

ZB# 05-48

Carl Schiller

46-2-21

5-48

CARL SCHILLER (AREA)
16 HORSE SHOE BEND (46-2-21)

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

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: July 14, 2005

APPLICANT: Mr. Carl Schiller
6 Horse Shoe Bend
New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 7/14/05

FOR : Carl Schiller

LOCATED AT: 6 Horse Shoe Bend

ZONE: R-4 Sec/Blk/ Lot: 46-2-21

COPY

DESCRIPTION OF EXISTING SITE: SINGLE FAMILY DWELLING W/PROPOSED 8X12 SHED

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-11, A3 No accessory building shall project nearer to the street on which the principal building fronts than such principal building. A variance to permit the proposed shed between the principal building and street is required.


BUILDING INSPECTOR

PERMITTED

**PROPOSED OR
AVAILABLE:**

**VARIANCE
REQUEST:**

ZONE: R-4 USE:

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

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 uncheduled 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 underlab 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 pond may be required.
8. \$50.00 charge for any site that calls for the inspection fees.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

JUL 11 2005

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: PAAC02-1086

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 CARL SCHILLER

Address 6 HORSESHOE BEND Phone # 562-6906

Mailing Address NEW WINDSOR, NY 12553 Fax # 562-6906

Name of Architect CUSTOM FOREST PRODUCTS

Address 57 W. MEADOWBROOK LANE Phone 845-889-8252
STARBUROG NY 12580

Name of Contractor CUSTOM FOREST PRODUCTS

Address 57 W. MEADOW BROOK LANE Phone 845-887-8272

State whether applicant is owner, leasee, agent, architect, engineer or builder OWNER
STAATSBURG, NY 12580

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 Horseshoe Bend
(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 _____

X 3. Tax Map Description: Section 46 Block 2 Lot 21

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy _____ b. Intended use and occupancy _____

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

6. Is this a corner lot? Yes Shed 10x8 wood

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 \$1,500

Fee 50.00 ZONING BOARD

CASH

PAID

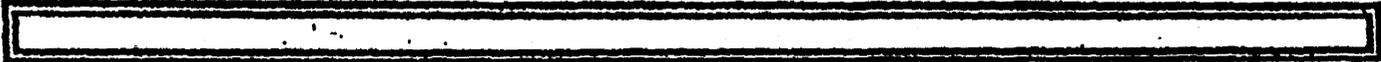
LOU"

____/____/____
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.

Carl Schiller
(Signature of Applicant)

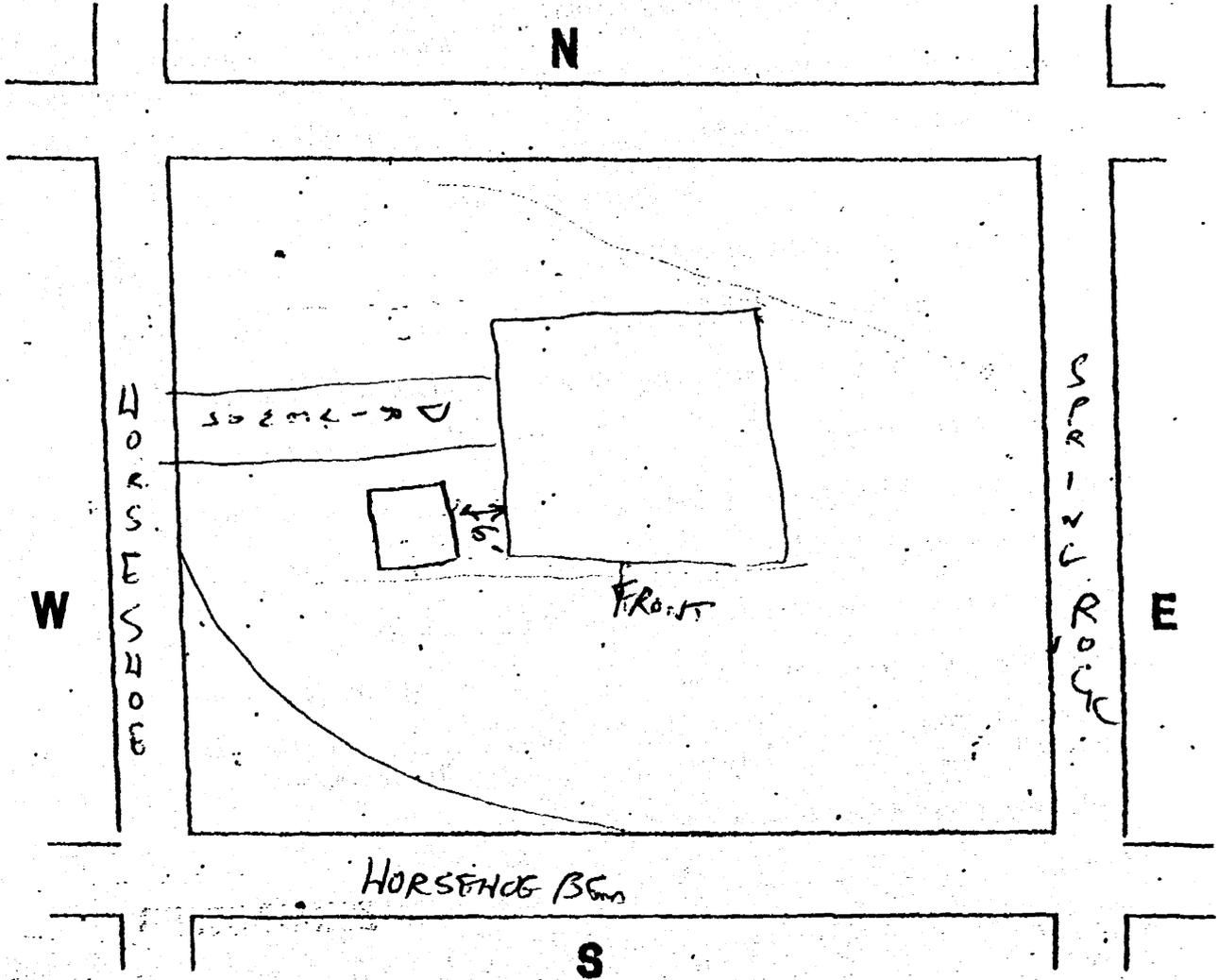
6 HORSE SHOE BEND.
(Address of Applicant)

