

ZB# 04-69

Halmar Contracting

9-1-76

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 12-13-04

ZBA # **04-69** HALMAR CONT. (AREA)
1224 RIVER ROAD (9-1-76)



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

March 15, 2005

Halmar Contracting, Inc.
14 Dogwood Hills Road
Newburgh, NY 12550

SUBJECT: REQUEST FOR VARIANCE #04-69

Dear Sir:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

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

HALMAR CONTRACTING

MEMORANDUM OF
DECISION GRANTING

AREA

CASE #04-69
-----X

WHEREAS, Halmar Contracting, Inc., owner(s) of 1224 River Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 2 ft. Maximum Building Height for existing 8 ft. chain link fence located between building and street (300-11-C-1-C) at 1224 River Road in a PI zone (9-1-76)

WHEREAS, a public hearing was held on December 13, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Daniel Bloom, Esq., representing the Applicant; appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a commercial property located in a neighborhood of commercial properties.
 - (b) The applicant proposes no new construction. An existing building is surrounded by a chain-link fence of approximately eight feet in height.

- (c) The chain-link fence has been in existence for many years but, it is not clear that it was in existence before the enactment of Zoning Laws and, therefore, is not a pre-existing, non-conforming use.
- (d) The applicant had originally also asked for sign variances for which requests have been withdrawn.
- (e) The fencing is clear fencing and does not interfere with the safe operation of motor vehicles on the adjacent highway.
- (f) Considering the location of the property, security is unusually important.
- (g) Since the erection of the fence, there have been no complaints, either formal or informal, about it.
- (h) No trees or substantial vegetation was removed in construction of the fence.
- (i) The fence does not create the ponding or collection of water or divert the flow of water drainage.

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

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

and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance(s).

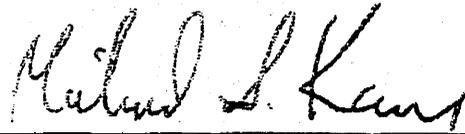
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 2 ft. Maximum Building Height for existing 8 ft. chain link fence located between building and street (300-11-C-1-C) at 1224 River Road in a PI zone (9-1-76) 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: December 13, 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: JANUARY 28, 2005
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 380.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-69

NAME & ADDRESS:

**Halmar Contracting, Inc.
14 Dogwood Hills Road
Newburgh, NY 12550**

THANK YOU,

MYRA

L.R.1-28-2005



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

FILE #04-69 TYPE: AREA

APPLICANT Name & Address:

**Halmar Contracting, Inc.
14 Dogwood Hills Road
Newburgh, NY 12550**

TELEPHONE: 569-8365

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>1010</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: COMMERCIAL \$500.00 CHECK # 1011



<u>DISBURSEMENTS:</u>		<u>MINUTES</u> \$5.50 / PAGE	<u>ATTORNEY</u> <u>FEE</u>	
PRELIMINARY:	<u>5</u>	PAGES	<u>\$ 27.50</u>	<u>\$ 35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	<u>\$ 22.00</u>	<u>\$ 35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

TOTAL: \$ 49.50 \$ 70.00



ESCROW POSTED: \$ 500.00
LESS: DISBURSEMENTS: \$ 119.50

AMOUNT DUE: \$ _____

REFUND DUE: \$ 380.50

Cc:

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 7/30/04

APPLICANT: Halmar Contracting C/O William Murphy
14 Dogwood Hills Road
Newburgh, NY 12550

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 7/12/04

FOR : Existing Chain-Link Fence.

LOCATED AT: 1224 River Road

ZONE: / Sec/Blk/ Lot: 9-1-76

DESCRIPTION OF EXISTING SITE: Existing Commercial Building.

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 7' Chain Link fence with additional 1' of Barb Wire for a total of 8' in height is not permitted between buildings and the road.


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: P1 USE: 300-11-C-1-C

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: 6'

8'

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

04-69

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.

BUILDING DEPARTMENT

JUL 12 2004

RECEIVED

FOR OFFICE USE ONLY:
Building Permit #: 2004-983

**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 HALMIR CONTRACTING INC.
Address 14 DOGWOOD HILLS RD, NEWBURGH, NY 12550 Phone # 845-569-8365
Mailing Address 14 DOGWOOD HILLS RD NEWBURGH, NY 12550 Fax # 845-569-0804
Name of Architect NA
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.

William Murphy
(Name and title of corporate officer)

WILLIAM MURPHY
VICE PRESIDENT

1. On what street is property located? On the West side of RIVER ROAD
(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 9 Block 1 Lot 76

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy VEH. PARKING LOT b. Intended use and occupancy STORAGE YARD

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

6. Is this a corner lot? No EXISTING C.I. FENCE

7. Dimensions of entire new construction. Front 300 Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee 0

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4685 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.

William Murphy
(Signature of Applicant)

