

ZB# 05-47

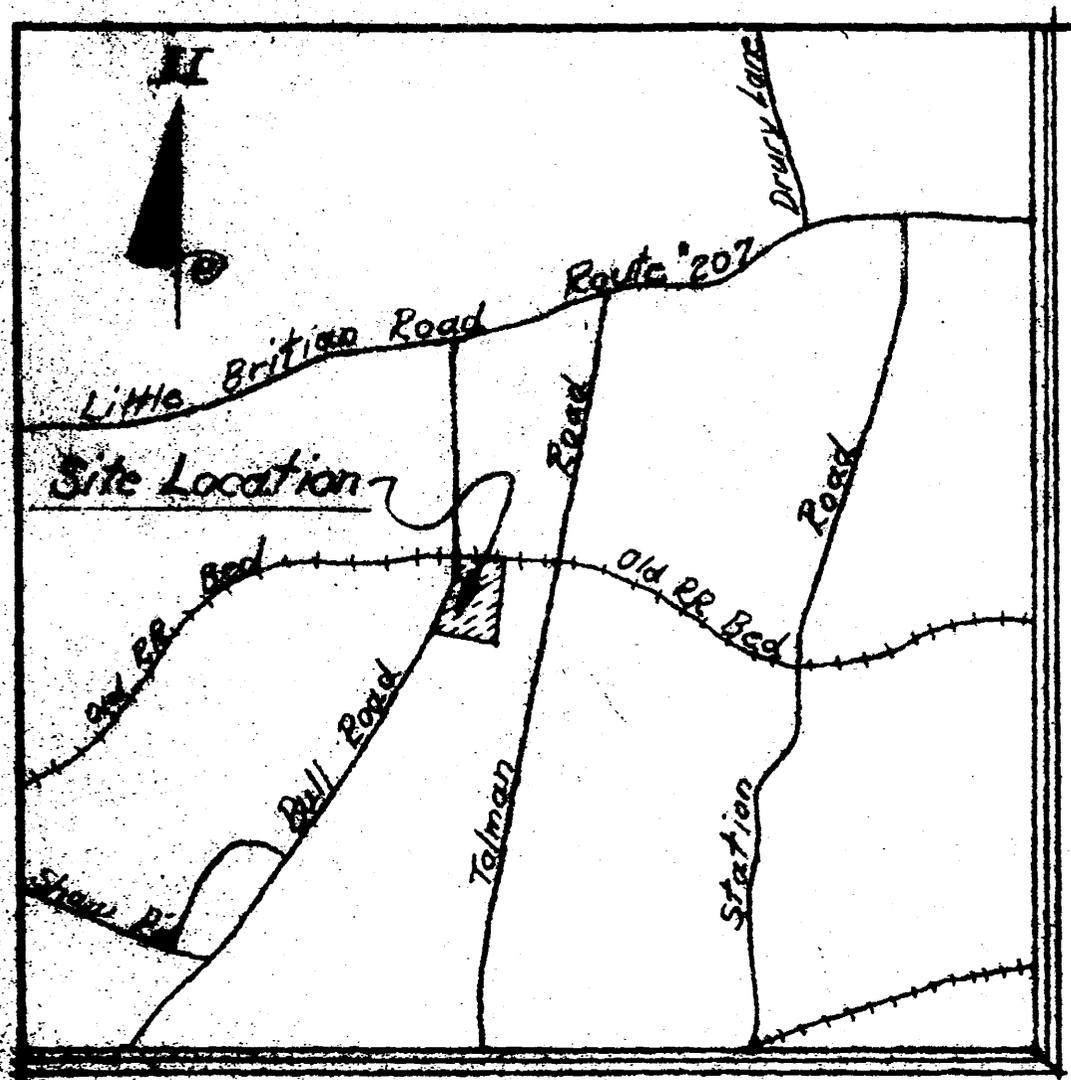
Ruth Gita Nadas

52-1-13.34

5-47
RUTH GITA NADAS (AREA)
BULL ROAD (52-1-13.34)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 9-26-05

Block 107
Sec. 52.1.13.4



Location Map

Scale : 1" = 2,000'

Tax Map 1414:

Section : 52
Block : 1
Lot : 13.3

Deed Reference:

Liber 1,857. Page 1,077

Map Reference:

"Subdivision for
Arthur Nadas &
Linda Rahl Nadas
Dated : Jan. 17, 1977
Filed : Jan. 26, 1977
Map * 4398

Road Bed

460

II

Zoning District: R-

Minimum Required

Lot Area : 43,560 s.f.
(1 acre)
Lot Width : 125'
Front Yard : 45'
Rear Yard : 50'
Side Yard : 20/40'

street } 70'
Frontage }

Record Owners & Subdividers :

