

**ZB# 04-63**

**Anthony Yonnone**

**15-8-13.1**

ZBA #04-63 ANTHONY YANNONE  
(AREA) 56 CEDAR AVE. (15-8-13.1)

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
GRANTED 9-27-04



# 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

December 16, 2004

Anthony Yonnone  
56 Cedar Avenue  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-63

Dear Mr. Yonnone:

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

**ANTHONY YONNONE**

**AREA**

**CASE #04-63**

**WHEREAS, Mr. & Mrs. Anthony Yonnone**, owner(s) of 56 Cedar Avenue, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an variance of Section 300-11 A(3) (Accessory structure to project closer to the road than principal building) at 56 Cedar Avenue in an R-4 Zone (15-8-13.1)

**WHEREAS**, a public hearing was held on September 27, 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 proposed shed is to house existing pool equipment. Considering the configuration of the property and the location of the pool and equipment, the proposed location of the shed is appropriate and reasonable.

- (c) The shed will be similar in size and appearance to other sheds in the neighborhood.
- (d) The shed, if permitted, will receive electrical power to power the pool equipment, which is already in existence and which will be enclosed by the shed.
- (e) In constructing the shed the applicant will not remove any trees or substantial vegetation.
- (f) The shed will not create the ponding or collecting of water or divert the flow of water drainage.
- (g) The shed will not be on top of, nor interfere with, any easements including, but not limited to, water, sewer or electric.
- (h) The shed will not interfere with the safe operation of motor vehicles on the adjacent roadway.

**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).

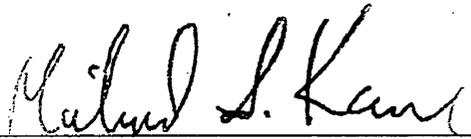
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a variance of Section 300-11 A(3) (Accessory structure to project closer to the road than principal building) at 56 Cedar Avenue in an R-4 Zone (15-8-13.1) 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: September 27, 2004



---

Chairman

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

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE: July 21, 2004**

**APPLICANT: Anthony & Arlene Yonnone  
56 Cedar Avenue  
New Windsor, NY 12553**

**COPY**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 7/20/04**

**FOR : Proposed Shed**

**LOCATED AT: 56 Cedar Avenue**

**ZONE: R-4 Sec/Blk/ Lot: 15-8-13.1**

**DESCRIPTION OF EXISTING SITE: Existing One Family**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

**1. 300-11. A (3) SHED SHALL NOT PROJECT NEARER TO THE STREET THAN SUCH PRINCIPAL BUILDING.**

  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4 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:

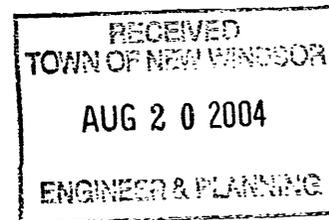
FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP  
*7/29/04 Sent Applicant.*

04-63



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

JUL 20 2004

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:  
Building Permit #: 2004-1007

**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

Anthony & Arlene J Yonnone

Address

56 Cedar Ave, New Windsor

Phone #

845-568-0931

Mailing Address

Same as above

Fax #

Name of Architect

Vincent J Yonnone & Yonnons Auto Repair

Address

2894 Rt 9W

Phone

561-2991

Name of Contractor

Vincent J Yonnone

568-2347

Address

(Same)

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 56 Cedar Ave 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 15 Block 8 Lot 131

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

6. Is this a corner lot? NO

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

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 \_\_\_\_\_

If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost

\$3500.-

Fee

\$50-

ck # 1204

**PAID**

\_\_\_\_/\_\_\_\_/\_\_\_\_  
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) 563-4618  
(845) 563-4685 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.