X Carl Schiller
(Owner's Signature)

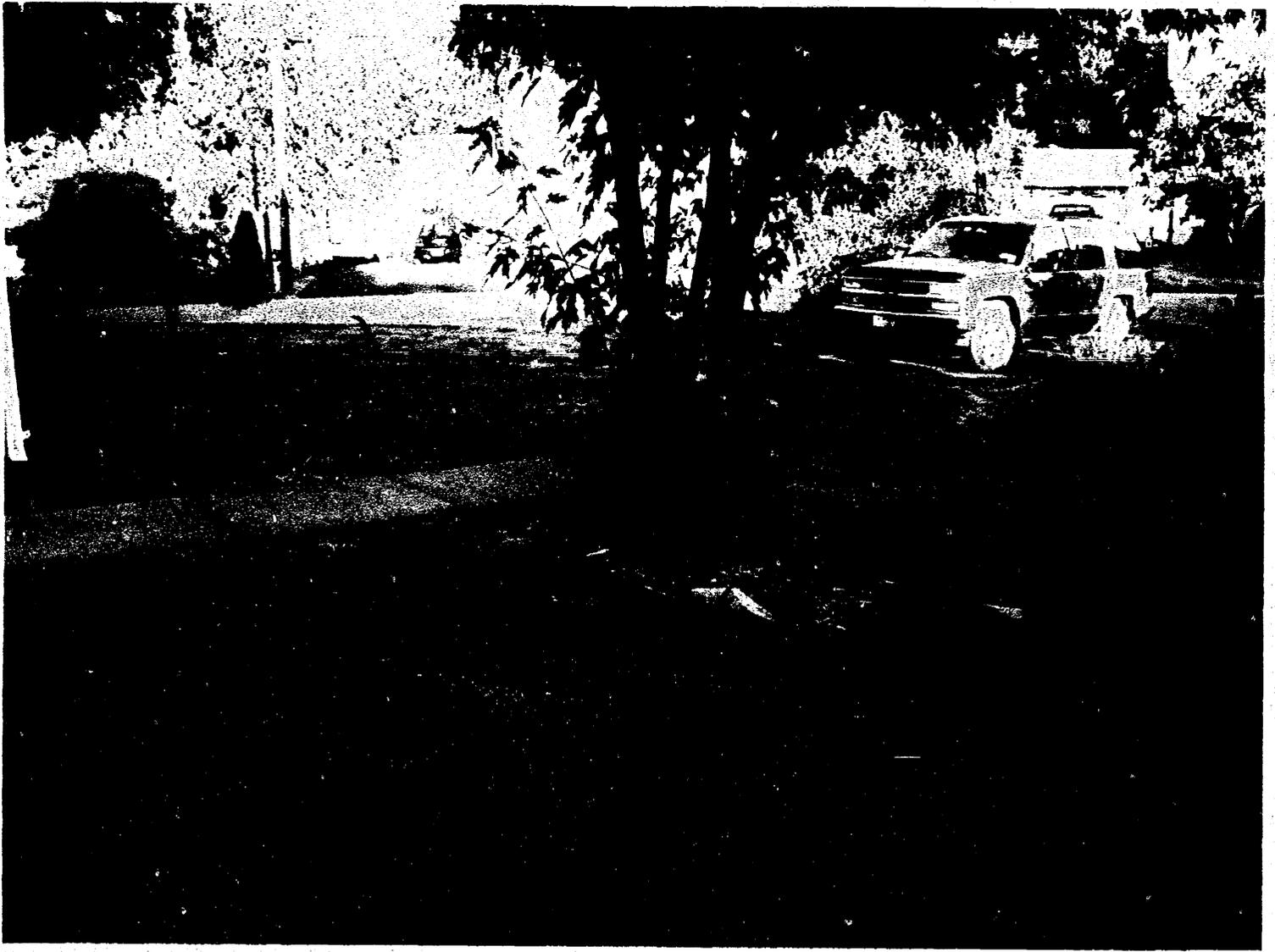
(Owner's Address)