14 Dogwood Hills Road
(Address of Applicant)

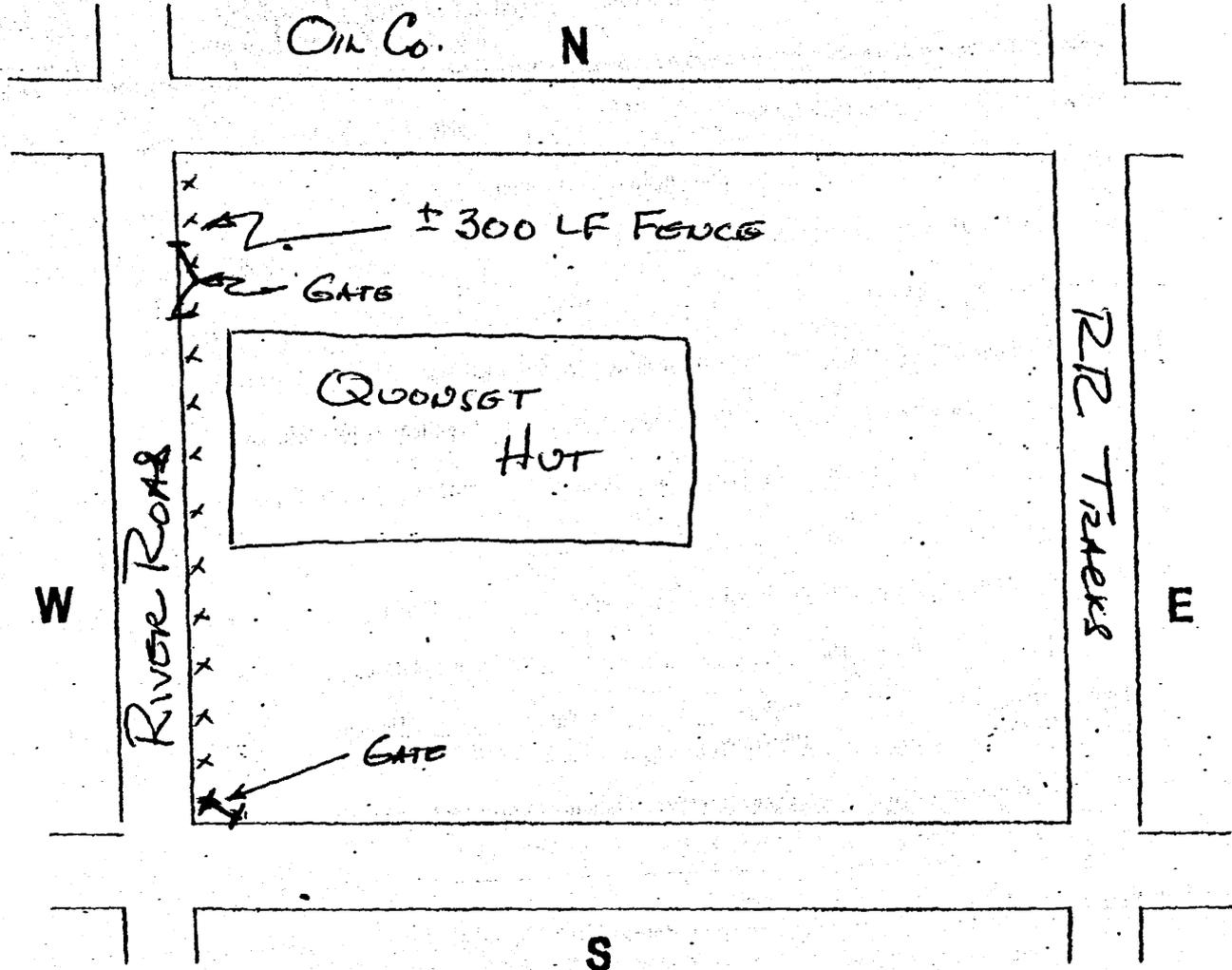
William Murphy
(Owner's Signature)

NEWBURGH, N.Y. 12550
(Or write)

VICE TOWN CLERK

NOTE:

