

ZB# 06-39

Thomas Santoro

50-1-19

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

Granted 7/24/06

06-39

Thomas Santoro (AER)
13 Forge Hill Rd. (50-1-19)

P.O. 45659

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

MEMORANDUM OF
DECISION GRANTING

THOMAS SANTORO

AREA

CASE #06-39
-----X

WHEREAS, Thomas Santoro, owner(s) of 13 Forge Hill Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 28 ft. Rear Yard Setback for proposed 12 ft. X 18 ft wood deck at 13 Forge Hill Road in an R-3 Zone (50-1-19)

WHEREAS, a public hearing was held on July 24, 2006 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 Official Town Newspaper, 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 in an R-3 zone.
 - (b) In constructing the deck, the applicant will not remove any trees or substantial vegetation.

- (c) In building the deck the applicant will not build on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements.
- (d) In building the deck the applicant will not create the ponding or collection of water or divert the flow of water drainage.
- (e) With the deck, the house will be similar in size and nature to other houses in the neighborhood.
- (f) The proposed or existing deck is immediately adjacent to an exit portal of the building. Without the deck, a safety issue would exist because a person exiting the premises would probably fall and sustain serious physical injury if the deck were not in place.

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 28 ft. Rear Yard Setback for proposed 12 ft. X 18 ft wood deck at 13 Forge Hill Road in an R-3 Zone (50-1-19) 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 24, 2006

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: OCTOBER 24, 2006
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 183.49 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #06-39

NAME & ADDRESS:

**Thomas Santoro
13 Forge Hill Road
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.10-24-06



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



FILE #06-39 TYPE: AREA TELEPHONE: 534-4614

APPLICANT:
Thomas Santoro
13 Forge Hill Road
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>2060</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 2063



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$7.00 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>2</u>	PAGES	\$ <u>14.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: 7-14-06 \$ 11.51

TOTAL: \$ 46.51 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 116.51

AMOUNT DUE: \$ _____

REFUND DUE: \$ 183.49

Cc:

L.R. 10-24-06

JULY 24, 2006

PUBLIC HEARING - THOMAS SANTORO

MR. KANE: Tonight's first public hearing, Thomas Santoro request for 28-foot rear yard setback for a proposed 12-foot by 18-foot wood deck at 13 Forge Hill Road in an R-3 Zone. While we're waiting for Mr. Santoro, may I ask if there's anyone in the audience for this particular hearing? There is not. Sir, tell us what you want to do?

MR. SANTORO: I'm going to change the steps on the back of my house into a deck. That would make it more accessible for the yard and safety reasons and cleaner aesthetics.

MR. KANE: Cutting down any trees, substantial vegetation in the area where the deck is going to go?

MR. SANTORO: No.

MR. KANE: Any easements running through the area where the deck is going to go?

MR. SANTORO: No.

MR. KANE: Will you be creating any water hazards or runoffs?

MR. SANTORO: No.

MR. KANE: The size of the deck is 12 by 18, is that similar to other decks that are in your neighborhood?

MR. SANTORO: Yes.

MR. KANE: Showing for the record in the picture that we have one set of stairs coming down from a set of double doors off of the back of the property and it's your feeling that having the deck there instead of that single set of stairs is going to make it safer?

MR. SANTORO: Yes.

JULY 24, 2006

MR. KANE: At this point I will open and close the public portion of the meeting seeing as no one is here for it and ask Myra how many mailings we had?

MS. MASON: July 11th I mailed out 36 envelopes and had no response.

MR. KANE: Any further questions from the Board? I'll accept a motion.

MS. LOCEY: I'll offer a motion to grant the requested variances on the application of Thomas Santoro.

MR. TORPEY: I second that.

ROLL CALL

MS. LOCEY: Aye.
MR. TORPEY: Aye.
MR. LUNDSTROM: Aye.
MR. KANE: Aye.

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

COPY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

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

DATE: May 31, 2006

**APPLICANT: Thomas Santoro
13 Forge Hill Road
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 6/30/06

FOR : Proposed attached 12x18 ft. wood deck.

LOCATED AT: 13 Forge Hill Road

ZONE: R-3 Sec/Blk/ Lot: 50-1-¹09

DESCRIPTION OF EXISTING SITE: One family house.

