

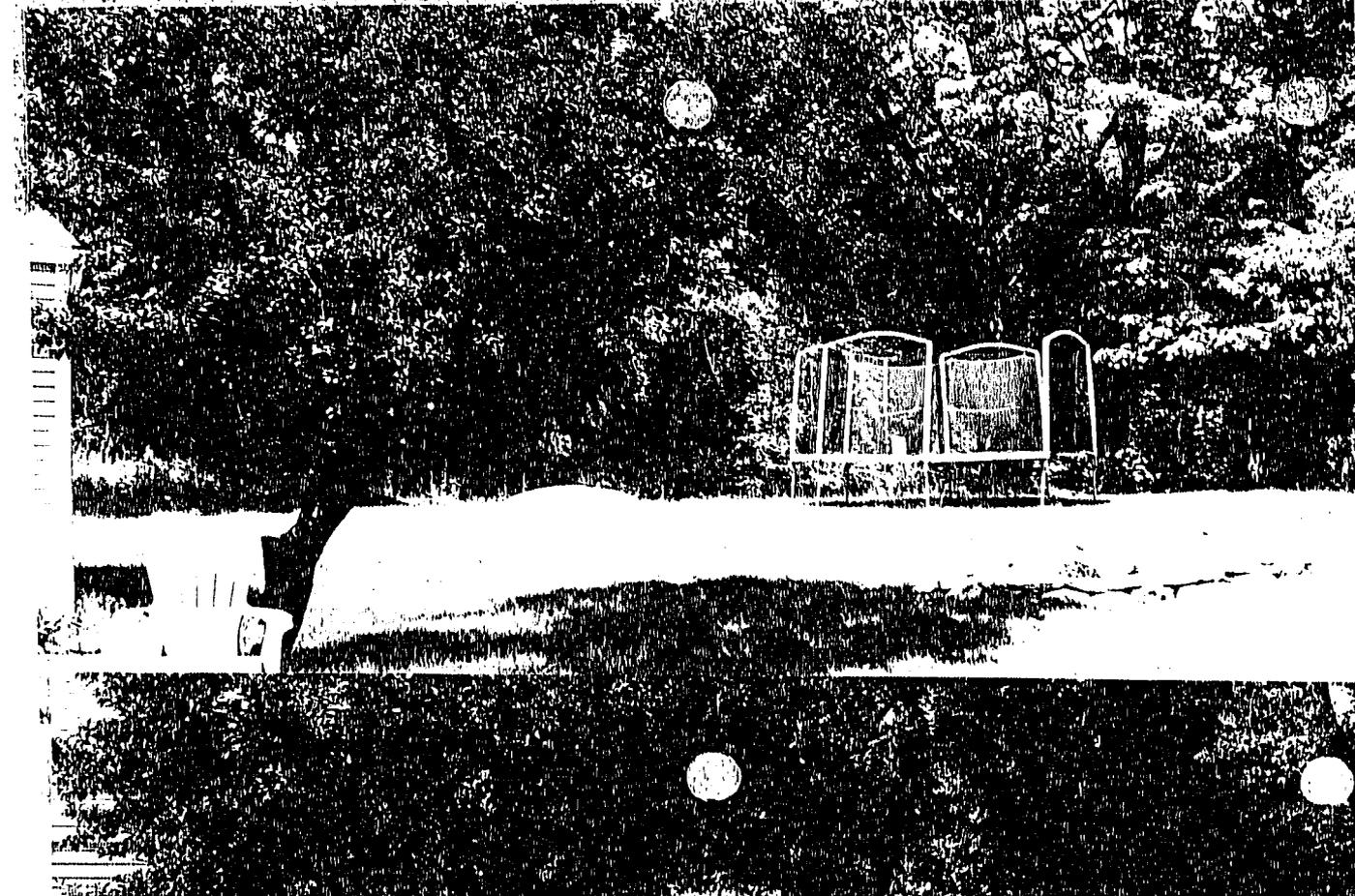