Arthur Nadas & Linda Rahl Nadas
Bull Road,
Rock Tavern,
New York 12575

Total Lot Area : 11,725 acres

Legend ● Perc. Test location

MAP # 8102

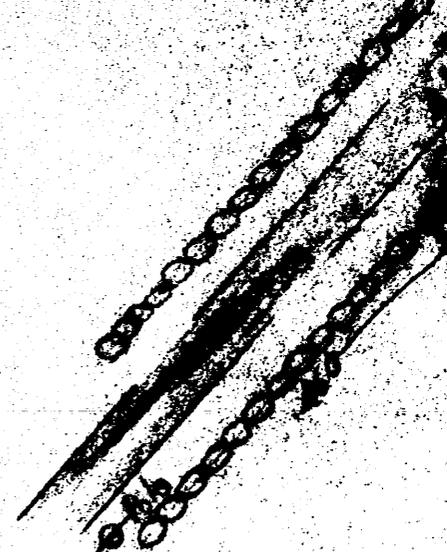
map # 8102

1986

1. Unauthorized alteration or ... to a ... licensed land surveyor's seal is a violation of section 7209, sub-section 4 of the N.Y. State Education Law.
2. Only copies from the original of this survey marked with original of the land surveyor's inked seal or his embossed seal shall be considered to be valid true copies.
3. Certifications indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed herein, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owner.
4. Underground improvements or encroachments, if any, are not shown hereon.



Patrick T. Kennedy, L.S. 335 Temple Hill Road • New Rochelle, New York 10801	
SCALE: 1" = 60' DATE: May 1986	ISSUED BY: REVIEWED: Alex K. 1986 10/13/86
Subdivision of Lands for	



To Arthur Nadas, Linda Rahl Nadas
and The Town of New Windsor,
certified to be a correct and
accurate survey.

Dated: July 3, 1986

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: June 14, 2005

Revised: August 24, 2005

APPLICANT: Ruth Gita Nadas
502 Bull Rd.
Rock Tavern, New York 12575

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: June 1, 2005

FOR : PROPOSED ONE FAMILY HOUSE

LOCATED AT: BULL ROAD

ZONE: R-1 **Sec/Blk/ Lot:** 52-1-13.34

DESCRIPTION OF EXISTING SITE: VACANT LOT

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. PROPOSED ONE FAMILY HOUSE WILL NOT MEET MINIMUM LOT SIZE OF 80,000 SQ. FT.
2. LOT WIDTH REQUIRED 175FT.


BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-1 USE:			
MIN LOT AREA: C-5	80,000 SQ.FT.	65,340 SQ.FT.	14,660 SQ.FT.
MIN LOT WIDTH:	175FT	125FT	50FT
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

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: June 14, 2005

APPLICANT: Ruth Gita Nadas
502 Bull Rd.
Rock Tavern, New York 12575

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: June 1, 2005

FOR : PROPOSED ONE FAMILY HOUSE

LOCATED AT: BULL ROAD

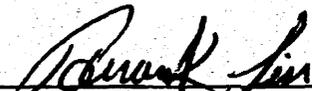
ZONE: R-1 Sec/Blk/ Lot: 52-1-13.34

COPY

DESCRIPTION OF EXISTING SITE: VACANT LOT

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. **PROPOSED ONE FAMILY HOUSE WILL NOT MEET MINIMUM LOT SIZE OF 80,000 SQ. FT.**


BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-1 USE:			
MIN LOT AREA: C-5	80,000 SQ.FT.	65,340 SQ.FT.	14,660 SQ.FT.
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 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 time.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

JUN 01 2005

BUILDING DEPARTMENT

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 GITA NADAS

Address 502 BULL RD Phone # 845 496 3681

Mailing Address SAME Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

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

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

(Name and title of corporate officer)

1. On what street is property located? On the BULL RD 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 52 Block 175 1 Lot 37-13.36

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction. PLAN TO SELL LOT
a. Existing use and occupancy VACANT LAND b. Intended use and occupancy ONE FAMILY HOME

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

6. Is this a corner lot? NO

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

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 OK 6-2-05 FE Fee _____

ZONING BOARD

PAID
check 5229
#5000

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 Kryshear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4885 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)