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed 12x18ft. wood deck does not meet minimum rear yard set-back.**

J. P. ...
BUILDING INSPECTOR

PERMITTED PROPOSED OR VARIANCE
AVAILABLE: REQUEST:

ZONE: R-3 USE: 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: G-6 50ft. 22ft. 28ft.

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

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

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reworked to the satisfaction of the inspector.

RECEIVED

MAY 30 2006

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2006-543

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 THOMAS SANTORO

Address 13 Forge Hill Rd. Phone # 534 4614

Mailing Address New Windsor NY 12553 Fax # 6223810

Name of Architect SELF

Address _____ Phone _____

Name of Contractor SELF

Address _____ Phone _____

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

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 ~~North~~ (S) side of Canterbury Lane
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated R-3 Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 50 Block 1 Lot 19

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 Deck

6. Is this a corner lot? yes

7. Dimensions of entire new construction. Front _____ Rear 18 Depth 12 Height _____ No. of stories _____

8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor _____

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

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

10. Estimated cost _____ Fee 1 _____

ZONING BOARD
\$50.00
CH#2061

date

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

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Krychear
New Windsor Town Hall
855 Union Avenue
New Windsor, New York 12553
(845) 583-4818
(845) 583-4885 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)

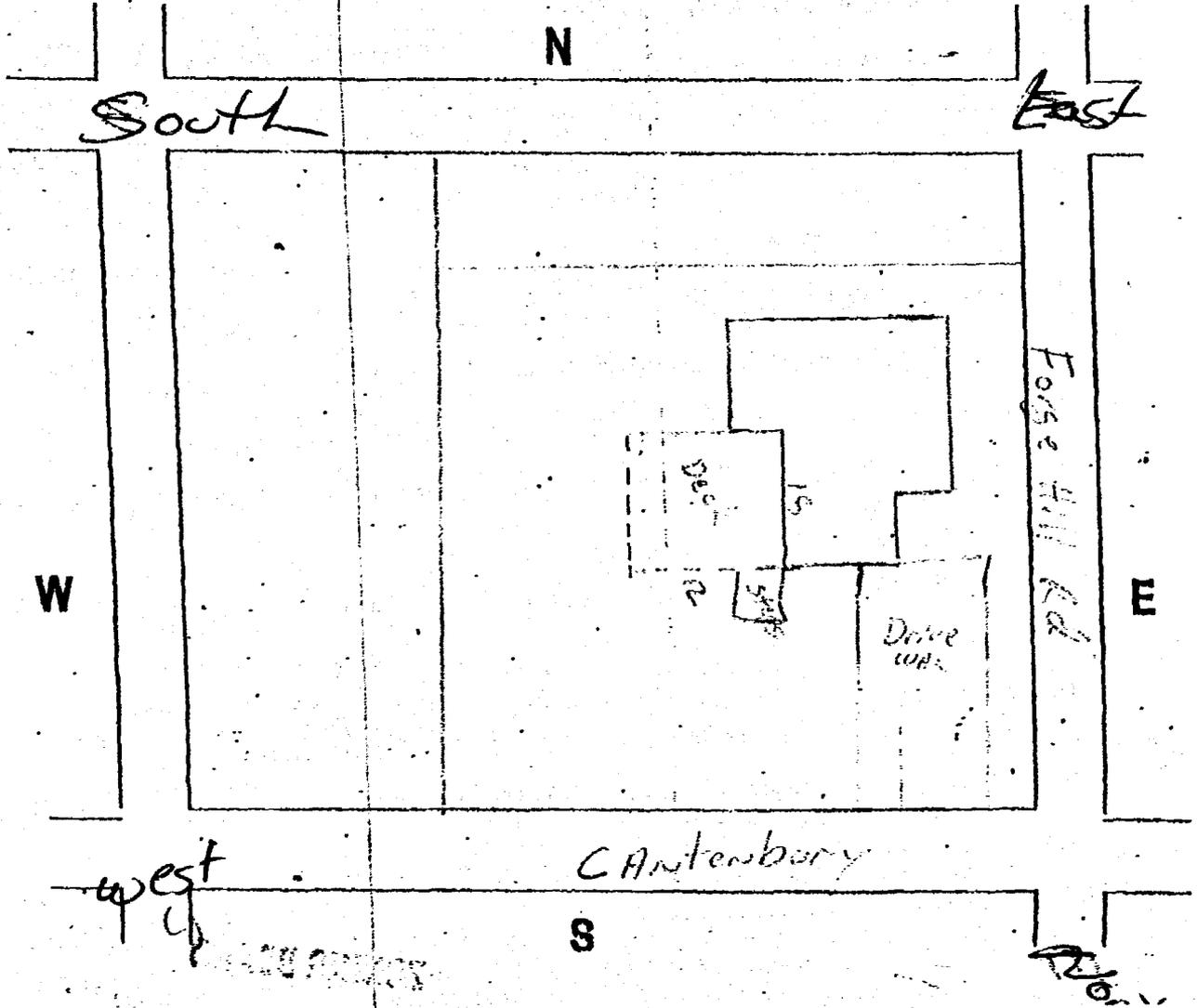
(Owner's Signature)

