

ZB# 05-06

William Pfeuffer

75-2-1

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Granted 3-14-05

—ZBA #05-06 W. PEUFFER, JR. (AREA)—
31 KEATS DR. (75-2-1)



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

OFFICE OF THE ZONING BOARD OF APPEALS

July 1, 2005

William Pfeuffer, Jr.
31 Keats Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-06

Dear Mr. Pfeuffer:

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

WILLIAM PFEUFFER, JR.

MEMORANDUM OF
DECISION GRANTING

AREA

CASE #05-06

WHEREAS, William Pfeuffer, Jr. , owner(s) of 31 Keats Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for proposed 6 ft. fence that will project between the house and the road on a corner lot (300-11, A-3) at 31 Keats Drive in an R-4 Zone (75-2-1)

WHEREAS, a public hearing was held on March 14, 2005 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 Times Herald Record, 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) Although the property is located on a corner lot, it appears visually to have a front yard and two side yards.

- (c) There is now an existing 4 foot fence in the location in which the applicant seeks to install a 6 foot fence. The fence does not now or will not, if allowed, impair the safe operation of motor vehicles on the adjacent motorway.
- (d) No trees or substantial vegetation will be removed in installing the fence.
- (e) The fence will not divert the flow of water drainage or create the ponding or collection of water.

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

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

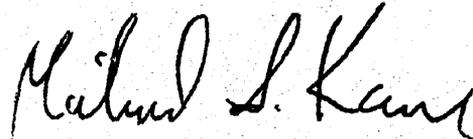
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for proposed 6 ft. fence that will project between the house and the road on a corner lot (300-11, A-3) at 31 Keats Drive in an R-4 Zone (75-2-1) 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: March 14, 2005



Chairman

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: November 16, 2004

**APPLICANT: William R. Pfeuffer Jr.
31 Keats Dr.
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: November 15, 2004

FOR : Proposed 6' fence

LOCATED AT: 31 Keats Drive

ZONE: R-4 Sec/Blk/ Lot: 75-2-1

DESCRIPTION OF EXISTING SITE: One Family House

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed 6' fence will project between house and road. This is a corner lot.**

COPY


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 300-11, A.3

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

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 reworked and re-inspected.

RECEIVED

NOV 15 2004

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation Inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final Inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway Inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for this 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 there is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2004-1427

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 William R. Pfeuffer Jr. - Cell 590-1152

Address 31 KEATS DRIVE Phone # (845) 562-1918

Mailing Address S/A/A Fax # " "

Name of Architect N/A

Address _____ Phone _____

Name of Contractor N/A

Address _____ Phone _____

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

If applicant is a corporation, signature of duly authorized officer _____

(Name and title of corporate officer)

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

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

3. Tax Map Description: Section 75 Block 2 Lot 1

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' Ft. Fence

6. Is this a corner lot? yes

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

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

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

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

10. Estimated cost _____ Fee 0

ZONING BOARD

did

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

date

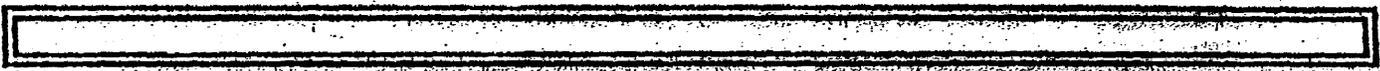
____/____/____

____/____/____
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) 563-4895 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____



INSTRUCTIONS

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

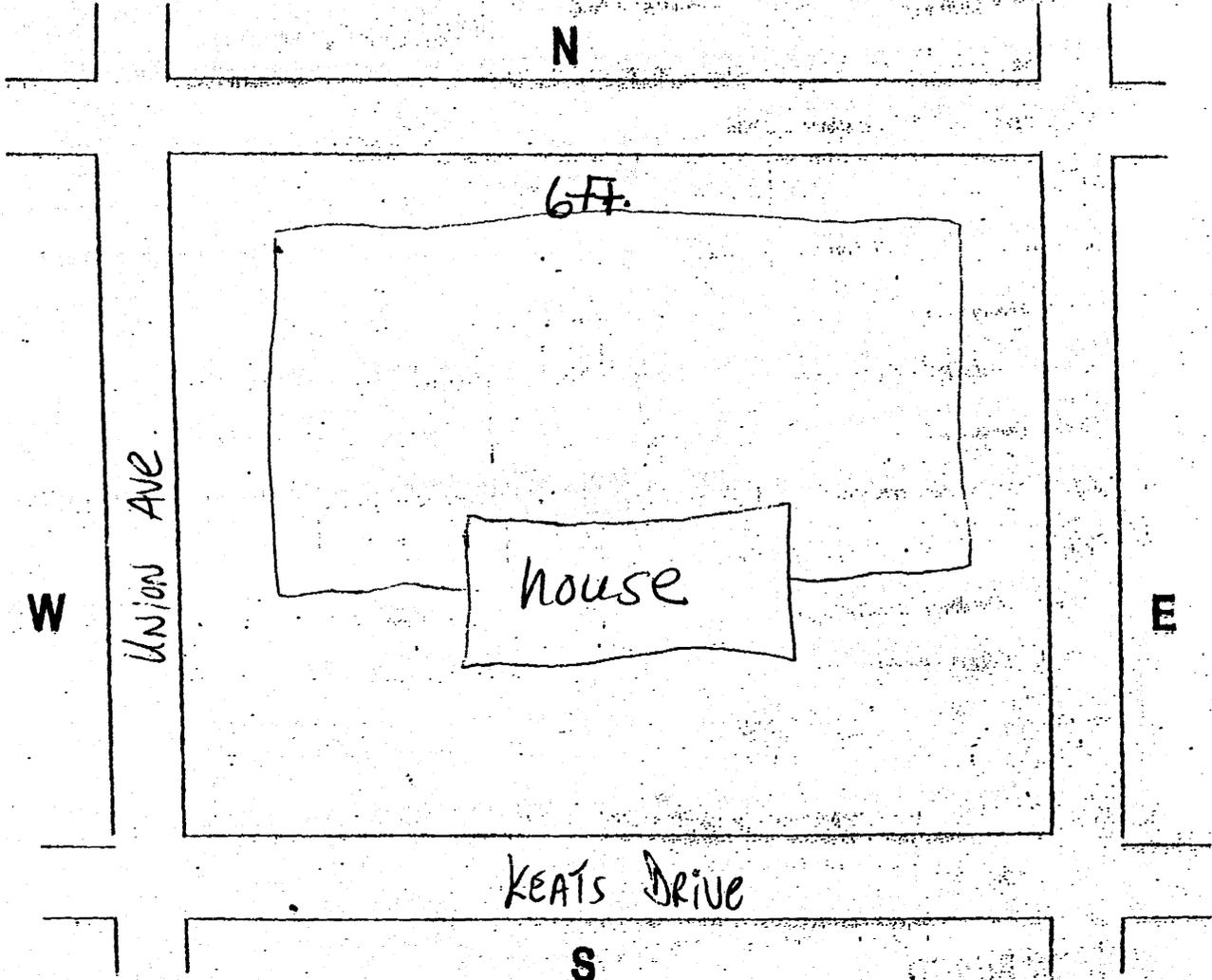
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein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