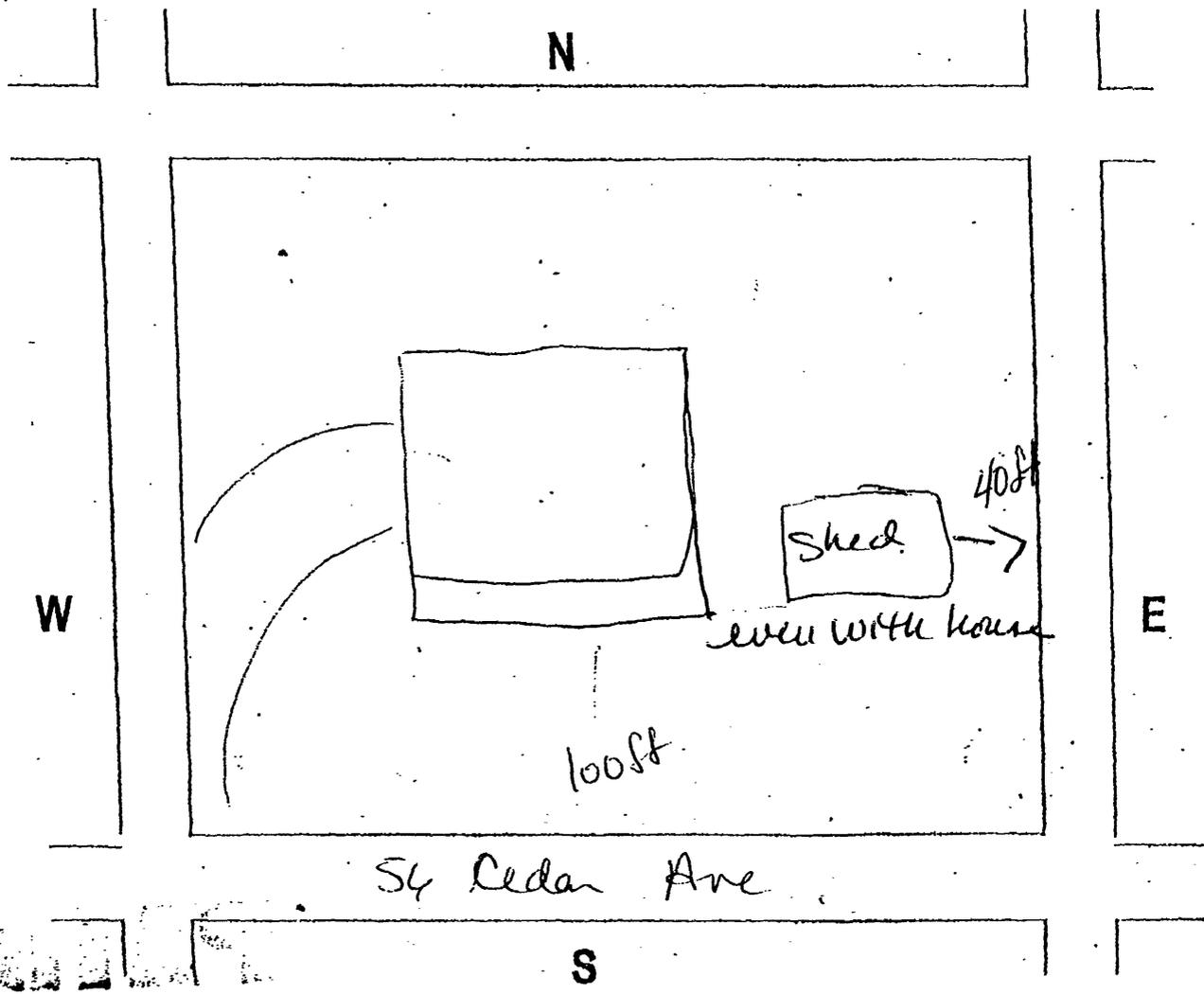
*Celene J. Spunore*  
\_\_\_\_\_  
(Signature of Applicant)

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

*Celene J. Spunore*  
\_\_\_\_\_  
(Print Name of Applicant)

PLOT PLAN

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



AVENUE

PARK

SUB

MAP

647

LAWRENCE AVENUE

MELROSE AVENUE

BLANCHE AVE.

AVENUE

(268) (308) 100	
(269) (307) 2	120
(270) (306) 3	55
(272) (304) 4	65
(273) (303) 6	90
(297) (297) 10	100
(295) (285) 100	

30 1 80 (272) (211) 80	
30 12 (273) (210) 2 90	
30 11 (274) (209) (275) (208)	
30 10 (276) (207) 3 90	
(277) (206) (278) (205)	
30 9 (279) (204) 4 90	
(280) (203) (281) (202)	
30 8 (282) (201) (283) (200) 5 160	
(284) (199) (285) (198) 80	

100 (179) (123) 100	
60 1 (180) (122) 2 90	
(181) (121) 18.2 (182) (120)	
(183) (119) 3 90	
(184) (118) 52.5 16.0 (185) (117) 4 30	
(186) (116) 5 30	
15 (187) (115) 6 30	
32.5 14 (188) (114) 7 60	
(189) (113) 100	
(190) (112) 100 13.23 (191) (111) 20.11 8	
(192) (110) 100	

90 (90) (117) 101.8	
90 10 (91) (116) (92) (115) 11 150.1	
193 (114) 194 (113) 9 (95) (112) 107	
(96) (111) 12 90 90 (97) (110) 117.2	
100 (9) 107.1 13.211 (11) (18) (7) 13.212 (16) 13.1	
89 MAP 4869 (5) 246 (4) 230 S	
(2) (13) (2) (11) 100 S	
151.7 13.22 (8) 101.5 196	
100 21.1 (11) 114	
182.3	

(294) (293) 109.7	
(292) 128.9 4	
(291) 111 (290) 109.5	
(289) 100.7 (288) 110.1 5	
(287) 102.9 40 (286) 102.5 110 (197)	
(196) 7.1 (195) 83.5	
111.8 108 47 (43.7) 20.2 150	
(14) 73.4 (68.3) 56.5 (60.9) 143.5	

(BLANCHE AVE.) MORRIS CITY PARK SUBDIVISION

GERBER SUB MAP 80-02

RUSCITTI SUB

MAP 6138

MAP 4869



# The Victor

Standard Fec  
 (1) Double Door, (2) Large Windows with Sh  
 Sizes Available: 10



*10' x 16' Victorian Cottage*  
 (shown with optional nine light steel door and flower boxes)



*10' x 16' Victorian Cottage*  
 (shown with optional brick front & single door)