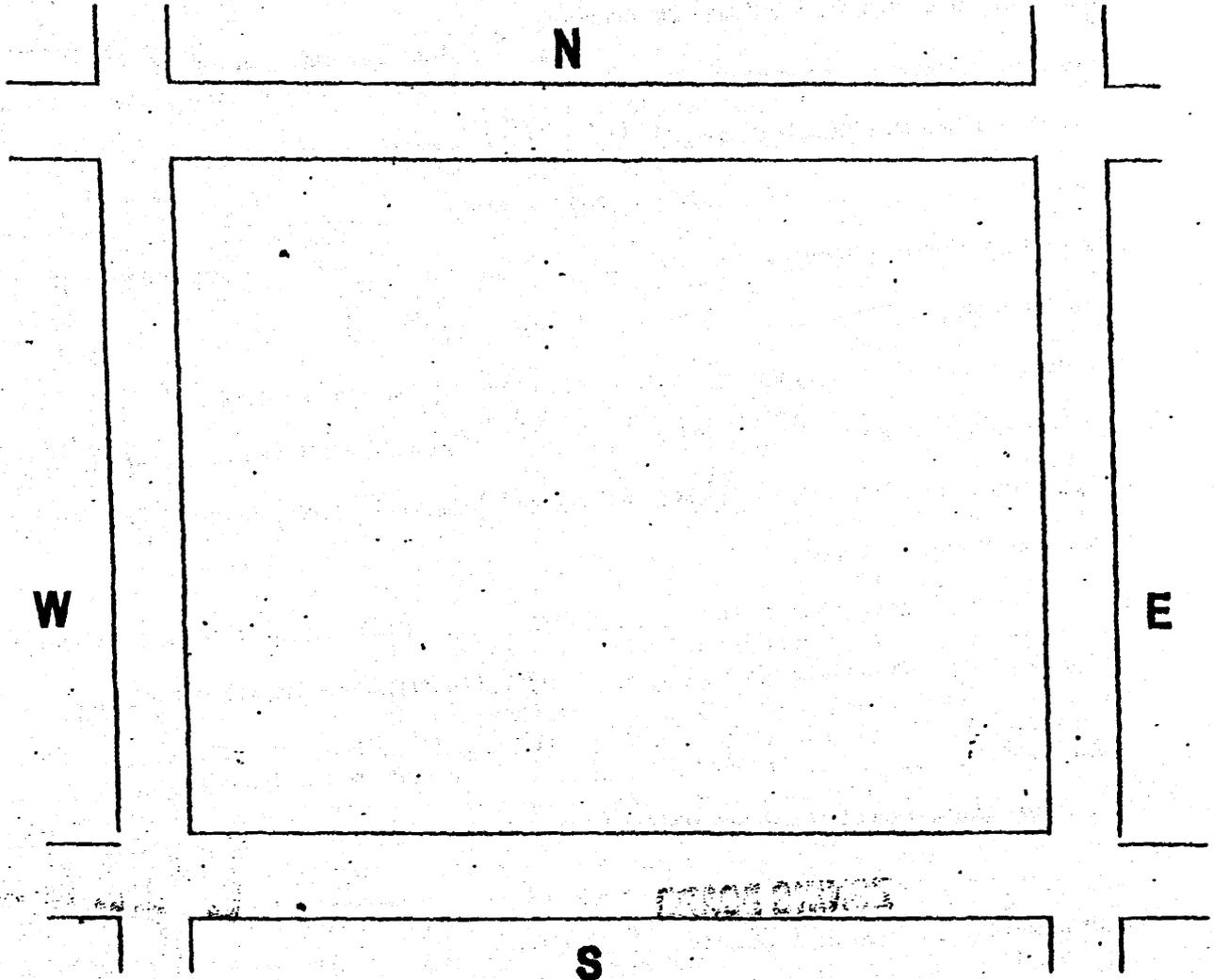
(Address of Applicant)

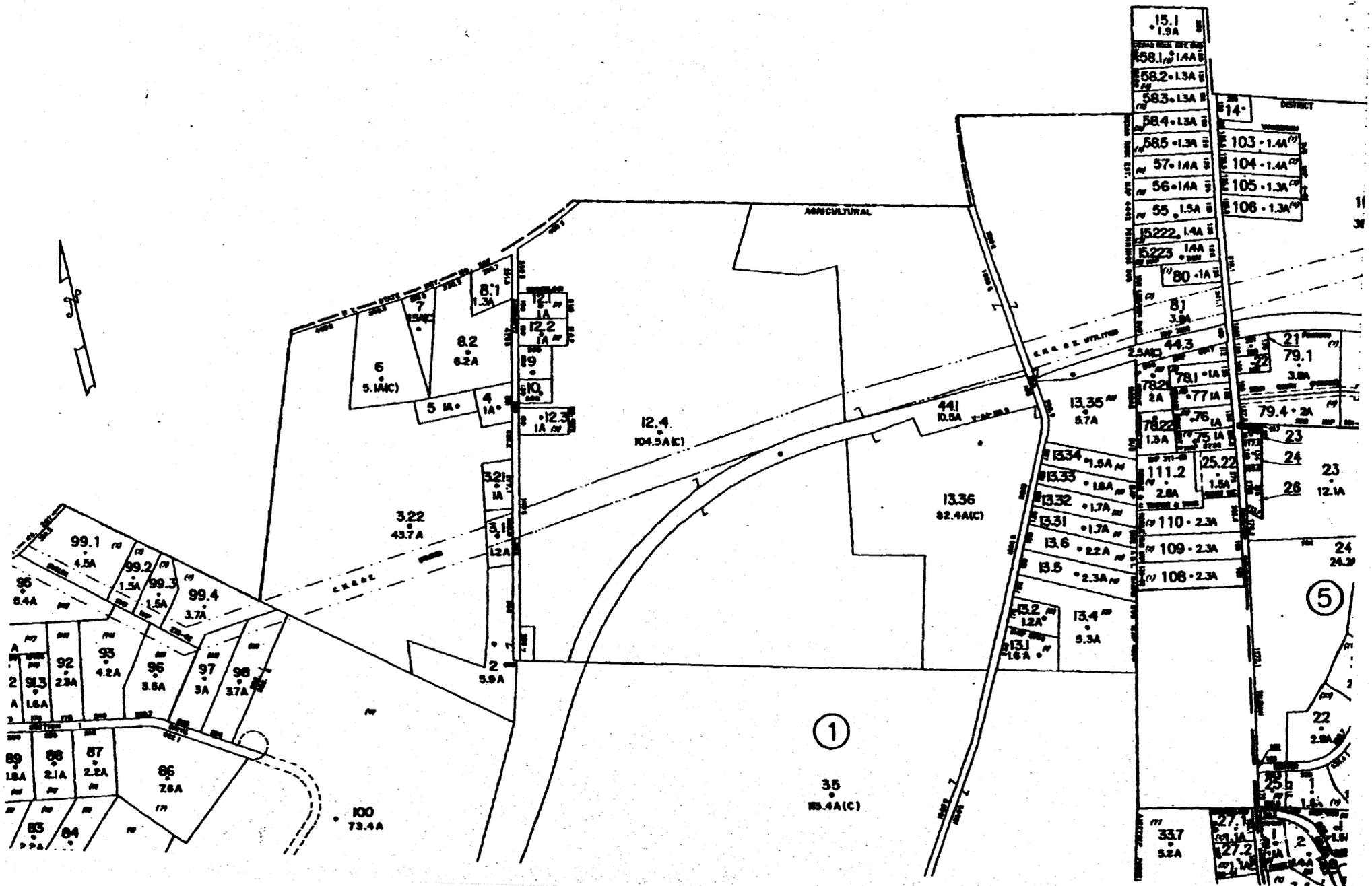
(Owner's Signature)