 (Signature of Applicant) (Address of Applicant)

 (Owner's Signature) (Owner's Address)

NOTE:

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



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OR CONNECTION

UNAUTHORIZED ALTERATION OR ADDITION TO A
SURVEY MAP BEARING A LICENSED LAND
SURVEYOR'S SEAL IS A VIOLATION OF SECTION
7209, SUB-DIVISION 2, OF THE NEW YORK
STATE EDUCATION LAW.

COPIES OF THIS SURVEY MAP NOT HAVING THE
EMBOSSED SEAL OF THE LAND SURVEYOR SHALL
NOT BE VALID.

GUARANTEES OR CERTIFICATIONS ARE NOT
TRANSFERABLE TO ADDITIONAL INSTITUTIONS
OR SUBSEQUENT OWNERS.

CERTIFIED CORRECT AND ACCURATE TO
HERITAGE SAVINGS BANK &
AMERICAN TITLE INSURANCE
COMPANY

Chas. W. Adams, Jr. N.Y.S. L.C. 29716

ADLER, CARUSO & YOUNG, P.C.

PROFESSIONAL ENGINEERS
82 DEMAREST MILL ROAD
MANHATTAN, N.Y.

FOUNDATION LOCATION - 11/15/78

BEING LOT 1 BLOCK B
MAP OF WINDSOR COUNTRY CLUB ESTATES

FILED IN THE OFFICE OF THE
ORANGE COUNTY CLERK

ON 4/1/74

AS MAP NO. 3169

POCKET-15

FOLDER - A

SCALE: 1"=50'

DATE

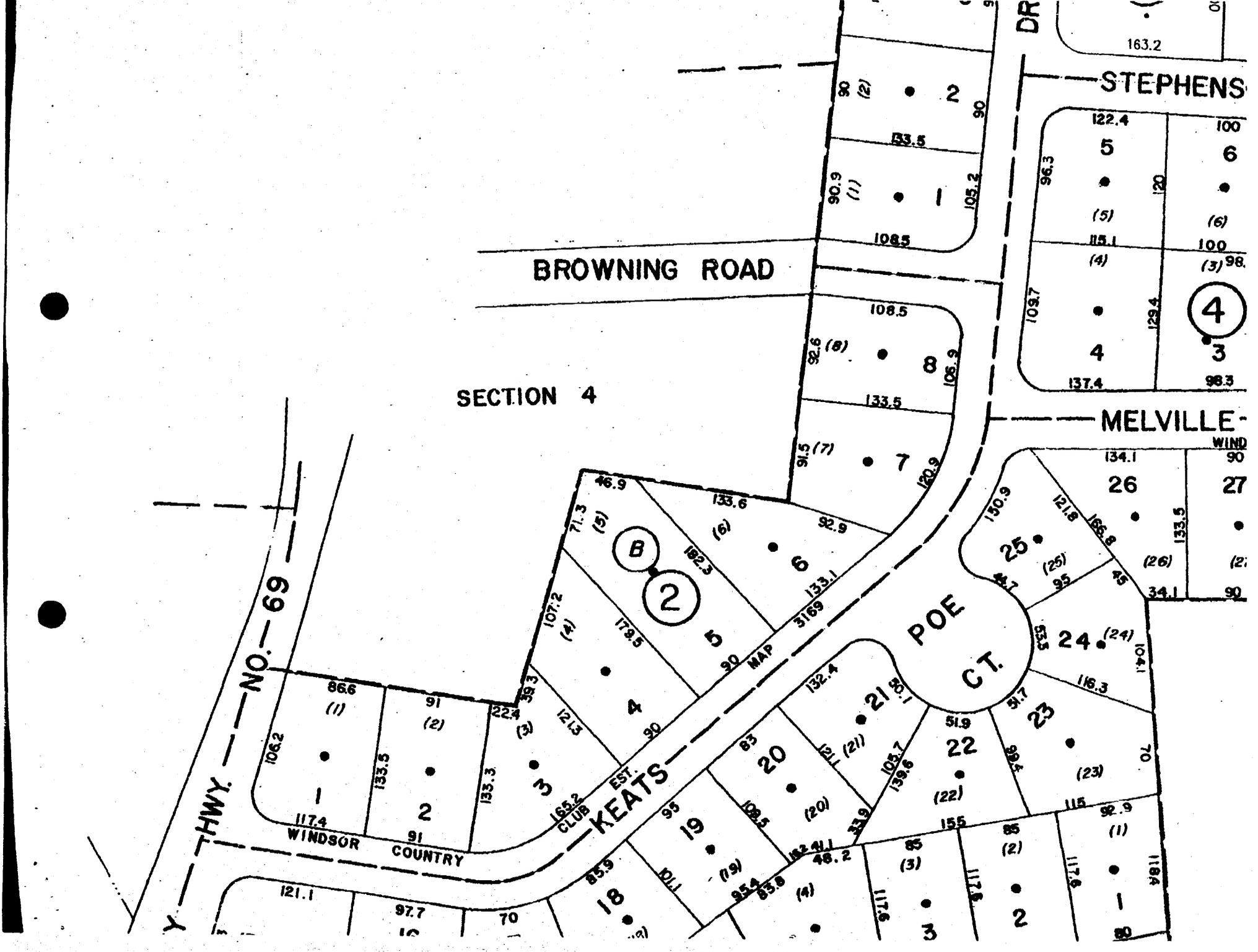
DWG. No.