NOTE:

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



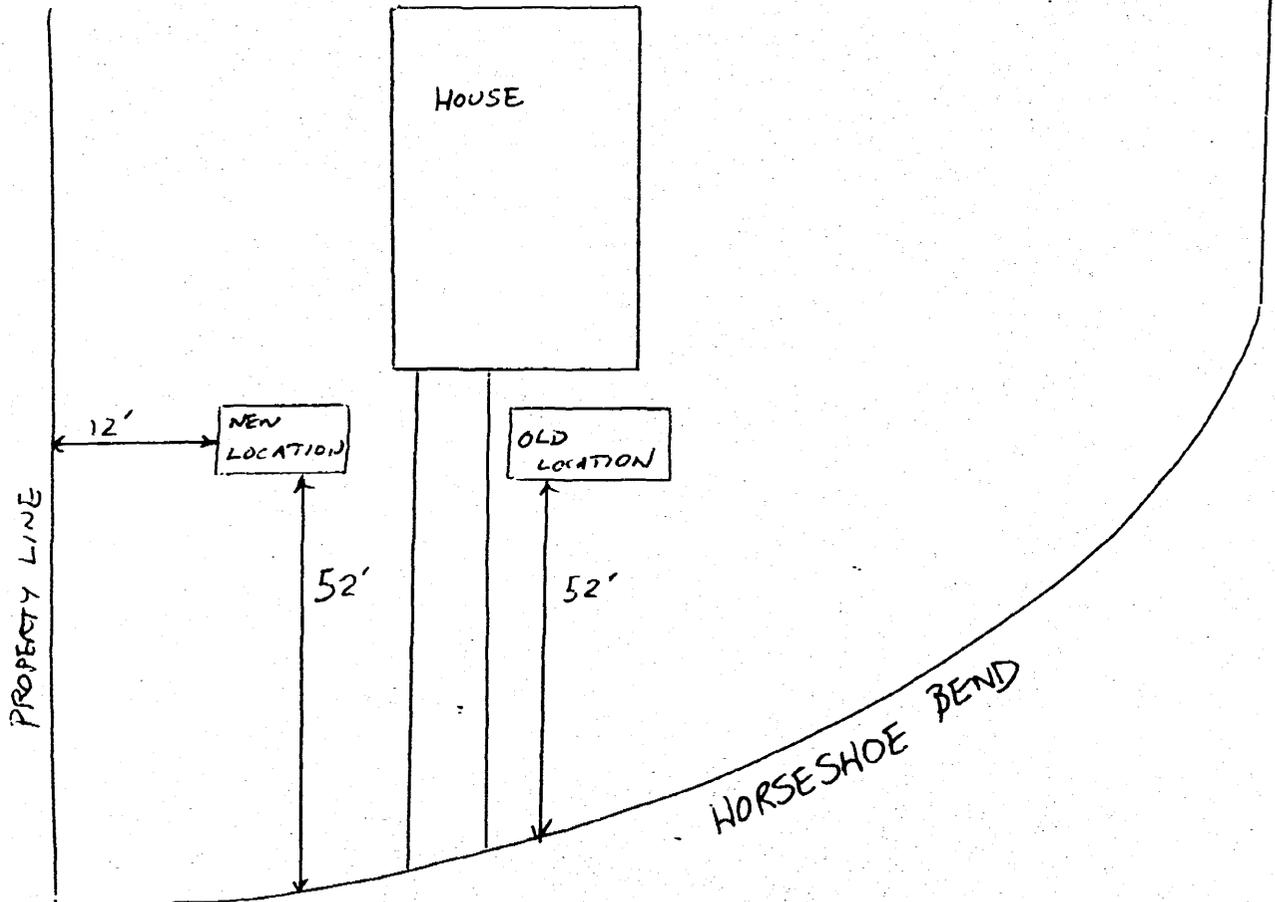
PLEASE ALLOW TIME TO THE BAY TO PROCESS
IMPORTANT







SPRINGROCK RD





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 17, 2006

Carl Schiller
6 Horseshoe Bend
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-48

Dear Mr. Schiller:

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

CARL SCHILLER

**MEMORANDUM OF
DECISION GRANTING**

AREA

CASE #05-48

WHEREAS, Carl Schiller, owner(s) of 6 Horse Shoe Bend, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for variance for proposed 8 ft. x 8 ft. shed to be located between the house and the street at 6 Horseshoe Bend in an R-4 Zone (46-2-21)

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 is a residential property located in a neighborhood of residential properties.
 - (b) The property is located on a corner lot and therefore, has two front yards by operation of law.
 - (c) The applicant seeks to construct a shed measuring 8 feet by 8 feet.