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



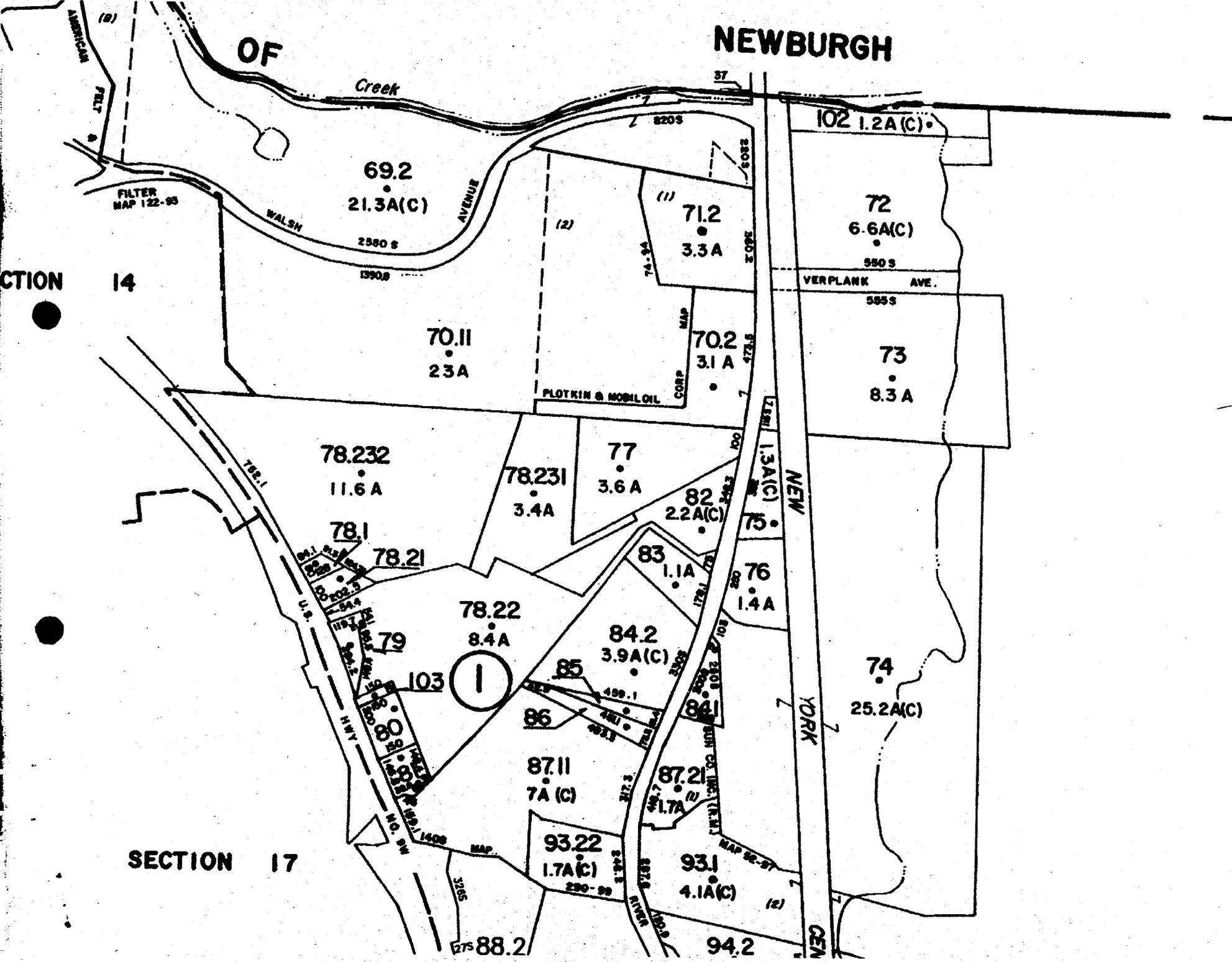
NEWBURGH

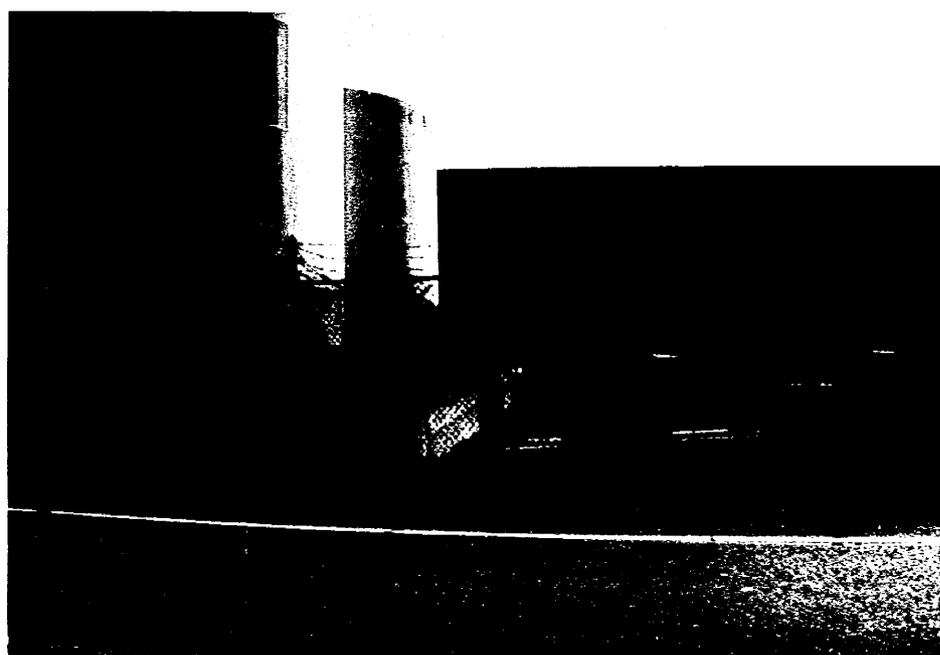
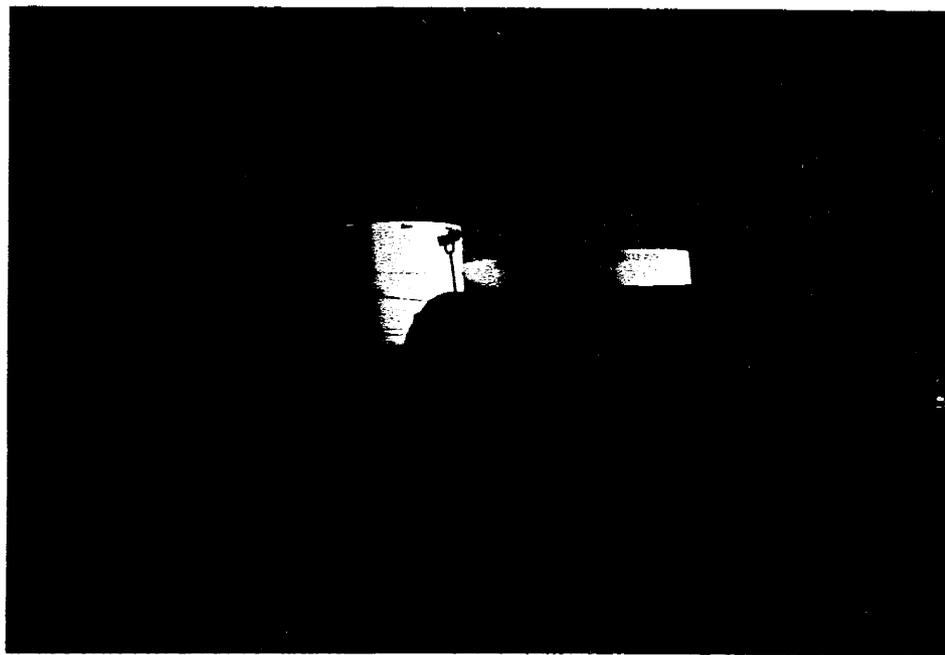
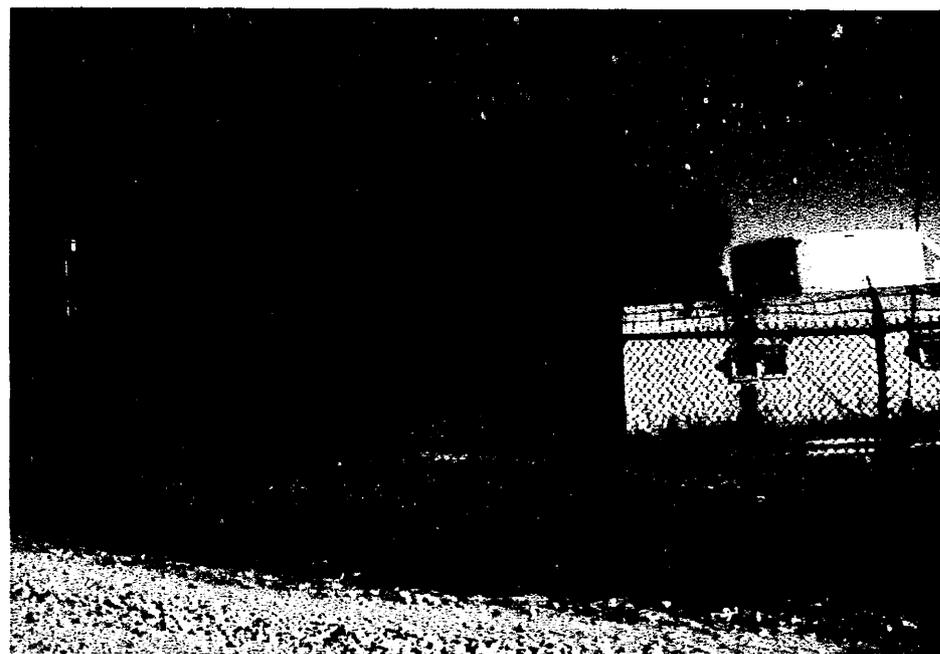
OF

Creek

SECTION 14

SECTION 17





November 8, 2004

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HALMAR CONTRACTING (04-69)

Daniel Bloom, Esq. appeared before the board for this proposal.

MR. KANE: Request for 2 ft. maximum building height for existing 8 ft. chain link fence located between building and street at 1224 River Road.

MR. BLOOM: Good evening, Mr. Chairman and members of the board, my name is Dan Bloom and I represent the applicant, Halmar Contracting and this application involves an existing chain link fence down on River Road around what used to be, I used to consider it the Naval Reserve building down there and it became Army Reserve and what have you. It's now owned by Halmar Contracting, has been since 1995. When they purchased the property, the fence which of which we're addressing at the present time existed and as far as we can determine existed for an extended period of time prior to 1995 but probably not long enough to be considered a pre-existing, non-conforming use. Thus, my client's in the process of selling the property and when the necessary municipal search was done, it was determined that there was an open building permit apparently for the fence and when we, investigated further, my client determined when he checked with the building inspector's office that in fact the fence is two feet higher than the zoning ordinance permits and the fence itself is 7 feet and has a one foot extension above it, which is barbed wire and so now they're faced with the specter of removing the fence in its entirety or cutting it down. And the problem we respectfully submit to the board is that if we reduce the height of the fence it very substantially adversely impacts upon its security function and the area in which it's located, as you know, is a PI area, it's pretty much industry and all commercial and security is a key issue.