REV.

SURVEY

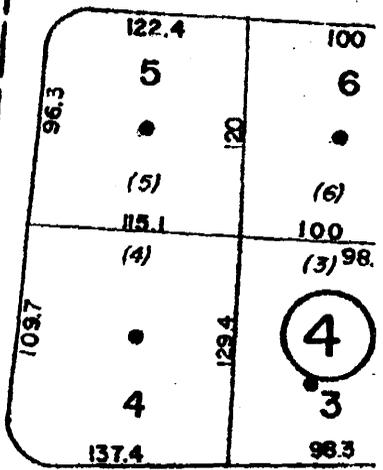
PLOT - DJA

CHECK



163.2

STEPHENS

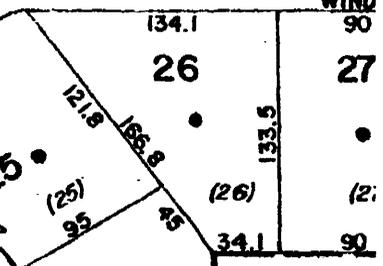


BROWNING ROAD

SECTION 4

MELVILLE -

WIND



NO. 69

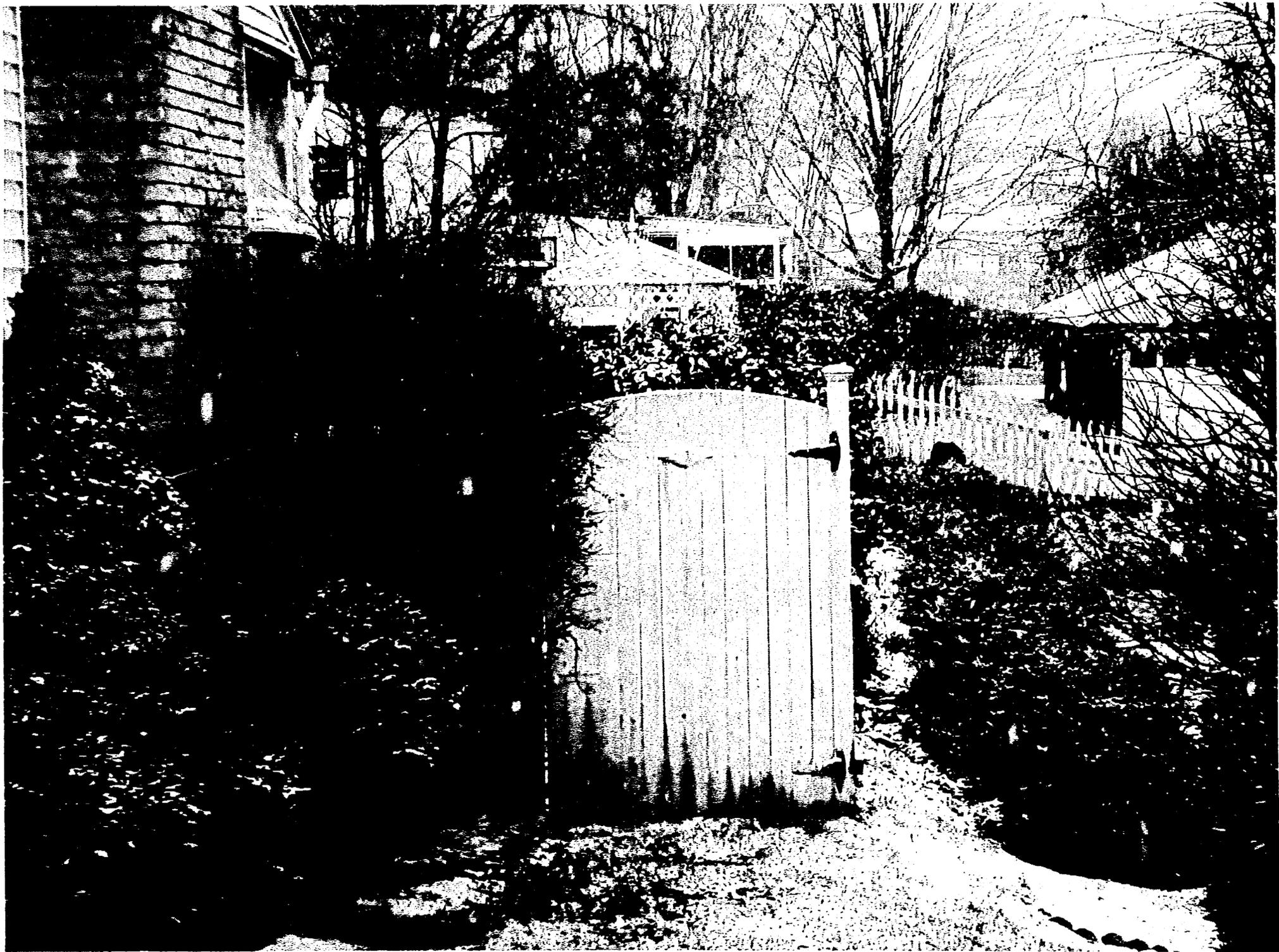
HWY.