- (d) In constructing the shed, the applicant will not be removing any trees or substantial vegetation.
- (e) In constructing the shed, the applicant will not create the ponding or collection of water or divert the flow of water drainage.
- (f) The shed is not on top of nor will it interfere with any easements including, but not limited to, water, sewer and electrical easements.
- (g) Although the shed, if approved, will project closer to the road than the main dwelling, it will not interfere with the safe operation of motor vehicles on the adjacent roadways.
- (h) The applicant seeks to locate the shed in the best available place on the property given the topography and location of the property.
- (i) The shed will be similar in size and appearance to other sheds in the neighborhood.

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).

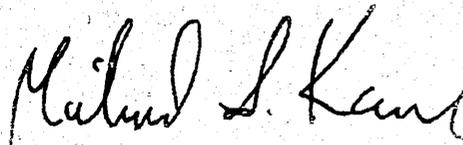
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for variance for proposed 8 ft. x 8 ft. shed to be located between the house and the street at 6 Horseshoe Bend in an R-4 Zone (46-2-21) 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 #05-48

NAME & ADDRESS:

**Carl Schiller
6 Horseshoe Bend
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.10/24/05



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



FILE #05-48 TYPE:AREA TELEPHONE: 562-6906

APPLICANT:
Carl Schiller
6 Horseshoe Bend
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK #1884
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 1883



<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: \$86.72 \$70.00



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

AMOUNT DUE: \$ _____

REFUND DUE: \$143.28

Cc:

L.R. 10/24/05

CARL_SCHILLER_(05-48)

Mr. Carl Schiller appeared before the board for this proposal.

MR. KANE: Request for variance for proposed shed to be located between the house and the street at 6 Horseshoe Bend. Evening, sir, tell us what you want to do, just like the preliminary meeting, tell us what you want to do.

MR. SCHILLER: I'd like to build an eight foot by eight foot shed on my property. The reason I need the variance is because I'm on a corner lot and in order to put it in the back yard which is it would be most of the back yard.

MR. KANE: So being in New York State with a corner property you have two front yards?

MR. SCHILLER: Right.

MR. SCHILLER: A couple days after the last meeting I found the location that looked better closer to the property but it's the same distance so I spoke to Mrs. Mason and I took new pictures so this was what I had originally done.

MR. KANE: Actually looks better.

MR. SCHILLER: I only need one variance.

MR. KANE: Would you show the other members please? Okay, one thing we definitely need to clear up first on the denial we have 8 x 12 shed, on your application you have a 10 x 8 shed and over here it's an 8 x 8 shed, which one do you want?

MR. SCHILLER: It's 8 x 8.

MR. KANE: Would everybody please make those changes? Well, that's good because you're going for the smallest thing possible, that's actually a pretty small shed. Is it similar in size and nature to other sheds that are in your neighborhood?

MR. SCHILLER: Yes.

MR. KANE: Going to be cutting down any trees or substantial vegetation in the placement of the shed?

MR. SCHILLER: No.

MR. KANE: Create any water hazards or runoffs?

MR. SCHILLER: No.

MR. KANE: Any easements running through where you want to put the shed?

MR. SCHILLER: No.

MR. KANE: And even though the shed is going to project closer to the road than the home the shed, it's not going to inhibit anybody's view from a vehicle as far as the street is concerned?

MR. SCHILLER: No.

MR. KANE: At this point, I will open it up to the public and ask if anybody's here for this particular meeting? Boy, they're all here to gang up on somebody. We'll close the public portion of the hearing and ask Myra how many mailings we had.

MS. MASON: On September 13, I mailed out 59 envelopes and had no response.

MR. KANE: Bring it back to the board, ask the board if they have any further questions.

September 26, 2005

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MR. MC DONALD: Accept a motion?

MR. KANE: Yes, I will.

MR. MC DONALD: Make a motion that we grant the request for this variance to Mr. Carl Schiller proposed shed to be located between the house and the street at 6 Horseshoe Bend in an R-4 zone.

MS. LOCEY: I'll second that motion.

ROLL CALL

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

August 22, 2005

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CARL_SCHILLER_(05-48) _____

Mr. Carl Schiller appeared before the board for this proposal.

MR. KANE: Request for variance for proposed shed to be located between the house and the street at 6 Horseshoe Bend. Tell us what you want to do, sir.