(Owner's Address)

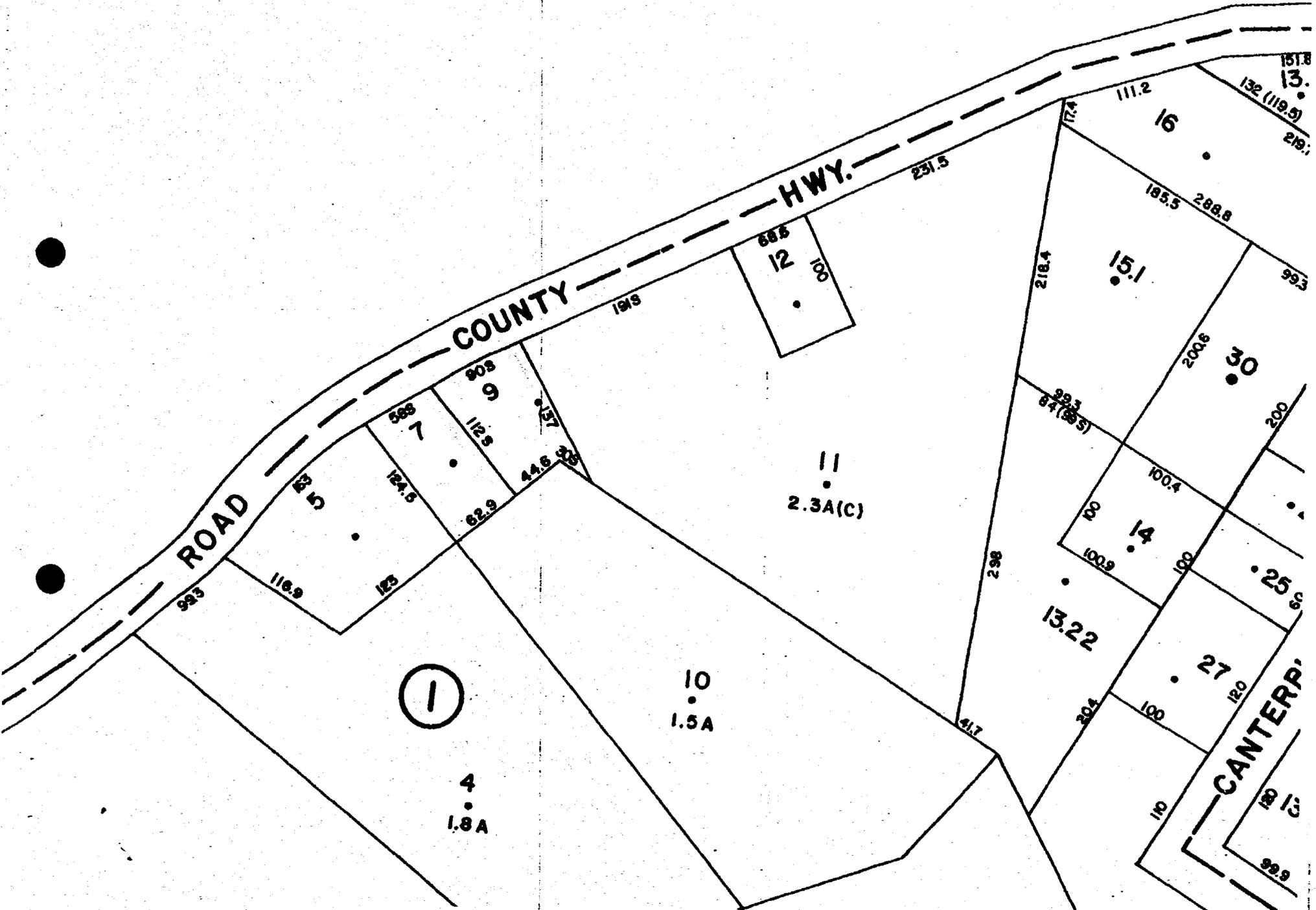
PLOT PLAN

NOTE:

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



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
APPLICANT
CALL FOR ALL REQUIRED INSPECTIONS OF COMPLETION



ROAD

COUNTY

HWY.