WINDSOR COUNTRY

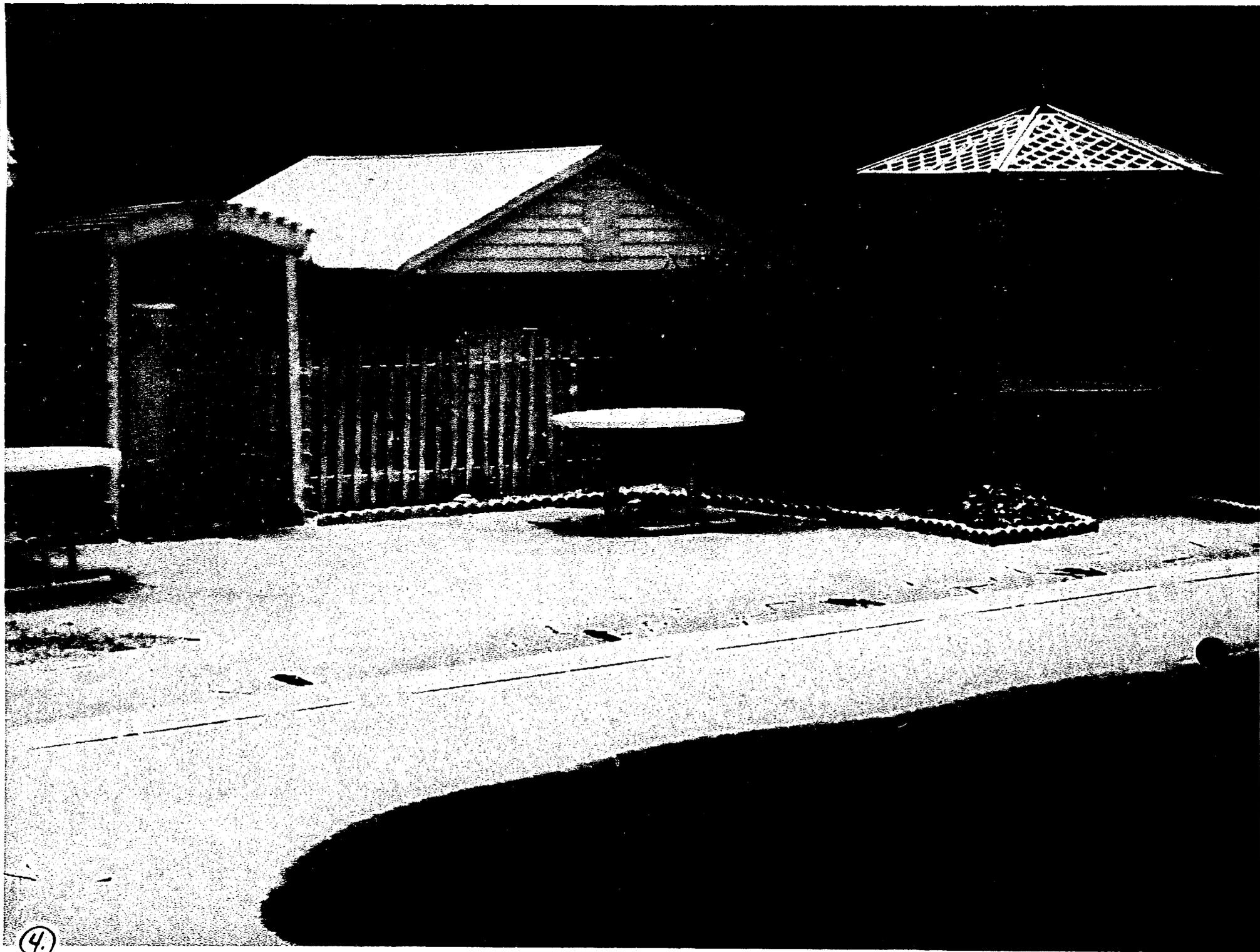
KEATS EST.

POE CT.