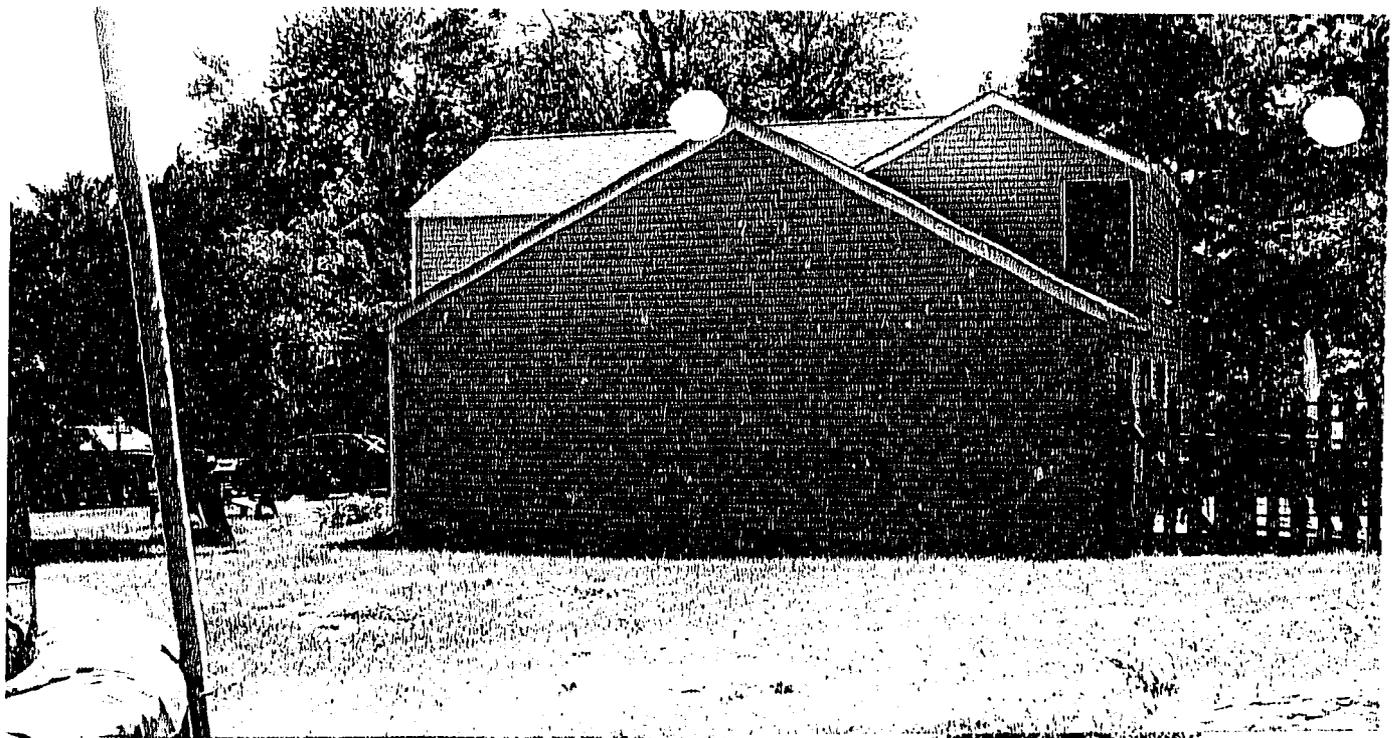
ZB# 05-29