(Owner's Address)

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.





1

35
104.5A(C)

5

AGRICULTURAL

DISTRICT

100
73.4A

322
43.7A

12.4
104.5A(C)

13.36
82.4A(C)

15.1
1.9A

58.1
1.4A

58.2
1.3A

58.3
1.3A

58.4
1.3A

58.5
1.3A

57
1.4A

56
1.4A

55
1.5A

5222
1.4A

5223
1.4A

80
1.4A

81
3.9A

44.3

78.2
2A

78.1
1.4A

78.2
1.3A

13.34
1.5A

13.35
1.8A

13.32
1.7A

13.31
1.7A

13.6
2.2A

13.5
2.3A

13.4
5.3A

111.2
2.8A

110
2.3A

109
2.3A

108
2.3A

337
5.2A

27.1
1.1A

27.2
1.1A

27.3
1.1A

103
1.4A

104
1.4A

105
1.3A

106
1.3A

21
79.1

3.8A

79.4
2A

23

24

23
12.1A

26

24
24.2A

24
24.2A

22
2.8A

2

1

1

1

1

1

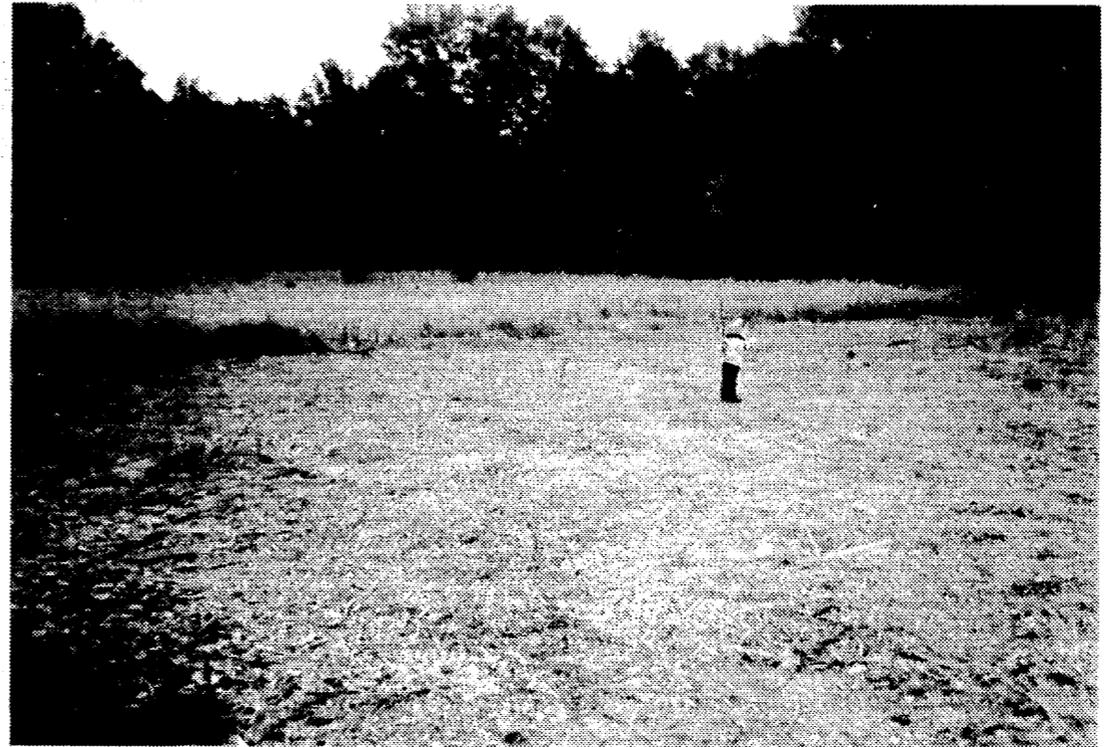
1

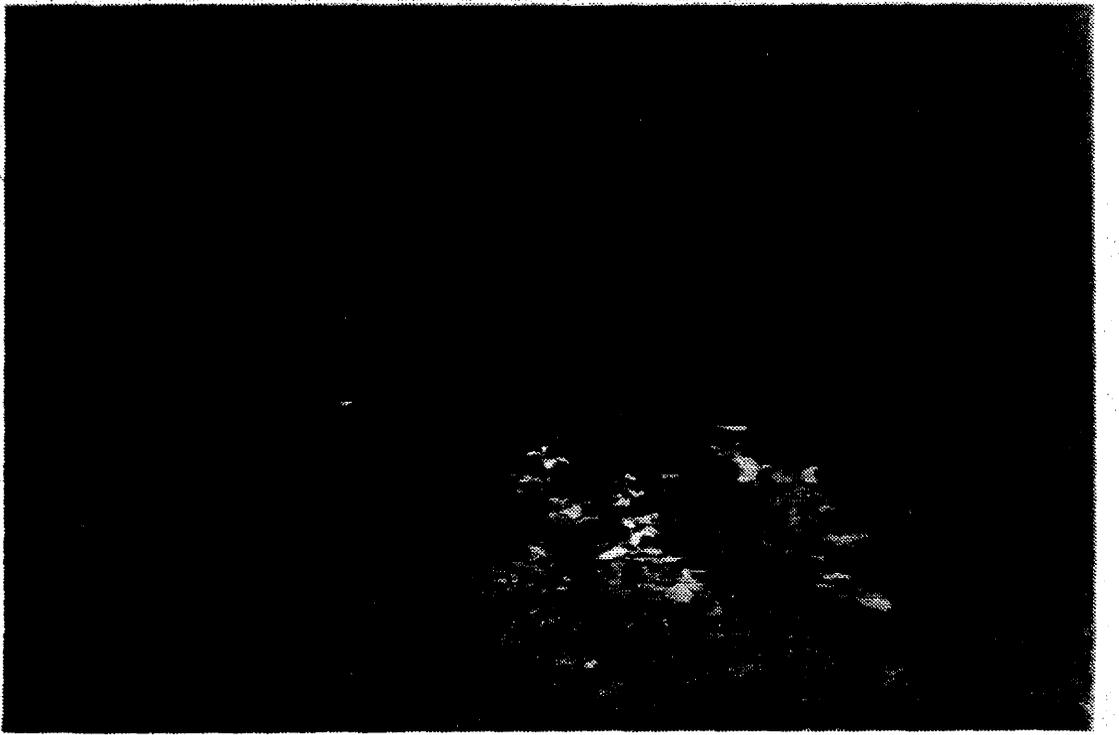
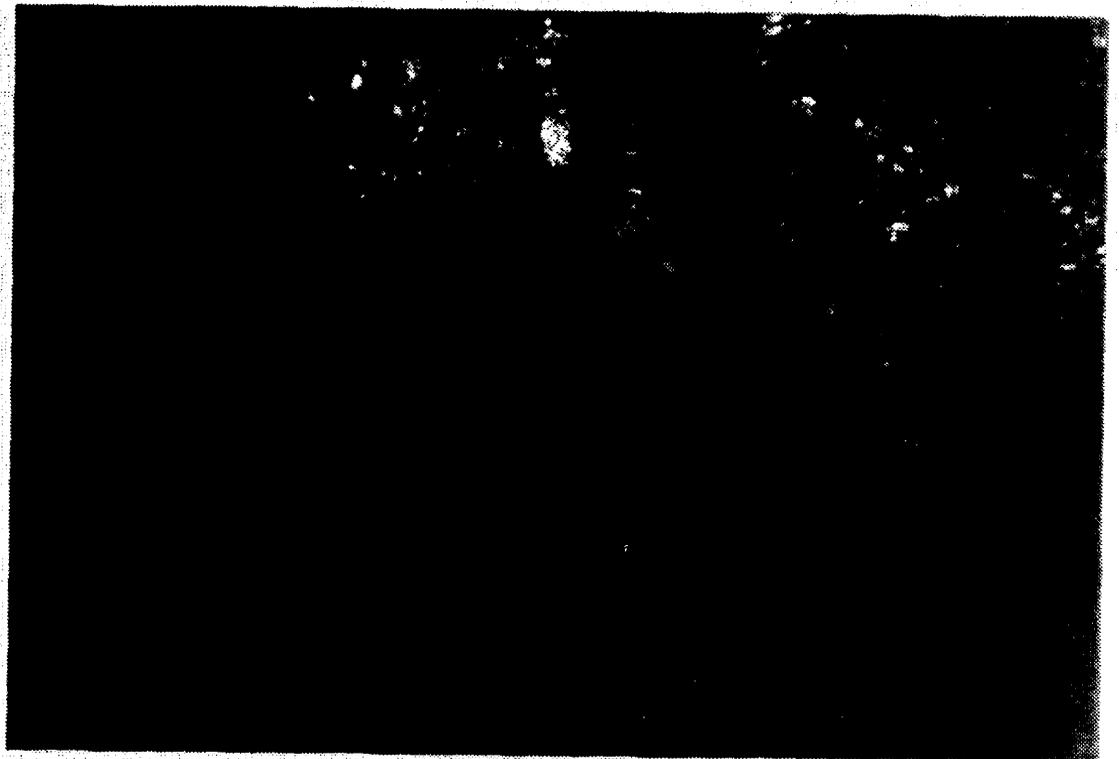
1

1

1

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

January 18, 2006

Ruth Gita Nadas
502 Bull Road
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #05-47

Dear Ms. Nadas:

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

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

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

RUTH GITA NADAS

AREA

CASE #05-47

WHEREAS, Ruth Gita Nadas, owner(s) of 52-1-13.34 on Bull Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 14,660 sq. ft. Minimum Lot Area and; 50 ft. Minimum Lot Width for proposed single-family home on Bull Road in an R-1 Zone (52-1-13.34)

WHEREAS, a public hearing was held on September 26, 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 consists of a vacant lot which is located in a residential neighborhood.
 - (b) The applicant seeks permission to use this lot for the purpose of constructing a single-family residence.
 - (c) The lot was an allowed building lot under the prior zoning law.