MAP









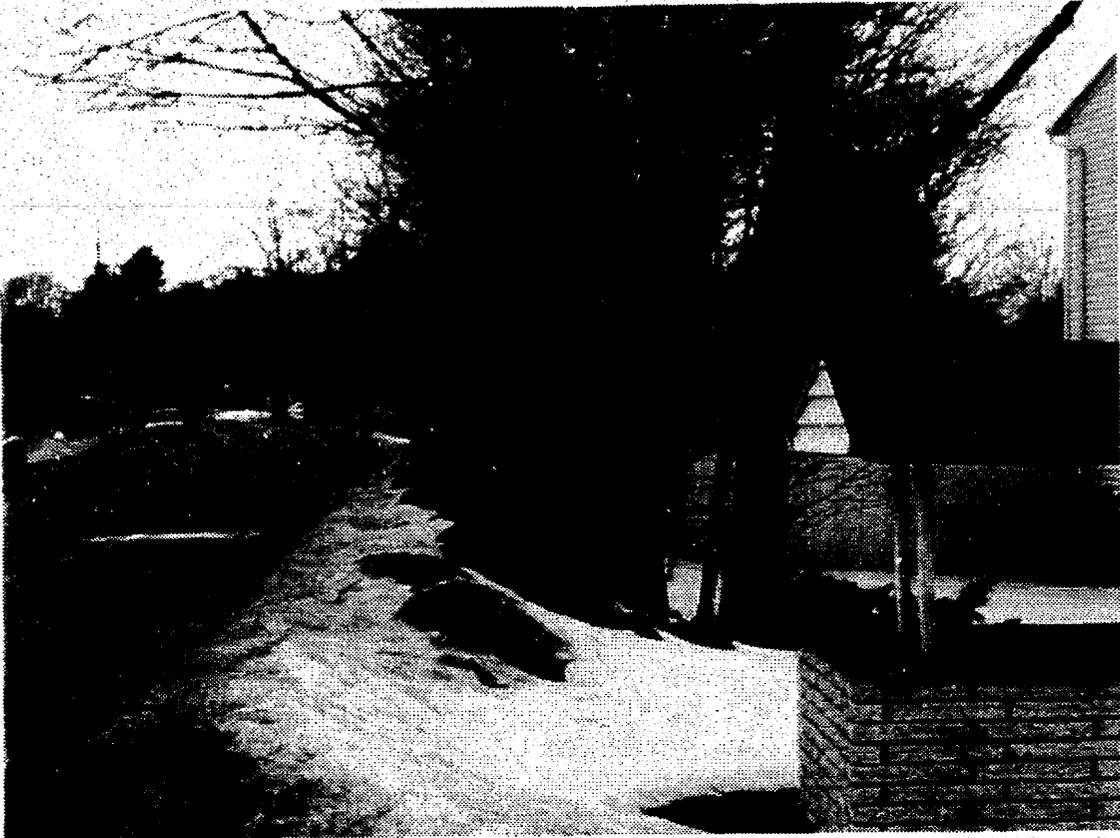




(b)

William Pfeiffer
(31 KEATS DRIVE)

m000087 (640x480x24b jpeg)



LOCATION - Union Ave. (S/O 31 KEATS DRIVE)
VIEW - Westbound

William Pfeuffer

(KEATS DRIVE)

im000072 (640x480x24b jpeg)



LOCATION - Intersection of Union Ave. & Keats Drive

DISTANCE - From the corner of Keats Drive (stop sign) to the beginning of white fence (approx. 50 feet)

VIEW - Westbound

William PFEUFFER (31 Keats Drive)

im000070 (640x480x24b jpeg)



LOCATION - Intersection of Union Ave. E Keats Drive

VIEW - EASTbound

**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: MARCH 29, 2005
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 156.66 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #05-06

NAME & ADDRESS:

**William Pfeuffer, Jr.
31 Keats Drive
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.03-29-2005



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



FILE #05-06 TYPE:AREA TELEPHONE: 562-1918

APPLICANT Name & Address:

**William Pfeuffer, Jr.
31 Keats Drive
New Windsor, NY 12553**

RESIDENTIAL:	\$ 50.00	CHECK # <u>137</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 136



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

LEGAL AD: Publish Date:01-31-05 \$ 40.34

TOTAL:		\$ <u>73.34</u>	\$ <u>70.00</u>
--------	--	-----------------	-----------------

ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 143.34

AMOUNT DUE: \$ _____

REFUND DUE: \$ 156.66

Cc:

L.R. _____

WILLIAM PFEUFFER, JR (05-06)

MR. KANE: Request for proposed 6 ft. fence that will project between the house and the road on a corner lot at 31 Keats Drive.

Mr. William Pfeuffer, Jr. appeared before the board for this proposal.

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

MR. PFEUFFER: I just would like to replace the 4 foot fence that's up now with a 6 foot to enclose the back of the property, enclose the inground pool.

MR. KANE: Can you show me right here on the map where you want to put this? I gather that's your driveway?

MR. PFEUFFER: The driveway, I have my survey, we're placing this just like this.

MR. KANE: Okay.

MR. PFEUFFER: It's like I have a stockade fence up, a little picket white fence.

MR. KANE: You really want more of a safety issue?

MR. PFEUFFER: Safety issue for the highway, privacy for my wife and child.

MR. KANE: It's not extending too far, how far is the fence going to be away from the road?

MR. PFEUFFER: Right there we have a rock wall, it's along there so I would say it's about 4 feet, I would say about eight to ten feet is the fence.

MR. KANE: From the street or from the rock wall?

MR. PFEUFFER: From the street.

MR. KANE: Coming down Union Avenue to Keats Drive there?

MR. PFEUFFER: I enclosed pictures as requested last time, it's about 50 feet from the stop sign on Keats, the corner to exactly where--

MR. KANE: So for the record obviously there's no problem with obstruction of view of traffic going from Keats or Union Avenue?

MR. PFEUFFER: East or westbound.

MS. GANN: The side of the fence will be uniform?

MR. PFEUFFER: Yes, white vinyl, it's expensive, lot of overtime for it.

MR. KANE: No staining, no rot, worth it. Okay, I have no further questions. Any other questions right now?

MR. REIS: Yes, I wasn't here, Mr. Pfeuffer, the fence, is it replacing the same area of your existing fence?