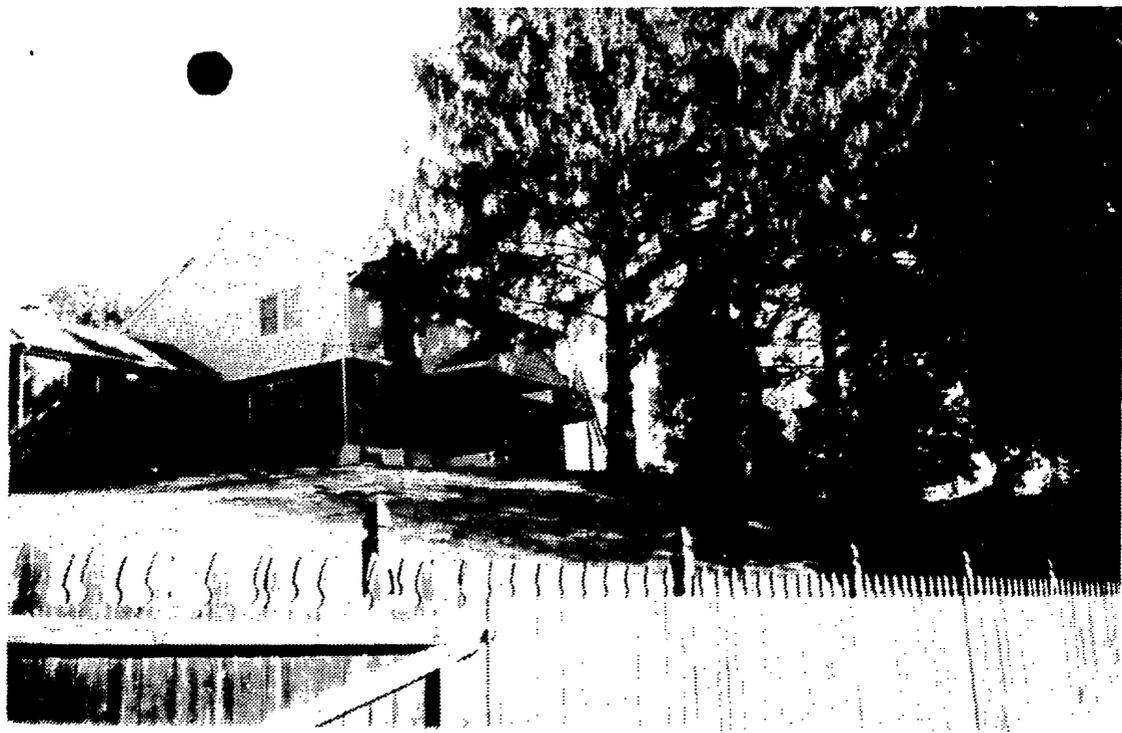
## Yonnone's Auto Repair, Inc.

2894 Rte. 9W  
 New Windsor, N.Y. 12553  
 (845) 562-9580

SOLD BY		DATE	
		7-17-04	
NAME <i>Anthony Yonnone</i>			
ADDRESS			
CASH	C.O.D.	CHARGE	ON ACCT.
		Gals Gasoline	
		Qts. Oil	
		Lubrication	
		Oil Filter	
		<i>1 10X20 Vict. Co.H.</i>	
			390000
		<i>TX</i>	27225
		<i>#</i>	357225
RECEIVED BY			