CANTERR

1

4
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1.8A

10
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1.5A

11
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2.3A(C)

12
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219.1

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120

13
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9
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908

7
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588

12
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125

116.9

125

124.5

62.9

44.8

137

1918

231.5

111.2

185.5

288.8

993

2006

200

100.4

100

100

100

13.22

304

100

41.7

298

218.4

993

84 (85)

923

923

923



NOTES:

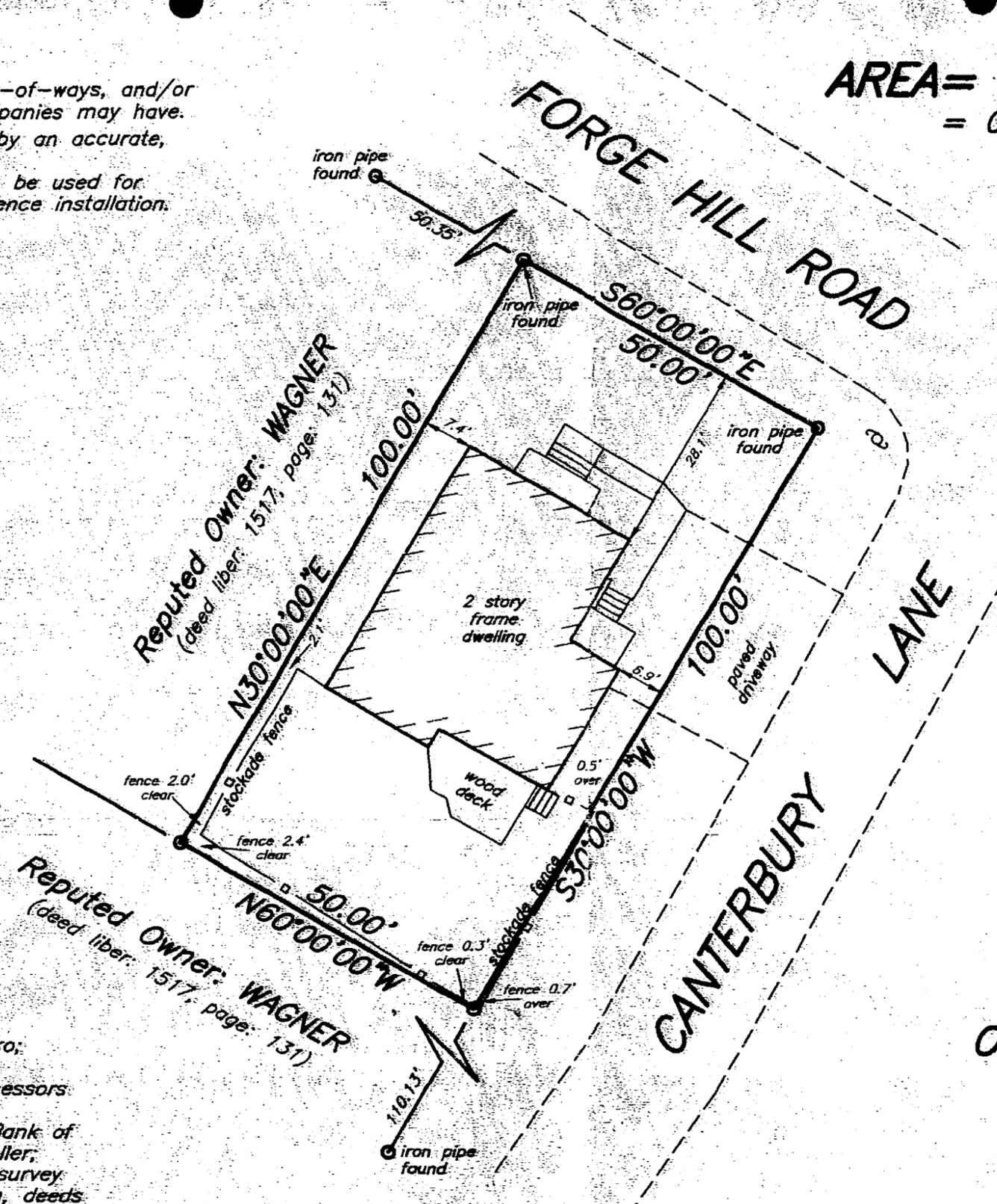
SUBJECT to any easements, rights-of-ways, and/or agreements that the utility companies may have.
SUBJECT to such facts disclosed by an accurate, up-to-date title search.
OFFSETS shown hereon are not to be used for construction purposes and/or fence installation.