MR. PFEUFFER: Exactly.

MR. KANE: This portion. At this point, I'll open it up to the public, ask if anyone is here for this meeting? There's not so we'll close it and ask Myra how many mailings.

MS. MASON: On January 12, I mailed out 42 envelopes and had no response.

MR. KANE: Bring it back to the board. Any other questions? Can I have a motion, please?

MS. GANN: I'll make a motion that we grant the

March 14, 2005

32

application for William Pfeuffer, his request for
proposed 6 foot fence at 31 Keats Drive in an R-4 zone.

MR. REIS: Second it.

ROLL CALL

MS. GANN	AYE
MR. REIS	AYE
MR. RIVERA	AYE
MR. KANE	AYE

WILLIAM PFEUFFER, JR. (05-06)

Mr. William Pfeuffer, Jr. appeared before the board for this proposal.

MR. KANE: Request for proposed 6 ft. fence that will project between the house and the road on a corner lot at 31 Keats Drive.

MR. KANE: Tell us what you want to do. You have a 6 foot fence?

MR. PFEUFFER: Correct, there's a 4 foot fence, the building inspector came, I bought the house about two months ago, told me it wasn't up to code, I'm looking to replace it with a 6 foot fence to enclose my back yard as well as the swimming pool.

MR. KANE: Can you show me right here on the survey of the property where on this where is the fence going to go right here?

MR. PFEUFFER: I live right on the corner lot so it's going to be I would say about 30 to 40 feet.

MR. KANE: In from the corner?

MR. PFEUFFER: Right, so it starts here at the brick wall so it's going to be about here, runs along and then down to the back of my yard and then the opposite side to my neighbors.

MR. KANE: On either opposite to your neighbors so up here you're not even going to come up towards Keats Drive?

MR. PFEUFFER: No, from where the house actually starts to the back side of my back yard.

MR. KANE: So on this yard you're not going to extend

in, that's the front yard?

MR. PFEUFFER: No, not at all.

MR. KANE: On the Union Avenue and where the fences are going I would request that you bring in two pictures showing Union Avenue coming--

MR. PFEUFFER: I do have pictures, digital photos.

MS. MASON: They should be attached.

MS. GANN: Are you going to be using the same sort of fencing throughout?

MR. PFEUFFER: Yes. Right now, I have a stockade on the Union Avenue side and the other one's white picket so we wanted to make it all the same.

MR. KANE: Back to my original statement, I want you to bring in two pictures from the street, I need to know that that 6 foot fence is not impeding anybody's line of vision which I'm sure it's not but picture's worth a thousand words also for the file, if you would so, I want it, I guess that would be the eastern and the western view on Union Avenue.

MR. PFEUFFER: You got it.

MR. KANE: The reason you're going for a 6 foot fence instead of the 4?

MR. PFEUFFER: Privacy for my family and also safety reasons cause I'm on the highway.

MR. KANE: What kind of fence are you proposing to put up, is it going to be metal?

MR. PFEUFFER: No, it's the white, I guess it's plastic, vinyl.

MR. KANE: Expensive.

MR. PFEUFFER: Right.

MR. KANE: Cutting down any trees or substantial vegetation with the building of the fence?

MR. PFEUFFER: No.

MR. KANE: Creating any water hazards or runoffs?

MR. PFEUFFER: No.

MR. KANE: Fence won't be on any easements?

MR. PFEUFFER: No.

MR. KANE: Any other questions? I'll accept a motion.

MS. GANN: I move that we grant William Pfeuffer the public hearing for his request for proposed 6 foot fence that will project between the house and the road on a corner lot.

MR. REIS: Second it.

ROLL CALL

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

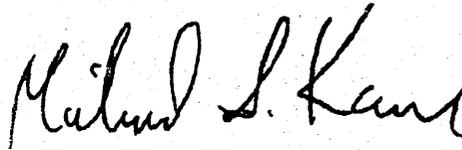
Appeal No. 05-06

Request of WILLIAM PFEUFFER JR.

for a VARIANCE of the Zoning Local Law to Permit:

Request for proposed 6 ft. fence that will project between the house and the road on a corner lot (300-11, A-3) at 31 Keats Drive in an R-4 Zone (75-2-1)

PUBLIC HEARING will take place on FEBRUARY 14, 2005 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

January 12, 2005

William Pfeuffer, Jr.
31 Keats Drive
New Windsor, NY 12553

Re: 75-2-1 ZBA#: 05-06 (42)

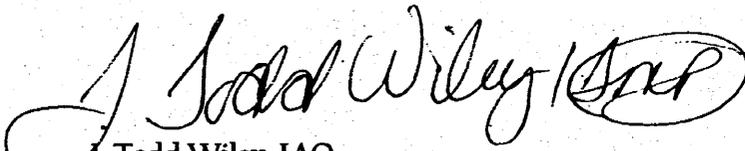
Dear Mr. Pfeuffer:

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

The charge for this service is \$65.00, minus your deposit of \$25.00.