MR. KANE: Right next door there's a lot of tanks.

MR. BLOOM: They do, lot of the properties in the area all have fences. My client believes that they appear to be the same height, he hasn't taken a tape measure. They may be pre-existing, we don't know but in fact the suggestion is that if we're alluding to do this that it will not adversely impact upon the rest of the neighborhood, so to speak.

MR. KANE: Any complaints formally or informally about the fence that you're aware of?

MR. BLOOM: None that we're aware of, no.

MR. KANE: I have the pictures and I can see River Road over here but in any area does the fence block the vision of motorists traveling down River Road?

MR. BLOOM: I can't personally speak to that, Mr. Chairman, but before the meeting I will certainly go down and look at it myself.

MR. KANE: I don't think there's anything in the area but formally for the public hearing, I would need you to answer that.

MR. BLOOM: We'll do that absolutely.

MR. KANE: So we believe we have a 7 foot fence with about a one foot barbed wire addition on top of it?

MR. BLOOM: Correct.

MR. KANE: And we're looking, and the fence has been pre-existing since approximately 1995?

MR. BLOOM: Well, he bought it in 1995, it was there long before that and unless it's a different fence but I don't think it is, Mr. Chairman, I was in the Army

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Reserves in that building in 1965, so I think it's been there a very long time.

MR. KANE: You're dating yourself.

MR. BLOOM: I know it's obvious.

MR. KANE: Mike?

MR. BLOOM: I believe it was the same fence.

MR. KANE: Is there an open permit on that?

MR. BABCOCK: No, actually, this, it came up as a violation, I'm not sure why it came up.

MR. BLOOM: It came up on a violation search, we were selling the property, they ordered the title, they did a violation search and it came up that way.

MR. KANE: But there was no open permit on it.

MR. BLOOM: Well, it was referred to, yes, let me refer if I may.

MR. KANE: If there's something open we should get that taken care of.

MR. BABCOCK: Well, actually, apparently they issued the permit, Mr. Chairman, and realized it cause there's a note on the permit that needs ZBA approval or need to--oh, now they've got a note here that they need to remove the top of the fence so at some point in time maybe they thought about removing.

MR. KANE: When was the permit issued, Mike?

MR. BLOOM: According to my note here 1991, is that correct, Mike?

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MR. BABCOCK: Well, we have one on July 26, 2004 so they come in to try to straighten it out.

MR. KANE: That's the permit that you have?

MR. BABCOCK: They were gonna cut off the top of the fence so they got a permit then they decided to go for the variance, it says and/or variance.

MR. KANE: Okay.

MR. BABCOCK: They must of renewed it, yeah, there's 1991 there was a building permit for a 6 foot chain link fence.

MR. KANE: Any other questions ladies?

MS. GANN: No.

MS. LOCEY: No.

MR. KANE: I'll take a motion.

MS. GANN: I'd like to offer a motion, Mr. Chairman.

MR. KANE: I'll accept it.

MS. GANN: Motion for Halmar Contracting request for two foot maximum building height for existing chain link fence located between the building and street at 1224 River Road in a PI zone for public hearing.

MS. GANN: I'll second that.

MR. KANE: One question, the verbiage two foot maximum building height, is that correct for a fence? I'm a little leery with that because it goes to the property and if you give him the two foot maximum building height.

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MR. BABCOCK: This is a generic form, Mr. Chairman, and the only thing that we have with anything with height is building height but up on the disapproval it says existing 7 foot chain link fence with additional one foot of barbed wire for a total of eight foot not permitted between the building and the road.

MR. KANE: When we go for a public hearing we're going to need to remember to make it specific to the fence only and not to any other building that's on the property, I feel a little bit more comfortable with that. We'll take a vote.

ROLL CALL

MS. LOCEY	AYE
MS. GANN	AYE
MR. KANE	AYE

HALMAR CONTRACTING (04-69)

Daniel Bloom, Esq. appeared before the board for this proposal.

MR. KANE: Request for 2 ft. maximum building height for existing 8 ft. chain link fence located between building and street at 1224 River Road.

MR. BLOOM: Good evening, Mr. Chairman, ladies and gentlemen, how are you this evening? I'm Dan Bloom for the applicant and just very briefly the property consists primarily of a quonset hut on River Road in New Windsor. It is located down in the tank farm region. The application seeks a two foot variance, the existing chain link fence is approximately 8 feet in height, only 6 feet is permitted so we need a two foot variance. By way of some history, my client purchased the property around 1991 and at that time, the fence was in place and I happen to know personally it was in place for many, many years prior to that and as far as my client can determine and as far as I can personally recall, it's never changed, it's always been about the same height with about the top portion barbed wire about a foot. It's the same fencing that appears on the properties to the north and southeast and west. I personally toured it again today to make sure and they all seem to be about the same height, same construction and they're there obviously for security reasons and certainly it would be possible for my client to take it down two feet but we feel that by so doing we'd be depreciating the value of the property. I have the, we're under contract to sell it, the purchaser wishes to continue it the way it's being used now, the existing tenant they feel for security reasons they'd like to keep it in place. When we first came here on the initial application there was some signs on the fence and Mr. Chairman you asked me to address concerns you had about visibility and vision. I immediately spoke to my client, the signs are gone. I went down

there personally and inspected it again today and I don't think there's any visibility issues, personally speaking, it's clear fencing, it's substantial but you can see through it quite well, certainly as well as any of the other fencing down there I went in and out, I didn't see any impediment to vision. The situation was pre-existing certainly not prior to the code, well perhaps prior to the code but we can't prove that but certainly for a substantial period of time. If the variance is granted, certainly at least I respectfully submit it will not adversely impact any of the surrounding property since most of all of them have the similar fencing and for the same purpose.

MR. KANE: The surrounding property is fuel storage?

MR. KANE: Basically fuel storage, most of it is fuel storage, yes, some exceptions but mostly fuel storage.

MR. KANE: So we would consider security to be imperative?

MR. BLOOM: I would consider it to be highly imperative. When I was down there, I happened to note it might be my imagination but I seem to detect more police activity especially state police in that area since 9-11 personally.

MR. KANE: They also have private security down there too, I travel that way every day.

MR. BLOOM: Exactly.

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

MR. BLOOM: Not to my knowledge nor to my client's.

MR. KANE: At this point, I just want to see if we'll open it up to the public, see if there's anybody in the

audience for this particular hearing. Anybody out there care about a fence? No? We'll close the public portion of the hearing and ask Myra how many mailings we had.

MS. MASON: On November 17th, I mailed out 12 envelopes and had no responses.

MR. RIVERA: Accept a motion?

MR. KANE: I just want to make sure that we, to your knowledge, again, we can't prove how long the fence has been up, it's been up a substantial amount of time but no cutting down of trees or substantial shrubbery that you know of with the fence?