Frank Carlone

73-2-8

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 7-11-05

ZBA # **05-29** FRANK CARLONE (AREA)
350 NINA STREET (73-2-8)







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

November 29, 2005

Frank Carlone
350 Nina Street
New Windsor, NY

SUBJECT: REQUEST FOR VARIANCE #05-29

Dear Mr. Carlone:

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

FRANK & ANGELA CARLONE

CASE #05-29

MEMORANDUM OF
DECISION GRANTING

AREA

WHEREAS, Steve Kuprych represented Frank & Angela Carlone , owner(s) of 350 Nina Street, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 11 feet Rear Yard Setback for proposed addition .

WHEREAS, a public hearing was held on July 11, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Steve Kuprych, Contractor, represented the Applicant and 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) The applicant seeks a Rear Yard Setback for a proposed one room addition to his house measuring approximately 600 square feet.
 - (c) The applicant will not be removing any trees or substantial vegetation.
 - (d) If the addition is made to the house, the resulting house will be substantially similar to size and appearance to other houses in the neighborhood.
 - (e) The addition will not be on top of, nor will it interfere with, any easements including, but not limited to, water, sewer or electrical easements.

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

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

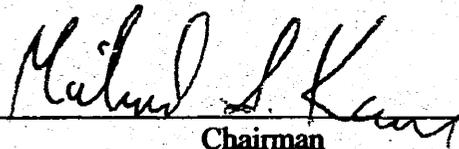
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a/an 11 feet Rear Yard Setback for proposed addition at 350 Nina Street in an R-4 Zone (73-2-8) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: July 11, 2005


Chairman

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: May 19, 2005

**APPLICANT: Frank J. & Angela M. Carlone
350 Nina Street
New Windsor, New York 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: May 19, 2005

FOR : Proposed 25'X27' One story addition

LOCATED AT: 350 Nina Street

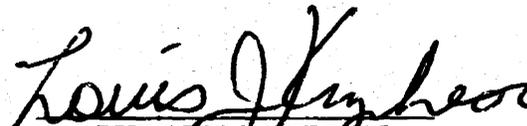
ZONE: R-4 Sec/Blk/ Lot: 73-2-8

COPY

DESCRIPTION OF EXISTING SITE: Single Family Dwelling

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. 300-10 Bulk/Use table R-4 Zone Line 6 Column G - required rear yard depth**


BUILDING INSPECTOR

PERMITTED

**PROPOSED OR
AVAILABLE:**

**VARIANCE
REQUEST:**

ZONE: R-4 USE: Addition Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD: 50' 39' 11'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

73-28



N/F
"GERACI"

S61°-48'-41"E

E56.91'

LOT #C-24

23,360 SQ. FT.

STONE FENCE

N/F
"WOODWIND"
C-23

N19°-55'-44"N

E27.19'

FOUND.

Proposed
Addition

124.29'

N/F
"WOODWIND"
C-25

20.8'

29.1'

56'

25'

34'