MR. SCHILLER: I just want to build a 10 x 8 foot shed on my property next to the house.

MR. KANE: You have, this is a service road over here or Spring Rock Road?

MR. SCHILLER: Spring Rock.

MR. KANE: So your home has three roads?

MR. SCHILLER: Horseshoe Bend winds around so that's the same road.

MR. KANE: So technically he's dealing with a couple of front yard here.

MR. BABCOCK: Two front yards, yes.

MR. KANE: Cutting down any trees, substantial vegetation in the building of the shed?

MR. SCHILLER: No.

MR. KANE: Creating any water hazards or runoffs?

MR. SCHILLER: No.

MR. KANE: Any easements in the area where the shed is going to be?

MR. SCHILLER: No.

August 22, 2005

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MR. KANE: Is the shed similar in size and nature to other sheds that are in the neighborhood?

MR. SCHILLER: Yes.

MR. KANE: And is there any reason that you can't place the shed in an area that doesn't require a variance?

MR. SCHILLER: My back yard I think there's a ten foot from the, away from the property line and that's the problem, can't fit it in my back yard.

MR. KANE: So anyplace basically anyplace you put it on your property you're going to require some kind of a variance to put it?

MR. SCHILLER: Correct.

MR. REIS: For the record, Mr. Schiller, your proposed shed won't conflict with traffic sight?

MR. SCHILLER: What does that mean?

MR. REIS: Again, for the record, where you're placing the shed it will not conflict with the traffic or vision?

MR. SCHILLER: Oh no, no.

MS. GANN: Will you be running electric to the shed?

MR. SCHILLER: No.

MR. MC DONALD: On a slab or permanently installed?

MR. SCHILLER: No, it's going to be on paving blocks.

MR. KANE: Mike, look at the pictures here just from where this shed is going to be going out to Horseshoe

Bend Road just from this particular, last particular picture it looks like there won't be any traffic so I don't need another picture for that otherwise I would ask for it.

MR. REIS: Just for the record, thank you.

MR. KANE: Any further questions from the board?

MS. GANN: No.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Make a motion we set up Mr. Carl Schiller for his requested variance for proposed shed to be located between the house and the street at 6 Horseshoe Bend.

MR. MC DONALD: Second it.

ROLL CALL

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

MR. SCHILLER: Can I ask one question? If I decide to make it smaller, do I have to tell you now or--

MR. KANE: No.

MR. BABCOCK: No.

MR. KANE: Bigger yes, smaller no.

MR. SCHILLER: Okay.