MR. BLOOM: Not that I know of. I have personal knowledge back to 1965 it was there in '65.

MR. KANE: You don't have to date yourself here for us. No creation of water hazards or runoffs?

MR. BLOOM: Almost none to my knowledge.

MR. KANE: Any easements where the fence is located that you know of?

MR. BLOOM: Not that I know of. Title work's been done on it and I'm sure there's none.

MR. MINUTA: Not the same title company as the last applicant?

MR. BLOOM: No, I was listening to that, that was a nightmare story.

MR. KANE: I'll accept a motion.

MR. RIVERA: Yes, I make a motion that we grant Halmar Contracting the requested two foot maximum building

height for the existing chain link fence located at
1224 River Road.

MR. MINUTA: Second it.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. RIVERA	AYE
MR. MINUTA	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:

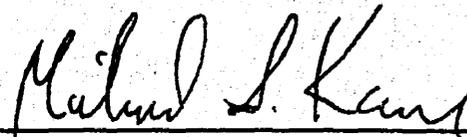
Appeal No. 04-69

Request of HALMAR CONTRACTING

for a VARIANCE of the Zoning Local Law to Permit:

Request for 2 ft. Maximum Building Height for existing 8 ft. chain link fence located between building and street (300-11-C-1-C) at 1224 River Road in a PI zone (9-1-76)

**PUBLIC HEARING will take place on December 13, 2004
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**



Michael Kane, Chairman



Town of New Windsor

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

Assessors Office

November 1, 2004

Re: 9-1-76 ZBA#: 04-69 (12)

Dear Mr. Bloom:

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 \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Miller, Planning Dept

9-1-77
David Plotkin
360 Walsh Avenue
New Windsor, NY 12553

9-1-83
Donald Parrone
147 North Dix Avenue
Newburgh, NY 12550

9-1-85
Cynthia Zeeb
Arthur Mullon
1213 River Road
New Windsor, NY 12553

9-1-70.2 & 9-1-73
Mid-Valley Petroleum, Corp.
c/o Warex Terminals, Corp.
1 South Water Street
Newburgh, NY 12550

9-1-78.22
New Windsor Apartment Assoc., LLC
270 Sylvan Avenue
Englewood Cliffs, NJ 07632

9-1-84.1
Cele Cimorelli
276 Temple Hill Rd - Unit 902
New Windsor, NY 12553

9-1-87.21
RJG, LLC
c/o R.J. Guerrero, Inc.
51 Elm Street
Naugatuck, CT 06770

9-1-74
Steel Style Shipyard, Inc.
1220 River Road
New Windsor, NY 12553

9-1-78.231 & 9-1-82
David Plotkin
c/o Steel Style, Inc.
401 South Water Street
Newburgh, NY 12550

9-1-84.2
Elvira Cimorelli
Anthony J Cimorelli, III
1227 River Road
New Windsor, NY 12553

9-1-99
NY Central Lines, LLC
c/o CSX
500 Water Street (J-910)
Jacksonville, FL 32202

9-1-75
Mid-Valley Petroleum, Corp.
c/o Warex Terminals, Corp.
P.O. Box 488
Newburgh, NY 12550

TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

DATE: 10-28-04 PROJECT NUMBER: ZBA# 04-69 P.B. # _____

APPLICANT NAME: HALMAR CONTRACTING

PERSON TO NOTIFY TO PICK UP LIST:

DANIEL BLOOM (BLOOM & BLOOM, P.C.)
530 BLOOMING GROVE TPK
NEW WINDSOR, NY 12553

TELEPHONE: 561-6920

TAX MAP NUMBER: SEC. 9 BLOCK 1 LOT 76
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 1224 RIVER ROAD
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: 1012

TOTAL CHARGES: _____

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIVED
TOWN OF NEW WINDSOR
NOV - 5 2004
ENGINEERING PLANNING

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 10-28-2004

FOR: 04-69

FROM: HALMAR CONTRACTING, INC.

14 DOGWOOD HILLS ROAD

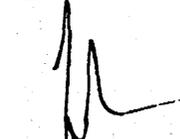
NEWBURGH, NY 12550

CHECK NUMBER: 1011

TELEPHONE: 569-8365

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

10/5/04

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
#1099-2004

10/29/2004

ZBA 04-69
Halmar Contracting

Received \$ 150.00 for Zoning Board Fees, on 10/29/2004. 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

October 28, 2004

Halmar Contracting, Inc.
14 Dogwood Hills Road
Newburgh, NY 12550

SUBJECT: REQUEST FOR VARIANCE #04-69

Dear Sir:

This letter is to inform you that you have been placed on the November 8, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

1224 River Road
New Windsor, NY

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

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

Cc: Daniel Bloom, Atty.
530 Blooming Grove Tpk.
New Windsor, NY 12553



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



APPLICATION FOR VARIANCE

September 24, 2004

Date

Application Type: Use Variance Area Variance
Sign Variance Interpretation

I. **Owner Information:**
Halmar Contracting, Inc.

Phone Number: (845) 569-8365

Fax Number: (845) 569-0804

(Name)

14 Dogwood Hills Road, Newburgh, NY 12550-2028

(Address)

II. **Applicant:** Same as I. above.

Phone Number: ()

(Name)

Fax Number: ()

(Address)

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

Same as I. above.

Fax Number: ()

(Name)

(Address)

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

Phone Number ()

Same as I. above.

Fax Number: ()

(Name)

(Address)

V. **Property Information:**

Zone: PI Property Address in Question: 1224 River Rd., New Windsor, NY 12553

Lot Size: 1.25 acres +/- Tax Map Number: Section 9 Block 1 Lot 76

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? July 5, 1995.

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? Commercial vehicles parked in area surrounding building.

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

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

COMPLETE THIS PAGE



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



ZONING BOARD PROCEDURES

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

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

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE: \$ 50.00
 *ESCROW: \$300.00
 **DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
 *ESCROW: \$500.00
 **DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
 *ESCROW: \$500.00
 **DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
 *ESCROW: \$500.00
 **DEPOSIT 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 ****

<p>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).</p> <p>HALMAN CONTRACTING INC. <i>William D. Hyslop</i> V.P. 8/12/04 by SIGNATURE DATE</p>

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.

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

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt. (Fence)	6'	8'	2'
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.

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:

The subject fence has been in place in its present condition for many years prior to applicant purchasing the property on July 5, 1995. It is a substantial chain link fence (7' high) with 1 foot of barb wire reaching a height of 8' for the purpose of providing adequate security to the premises. All of the surrounding commercial/industrial properties have similar fences of similar heights for the same security reasons. If the fence were removed and replaced with one that conforms with the zoning ordinance, it would adversely impact on its security function. Inasmuch as the fence has been in place for many years, is consistent with the fences located on the neighboring properties and provides security without adversely impacting any environmental conditions, applicant respectfully submits that granting this application will have no adverse effect or impact on the surrounding community or the environment.