S33°-36'-52"W

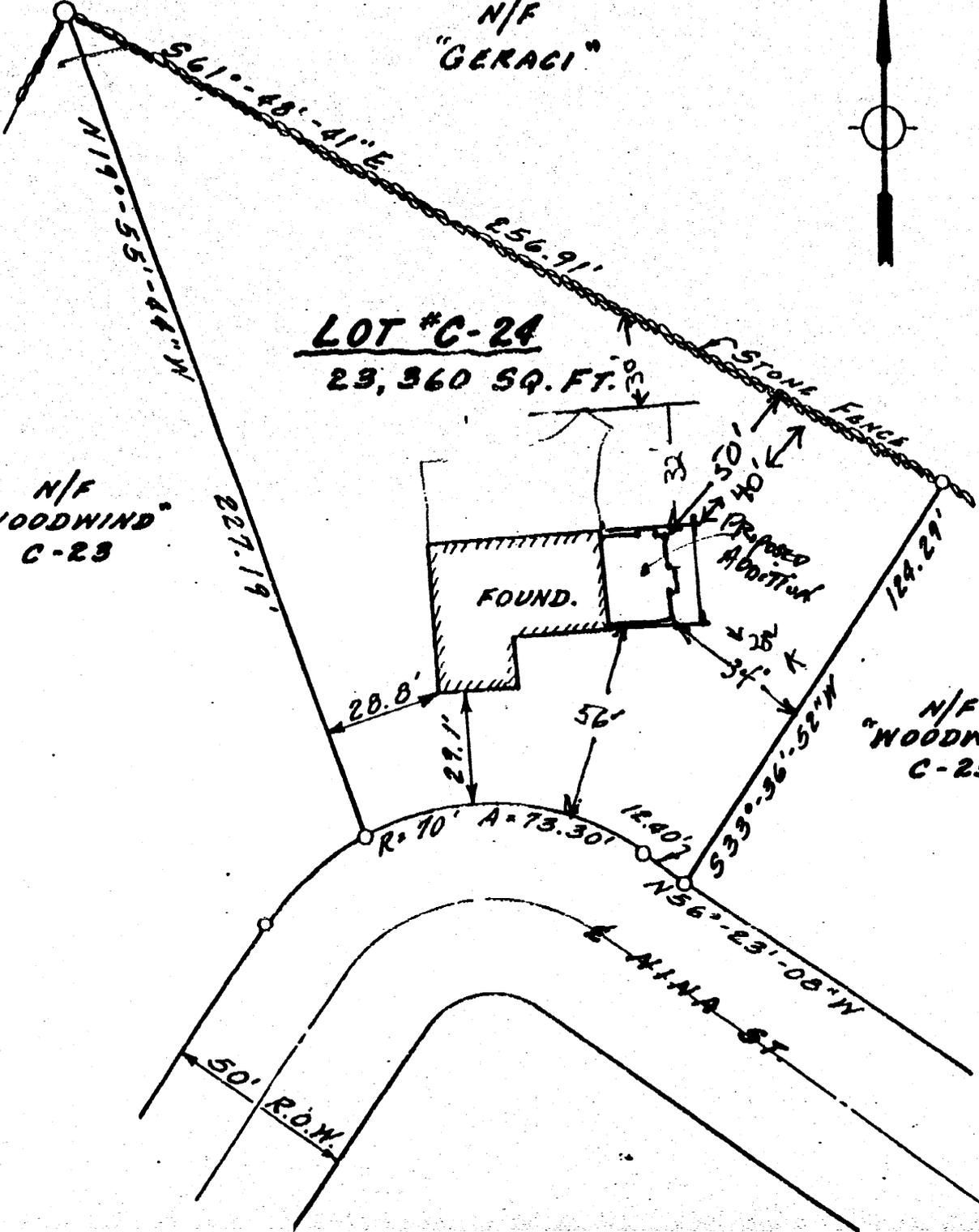
R=70' A=73.30'

18.40'

N56°-23'-08"W

ALINA ST.

50' R.O.W.



PLAN OF LOT *C-24

"WOODWIND"

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

SCALE: 1" = 40'

NOV. 21, 1974

TO: AMER. TITLE INS. CO. AND HERITAGE
SAVINGS BANK.

THIS SURVEY CERTIFIED TO BE TRUE, CORRECT
AND ACCURATE.

Robert E. Baker

ROBERT E. BAKER, L.S.
N.Y. REG. L.S. #28544

Howard App
350 Nina St
N. Windsor, N.Y.

**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: AUGUST 24, 2005
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 151.72 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #05-29

NAME & ADDRESS:

**Angela & Frank Carlone
350 Nina Street
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.8-24-05



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



FILE #05-29 TYPE:AREA TELEPHONE: 562-1278

APPLICANT:
Stephen Kuprych
279 Windsor Highway
New Windsor, NY 12553

For: Frank Carlone
350 Nina Street
New Windsor, NY

RESIDENTIAL:	\$ 50.00	CHECK # <u>583</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 584



<u>DISBURSEMENTS:</u>		MINUTES	ATTORNEY
		<u>\$5.50 / PAGE</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:06-28-05 \$ 45.28

TOTAL: \$ 78.28 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 148.28

AMOUNT DUE: \$ _____

REFUND DUE: \$ 151.72

Cc: Frank Carlone

L.R. 8-24-05

PUBLIC HEARINGS:

STEVE KUPRYCH (FOR FRANK CARLONE) (05-29)

MR. REIS: Request for 11 feet rear yard setback for proposed addition at 350 Nina Street.