AREA = 5,000 S.F.
= 0.115± acres

REFERENCES:

TAX MAP DATA:
Section: 50
Block: 1
Lot: 19

Deed Liber: 5448, Page: 9
Deed Liber: 1517, Page: 131



Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys 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 firm, company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners.

I hereby certify to:
-Thomas Santoro, Marina Ferretti-Santoro;
-Canestoga Title Insurance Company;
-Cendant Mortgage Corporation, its successors and/or assigns;
-Alliance Mortgage as servicer for the Bank of New York Mortgage Co., LLC, as seller;
that this mapping is based on a field survey performed on the date indicated hereon, deeds and/or maps obtained from the County Clerk's office, and is correct and accurate to the best of my knowledge.

Howard W. Weeden, P.L.S. NYS Lic. No. 049967

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, subdivision 2, of the New York State Education Law.

© copyright by Howard W. Weeden, PLS, PC, Walden, New York

Survey of Property for
SANTORO
located in the
Town of New Windsor
Orange County - New York

scale: 1" = 20' date: 24 Dec. 2001 file no.: 01-313

WEEDEN SURVEYING
HOWARD W. WEEDEN, PLS, PC
LICENSED LAND SURVEYOR
62 Main Street Walden, N.Y. 12586
tel.: (845) 778-7643



JULY 24, 2006

9

PUBLIC HEARING - THOMAS SANTORO

MR. KANE: Tonight's first public hearing, Thomas Santoro request for 28-foot rear yard setback for a proposed 12-foot by 18-foot wood deck at 13 Forge Hill Road in an R-3 Zone. While we're waiting for Mr. Santoro, may I ask if there's anyone in the audience for this particular hearing? There is not. Sir, tell us what you want to do?

MR. SANTORO: I'm going to change the steps on the back of my house into a deck. That would make it more accessible for the yard and safety reasons and cleaner aesthetics.

MR. KANE: Cutting down any trees, substantial vegetation in the area where the deck is going to go?

MR. SANTORO: No.

MR. KANE: Any easements running through the area where the deck is going to go?

MR. SANTORO: No.

MR. KANE: Will you be creating any water hazards or runoffs?

MR. SANTORO: No.

MR. KANE: The size of the deck is 12 by 18, is that similar to other decks that are in your neighborhood?

MR. SANTORO: Yes.

MR. KANE: Showing for the record in the picture that we have one set of stairs coming down from a set of double doors off of the back of the property and it's your feeling that having the deck there instead of that single set of stairs is going to make it safer?

MR. SANTORO: Yes.

10

JULY 24, 2006

MR. KANE: At this point I will open and close the public portion of the meeting seeing as no one is here for it and ask Myra how many mailings we had?

MS. MASON: July 11th I mailed out 36 envelopes and had no response.

MR. KANE: Any further questions from the Board? I'll accept a motion.

MS. LOCEY: I'll offer a motion to grant the requested variances on the application of Thomas Santoro.

MR. TORPEY: I second that.

ROLL CALL

MS. LOCEY: Aye.
MR. TORPEY: Aye.
MR. LUNDSTROM: Aye.
MR. KANE: Aye.



THE SENTINEL

P.O. BOX 406
VAILS GATE, NY 12584

Invoice

Date	Invoice #
7/17/2006	7999

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

RECEIVED
JUL 27 2006
TOWN OF NEW WINDSOR
CONTROLLERS OFFICE

P.O. No.	Terms	Project
45659	Due on receipt	

Issue Date	Description	PCS/Units	Amount
7/14/2006	LEGAL ADS: APPEAL NO. 06-39 1 AFFIDAVIT	7.51 4.00	7.51 4.00
Total			\$11.51