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

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.)

The fence is in existence and has been in existence for many years.

Accordingly, there will be no change in the aesthetics 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.) FOUR (4)

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:

24th day of September 2004.

Halmar Contracting Inc.
 by William Murphy
 Owner's Signature (Notarized)
 HALMAR CONTRACTING, INC.
 BY WILLIAM MURPHY, V.P.
 Owner's Name (Please Print)

Daniel J. Bloom
 Signature and Stamp of Notary

DANIEL J. BLOOM
 NOTARY PUBLIC - State of NY
 Residing in Orange County
 Commission Expires Feb. 28, 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

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

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

Halmar Contracting, Inc. by William G. Murphy, deposes and says that he resides
(OWNER) Vice President

at 14 Dogwood Hills Rd., Newburgh, NY 12550 in the County of Orange
(OWNER'S ADDRESS)

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

(Sec. 9 Block 1 Lot 76)
designation number (Sec. 9 Block 1 Lot 76) which is the premises described in

the foregoing application and that he authorizes:

Bloom & Bloom, P.C., 530 Blooming Grove Tpke., New Windsor, NY 12553
(Applicant Name & Address, if different from owner)

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

to make the foregoing application as described therein.

Date: September 24, 2004

HALMAR CONTRACTING, INC
BY WILLIAM MURPHY, V.P.
William Murphy
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:
24th day of September 2004

Applicant's Signature (If different than owner)

Daniel J. Bloom
Representative's Signature

DANIEL J. BLOOM, ESQ.

Daniel J. Bloom
Signature and Stamp of Notary

DANIEL J. BLOOM
NOTARY PUBLIC - State of NY
Residing in Orange County
Commission Expires Feb. 28, 2006

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

**** PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

COMPLETE THIS PAGE

1224 River Road

Bloom & Bloom, P.C.
ATTORNEYS AND COUNSELORS AT LAW

DANIEL J. BLOOM
PETER E. BLOOM
KEVIN D. BLOOM*
*ALSO ADMITTED IN FLORIDA

530 BLOOMING GROVE TURNPIKE
(AT THE PROFESSIONAL CIRCLE)
P.O. BOX 4323
NEW WINDSOR, NEW YORK 12553
TELEPHONE (845) 561-6920
FAX: (845) 561-0978
E-MAIL: BLOOM@BLOOM.PC.COM

VIA FAX ONLY #569-0804

July 9, 2004

Mr. William G. Murphy, Jr.
14 Dogwood Hills Road
Newburgh, NY 12550

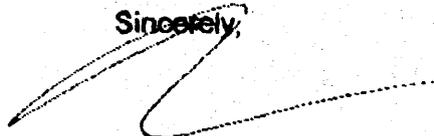
RE: Halmar Contracting, Inc. to New Windsor Energy Group
Our File No. RE-541

Dear Bill:

Enclosed please find a copy of correspondence dated July 8, 2004, received from Kenneth Pregno Agency, Ltd., regarding a violation on the subject premises. Please contact the Town of New Windsor Building Department at the earliest possible date to correct the violation and advise our office as to the status of the same.

Thank you.

Sincerely,



Kevin D. Bloom
KDB:ls
Enclosures
cc: Irwin J. Kavy, Esq.
Via Fax Only - #914-762-6877

7/12/04 Bldg DEPT.
1991 - 6' CL FENCE

1224 River Road

JUL 09 2004 14:03 845 561 0978

BLOOM & BLOOM

#0223 P.002/002

KENNETH PREGNO AGENCY, LTD.

2 SO. DIVISION STREET, PEEKSKILL, NY 10566 (914) 739-8293 FAX (914) 739-0832



July 8, 2004

Daniel J. Bloom, Esq.
Bloom & Bloom, PC
530 Blooming Grove Turnpike
New Windsor, NY 12553

RE: Title no. KPO 14342
Halmar Contracting to New Windsor Energy
Town of New Windsor

Dear Mr. Bloom,

We have been advised by the Town of New Windsor Building Dept. that there is an expired Building Permit on file with regard to the above captioned matter.

This is considering a VIOLATION with the Building Dept. (see letter enclosed herein);

Kindly have this rectified prior to closing. Thank you..

Yours truly,

Sharon Noel
SHARON NOEL

sn/enc.

cc: Irwin Kavy, Esq.

KEE 02/05

PAGE 01/05

PREGNO AGENCY

04 11:04 9147398832

PREGNO AGENCY

9147398832

07/08/2004 11:04

Permit No: 5563

File Date: 10/10/91

BUILDING PERMIT

SEC-BLK-LOT: 9-1-76.0

Permit Fee: \$\$\$\$50.00

A permit is hereby given by the Building Department of the Town of New Windsor, Orange County, N.Y., for the structure described herein:

Owner's Name: HALMAR CONTRACTING INC.

Address: 160 WEST LINCOLN AVE.,

Architect's Name:

Address:

Builder's Name: JOHN FALVELLA

Address: 17K ROCK TAVERN, NEW YORK

Location of Building: RIVER RD.W/S

Material: CHAIN LINK

Number of Stories: 0.0

Number of Families: 0

Dimensions of Building: 6'

Dimensions of Lot: SEE PLANS

Use of Building: FENCE

Number of Bedrooms: 0

Number of Toilets: 0

Number of Bathrooms: 0.0

Heating Plant:

Remarks: ISSUED FOR 6' CHAIN FENCE ON PROPERTY

Approximate Cost: \$\$\$\$\$3,690.00

1. I am familiar with the Zoning and Building Ordinance of the Town of New Windsor, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

John Falvella

 Signature of Applicant

IMPORTANT

1. A permit under which no work has commenced within six (6) months after issuance, shall expire by limitation, and a new permit must be secured before work can begin.
2. It is the responsibility of the owner and/or contractor to comply with all applicable town ordinances and to call for the required inspections at least one day in advance.

Grant Lin

 Signature of Building Inspector

DISTRIBUTION: WHITE to APPLICANT, YELLOW to FILE, GREEN to OFFICE



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4618
Fax: (845) 563-4695

Building Department

June 30, 2004

Barretta Research
1 Old Country Road
Carle Place, NY 11514

FILE COPY

PROPERTY ASSESSED TO: Halmar Contracting Inc
1224 River Road
New Windsor, NY 12553
Section/Block/Lot: 9-1-76

Dear Sir/Madam:

Please be advised that the above referenced structure was built in 1948, which was prior to this Town adopting building and zoning codes in 1966. Therefore, there is no certificate of occupancy nor is one required.