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

Sincerely,


J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: ~~Myra Martin, Planning Board~~

4-2-20
Newburgh Enlarged City School Dist.
c/o E. Philips
124 Grand Street
Newburgh, NY 12550

7-1-31
Sean DeToro
5 Oak Street
Beacon, NY 12508

7-2-7
Bartholomew Gaudio
4 Herbert Hoover Drive
New Windsor, NY 12553

7-2-9.2
John, Lina & John C Saavedra
447 Union Avenue
New Windsor, NY 12553

7-2-10
Sylvester & Joan Tomajko
5 Herbert Hoover Drive
New Windsor, NY 12553

75-1-3
Matthew & Milica Awshee
19 San Giacomo Drive
New Windsor, NY 12553

75-1-6
Ilene & Fredric Rabinow
13 San Giacomo Drive
New Windsor, NY 12553

75-1-9
William & Camille Pfeuffer
7 San Giacomo Drive
New Windsor, NY 12553

75-1-12
Timothy & Catherine McGraw
1 San Giacomo Drive
New Windsor, NY 12553

75-1-15
Frank & Carmen Ortiz
Philip & Mabel Cataldo
32 Keats Drive
New Windsor, NY 12553

7-1-9
Michael & Sharon Marcantonio
30 Cimorelli Drive
New Windsor, NY 12553

7-1-32
Rosemary Gutheil
446 Union Avenue
New Windsor, NY 12553

7-2-8
Lenin & Anne Muscarella
6 Herbert Hoover Drive
New Windsor, NY 12553

7-2-9.3
Sixto & Maria Reyes
1 Herbert Hoover Drive
New Windsor, NY 12553

7-2-11
John & Hilda Bennett
3 Herbert Hoover Drive
New Windsor, NY 12553

75-1-4
Luisa Jerez
17 San Giacomo Drive
New Windsor, NY 12553

75-1-7
Marilyn Berman
11 San Giacomo Drive
New Windsor, NY 12553

75-1-10
Rodney & Cheryl Barnhill
5 San Giacomo Drive
New Windsor, NY 12553

75-1-13
Halvor E. & Lynne M. Koch
436 Union Avenue
New Windsor, NY 12553

75-1-16
Ediberto & Nancy Soto
34 Keats Drive
New Windsor, NY 12553

7-1-30
Frank & Sally Cintron
c/o Foday & Christina Saccoh
24 Cimorelli Drive
New Windsor, NY 12553

7-2-6
Sandra & William Denny, Jr.
2 Herbert Hoover Drive
New Windsor, NY 12553

7-2-9.1
Thomas & Eileen McCullough
8 Herbert Hoover Drive
New Windsor, NY 12553

7-2-9.41
Janice & Edward Lewis, Jr.
7 Herbert Hoover Drive
New Windsor, NY 12553

8-2-3
John Dunikowski
Lois Barton Dunikowski
15 Park Hill Drive
New Windsor, NY 12553

75-1-5
Vincente & Socorro Mamat
15 San Giacomo Drive
New Windsor, NY 12553

75-1-8
Thomas & Pamela Elia
9 San Giacomo Drive
New Windsor, NY 12553

75-1-11
Mario Martinez
3 San Giacomo Drive
New Windsor, NY 12553

75-1-14
Emilia Trotta
438 Union Avenue
New Windsor, NY 12553

75-1-17
Jeffrey & Susan Irwin
36 Keats Drive
New Windsor, NY 12553

75-1-18
Paul & Jacqueline Cuomo
38 Keats Drive
New Windsor, NY 12553

75-1-19
John & Brenda Gillen
40 Keats Drive
New Windsor, NY 12553

75-1-20
Leonard & Linda Karp
42 Keats Drive
New Windsor, NY 12553

75-1-21
Michael & Lucrecia Pisacreta
44 Keats Drive
New Windsor, NY 12553

75-1-22
Miguel & Theresa Garcia
46 Poe Court
New Windsor, NY 12553

75-2-2
Anthony Colonnelli
33 Keats Drive
New Windsor, NY 12553

75-2-3
Thomas & Janice Acunzo
37 Keats Drive
New Windsor, NY 12553

75-2-4
Pope & Dimitrios Mylonas
41 Keats Drive
New Windsor, NY 12553

75-2-5
Christopher & Barbara Dursley
43 Keats Drive
New Windsor, NY 12553

75-2-6
Edmund & Nancy Morrison
45 Keats Drive
New Windsor, NY 12553

75-2-7
Mitchell & Toni Ann Greig
51 Keats Drive
New Windsor, NY 12553

75-2-8
Stanley & Halina Zielinski
53 Keats Drive
New Windsor, NY 12553

**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. 05-06
Request of WILLIAM PFEUFFER JR.
for a VARIANCE of the Zoning Local Law to Permit:
Request for proposed 6 ft fence that will project between the house and the road on a corner lot (300-11, A-3) at 31 Keats Drive in an R-4 Zone (75-2-1)

PUBLIC HEARING will take place on FEBRUARY 14, 2005 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE, CHAIRMAN

Ad Number: 1727294 Advertiser: NEW WINDSOR, TOWN

Phone: 8455634615 Sys No: 1194114 Caller: MYRA MASON

INVOICING CUSTOMER:

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

ORDER:

Printed By: THRFDDRN Date: 01/27/2005 Assigned Sales: PUBLICHEARINGNOTICE ZONINGBOARDOFAPPEAL AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

NOTES:

Change Reason:

INSERTION:

Product: THI Paper: IN Class: 999X

Schedule: Start Date - 01/31/2005 End Date - 01/31/2005

Sort: PUBLIC HEARING NOTICZONING BOARD OF APP

PRODUCTION:

Text Size: 2 x 22.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

PRICING:

Price: 40.34 Payment Method: BI Amount Paid: 0 Amount Owed: 40.34

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Contact: 0

TIMES HERALD-RECORD

40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

Patricia Foddrill

Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottaway Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that despondent is the

Legal Sales Representative

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

Legal Notice

a true printed copy of which is hereunto annexed, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of

