  
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? \_\_\_\_\_  
f. Is there any outside storage at the property now or is any proposed? \_\_\_\_\_

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

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

04-44

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.	<i>(Lower)</i> <del>40</del> <sup>(shed)</sup> 10	<del>36</del> <sup>(shed)</sup> 3	<del>7</del> <sup>(shed)</sup> 7
Reqd. St Front*	<del>40</del> <sup>(shed)</sup> 40	<del>30</del> 30	<del>10</del> 10
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.**

04-44

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:

We Build Decks all other  
neighbor have Decks, Deck would not be undesirable  
Change To Neighborhood. Shed is in area  
would not affect conditions of neighborhood.

**PLEASE NOTE:**

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

04-44

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.)

Decks + other are maintained + would ~~not~~  
not affect the zone of the neighborhood.

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:

24 day of May 2004,

[Signature]  
 Owner's Signature (Notarized)

Howard Bruce  
 Owner's Name (Please Print)

DL# 739-282-809 exp. 12-06-11

[Signature]  
 Signature and Stamp of Notary

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

Applicant's Signature (If not Owner)

PLEASE NOTE:

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

COMPLETE THIS PAGE

04-44



**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:

<b>RESIDENTIAL: (Three Separate Checks Please)</b>	
APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	<b>\$ 25.00</b>
<b>MULTI-FAMILY: (Three Separate Checks Please)</b>	
APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00
<b>COMMERCIAL: (Three Separate Checks Please)</b>	
APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00
<b>INTERPRETATION: (Three Separate Checks Please)</b>	
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	

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (*self-sealing envelopes are much appreciated*) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. ***YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.***

**NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

**\*\* MUST READ AND SIGN \*\***

***I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING.... (this charge is not deducted from your escrow posted).***

  
SIGNATURE

5-23-07  
DATE

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST – ONE MEETING PER MONTH ONLY)