River Road is owned and maintained by the State of New York.

Our records indicate that Building Permit # 5563 issued on 10/10/91 for a 6' Chain Fence has expired. The owner of the premises will need to file for a new permit in order to receive a Certificate of Occupancy.

The Fire Inspector's records indicate that there are no pending fire violations at this time.

This letter has been prepared after inspection of the records available in the Town Hall. The records indicate that there is a violation at the subject premises. No personal inspection was made by the undersigned for the purpose of preparing this letter. The Town of New Windsor does not represent that there are no other violations at the subject premises, however, the Town will represent that it has no knowledge of any other violations at the subject premises.

The inspection of the records was performed at the request of an interested party. The Town will not be liable for any loss or damage that may be suffered by the interested party or any other party who may rely on the contents of this letter.

Very truly yours,

Michael Babcock
Michael Babcock
Building Inspector

MB: tb

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 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 #: _____

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 HALMAY CONTRACTING INC.
Address 14 DOGWOOD HILL RD, NEWBURGH, NY 12550 Phone # 845-569-8365
Mailing Address 14 DOGWOOD HILL RD NEWBURGH, NY 12550 Fax # 845-569-0804
Name of Architect NA
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.

William Murphy
(Name and title of corporate officer)

WILLIAM MURPHY
VICE PRESIDENT

1. On what street is property located? On the West side of Rivon Road
(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 9 Block 1 Lot 76

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

a. Existing use and occupancy VEH. PARKING LOT b. Intended use and occupancy STORAGE YARD

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

6. Is this a corner lot? No EXISTING C.I. FENCE

7. Dimensions of entire new construction. Front 300 Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee _____

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & 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.

William Murphy
(Signature of Applicant)

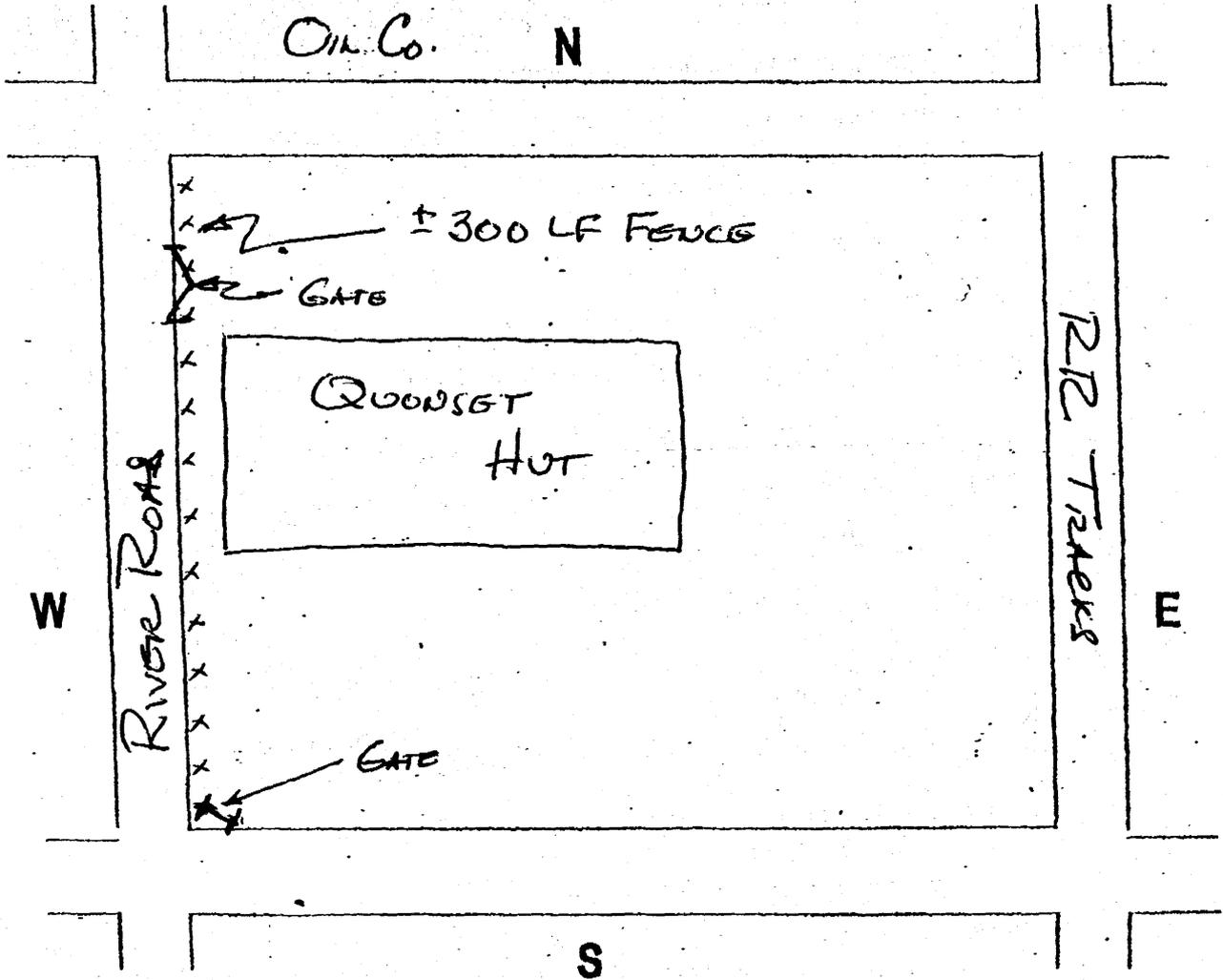
14 Dogwood Hills Road
(Address of Applicant)

William Murphy
(Owner's Signature)

NEWBURGH, N.Y. 12550
(Owner's Address)

VILE TOWN HALL

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



OK
u

IMPORTANT REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

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 FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL.HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN.BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH 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 & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Name of Owner of Premises..... Halmar Contracting Inc.

Address..... 160 West Lincoln Ave Phone..... 565 2123 5110.2 4

Name of Architect..... MAIN OFFICE 668-9500

Address..... Phone.....

Name of Contractor..... John Falvella

Address..... 17K Pack Tavern Phone..... 564 1276

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

If.....

Ree A. Hargis

(Name and title of corporate officer)

1. On what street is property located? On the West side of River Rd
(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? Yes..... No.....
3. Tax Map description of property: Section 9 Block 1 Lot 76
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy VA - PARKING LOT b. Intended use and occupancy Storage yard
5. Nature of work (check which applicable): New Building..... Addition..... Alteration..... Repair.....
Removal..... Demolition..... Other Fence 6' CHAIN FENCE ON PROPERTY
6. Size of lot: Front Rear..... Depth..... Front Yard..... Rear Yard..... Side Yard.....
Is this a corner lot? NO
7. Dimensions of entire new construction: Front 300' Rear..... Depth..... Height..... Number 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 \$3690.00 Fee \$50.00
(to be paid on this application)
11. School District

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office Of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer -
Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date...10-9.....19...91

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate 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.