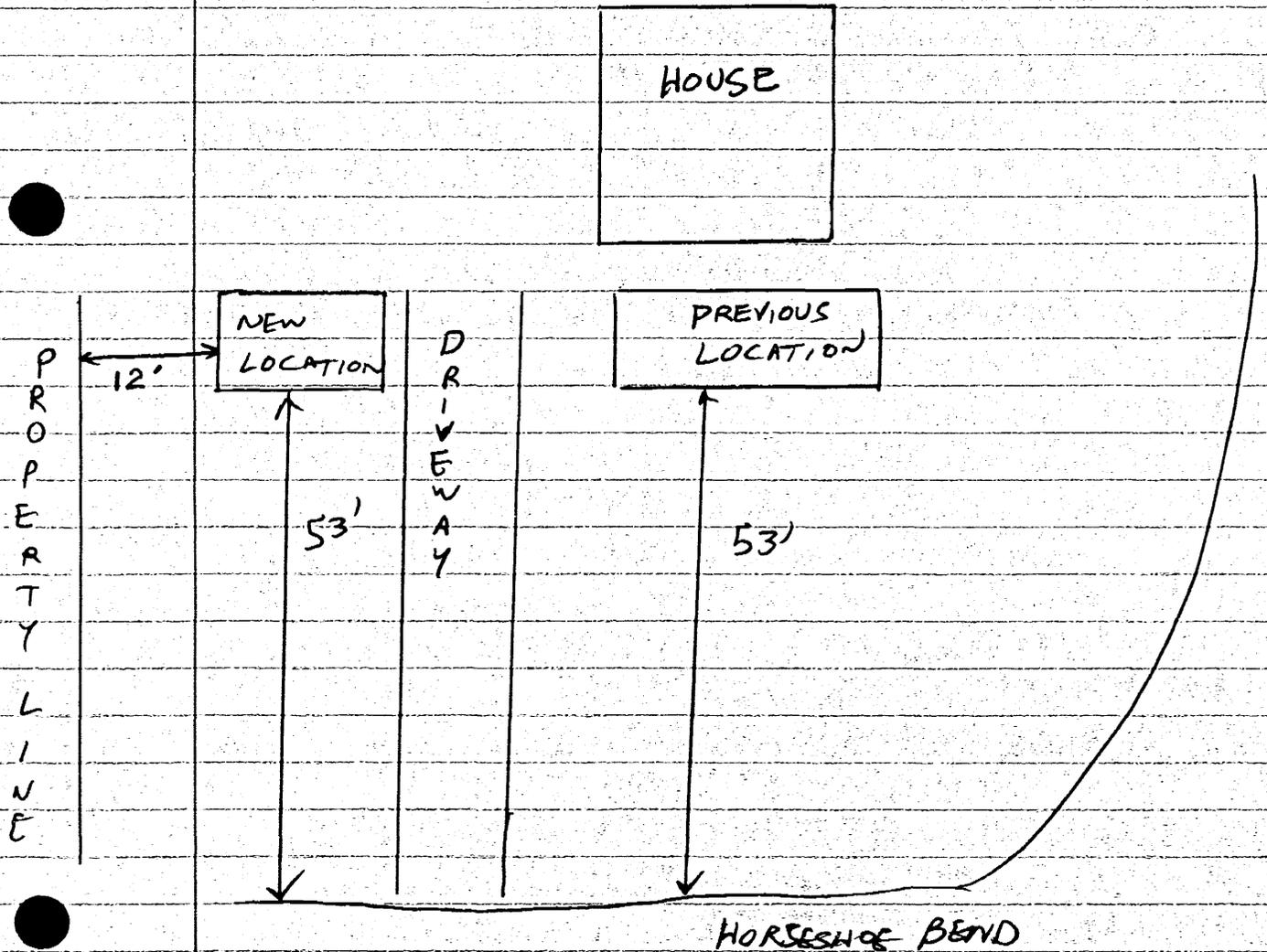
August 22, 2005

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MR. KANE: Just follow the directions on that. Have a
good evening.

Dear Myra,

Enclosed are new pictures of the new location of the shed that I am applying a variance for. This location is 53' from the road the same as the previous location.



(over)

The new location will be much better
as it puts the shed away from the
house, and away from the main part
of HORSESHOE BEND.

Could you please pass the new photos
on to the rest of the board members.
I really appreciate your help with
this.

Sincerely,
Carl Schuller

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:

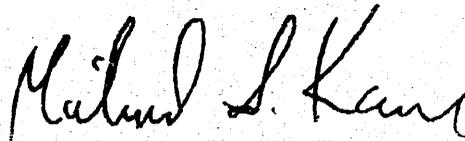
Appeal No. 05-48

Request of CARL SCHILLER

for a VARIANCE of the Zoning Local Law to Permit:

Request for variance for proposed shed to be located between the house and the street at 6 Horseshoe Bend in an R-4 Zone (46-2-21)

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. 05-48
 Request of: CARL SCHILLER

for a VARIANCE of the Zoning Local Law to Permit:

Request for variance for proposed shed to be located between the house and the street at 6 Horseshoe Bend in an R-4 Zone (46-2-21)

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: 1795674 Advertiser: NEW WINDSOR, TOWN

Phone: 8455634615 Sys No: 1194114 Caller: MYRA

INVOKING 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: THI 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: 01 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) 563-4631
Fax: (845) 563-3101
J. Todd Wiley, IAO

Assessor's Office

August 25, 2005

Carl Schiller
6 Horse Shoe Bend
New Windsor, NY 12553

Re: 46-2-21 ZBA#05-48 (59)

Dear Mr. Schiller:

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 \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/lrd

CC: Myra Mason, ZBA

43-1-16
Mark & Diane Wentzel
8 Hudson Drive
New Windsor, NY 12553

43-1-17
Charles Jr. & Linda Baranski
10 Hudson Drive
New Windsor, NY 12553

43-1-27
Kevin & Jennifer Jones
21 St. Anne Drive
New Windsor, NY 12553

43-1-28
Michael & Jenny Hughes
19 St. Anne Drive
New Windsor, NY 12553

43-1-29
Kim Meri DiGiovanni
Philip Masciola Jr.
17 St. Anne Drive
New Windsor, NY 12553

43-1-47
Robert & Lynn Vance
14 Hearthstone Way
New Windsor, NY 12553

43-1-48
Jack Browne
PO Box 4310
New Windsor, NY 12553

43-1-49
Jean Grunewald
Andrea Holland
18 Hearthstone Way
New Windsor, NY 12553

43-1-50
Dane LeRoy
Judy Coleman
2 Spring Rock Road
New Windsor, NY 12553

43-1-53
Patricia Moran
4 Spring Rock Road
New Windsor, NY 12553

43-1-54
Thomas & Kim Schlett
6 Spring Rock Road
New Windsor, NY 12553

43-1-55
Dino Fratto
8 Spring Rock Road
New Windsor, NY 12553

43-1-56
Mercedes Ponesse
16 Ona Lane
New Windsor, NY 12553

43-1-57
Margaret Tobin
12 Spring Rock Road
New Windsor, NY 12553

43-1-58
Lois Lyon
2 Chimney Corner Road
New Windsor, NY 12553

43-1-59
Paul & Cheryl Ciaccio
4 Chimney Corner Road
New Windsor, NY 12553

43-1-60
Cynthia & Karen Butler
Jennifer & Erika Butler
6 Chimney Corner Road
New Windsor, NY 12553