Mr. Steve Kuprych and Mr. Frank Carlone appeared before the board for this proposal.

MR. REIS: Mr. Kuprych, tell us what you want to do.

MR. KUPRYCH: This is Mr. Carlone, this is his home, we're putting approximately a 600 square feet addition on the side of his home, we're asking for 11 feet at the rear, it's a single one room addition with a fireplace, very simple, one floor.

MR. REIS: How's this impacting, is this the garage area?

MR. KUPRYCH: No, this is where the attachment will be, this is the living room, this addition will be coming off this, this faces the side yard.

MR. REIS: Again for the record it shows that there's really no substantial vegetation at all that you're going to be eliminating, you're not going over any easements or right-of-ways or anything like that?

MR. KUPRYCH: No.

MR. REIS: This won't make your house substantially larger than your neighbors or the rest of the community?

MR. CARLONE: No.

MS. GANN: Can you tell us where the addition is coming out?

MS. LOCEY: What's the cluster of rock on the ground, is there a well there?

MR. KUPRYCH: That rock bed, what's that, just decorative?

MR. CARLONE: Yes, there was a whole bunch of rocks built up so I put them in a nice neat circle.

MS. LOCEY: Accept a motion?

MR. BABCOCK: Mr. Chairman, it's a public hearing.

MR. REIS: Is there anybody in the audience that has arrived here to speak on this public hearing in favor of or not in favor of? Anybody? Seeing no one volunteering, we'll close the public hearing. Myra, can you tell us how many mailings?

MS. MASON: On June 27, I mailed out 43 envelopes and had no response.

MR. REIS: Thank you very much. Your yard I'm assuming Michael, is this correct, the fact that it's kind of on a triangular shape here, that's impacting his need for this variance?

MR. BABCOCK: Yeah, the farther out he goes square with his house the closer he gets to the back rear property line.

MR. REIS: Any other questions folks? Accept a motion.

MS. LOCEY: I will offer a motion to grant the requested variances on the application of Steve Kupruch for Frank Carlone for an 11 foot rear yard setback for proposed addition at 350 Nina Street.

MS. GANN: Second the motion.

July 11, 2005

15

ROLL CALL

MR. BROWN	AYE
MS. GANN	AYE
MS. LOCEY	AYE
MR. REIS	AYE

PRELIMINARY MEETINGS:

STEVE KUPRYCH (05-29)

Mr. Steve Kuprych appeared before the board for this proposal.

MR. KANE: Request for 11 feet rear yard setback for proposed addition at 350 Nina Street.

So everybody knows what New Windsor does is they hold a two stage meeting, one's a preliminary hearing so we can get an idea of what you want to do and if you're missing something. What we need by law everything has to be done in a public hearing, so we have to get all of the stuff out of the way now and then we have to redo it all at the public hearing. So speak up loud enough so that young lady over there can hear you, tell us what you want to do.

MR. KUPRYCH: We're going to, we're proposed to put an addition one level on the right side of this home, we could orientate the addition so the property line is like this but basically it would end up being ugly so we're looking for 11 feet on the rear lot.

MR. KANE: With the addition does the home remain similar in size to other homes in the neighborhood?

MR. KUPRYCH: Yes, matter of fact next door to the left of these people, there's an addition almost the same size in the same fashion.

MR. KANE: Creating any water hazards on runoffs?

MR. KUPRYCH: No.

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

MR. KUPRYCH: No.

MR. KANE: Is that home on Town water and sewer?

MR. KUPRYCH: Yes.

MR. KANE: So no easements through that area?

MR. KUPRYCH: No.

MR. KANE: Steve, what's the size of the addition that's going on there?