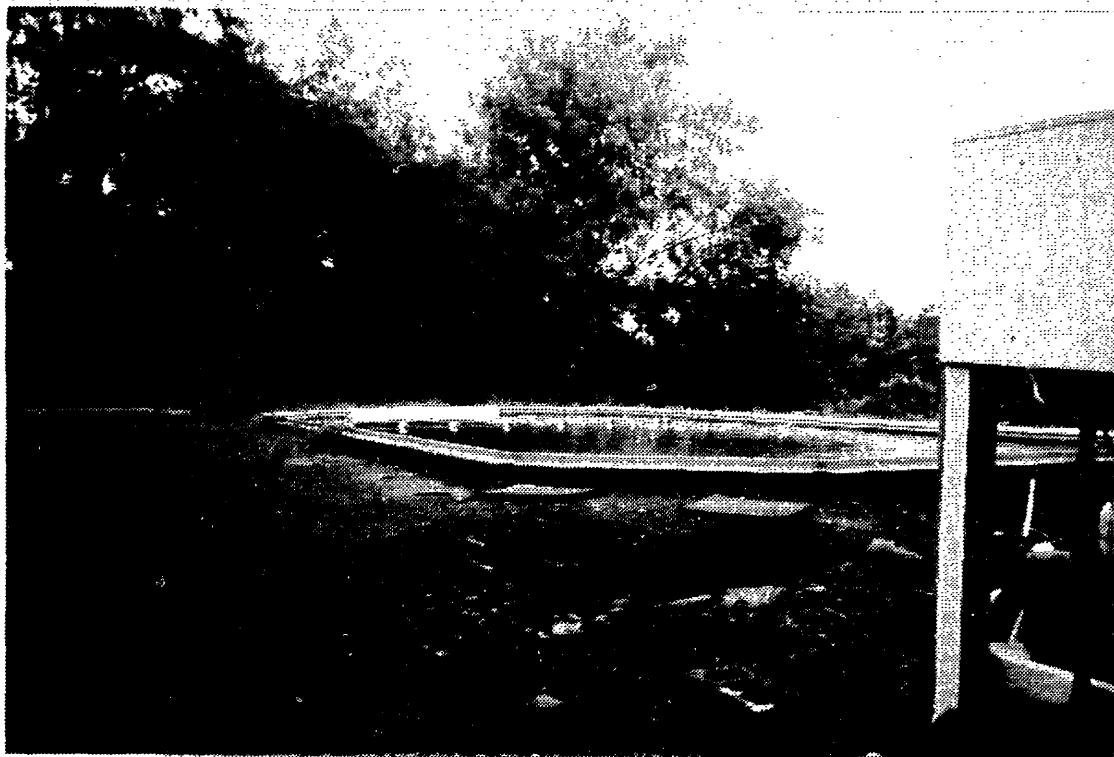
*Thank You*

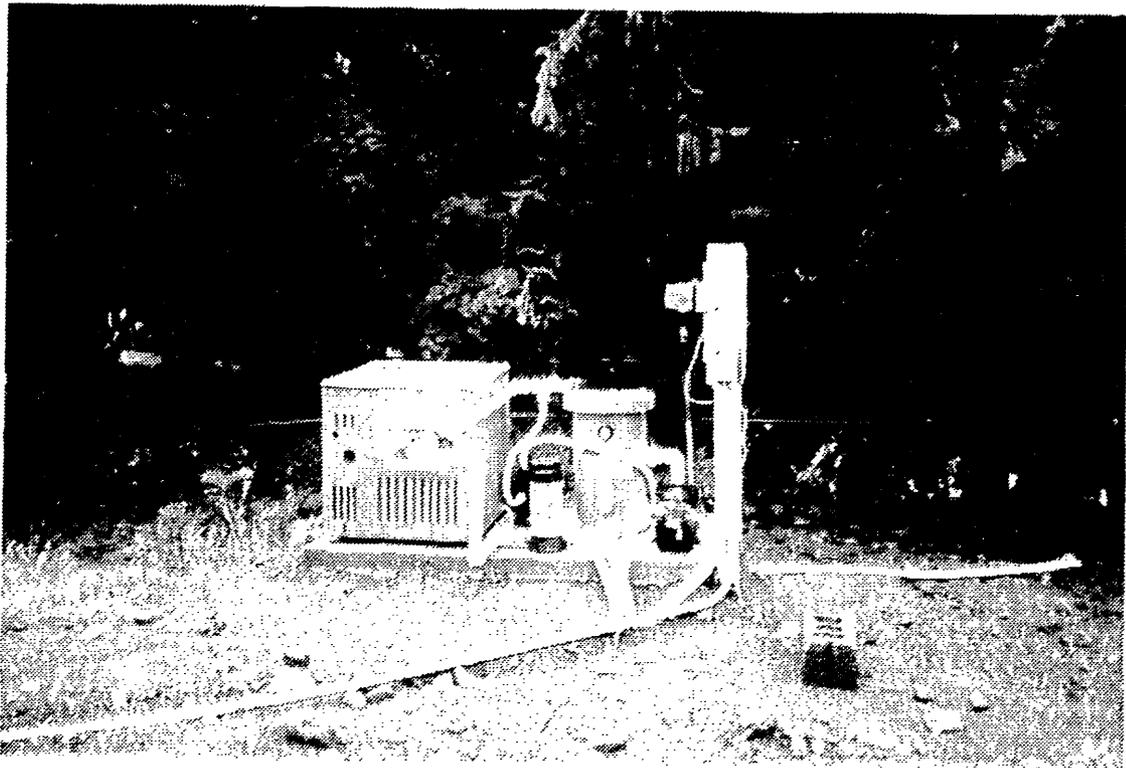
All claims and returned goods MUST be accompanied by this bill.











**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: OCTOBER 18, 2004**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 186.00 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #04-63**

**NAME & ADDRESS:**

**Anthony Yonnone  
56 Cedar Avenue  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.10-18-04**



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

FILE #04-63      TYPE: AREA

APPLICANT Name & Address:

**Anthony Yonnone  
56 Cedar Avenue  
New Windsor, NY 12553**

TELEPHONE:      568-0931

RESIDENTIAL:	\$ 50.00	CHECK # <u>1238</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:            RESIDENTIAL \$300.00      CHECK # 1239



<u>DISBURSEMENTS:</u>		<u>MINUTES</u> <u>\$5.50 / PAGE</u>	<u>ATTORNEY</u> <u>FEE</u>
PRELIMINARY:	<u>5</u> PAGES	\$ <u>27.50</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	___ PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>3</u> PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
PUBLIC HEARING:	___ PAGES	\$ _____	\$ _____

TOTAL:                    \$ 44.00      \$ 70.00



ESCROW POSTED:            \$ 300.00  
LESS: DISBURSEMENTS:    \$ 114.00

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

REFUND DUE:                    \$ 186.00

Cc:

ANTHONY YONNONE (04-63):

MR. REIS: The next preliminary meeting Anthony Yonnone, please. Your name?

MS. YONNONE: Arlene Yonnone.

MR. REIS: Arlene, what we're doing for the next applicant, the preliminary meeting that we have in New Windsor gives us an idea of what you want to accomplish and we give you an idea what you need to give us so we can help you accomplish your goals, okay?

So tell us what you want to do and, again, this is a preliminary and then we will be hopefully setting you up for a final.

MS. YONNONE: I would like to put a shed and the reason why we need the shed is because we put an inground pool in and where the motors are we want to put a shed to cover the motor. And it's going, it's passing the, in front of the house a little. It's on the side of the house, but it's going passed the front of the house.

MR. MINUTA: This equipment for the pool is already located there?

MS. YONNONE: Yes.

August 23, 2004

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MR. MINUTA: You're simply enclosing that in?

MS. YONNONE: Yes.