43-1-61
Peatrice & Everette Henry
5 Chimney Corner Road
New Windsor, NY 12553

43-1-62
Martha Leonard
3 Chimney Corner Road
New Windsor, NY 12553

43-1-63
Sally Metzner
1 Chimney Corner Road
New Windsor, NY 12553

43-1-64
Thomas & Kathleen Fox
14 Spring Rock Road
New Windsor, NY 12553

43-1-65
Martin & Bette Shenker
16 Spring Rock Road
New Windsor, NY 12553

43-1-66
Rafael & Sharon Berrios
18 Spring Rock Road
New Windsor, NY 12553

46-1-10
John & Marion Seymour
19 Spring Rock Road
New Windsor, NY 12553

46-1-11
Michael & Jodi Visconti
2 Split Tree Drive
New Windsor, NY 12553

46-1-12
Joseph & Cynthia Bottali
4 Split Tree Drive
New Windsor, NY 12553

46-1-13
William & Mary Ann Dickman
6 Split Tree Drive
New Windsor, NY 12553

46-1-14
Giachino & Marie Elena D'Angelo
8 Split Tree Drive
New Windsor, NY 12553

46-2-12
Paul & Hisako Roach
7 Stone Ledge Lane
New Windsor, NY 12553

46-2-13
James & Beverly Ann Santacruce
5 Stone Ledge Lane
New Windsor, NY 12553

46-2-14
Colleen Helly
3 Stone Ledge Lane
New Windsor, NY 12553

46-2-15
Michael Jr. & Frances Dunn
1 Stone Ledge Lane
New Windsor, NY 12553

46-2-16
William & Mary O'Keefe
5 Split Tree Drive
New Windsor, NY 12553

46-2-17
Paul Clarke
3 Split Tree Drive
New Windsor, NY 12553

46-2-18
Eugene Ferraro
Edward Poppiti
1 Split Tree Drive
New Windsor, NY 12553

46-2-19
Steven Kieva
Eileen Acosta
13 Spring Rock Road
New Windsor, NY 12553

46-2-20
Thomas & Barbara Behany
11 Spring Rock Road
New Windsor, NY 12553

46-2-22
Sidney & Edna Weinheim
8 Horse Shoe Bend
New Windsor, NY 12553

46-2-23
Christopher & Maureen Clayton
10 Horse Shoe Bend
New Windsor, NY 12553

46-2-24
Patricia Guttilla
12 Horse Shoe Bend
New Windsor, NY 12553

46-2-25
Louis & Suzanne Dawes
14 Horse Shoe Bend
New Windsor, NY 12553

46-2-26
Lynne Herter
David DeWitt Jr.
15 Horse Shoe Bend
New Windsor, NY 12553

46-2-27
John Murphy
Tracey Finn
13 Horse Shoe Bend
New Windsor, NY 12553

46-2-28
Lynn Wolfinger-Mills
11 Horse Shoe Bend
New Windsor, NY 12553

46-2-29
Demetra Perdikakis
9 Horse Shoe Bend
New Windsor, NY 12553

46-2-30
Thomas & Peggy Scalli
7 Horse Shoe Bend
New Windsor, NY 12553

46-2-31
John & Barbara Baldwin
5 Horse Shoe Bend
New Windsor, NY 12553

46-2-32
Stephen & Eileen Power
3 Horse Shoe Bend
New Windsor, NY 12553

46-2-33
Michael Cestone
Maureen Bryant
1 Horse Shoe Bend
New Windsor, NY 12553

46-2-34
Gerald & Ann O'Donnell
7 Spring Rock Road
New Windsor, NY 12553

46-2-35
Jose & Berta Castaneda
17 Hearthstone Way
New Windsor, NY 12553

46-2-36
Theodore & Peggy Mardsen
15 Hearthstone Way
New Windsor, NY 12553

46-2-37
Paul & Barbara Ann Rodriguez
PO Box 4621
New Windsor, NY 12553

46-2-38
Vincent Cerchiara
Patti Elings Cerchiara
11 Hearthstone Way
New Windsor, NY 12553

46-2-39
Byron & Cynthia Combest
9 Hearthstone Way
New Windsor, NY 12553

46-2-41
Antonio Roncal
Flor Demaria-Roncal
4 Hobnail Court
New Windsor, NY 12553

46-2-49
New Windsor Group LLC
PO Box 415
Tallman, NY 10982

46-2-59
Bronfman Fisher Real Estate Holdings LLC
106 Washington Avenue
Spring Valley, NY 10997

46-2-60
Number One Shed, Inc.
520 Blooming Grove Turnpike
New Windsor, NY 12553



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

Carl Schiller
6 Horseshoe Bend
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-48

Dear Mr. Schiller:

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:

6 Horseshoe Bend
New Windsor, 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 20 2005

PROJECT: Carl Schiller ZBA # 05-48

P.B.# _____

USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: 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 _____

PUBLIC HEARING: 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) lis S) Mc 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 with horizontal lines, likely for additional notes or signatures.