MR. KUPRYCH: We have it's approximately 24 x 25, about that.

MR. KANE: How many square feet is it in the home, is it adding to the home?

MR. KUPRYCH: Drawings are showing 27 feet but that's with the fireplace but in reality it's 25 x 24 and that's it, it's just one floor.

MR. KANE: Is it one floor?

MR. KUPRYCH: That's all it is.

MR. KANE: That's good enough That's the extent of my questions. Any further questions? Mike?

MR. REIS: Motion?

MR. KANE: I will.

MR. REIS: I make a recommendation that we pass Steve Kuprych through to a public hearing for his requested 11 foot rear yard setback for proposed additional at 350 Nina Street.

ROLL CALL

June 13, 2005

5

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE

MS. MASON: Just read that, tells you what to do.

MR. KUPRYCH: Thank you.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 06-03-05

FOR: ESCROW 05-29

FROM:

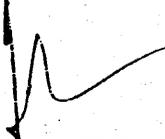
Angela & Frank Carlone
350 Nina Street
New Windsor, NY 12553

CHECK NUMBER: 584

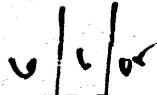
TELEPHONE: 562-1278

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME



DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

ZBA - 05-29 Application fee

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

RECEIPT
#499-2005

06/06/2005

Carlone, Frank & Angela
646 Blooming Grove Tpk
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 06/06/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

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:

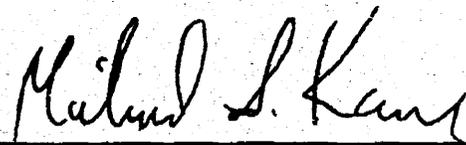
Appeal No. 05-29

Request of STEVE KUPRYCH (for Frank Carlone)

for a VARIANCE of the Zoning Local Law to Permit:

Request for 11 feet Rear Yard Setback for proposed addition at 350 Nina Street in an R-4 Zone (73-2-8)

PUBLIC HEARING will take place on J ULY 11TH, 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) 563-3101

Assessors Office

June 14, 2005

Stephen Kuprych
279 Windsor Highway
New Windsor, NY 12553

Re: 73-2-8 ZBA#: 05-29 (43)

Dear Mr. Kuprych:

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

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

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

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments



CC: Myra Mason, Zoning Board

4-1-31.22
Loretta Scheible
677 Little Britain Road
New Windsor, NY 12553

4-1-40.1
Anton Cech
81 Steele Road
New Windsor, NY 12553

4-1-61.22
Lois Musman & Richard Steele
c/o Lois Steele
54 Steele Road
New Windsor, NY 12553

William Coughlin, III
58 Steele Road
New Windsor, NY 12553

73-2-2
Jan Rostek
362 Nina Street
New Windsor, NY 12553

73-2-5
Kathleen & Thomas Griffin, Jr.
356 Nina Street
New Windsor, NY 12553

73-2-9
John & Kathryn McCrossen
348 Nina Street
New Windsor, NY 12553

73-2-13
Yovanny & Grisel Vivieca
342 Nina Street
New Windsor, NY 12553

73-2-16
Brendan DeMilt
336 Nina Street
New Windsor, NY 12553

73-3-5
Richard & Marilene Baskind
349 Nina Street
New Windsor, NY 12553

4-1-32.1
James & Mele Perrego
44 Steele Road
New Windsor, NY 12553

4-1-60
Joyce & William Monahan, Jr.
75 Steele Road
New Windsor, NY 12553

4-1-62
Dominic & Renee Gratale
72 Steele Road
New Windsor, NY 12553

4-1-65.1
Richard & Bethsiada Rodriguez
36 Steele Road
New Windsor, NY 12553

73-2-3
Thomas & Margaret Organ
360 Nina Street
New Windsor, NY 12553

73-2-6
Carmine & Frances Lepora
354 Nina Street
New Windsor, NY 12553

73-2-10 & 11
Rosaria Macchiarella
346 Nina Street
New Windsor, NY 12553

73-2-14
Melvyn & Cynthia Wright
340 Nina Street
New Windsor, NY 12553

73-3-3
Ronald Altomare
353 Nina Street
New Windsor, NY 12553

73-3-6
Fred & Annette Kaiser
347 Nina Street
New Windsor, NY 12553

4-1-39
Joseph & Myra Jean Geraci
50 Steele Road
New Windsor, NY 12553

4-1-61.11
David & Julianna Recine
Julia Bilello
79 Steele Road
New Windsor, NY 12553