2/21/05

Signature of Representative

Patricia Foddrill

Sworn in before me this

21

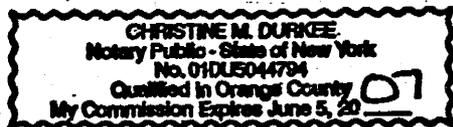
Day of

Feb

2005

Christine M. Durkee

Notary Public, Orange County





Town of New Windsor

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

ZONING BOARD OF APPEALS

January 27, 2005

William Pfeuffer, Jr.
31 Keats Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-06

Dear Mr. Pfeuffer:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Times Herald Record Newspaper for publication. **PLEASE NOTE: The charge for publication will be deducted from the escrow you posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

31 Keats Drive
New Windsor, NY

is scheduled for the February 14th, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



RESULTS OF Z.B.A. MEETING OF: January 10, 2005

PROJECT: Wm. Pfeuffer, Jr. ZBA # 05-06
P.B.# _____



USE VARIANCE: _____ NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____	NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
GANN _____	GANN _____
LOCEY _____	LOCEY _____
RIVERA _____	RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____	MCDONALD _____ CARRIED: Y _____ N _____
REIS _____	REIS _____
KANE _____	KANE _____
PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____	APPROVED: M) _____ S) _____ VOTE: A _____ N _____
GANN _____	GANN _____
LOCEY _____	LOCEY _____
RIVERA _____	RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____	MCDONALD _____ CARRIED: Y _____ N _____
REIS _____	REIS _____
KANE _____	KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) 6 S) 13 VOTE: A 5 N 0

GANN _____	CARRIED: Y <input checked="" type="checkbox"/> N _____
LOCEY _____	
RIVERA _____	
MCDONALD _____	
REIS _____	
KANE _____	



PUBLIC HEARING: _____ STATEMENT OF MAILING READ INTO MINUTES _____
VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____.

GANN _____	CARRIED: Y _____ N _____.
LOCEY _____	
RIVERA _____	
MC DONALD _____	
REIS _____	
KANE _____	

Need two pictures from the street for view of fence.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 01-04-05

FOR: **ESCROW 05-06**

FROM:

William Pfeuffer, Jr.
31 Keats Drive
New Windsor, NY 12553

CHECK NUMBER: **136**

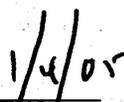
TELEPHONE: **562-1918**

AMOUNT: **300.00**

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME



DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

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

RECEIPT
#13-2005

01/04/2005

Pfeuffer, William *#05-06*

Received \$ 50.00 for Zoning Board Fees, on 01/04/2005. 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

January 4, 2005

William Pfeuffer, Jr.
31 Keats Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-06

Dear Mr. Pfeuffer:

This letter is to inform you that you have been placed on the January 10, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

31 Keats Drive
New Windsor, NY

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

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

DATE: 01-04-05 PROJECT NUMBER: ZBA# 05-06 P.B. # _____

APPLICANT NAME: WILLIAM PFEUFFER, JR.

PERSON TO NOTIFY TO PICK UP LIST:

WILLIAM PFEUFFER, JR.
31 KEATS DRIVE
NEW WINDSOR, NY

TELEPHONE: 562-1918

TAX MAP NUMBER: SEC. 75 BLOCK 2 LOT 1
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 31 KEATS DRIVE
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

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

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

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



NEW WINDSOR ZONING BOARD XXX

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



AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 138

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

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
* <u>ESCROW</u> :	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
* <u>ESCROW</u> :	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
* <u>ESCROW</u> :	\$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 ****

<p><i>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).</i></p> <p><i>Wm. R. Pfeiffer Jr.</i> <i>11/29/04</i></p> <p>SIGNATURE DATE</p>
--

NOTE:

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

PAGE 2

COMPLETE THIS PAGE



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



APPLICATION FOR VARIANCE

Nov. 29th 2004
Date

Application Type: Use Variance Area Variance
Sign Variance Interpretation

I. **Owner Information:** William R. Pfeuffer Jr. Phone Number: (845) 562-1918
(Name) Fax Number: () N/A
31 KEATS DRIVE NEW WINDSOR, NY, 12553
(Address)

II. **Applicant:** S/L/A Phone Number: ()
(Name) Fax Number: ()
(Address)

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

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

V. **Property Information:**
Zone: R-4 Property Address in Question: 31 KEATS DR.
Lot Size 0.2870 ACRE Tax Map Number: Section 75 Block 2 Lot 4
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? Nov. 8th 2004
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

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

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

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

APPLICATION FOR VARIANCE - continued

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

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

I BELIEVE THAT THE ZBA SHOULD GRANT
ME A VARIANCE BECAUSE OF THE FOLLOWING REASONS: (1) SAFETY, TO
PROTECT MY FAMILY AND PROPERTY, (2) TO ENCLOSE PROPERTY FOR MY
IN-GROUND POOL, (3) PRIVACY FOR MY FAMILY.

PLEASE NOTE:

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

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

XIII. ATTACHMENTS REQUIRED:

- Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- Copies of signs with dimensions and location.
- Three checks: (each payable to the TOWN OF NEW WINDSOR)
- One in the amount of \$ 500.00 or 500.00 (escrow)
- One in the amount of \$ 30.00 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 FOUR (4) 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.

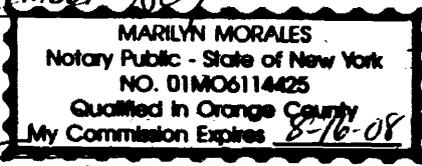
Sworn to before me this:

3rd day of December 2004

W.M. R. Pfeuffer Jr.

Owner's Signature (Notarized)

Marilyn Morales



Signature and Stamp of Notary

William R. Pfeuffer Jr.

Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

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