ZBA # 05-48 Application fee

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

RECEIPT
#732-2005

08/09/2005

Schiller, Carl
396 South Greenhaven Rd.
Stormville, NY 12582

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: 08-08-05

FOR: ESCROW 05-48

FROM:

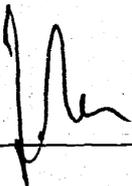
Carl Schiller
6 Horseshoe Bend
New Windsor, NY 12553

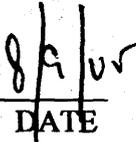
CHECK NUMBER: 1883

TELEPHONE: 562-6906

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, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

August 8, 2005

Carl Schiller
6 Horseshoe Bend
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-48

Dear Mr. Schiller:

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:

6 Horse Shoe Bend
New Windsor, NY

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

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

DATE: 08-08-05 PROJECT NUMBER: ZBA# 05-48 P.B. # _____

APPLICANT NAME: CARL SCHILLER

PERSON TO NOTIFY TO PICK UP LIST:

Carl Schiller
6 Horseshoe Bend
New Windsor, NY 12553

TELEPHONE: 562-6906

TAX MAP NUMBER: SEC. 46 BLOCK 2 LOT 21
 SEC. _____ BLOCK _____ LOT _____
 SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 6 HORSE SHOE BEND
NEW WINDSOR

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: 1885

TOTAL CHARGES: _____



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



APPLICATION FOR VARIANCE

7/21/05
Date

Application Type: Use Variance Area Variance
Sign Variance Interpretation

I. Owner Information:

CARL SCHILLER / YINGYI CHU Phone Number: (845) 562-6906
(Name) Fax Number: (845) 562-6906
6 HORSESHOE BEND NEW WINDSOR, NY 12553
(Address)

II. Applicant:

CARL SCHILLER / YINGYI CHU Phone Number: (845) 562-6906
(Name) Fax Number: (845) 562-6906
6 HORSESHOE BEND NEW WINDSOR, NY 12553
(Address)

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

CARL SCHILLER Phone Number: (845) 562-6906
(Name) Fax Number: (845) 562-6906
6 HORSESHOE BEND NEW WINDSOR, NY 12553
(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

CUSTOM FOREST PRODUCTS, INC Phone Number (845) 889-8252
(Name) Fax Number: ()
57 WEST MEADOWBROOK LANE STAATSBURG, NY 12580
(Address)

V. Property Information:

Zone: R-4 Property Address in Question: 6 HORSESHOE BEND
Lot Size: 0.29 ACRES Tax Map Number: Section 46 Block 2 Lot 21

- 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? JULY 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? YES, PROPOSED SHED

****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:

Because we own a corner lot, it is difficult for us to place a shed in our backyard. We would like to place the shed on the side of our house next to our driveway. It will be built by CUSTOM FOREST PRODUCTS and will be a tasteful design. If we are allowed to build the shed, I would paint it to match the house and landscape around the sides.

The reason we would like a shed is for our lawn mower, tiller and other garden and landscaping tools. We believe there will be no detriment to the housing value of our neighbors. In the year we have lived in the house, we have redone the landscaping around the entire house and believe we have beautified part of the neighborhood.

PLEASE NOTE:

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

Please note that the proposed shed is 10' x 8'.

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. *I never got a survey when I bought the house*
- 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.) *I submitted photos with my first application. Please let me know if you need more 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:

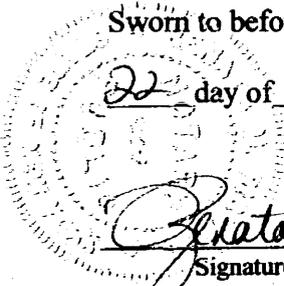
22 day of July 2005

Carl E. Schiller

Owner's Signature (Notarized)

CARL E. SCHILLER

Owner's Name (Please Print)



Renata M. Richard
Signature and Stamp of Notary

RENATA M. RICHARD
Notary Public, State of New York Applicant's Signature (If not Owner)
No. 01RI5045683
Qualified in Dutchess County
Commission Expires June 26, 2007

PLEASE NOTE:

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

COMPLETE THIS PAGE



TOWN OF NEW WINDSOR

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



ZONING BOARD PROCEDURES

PLEASE READ 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.