MR. MINUTA: You are on a corner lot?

MS. YONNONE: No, I'm up on a hill.

I'm right passed the little league field.

And where I'm putting the shed it's not going to be seen. We have, you know, enough property there where it's not going to bother anybody else and it's not, the neighbors are not going to see it. It's property that we don't use, it's just sitting there.

MR. MINUTA: Will you be creating any water hazards or cutting down substantial vegetation?

MS. YONNONE: No.

MR. MINUTA: The size of that shed?

MS. YONNONE: I'm not sure which one my husband ordered, but I know it's 10-foot wide and I think it's either 10 by 16 or 10 by 20.

MR. REIS: According to your billing it's 10 by 20.

MS. YONNONE: Okay, so it's 10 by 20.

August 23, 2004

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Because I know he was saying he needed extra space to put the pool stuff in there.

MR. REIS: Mrs. Yonnone, do you happen to know if this will be going over any easements or right-a-ways?

MS. YONNONE: No.

MR. REIS: Good. Again, the utilization of this is just to enclose your existing --

MS. YONNONE: Right.

MR. REIS: Just for the record, I understand what you're trying to accomplish but it would be impractical to possibly place this equipment, existing equipment and shed to the rear of the yard financially it would be a difficult thing for you to accomplish?

MS. YONNONE: It is because the motor is in the front and I also need 10-foot all around they said. And I don't have -- if I place the shed in the back, I'm not going to have 10-foot all around because the pool --

MR. MINUTA: This pool was existing or new?

MS. YONNONE: It's new.

MR. MINUTA: Mike, do we have a C of O

for that?

MS. YONNONE: Probably not yet because we just put it in.

MR. MINUTA: You did apply for a permit?

MS. YONNONE: I did apply for a permit and I got approved for that.

MR. REIS: This will be electric running through the shed, Mrs. Yonnone?

MS. YONNONE: Yes, because the motor is electric, the existing motor has electric. Nothing additional, but I know that that's one of the reasons to why we want to cover it because it's, the light for the pool is electric and there's electric running through that.

MR. REIS: Any questions?

MR. MINUTA: Accept a motion?

MR. REIS: Steve, any questions?

MR. RIVERA: No.

MR. REIS: Accept a motion then.

MR. MINUTA: Make a motion that we forward Yonnone, Anthony and Arlene Yonnone to a Cornwall Zoning Board hearing for the

August 23, 2004

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request of the Section 300-11 accessory structure to project closer to the road than principal building at 56 Cedar Avenue in an R4 zone.

MR. REIS: Second anybody?

MR. RIVERA: Second.

ROLL CALL:

MS. GANN: Yes.

MS. LOCEY: Yes.

MR. RIVERA: Yes.

MR. MINUTA: Yes.

MR. REIS: Yes.

ANTHONY YONNONE (04-63)

MR. KANE: Request for variance of Section 300-11 A(3) accessory structure to project closer to the road than principle building at 56 Cedar Avenue in an R-4 zone.

Mr. and Mrs. Anthony Yonnone appeared before the board for this proposal.

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

MR. YONNONE: I'm getting information on how to put a shed up over top of our pool heater and pump.

MR. MC DONALD: That's already in, right?

MR. YONNONE: Right.

MR. KANE: I'm not sure on the heater, can't be enclosed.

MRS. YONNONE: We have--

MR. YONNONE: A stack for it.

MR. KANE: Be very careful on that cause also a lot of fumes that come out of that. I'm in the pool business so--

MR. YONNONE: Right.

MRS. YONNONE: The shed's going passed the front of our house, right?

MR. YONNONE: It's closer to the road than the house itself.

MR. KRIEGER: Is he at the intersection of two roadways?

MR. KANE: No but it's just passed the front of the house for the shed and that's the only place that you can safely put your shed?

MR. YONNONE: Yes, sir.

MR. KANE: Shed itself similar in size and nature to other sheds in your area?

MR. YONNONE: I would have to say yes, similar.

MR. KANE: May not have the same use but similar in size?

MR. YONNONE: Similar.

MR. REIS: Your shed would be encapsulating the existing equipment right where it is now?

MR. YONNONE: Yes, sir.

MR. KANE: And you understand that if the board passes, approves this that you're still required to meet all of the regulations from the building department?

MR. YONNONE: Yes, sir.

MR. KANE: And the shed and the power?

MR. YONNONE: Yes.

MR. MC DONALD: Looking at this in relation to this pool right here, it's going to be over this?

MR. YONNONE: Right over top this, this is the power here.

MR. MC DONALD: And this is?

MR. YONNONE: Right, this here would be, right, here's

a drainage right there.

MR. KANE: Won't be cutting down any trees or substantial vegetation in the building of the shed?

MR. YONNONE: No.

MR. KANE: Creating any water hazards on runoffs?

MR. YONNONE: No, sir.

MR. KANE: Any easements.

MR. YONNONE: None.

MR. KANE: And even though the building is in front of your house, it is not blocking the view of any motorists driving by on the road?

MR. YONNONE: We're about 40 feet in the air on top of a hill, they would have to go out of their way to even look at the house, unfortunately.

MR. KANE: We have to ask the questions.

MR. YONNONE: I understand.

MR. KANE: You're fenced in?

MR. YONNONE: Yes.