4-1-63
Charles & Anna Maria Vakirtzis
64 Steele Road
New Windsor, NY 12553

4-1-66.2
CVC Capital Management
P.O. Box 2307
Newburgh, NY 12550

73-2-4
Carol Probst
358 Nina Street
New Windsor, NY 12553

73-2-7
Robert & Margaret Mullins
352 Nina Street
New Windsor, NY 12553

73-2-12
Robyn & Richard Ricciardi, Jr.
344 Nina Street
New Windsor, NY 12553

73-2-15
William Kostenblatt
338 Nina Street
New Windsor, NY 12553

73-3-4
Sandra & Michael Muller, Sr.
351 Nina Street
New Windsor, NY 12553

73-3-7
Renee Purcell
Carla Orsino
345 Nina Street
New Windsor, NY 12553

73-3-8
John Feminella
343 Nina Street
New Windsor, NY 12553

73-3-9
Patricia & Joseph Grimm, Jr.
437 Philo Street
New Windsor, NY 12553

73-3-10
John & Dana McCrossen
435 Philo Street
New Windsor, NY 12553

73-3-11
Joseph & Elizabeth Como
433 Philo Street
New Windsor, NY 12553

73-3-12
Eric Cooper
431 Philo Street
New Windsor, NY 12553

73-4-4
Christopher & Elke Spencer
450 Philo Street
New Windsor, NY 12553

73-4-5
Kevin & Leslie Hofving
452 Philo Street
New Windsor, NY 12553

73-4-6
Thomas Trinajstic
454 Philo Street
New Windsor, NY 12553

73-4-7
Richard & Laura Graziano
456 Philo Street
New Windsor, NY 12553

73-4-8
Donald & Diana McKeon
339 Nina Street
New Windsor, NY 12553

73-4-9
Ursula Roberts
337 Nina Street
New Windsor, NY 12553

73-4-10
Samuel Martinez, Jr.
335 Nina Street
New Windsor, NY 12553

73-4-11
Joseph Hafner
Hyon Lemons
333 Nina Street
New Windsor, NY 12553

Town of New Windsor

Zoning Board of Appeals

PUBLIC HEARING NOTICE

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. 05-29

Request of STEVE KUPRYCH (for Frank Carlone) for a VARIANCE of the Zoning Local Law to Permit Request for 11 feet Rear Yard Setback for proposed addition at 350 Nine Street in an R-4 Zone (73-2-5)

PUBLIC HEARING will take place on July 11th, 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: 1771419 Advertiser: NEW WINDSOR, TOWN

Phone: 8455634615 Sys No: 1194114 Caller: MYRA

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: THIRGALEWSK Date: 06/22/2005 Assigned Sales: TownofNewWindsor ZoningBoardofAppeals AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

NOTES:

Change Reason:

INSERTION:

Product: THH Paper: TH Class: 999X; LEGAL BILLING

Schedule: Start Date - 06/20/2005 End Date - 06/20/2005

Sort: TOWN OF NEW WINDSORZONING BOARD OF APPEA

PRODUCTION:

Text Size: 2 x 24.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tear sheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

PRICING:

Price: 45.28 Payment Method: BI Amount Paid: 0 Amount Owed: 45.28

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

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 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 deponent is the

Legal Advertising Rep.