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845) 562-1218

State of New York
County of Orange, ss:
Patricia Quill being duly
sworn disposes and says that she is The
Supervisor of Legal Dept. of the E.W. Smith
Publishing Company, Inc. Publisher of The
Sentinel, a weekly newspaper published and
of general circulation in the Town of New
Windsor, Town of Newburgh and City of
Newburgh and that the notice of which the
annexed is a true copy was published IX
in said newspaper, commencing on
the 14 day of July A.D., 2006
and ending on the 17 day of July
A.D. 2006

Patricia Quill

Subscribed and shown to before me
this 21 day of July, 2006

Cheryl L. Canfield

Notary Public of the State of New York
County of Orange

CHERYL L. CANFIELD
Notary Public, State of New York
Qualified in Orange County
#01CA6073319
Commission Expires April 22, 2010

My commission expires _____

PUBLIC HEARING INFORMATION
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. 06-39
Request of THOMAS SANTORO
for a VARIANCE of the Zoning Local Law
to Permit:
Request for 25 ft. Rear Yard Setback for
proposed 12 ft. X 18 ft. deck at 13
Forge Hill Road in an R-1 Zone.
PUBLIC HEARING will take place on
JULY 24TH, 2006 at the New Windsor
Town Hall, 505 Union Avenue, New Windsor,
New York 12553.
Michael Katz, Chairman



RESULTS OF Z.B.A. MEETING OF: July 1, 2006

PROJECT: Thomas Saxton ZBA # 06-39

P.B.# _____

USE VARIANCE: _____ NEED: EAF PROXY _____

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

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

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

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

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

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

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

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

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

~~GANN~~ _____
~~LUNDSTROM~~ _____
~~LOCEY~~ _____
~~TORPEY~~ _____
~~KANE~~ _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M) LO S) I VOTE: A 4 N 0.

~~GANN~~ _____
LUNDSTROM A
LOCEY A
TORPEY A
KANE A

CARRIED: Y N _____

Large empty rectangular box with horizontal lines, likely for additional notes or signatures.

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:

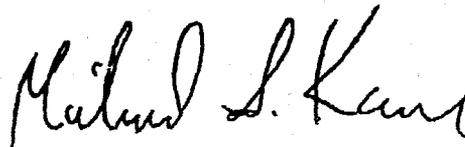
Appeal No. 06-39

Request of THOMAS SANTORO

for a VARIANCE of the Zoning Local Law to Permit:

Request for 28 ft. Rear Yard Setback for proposed 12 ft. X 18 ft wood deck at 13 Forge Hill Road in an R-3 Zone (50-1-19)

PUBLIC HEARING will take place on JULY 24TH, 2006
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.



Michael Kane, Chairman

June 26, 2006

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THOMAS_SANTORO_(06-39)

MR. KANE: Request for 28 ft. rear yard setback for proposed 12 ft. x 18 ft. wood deck at 13 Forge Hill Road.

Mr. Thomas Santoro appeared before the board for this proposal.

MR. KANE: Tell us what you want to. You heard what I said?

MR. SANTORO: Yes, add a deck to my house off the back of the property. On the original survey there used to be a deck there and I'd like to replace it with a square deck.

MR. KANE: The deck that you're going to be replacing the stairs coming out from the sliding doors in the back?

MR. SANTORO: Yes.

MR. KANE: And let the record show that the stairs are actually covering half of the sliding door so half of it is open.

MR. SANTORO: It's a french door.

MR. KANE: I understand. So with putting a whole deck it will actually be a safer installation?

MR. SANTORO: Correct.

MR. KANE: Cutting down substantial trees or vegetation in the building of the deck?

MR. SANTORO: No.

MR. KANE: Creating any water hazards or runoffs?

June 26, 2006

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MR. SANTORO: No.

MR. KANE: Any easements running through the area where you want to build the deck?

MR. SANTORO: No.

MR. KANE: Deck similar in size and nature to other decks that are in your neighborhood?

MR. SANTORO: Yes.

MR. KANE: This is the outline of the deck right here?

MR. SANTORO: Correct and on the original survey the deck is--

MR. KANE: Okay.

MR. KANE: So since the deck is attached to the house obviously it changes the offsets which are 50 feet, he has 22.

MR. BABCOCK: That's correct.

MR. KANE: No further questions, I'll accept, any other questions from the board?

MS. GANN: I don't have any.

MR. TORPEY: No.

MR. KANE: I'll accept a motion.