MR. KANE: At this point, I will open up the meeting to the public and ask if there's anybody here for this particular--you're not, no, okay, then not here for you so we'll close the public hearing portion of the hearing and ask Myra how many mailings.

MS. MASON: On September 9, I mailed out 73 addressed envelopes and had no responses.

MR. KANE: You were saying?

MR. YONNONE: Just one question for the property itself is all fenced in, the whole square footage, everything for the pool.

MR. KANE: Still need a fence.

MR. BABCOCK: There's some--

MR. YONNONE: It's between a fence and the house, is there a way we can block it off?

MRS. YONNONE: I did ask the question and the girl told me as long as I have a latch on the fence but we do want to fence it in.

MR. KANE: Self-closing, self-latching, that's the key, whatever it is if you're whole yard is fenced in, you have sliders in the back, those doors have to be self-closing, self-latching, if not, you need to put a fence around the pool with a self-closing, self-latching gate.

MR. YONNONE: Understand.

MR. KANE: What they don't want is that 30 seconds it takes that little guy to hit the door and he's out to the pool and there needs to be some kind of barrier, you know.

MRS. YONNONE: Yeah, we want to do that and put the alarm system.

MR. KANE: You can get a gate alarm system. Don't look for anything that's floating, go for, I go for something that's deep, otherwise, the birds will land, set off the alarms and you'll never pay attention. They have the ones that go deeper in the water and if you get a little bit lower, they're portable, they're

probably about 200 bucks, but they're worth it or they have little wristwatches that you can put on and they have a 500 yard range and if it gets embedded in water that alarm will go off. Any questions, guys?

MR. REIS: We don't have to worry about side yard here?

MR. BABCOCK: No.

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

MR. KANE: Yes, I will.

MR. REIS: I make a motion that we approve Mr. Yonnone's requested variance at 56 Cedar Avenue.

MR. MC DONALD: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	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:

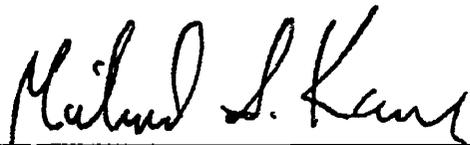
**Appeal No. 04-63**

**Request of ANTHONY YONNONE**

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

**Request for variance of Section 300-11 A(3) (Accessory structure to project closer to the road than principal building) at 56 Cedar Avenue in an R-4 Zone (15-8-13.1)**

**PUBLIC HEARING will take place on SEPTEMBER 27, 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

August 27, 2004

Anthony Yonnone  
56 Cedar Avenue  
New Windsor, NY 12553

Re: 15-8-13.1            ZBA#: 04-63

Dear Mr. Yonnone:

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 \$95.00, minus your deposit of \$25.00.

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

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

13-9-10  
Dean VanZandt  
38 Cedar Avenue  
New Windsor, NY 12553

13-9-13,14,15 & 16  
Linda Cox-Tobin  
Peter Gandolfini  
P.O. Box 83  
Valley Forge, PA 19481

13-9-21  
Man Brothers Realty, Inc.  
P.O. Box 247  
Vails Gate, NY 12584

13-10-15  
Barbara Booth, Dolores Mannix  
John Konrad  
51 Melrose Avenue  
New Windsor, NY 12553

14-6-1  
Calvary Cemetery  
Church of St. Patrick  
55 Grand Street  
Newburgh, NY 12550

15-7-3 & 15-7-10  
William & Marie D'Amico  
73 Lawrence Avenue  
New Windsor, NY 12553

15-7-6  
William O'Sullivan  
134 Turner Road  
Pearl River, NY 10965

15-7-11  
Lawrence Avenue Properties, LLC  
593 Lakeside Road  
Newburgh, NY 12550

15-8-3  
Estelle & Agnew Warren  
100 Blanche Avenue  
New Windsor, NY 12553

15-8-12  
Isabelle Burgoa  
52 Cedar Avenue  
New Windsor, NY 12553

13-9-11  
Susan & Lillian Maley  
40 Cedar Avenue  
New Windsor, NY 12553

13-9-17  
Johanna & Lawrence Mowery, Jr.  
6 Bradford Avenue  
New Windsor, NY 12553

13-10-13  
Cosmo & Stephanie Yonnone  
67 Myrtle Avenue  
New Windsor, NY 12553

13-10-18  
George & Donna Kirk  
45 Melrose Avenue  
New Windsor, NY 12553

15-5-7.1  
Edith & Donald Smith  
24 Goodman Avenue  
New Windsor, NY 12553

15-7-4  
Alfred Crudele, Jr.  
Dominick D'Egidio  
68 Melrose Avenue  
New Windsor, NY 12553

15-7-8  
Stanley Fornal, Jr.  
c/o Matha Fornal  
205 Quassaick Avenue  
New Windsor, NY 12553

15-8-1  
Dennis & Barbara Russell  
55 Melrose Avenue  
New Windsor, NY 12553

15-8-4,5,6 & 7  
Charles & Jane Baranski  
106 Blanche Avenue  
New Windsor, NY 12553

15-8-13.211  
Alfred & Sharion Barrett  
85 Blanche Avenue  
New Windsor, NY 12553

13-9-12, 13-9-20, 13-10-11 & 12  
Lorraine Slacin  
Stella Orzechowski  
91 Edgehill Drive  
Wappingers Falls, NY 12590