- (d) In order to construct this single-family home on the lot, the applicant will not be removing any trees or substantial vegetation.
- (e) The building of a structure on the lot will not create the ponding or collection of water or divert the flow of water drainage.
- (f) There are no easements on the lot including, but not limited to, water, sewer or electric easements that would interfere with or affect the building of a single family residence on the lot.
- (g) The lots adjacent to the lot have been developed with single-family residences and all of the lots are of approximately the same size as is the applicant's lot.

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).

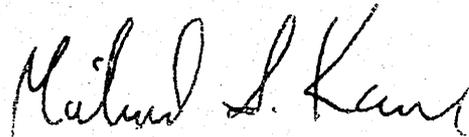
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 14,660 sq. ft. Minimum Lot Area and; 50 ft. Minimum Lot Width for proposed single-family home on Bull Road in an R-1 Zone (52-1-13.34) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

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

Dated: September 26, 2005



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: 10/24/05
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 143.28 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #05-47

NAME & ADDRESS:

**Ruth Gita Nadas
502 Bull Road
Rock Tavern, NY 12575**

THANK YOU,

MYRA

L.R.10/24/05



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



FILE #05-47 TYPE:AREA TELEPHONE: 496-3681

APPLICANT:

Ruth Gita Nadas
502 Bull Road
Rock Tavern, NY 12575

RESIDENTIAL:	\$ 50.00	CHECK #5244
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK #5247



<u>DISBURSEMENTS:</u>		MINUTES	ATTORNEY
		<u>\$5.50 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>4</u>	PAGES	<u>\$22.00</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:9/10/05 \$48.22

TOTAL:	<u>\$86.72</u>	<u>\$70.00</u>
---------------	-----------------------	-----------------------

ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$156.72

AMOUNT DUE: \$ _____

REFUND DUE: \$143.28

Cc:

L.R. 10/24/05

RUTH_GITA_NADAS_(05-47)

Ms. Ruth Gita Nadas appeared before the board for this proposal.

MR. KANE: Request for 14,660 sq. ft. minimum lot area and 50 ft. minimum lot width for proposed single family home on Bull Road. Do you want to, same as in the preliminary hearing, tell us what you want to do, tell us.

MS. NADAS: I'm applying for a variance for a lot that under the previous zoning which was changed last year was considered an approved building lot, it's one and a half acres, it has 125 feet of road frontage and there's more than, and is more than five hundred feet deep, a good portion of the lot, the front part is cleared and that's typically where people have chosen to build on the cleared portion. So I don't imagine anybody will be clearing anything much. And the lots in the area have been used similarly for single family homes and I don't know, that's about all I can think of and I have a larger map here if you'd like to look at a larger map. Would you like to?

MR. KANE: Single family home, will you be cutting down substantial trees and vegetation?

MS. NADAS: No, I'm not actually planning on building right now, I'm just applying for the variance.

MR. KANE: But the area on the property right now is clear for that so why don't we cover it?

MS. NADAS: Yeah, for that purpose it is cleared already.

MR. KANE: From looking at the property, it seems fairly flat, will you be creating any water hazards or runoffs?

MS. NADAS: No.

MR. KANE: In the area that the building is going to go is there any easements through that particular area?

MS. NADAS: No, there's not.

MR. KANE: And the purpose is to get the lot in legal shape to sell to build a home on it?

MS. NADAS: Yes, that's correct.

MR. KANE: At this point, I will open it up to the public and ask if anybody's here for this particular hearing? Seeing as there's no one we'll close the public portion of this hearing and ask Myra how many mailings we had.

MS. MASON: On the 13th of September, I mailed out 13 envelopes and had no response.

MR. KANE: On the lots next to it, you're 1.5a, 1.6a, that's owned by different people, are there homes on these lots?

MS. NADAS: There are homes on all of those lots.

MR. KANE: They're all the same looking at the tax map here they're all basically the same size as the lot you have now?

MS. NADAS: Yes.

MR. KANE: Board have any further questions? I'll take a motion.

MS. GANN: That we grant Ruth Gita Nadas her request for the 14,660 square foot minimum lot area and 50 foot minimum lot width for proposed single family home on

September 26, 2005

21

Bull Road in an R-1 zone.

MR. MC DONALD: Second it.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. MC DONALD	AYE
MR. KANE	AYE

August 22, 2005

2

PRELIMINARY MEETINGS:

RUTH_GITA_NADAS_(05-47)

MR. KANE: Request for 14,660 square foot minimum lot area for proposed single-family home on Bull Road.

Ms. Ruth Gita Nadas appeared before the board for this proposal.

MR. KANE: What we do in New Windsor is we have a preliminary meeting so we can get a general idea of what you want to do and that you have everything that you need for a public hearing plus by law. All the decisions we make have to be at a public hearing. I would just request that you speak loud enough so the young lady over there can hear you, tell us what you want to do.