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

Public 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

4/28/05

Signature of Representative:

Patricia Foddrill

Sworn in before me this 1

Day of July 2005

Gretchen Pina Breedy
Notary Public, Orange County

**GRETCHEN PINA BREEDY
NOTARY PUBLIC FOR THE STATE
OF NEW YORK, ORANGE COUNTY
OATH / SIGNATURE IS ON FILE
COMMISSION EXPIRES 11/29/2005**



Town of New Windsor

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

ZONING BOARD OF APPEALS

June 27, 2005

Stephen Kuprych
279 Windsor Highway
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-29

Dear Mr. Kuprych:

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 in the Times Herald Record will be deducted from your escrow that was posted with your application papers.**

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

Frank Carlone
350 Nina Street
New Windsor, NY 12553

is scheduled for the JULY 11, 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



Town of New Windsor

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

ZONING BOARD OF APPEALS

June 3, 2005

Stephen Kuprych
279 Windsor Highway
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-29

Dear Mr. Kuprych:

This letter is to inform you that you have been placed on the June 13, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

Frank Carlone
350 Nina Street
New Windsor, NY 12553

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
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VII. 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.	50 FT	39 FT	11 FT
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

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

**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:

THIS SMALL 25'x27' ON GRADE
FAMILY ROOM ADDITION FITS WELL ON THIS SITE.
THE ADDITION WOULD HAVE TO BE ORIENTATED PARALLEL
TO RAR LINE TO MEET SET BACK REQUIREMENTS.
THEREFORE, NOT FITTING WELL TO THE STRUCTURE. THIS
FAMILY ROOM ADDITION ADDS FURTHER COMFORT TO THE
LIVING SPACE AND BLENDS WELL WITH THE
SURROUNDING HOMES.

PLEASE NOTE:

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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.)

NO TREES REMOVED & LANDSCAPE RESTORED

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 (5 or 6) 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:

28 day of May 2005

Sheryl A. Roy

SHERYL A. ROY
Notary Public, State of New York
Signature Stamp
Qualified in Orange County
Commission Expires Oct. 15, 2008

Frank J. Carlone Angela Carlone
Owner's Signature (Notarized)

FRANK J. CARLONE Angela Carlone
Owner's Name (Please Print)

[Signature]
Applicant's Signature (If not Owner)

PLEASE NOTE:

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

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

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

FRANK J. + ANGELA M. CARLONE, deposes and says that he resides
(OWNER)

at 350 HINDA ST. NEW WINDSOR in the County of ORANGE
(OWNER'S ADDRESS)

and State of NY and that he is the owner of property tax map
(Sec. _____ Block _____ Lot _____)
designation number (Sec. 73 Block 2 Lot 8) which is the premises described in

the foregoing application and that he authorizes:

STEPHEN KUPRYCH 279 WINDSOR HWY NEW WINDSOR
(Applicant Name & Address, if different from owner)

STEVE KUPRYCH Remodelink Co. 279 WINDSOR HWY
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: _____

** Frank J. Carlone Angela Carlone
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:
28 day of May 2005

[Signature]
Applicant's Signature (If different than owner)

[Signature]
SHERYL A. ROY
Notary Public, State of New York
No. 01RO6081634
Qualified in Orange County
Commission Expires Oct. 15, 2008
Signature and Stamp of Notary

[Signature]
Representative's Signature

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

TOWN OF NEW WINDSOR

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

ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) 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~~

~~*ESCROW~~

**DEPOSIT FOR PUBLIC HEARING LIST:

~~\$ 50.00~~

~~\$ 500.00~~

\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:

*ESCROW:

**DEPOSIT FOR PUBLIC HEARING LIST:

\$150.00

\$500.00

\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:

*ESCROW:

**DEPOSIT FOR PUBLIC HEARING LIST:

\$150.00

\$500.00

\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:

*ESCROW:

**DEPOSIT FOR PUBLIC HEARING LIST:

\$150.00

\$500.00

\$ 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, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

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 PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST 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.

NOTE:

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