13-9-18  
Anthony Tallarico  
63 Blanche Avenue  
New Windsor, NY 12553

13-10-14  
Leroy & Rosemarie Stanford  
53 Melrose Avenue  
New Windsor, NY 12553

13-11-9  
Edward & Helen Simanoski  
56 Melrose Avenue  
New Windsor, NY 12553

15-7-2  
Susan & Douglas Olympia  
58 Melrose Avenue  
New Windsor, NY 12553

15-7-5  
Rosendo Mosso  
76 Melrose Avenue  
New Windsor, NY 12553

15-7-9  
Edgar Rivera  
77 Lawrence Avenue  
New Windsor, NY 12553

15-8-2  
Renato & Caterina Facchin  
9 Bradford Avenue  
New Windsor, NY 12553

15-8-9,10 & 11  
Ellsworth Wayman  
5 Bradford Avenue  
New Windsor, NY 12553

15-8-13.22  
David & Roberta Short  
87 Blanche Avenue  
New Windsor, NY 12553

15-8-13.231  
Loretta McArdle  
77 Melrose Avenue  
New Windsor, NY 12553

15-8-16.2  
Richard & John Gerbes  
Anthony & Dolores Gerbes  
69 Melrose Avenue  
New Windsor, NY 12553

15-8-20.11  
Felicitia Pagan  
110 Blanche Avenue  
New Windsor, NY 12553

15-8-22.1  
Delia Colon  
113 Blanche Avenue  
New Windsor, NY 12553

15-8-25  
Joseph & Karen Micheletti  
119 Blanche Avenue  
New Windsor, NY 12553

15-8-34  
Richard & Dorothy Urbaniak  
114 Blanche Avenue  
New Windsor, NY 12553

16-1-2  
Thomas Nytko  
6 Bradford Terrace  
New Windsor, NY 12553

16-1-5  
Patrice & James Colson  
12 Bradford Terrace  
New Windsor, NY 12553

16-1-15.1  
Kenneth & Karen Bergin  
9 Veronica Avenue  
New Windsor, NY 12553

16-4-1  
Dennis Lebron & Ada Rivera  
349 Huckleberry Turnpike  
New Windsor, NY 12553

15-8-14  
Alfred & Estelle Ortenzo  
75 Melrose Avenue  
New Windsor, NY 12553

15-8-18.2  
Martin & Kristine Cohen  
59 Melrose Avenue  
New Windsor, NY 12553

15-8-20.2  
Andrew & Geraldine Masten  
30 Goodman Avenue  
New Windsor, NY 12553

15-8-23  
Anthony & Kimberly Ricci  
115 Blanche Avenue  
New Windsor, NY 12553

15-8-26  
Humberto & Linda Alvarez  
121 Blanche Avenue  
New Windsor, NY 12553

15-8-35  
Allen & Debra Bushey  
112 Blanche Avenue  
New Windsor, NY 12553

16-1-3  
George Friedle  
8 Bradford Terrace  
New Windsor, NY 12553

16-1-13  
Bernardo Colandrea  
13 Veronica Avenue  
New Windsor, NY 12553

16-1-17  
James & Catherine Lima  
7 Veronica Avenue  
New Windsor, NY 12553

16-4-2  
Clifford & Patricia Budney  
12 Veronica Avenue  
New Windsor, NY 12553

15-8-15  
William & Carol Hoyer  
71 Melrose Avenue  
New Windsor, NY 12553

15-8-19  
Cathy & Thomas Freeman, III  
79 Melrose Avenue  
New Windsor, NY 12553

15-8-21.1  
Kathleen & Joseph O'Brien, Jr.  
111 Blanche Avenue  
New Windsor, NY 12553

15-8-24  
William & Geraldine O'Connell  
117 Blanche Avenue  
New Windsor, NY 12553

15-8-33  
Robert & JoAnn Hilfiger  
116 Blanche Avenue  
New Windsor, NY 12553

16-1-1  
Franklin & Rachelle Critelli  
2 Bradford Terrace  
New Windsor, NY 12553

16-1-4  
James & Isabel Rapp  
10 Bradford Terrace  
New Windsor, NY 12553

16-1-14  
Roberta Handy  
c/o Barbara Drake-Wurster  
12 Oxford Road  
New Windsor, NY 12553

16-1-18  
Sharen Branch  
55 Cedar Avenue  
New Windsor, NY 12553

16-4-23  
Francis & Colleen Donnery  
12 Hilltop Drive  
New Windsor, NY 12553

16-4-24  
Pamela Freeman  
10 Hilltop Drive  
New Windsor, NY 12553

16-4-27  
Luis Molina  
4 Hilltop Drive  
New Windsor, NY 12553

16-4-30  
Kevin & Shirley Reggero  
5 Reggero Drive  
Newburgh, NY 12550

16-4-33  
Frank Malloy  
Janet Bode  
67 Cedar Avenue  
New Windsor, NY 12553

18-1-22  
New Windsor Little League, Inc.  
P.O. Box 4024  
New Windsor, NY 12553