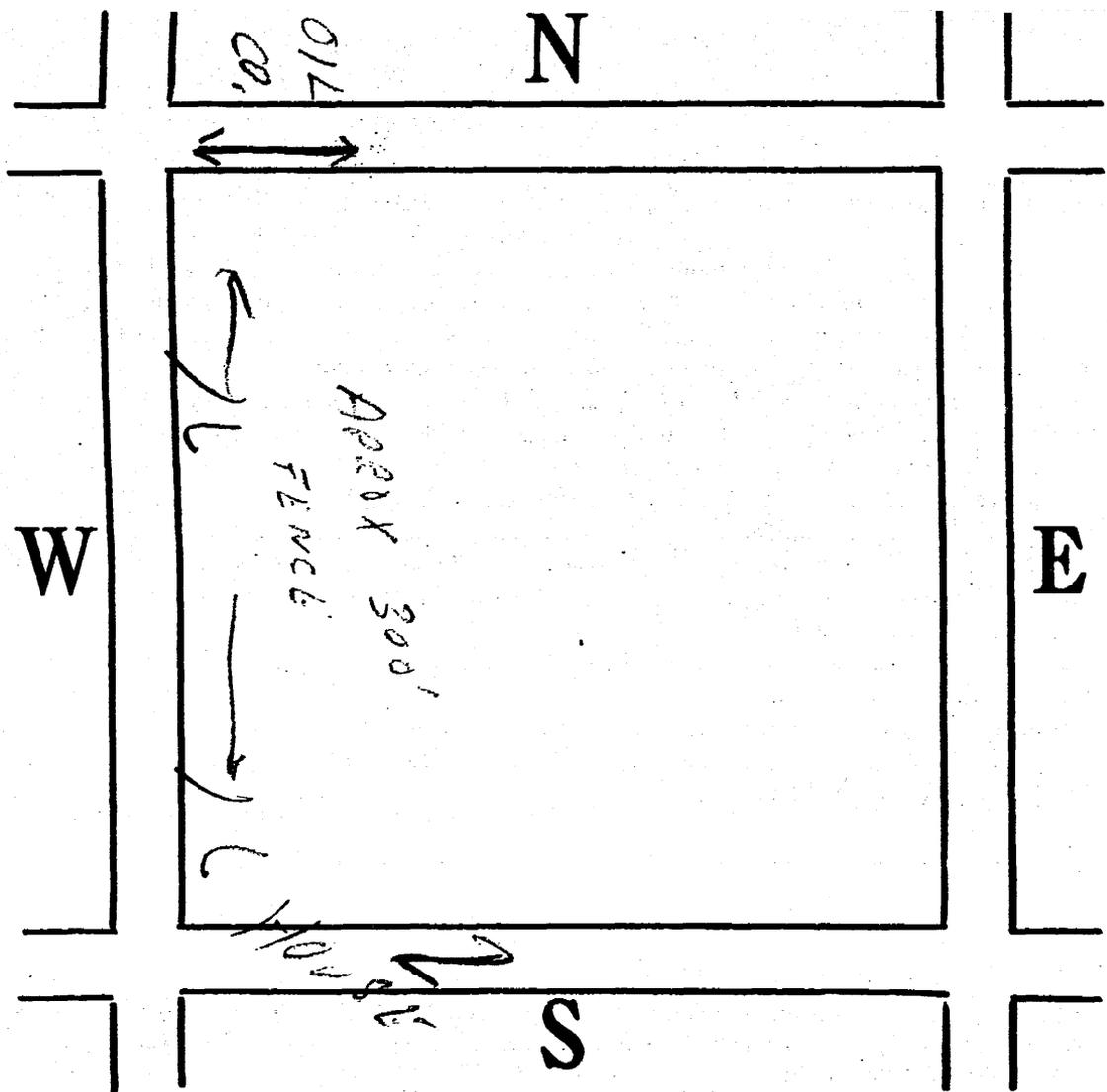
.....
Rev. A. Trovati
(Signature of Applicant)

.....
31 River Rd
(Address of Applicant)

PLOT PLAN

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

← RIVER ROAD →



IMPORTANT

OK
G

BUILDING PERMIT

The Town of New Windsor Building Department, County of Orange, State Of New York
hereby issues permit for project as described herein:

Permit Number:

PA2004-0983

Tax Parcel ID:

9-1-76

Issue Date: **July 26, 2004**

Permit Issued To: **Owner**

Permit Fee: **\$0.00**

Permit Application Reference: **PA2004-0983**

Type Of Permit: **COMMERCIAL FENCE**

Street Address of Property: **1224 RIVER RD**

Property Owner's Name: **HALMAR CONTRACTING INC
C/O MR. JOE GIARDINO,**

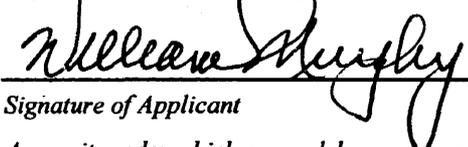
Property Owner's Address: **34 JAMES COURT
MAHOPAC, NY 10541**

Occupant's Name:

Occupancy Classification: **449**

Description Of Work: **EXISTING CHAIN-LINK FENCE**

I am familiar with the Zoning/Building Ordinance(s) and the New York State Uniform Fire Prevention and Building Code requirements related to this permit and do hereby agree to abide by them. The information stated above is correct and accurate.


Signature of Applicant

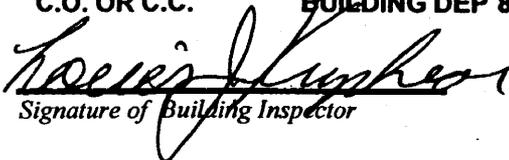
A permit, under which no work has commenced within six (6) months after issuance, shall expire by limitation. Furthermore, a permit that no Certificate of Occupancy or Certificate of Compliance has been issued within eighteen (18) months after issuance shall expire by limitation. Under either circumstance a new building permit shall be secured before work can begin or be completed.

It is the responsibility of the Owner/Occupant and/or Contractor to comply with all applicable ordinances. Notification requests for inspection must be made at least 24 hours in advance to the number shown below. Voice mail requests for inspections will not be scheduled. YOU MUST HAVE YOUR BUILDING PERMIT NUMBER AVAILABLE when calling for any inspections or inquiries

You must call for the following phases:

C.O. OR C.C.

BUILDING DEP 845-563-4618


Signature of Building Inspector

VALID UNTIL

1/26/2006