MR. NADAS: Well, this is, this was a previously subdivided lot and was actually an approved until the zoning was changed last year and I was rather slow about reacting to the situation and it's still subdivided as what is it 1., don't know 1.5 something acres, about 1 1/2 acres and I'm just, I'm requesting a variance to make it into an approved lot.

MR. KANE: You need 80,000 you have 65.3.

MS. NADAS: Yes.

MR. KANE: Will you be cutting down any trees or substantial vegetation in the building of the home?

MR. NADAS: Probably not, no, looks like most of the buildings in the front part of the lot that's closer to the road, that's already cleared.

MR. KANE: Will you be having Town water and sewer or septic and well?

August 22, 2005

3

MR. NADAS: Yeah.

MR. KANE: Creating any water hazards or runoffs with the building of the home in that area?

MR. NADAS: No.

MR. KANE: Is there any existing easements that run through the property?

MR. NADAS: No.

MR. KANE: What size home are you building approximately?

MS. NADA: I don't know, I don't know, 2,500 square feet maybe.

MR. KANE: Mike, so the only reason she's here is because of the zoning change?

MR. BABCOCK: Yes, she hasn't proposed a house at this time, if she does, she'll have to meet the zoning as far as setbacks.

MR. NADAS: So I'd have to come for another variance?

MR. BABCOCK: No, we're going to tell you that you have to meet the zoning of what the lot is today and typically you've got plenty of room, the lots 125 feet wide.

MR. KANE: Just depending on the placement of the home.

MR. BABCOCK: That's correct.

MR. NADAS: There was one built next door similar lot, there's no problem.

August 22, 2005

4

MR. KANE: Does the board have any further questions?
Can I have a motion to set her up?

MR. KRIEGER: I have a couple, she may not be able to
answer now but should be by the public hearing, how
many lots was the subdivision originally?

MR. NADAS: Originally I don't know, I can find out.

MR. KRIEGER: And when was the subdivision granted?

MR. KANE: Don't need those right here but have them
for the public hearing.

MR. KRIEGER: I'm asking now so when I ask again at the
public hearing.

MR. KANE: You can provide those answers.

MR. NADAS: That's what this map is 1986 it shows.

MR. KANE: How long ago did you purchase the property?

MR. NADAS: 1996 or 7.

MR. KANE: Try to get those answers, we'll need those
answers for the public hearing. Okay?

MR. NADAS: Yes.

MR. KRIEGER: Then all the, all these lots all front on
the same road is that it?

MR. NADAS: Yes.

MR. KRIEGER: Okay, I will want to how many lots and
how they have been developed.

MR. NADAS: The original?

August 22, 2005

5

MR. KANE: The other parts of the subdivision.

MR. NADAS: There's similar kinds of homes, I can count them.

MR. KRIEGER: You bought the house?

MR. NADAS: Actually a gift.

MR. KRIEGER: You acquired it?

MS. NADAS: I didn't subdivide it, no, I didn't.

MR. KRIEGER: Okay.

MR. KANE: Okay, I'll accept a motion to set her up for a public hearing.

MR. MC DONALD: I make a motion that we grant Miss Nadas, set her up for a public hearing for request for 14,660 square feet minimum lot area for proposed single family home on Bull Road.

MS. GANN: Second the motion.

ROLL CALL

MS. GANN	AYE
MR. MC DONALD	AYE
MR. KANE	AYE
MR. REIS	AYE

MR. KANE: Just follow the directions on the sheet and we'll set it up for a public hearing.



1763

Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

August 24, 2005

Ruth Gita Nadas
502 Bull Road
Rock Tavern, NY 12575

Re: 52-1-13.34

ZBA#: 05-47 (13)

Dear Ms. Nadas:

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 Mason, Zoning Board

52-1-13.31
Thomas & Christine Orbacz
444 Bull Road
Rock Tavern, NY 12575

52-1-13.35, 13.36 & 44.3
Linda & Arthur Nadas
502 Bull Road
Rock Tavern, NY 12575

52-1-75
Robert H & Robert J Sparks
421 Toleman Road
Rock Tavern, NY 12575

52-1-78.21 & 78.22
Angelo & Michele Sakadelis
445 Toleman Road
Rock Tavern, NY 12575

52-1-111.2
Ronald & Alicia Houston
4 Roosje Lane
Rock Tavern, NY 12575

52-1-13.32
Thomas & Regina Sgro
450 Bull Road
Rock Tavern, NY 12575

52-1-25.22
Lambertus & Susan Roosje
415 Toleman Road
Rock Tavern, NY 12575

52-1-76
James Schneider
425 Toleman Road
Rock Tavern, NY 12575

52-1-109
Ionnis Skoulidakis
395 Toleman Road
Rock Tavern, NY 12575

52-1-13.33
A & B Homes, Inc.
P.O. Box 304
Goshen, NY 10924

52-1-44.1
Nicholas Jones
1679 Little Britain Road
Rock Tavern, NY 12575

52-1-77
Dennis & Robyn Morgan
433 Toleman Road
Rock Tavern, NY 12575

52-1-110
Matthew & Kelly Hanna
1 Roosje Lane
Rock Tavern, NY 12575

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:

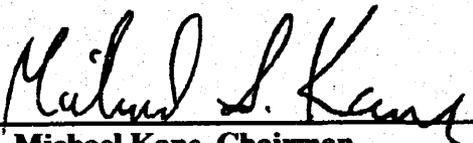
Appeal No. 05-46

Request of RUTH GITA NADAS

for a VARIANCE of the Zoning Local Law to Permit:

Request for 14,660 sq. ft. Minimum Lot Area and; 50 Ft. Minimum Lot Width for proposed single-family home on Bull Road in an R-1 Zone (S2-1-13.34)

PUBLIC HEARING will take place on SEPTEMBER 26, 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
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. 05-46
Request of RUTH GITA NADAS

for a VARIANCE of the Zoning Local Law to Permit:

Request for 14,660 sq. ft. Minimum Lot Area and ;
50 Ft. Minimum Lot Width for proposed single-family
home on Bull Road in an R-1 Zone (SZ-1-13.34)

PUBLIC HEARING will take place on September 26,
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: 1795666 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: THRFODDRIL Date: 09/06/2005 Assigned Sales: TownofNewWindsor ZONINGBOARDOFAPPEALS P AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

NOTES:

Change Reason:

INSERTION:

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

Schedule: Start Date - 09/10/2005 End Date - 09/10/2005

Sort: TOWN OF NEW WINDSORZONING BOARD OF APPEA

PRODUCTION:

Text Size: 2 x 26.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

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

PRICING:

Price: 48.22 Payment Method: B1 Amount Paid: 0 Amount Owed: 48.22

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. Content: 0



Town of New Windsor

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

ZONING BOARD OF APPEALS

September 13, 2005

Ruth Gita Nadas
502 Bull Road
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #05-47

Dear Ms. Nadas:

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:

Bull Road
Rock Tavern, NY

is scheduled for the September 26, 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: August 2005

PROJECT: Ruth Hita Nadas ZBA # 05-47

P.B.# _____

USE VARIANCE: _____ NEED: EAF PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) Mc S) Gann VOTE: A 4 N 0

✓ GANN A
LOCEY _____
BROWN _____
✓ MCDONALD A
REIS A
✓ KANE A

CARRIED: Y ✓ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MC DONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

Large empty rectangular box for notes or additional information.

9/26

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

RECEIPT
#802-2005

08/25/2005

Nadas, Ruth Gita

Received \$ 10.00 for Assessors List, on 08/25/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

ZBA # 05-47 Application fee

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

RECEIPT
#733-2005

08/09/2005

Nadas, Gita
506 Bull Rd.
Rock Tavern, NY 12575

Received \$ 50.00 for Zoning Board Fees, on 08/09/2005. 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
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 08-08-2005

FOR: ESCROW 05-47

FROM:

Ruth Gita Nadas
502 Bull Road
Rock Tavern, NY 12575

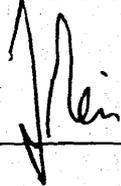
CHECK NUMBER: 5247

TELEPHONE: 496-3681

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME



DATE

8/5/05

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

DATE: 08-08-05 PROJECT NUMBER: ZBA# 05-47 P.B. # _____

APPLICANT NAME: RUTH GITA NADAS

PERSON TO NOTIFY TO PICK UP LIST:

Ruth Gita Nadas
502 Bull Road
Rock Tavern, NY 12575

TELEPHONE: 496-3681

TAX MAP NUMBER: SEC. 52 BLOCK 1 LOT 13.34
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: BULL ROAD
ROCK TAVERN

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: 5248

TOTAL CHARGES: _____



Town of New Windsor

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

ZONING BOARD OF APPEALS

August 8, 2005

Ruth Gita Nadas
502 Bull Road
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #05-47

Dear Ms. Nadas:

This letter is to inform you that you have been placed on the August 22, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

Bull Road
Rock Tavern, 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
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

6/21/05
Date

Application Type: Use Variance Area Variance
Sign Variance Interpretation

I. **Owner Information:** Phone Number: (845) 496 3681
RUTH GITA NADAS Fax Number: ()
 (Name)
502 BULL RD, ROCK TAVERN NY 12575
 (Address)

II. **Applicant:** SAME AS OWNER Phone Number: ()
 (Name) Fax Number: ()
 (Address)

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

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

V. **Property Information:**
 Zone: R-1 Residential Property Address in Question: Bull Rd., Rock Tavern NY 12575
 Lot Size: 1.6 acres Tax Map Number: Section 52-1 Block 13 Lot 34
 a. What other zones lie within 500 feet? SAME R-1
 b. Is pending sale or lease subject to ZBA approval of this Application? _____
 c. When was property purchased by present owner? 1998
 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

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	80,000 sq.ft.	65,340 Sq. ft.	14,660 Sq ft.
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.			
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:

The proposed variance will
not have an adverse effect on the
surrounding areas.

It was an approved building
lot until the zoning changed last
October. I was not aware that this
zoning change would effect a previously
approved lot. If I am not able to
receive a variance I will not be able
to sell or build on this lot.

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 \$ 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:

21ST day of JUNE 2005.

Paula Massenaro, Esq.
Attorney, State of N.J.

Signature and Stamp of Notary

Ruth Gita Nadas

Owner's Signature (Notarized)

RUTH GITA NADAS

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.

COMPLETE THIS PAGE

8/22



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

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST 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

PUBLIC HEARING LIST OF PROPERTY OWNERS

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list - they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. 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).
3. 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.