16-4-25  
Robert Hatfield  
8 Hilltop Drive  
New Windsor, NY 12553

16-4-28  
Adrian & Marie Gokey  
2 Hilltop Drive  
New Windsor, NY 12553

16-4-31  
James & Edna Lynch  
71 Cedar Avenue  
New Windsor, NY 12553

16-4-34  
Devon & Sonia Cameron  
65 Cedar Avenue  
New Windsor, NY 12553

16-4-26  
Dawn Benitez  
6 Hilltop Drive  
New Windsor, NY 12553

16-4-29  
Vincent Nicastrì  
3 Budney Drive  
New Windsor, NY 12553

16-4-32  
Tony Chassi  
69 Cedar Avenue  
New Windsor, NY 12553

16-4-35  
Daniel & Regina Elliott  
63 Cedar Avenue  
New Windsor, NY 12553



# Town of New Windsor

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

## ZONING BOARD OF APPEALS

September 9, 2004

Anthony Yonnone  
56 Cedar Avenue  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-63

Dear Mr. & Mrs. Yonnone:

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:

56 Cedar Avenue  
New Windsor, NY

is scheduled for the September 27, 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

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

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 08-20-04

FOR: ESCROW 04-63

FROM: ANTHONY YONNONE

56 CEDAR AVENUE

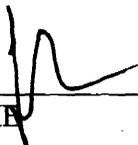
NEW WINDSOR, NY 12553

CHECK NUMBER: 1239

TELEPHONE: 568-0931

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

8/20/04  
\_\_\_\_\_  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



ZBA # 04-63  
Application fee

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

**RECEIPT**  
**#862-2004**

08/20/2004

Yonnone, Arlene & Anthony

Received \$ 50.00 for Zoning Board Fees, on 08/20/2004. 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, NY 12553  
(845) 563-4611

**RECEIPT**  
**#.902-2004**

08/31/2004

Yonnone, Anthony

Received \$ 70.00 for Assessors List, on 08/31/2004. 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

August 20, 2004

Anthony Yonnone  
56 Cedar Avenue  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-63

Dear Mr. Yonnone:

This letter is to inform you that you have been placed on the August 23, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

56 Cedar Avenue  
New Windsor NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

# TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

DATE: 08-20-04 PROJECT NUMBER: ZBA# 04-63 P.B. # \_\_\_\_\_

APPLICANT NAME: ANTHONY YONNONE

PERSON TO NOTIFY TO PICK UP LIST:

ARLENE OR ANTHONY YONNONE  
56 CEDAR AVENUE  
NEW WINDSOR, NY 12553

TELEPHONE: 568-0931 OR ARLENE'S WORK #568-2347

TAX MAP NUMBER:      SEC. 15    BLOCK 8    LOT 13.1  
                                 SEC. \_\_\_\_\_    BLOCK \_\_\_\_\_    LOT \_\_\_\_\_  
                                 SEC. \_\_\_\_\_    B LOCK \_\_\_\_\_    LOT \_\_\_\_\_

PROPERTY LOCATION: 56 CEDAR AVENUE  
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

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

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

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

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



NEW WINDSOR ZONING BOARD XXX

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



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 1240

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



# 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

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).**

*Deleefmore*      *8/2/04*  
SIGNATURE      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.

PAGE 2

COMPLETE THIS PAGE

04-63



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



**APPLICATION FOR VARIANCE**

7/30/04  
Date

Application Type: Use Variance  Area Variance   
Sign Variance  Interpretation

Work # 845-568-2347

**I. Owner Information:**

Mr & Mrs Anthony J Yonnore Phone Number: (845) 568-0931  
(Name) Fax Number: ( )  
56 Cedar Ave, New Windsor, NY 12553  
(Address)

**II. Applicant:**

Anthony & Arlene J Yonnore Phone Number: (845) 568-0931  
(Name) Fax Number: ( )  
56 Cedar Ave New Windsor, NY 12553  
(Address)

**III. Forwarding Address, if any, for return of escrow:**

Phone Number: (845) 568-0931  
Anthony J Yonnore Fax Number: ( )  
(Name)  
56 Cedar Ave, New Windsor, NY 12553  
(Address)

**IV. Contractor/Engineer/Architect/Surveyor/:**

Phone Number (845) 562-9580  
Fax Number: (845) 562-6956  
Yonnore's Auto Repair, Inc  
(Name)  
2894 Rt 9W New Windsor, NY 12553  
(Address)

**V. Property Information:**

Zone: R-4 Property Address in Question: 56 Cedar Ave, New Windsor  
Lot Size: \_\_\_\_\_ Tax Map Number: Section 15 Block 8 Lot 13.1  
a. What other zones lie within 500 feet? \_\_\_\_\_  
b. Is pending sale or lease subject to ZBA approval of this Application? Yes  
c. When was property purchased by present owner? March 1991  
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?  
There was an existing shed, taken out & now we're proposing one.

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

**04-63**

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:

Shed is being used to cover all Pool Motors & Electric  
which is visible with fencing on both side of it.  
Shed is in a spot where it won't be seen and it  
won't interfere with any neighbors.  
See Survey Attached.

**PLEASE NOTE:**

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

04-63

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.)

Landscaping, Lighting.

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:

3 day of August 20 04

Artere J Yonnone  
Owner's Signature (Notarized)

Artere J Yonnone  
Owner's Name (Please Print)

Artere J Yonnone  
Signature and Stamp of Notary

**ARLENE F. BLAKE**  
Notary Public - State of New York  
No. 497929  
Applicant's Signature (If not Owner)

PLEASE NOTE:

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

Qualified in Orange County  
My Commission Expires June 28, 2007.

RECEIVED  
TOWN OF NEW WINDSOR  
AUG 20 2004  
ENGINEER & PLANNING

COMPLETE THIS PAGE

04-63