MR. LUNDSTROM: Mr. Chairman, I will make that motion to forward Thomas Santoro's request for a 28 foot rear yard setback for proposed 12 x 18 foot wood deck at 13 Forge Hill Road in an R-3 zone to public hearing.

June 26, 2006

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MS. GANN: I'll second the motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MR. TORPEY	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: June 26, 2006

PROJECT: Thomas Sertoro ZBA # 06-39
P.B.# _____



USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:
SCHEDULE PUBLIC HEARING: M) Lu S) G VOTE: A 4 N 0



GANN A
LUNDSTROM A
~~LOCEY~~
TORPEY A
KANE A

CARRIED: Y N _____

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

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

Large empty rectangular box with horizontal lines, likely for additional notes or signatures.



Town of New Windsor

New Windsor, New York 12553

Telephone: (845) 563-4631

Fax: (845) 563-3101

J. Todd Wiley, IAO

Assessor's Office

June 23, 2006

Thomas Santoro
13 Forge Hill Rd.
New Windsor, NY 12553

Re: 50-1-19

P.B.#:06-39

Dear Mr. Santoro

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 \$55.00, minus your deposit of \$25.00.

Please remit the balance of \$30.00 to the Town Clerks Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/LK
Attachments

CC: Myra Mason, Zoning Board

50-1-11
Frances Laddick
45 Forge Hill Rd.
New Windsor, NY 12553

50-1-27
Joseph Benitez
16 Canterbury Lane
New Windsor, NY 12553

50-2-10
Stanley & Sally Clark
25 Canterbury Lane
New Windsor, NY 12553

50-1-13.1,50-1-13.22,50-1-16
Mary & Joseph Bradley
4 Staples Lane
New Windsor, NY 12553

50-1-28.1
Brenden & Renee Feenaghty
18 Canterbury Lane
New Windsor, NY 12553

50-2-11
Nancy Wojehowski & Terri Ogden
23 Canterbury Lane
New Windsor, NY 12553

50-1-14
Sue Ann Gould
15 Staples Lane
New Windsor, NY 12553

50-2-1
Susan Dudman
11 Forge Hill Rd.
New Windsor, NY 12553

50-2-12.2
Donald & Kimberly Campbell
19 Canterbury Lane
New Windsor, NY 12553

50-1-15.1
John & Carmela Staples
6 Staples Lane
New Windsor, NY 12553

50-2-2.2
Frances & Rebecca Orlando
5 Forge Hill Rd.
New Windsor, NY 12553

50-2-13
George & Carolyn Famulare
82 Skyline Dr.
Highland Mills, NY 10930

50-1-17
Anthony & Diane Santoro
1 Staples Lane
New Windsor, NY 12553

50-2-3
Paul & Catherine Leininger
9 Forge Hill Rd.
New Windsor, NY 12553

50-2-14
William & Linda Kane
13 Canterbury Lane
New Windsor, NY 12553

50-1-18,50-1-20
Mary Wagner
15 Forge Hill Rd.
New Windsor, NY 12553

50-2-4.2
Fred & Kathryn Wygant
7 Forge Hill Rd.
New Windsor, NY 12553

50-2-15
Hazel Casey
11 Canterbury Lane
New Windsor, NY 12553

50-1-21
Frances Lewis
4 Canterbury Lane
New Windsor, NY 12553

50-2-6
Christopher Kane & Anne Farricker-Kane
33 Canterbury Lane
New Windsor, NY 12553

50-2-16
Catherine Valleau
9 Canterbury Lane
New Windsor, NY 12553

50-1-22
Frank & Teresa Mary Conti
8 Canterbury Lane
New Windsor, NY 12553

50-2-7
Mark & Shannon Kintz
31 Canterbury Lane
New Windsor, NY 12553

50-2-17
Louis Pignetti & Kathleen Corke
7 Canterbury Lane
New Windsor, NY 12553

50-1-24
Margaret Napolitano
10 Canterbury Lane
New Windsor, NY 12553

50-2-8
David & Katherine Ringel
29 Canterbury Lane
New Windsor, NY 12553

50-2-18
Calchi & Maria Victor
5 Canterbury Lane
New Windsor, NY 12553

50-1-25
William & Julia Ondriska
12 Canterbury Lane
New Windsor, NY 12553

50-2-9
David & Pamela Jones
27 Canterbury Lane
New Windsor, NY 12553

50-2-19
Edna Mullen
3 Canterbury Lane
New Windsor, NY 12553

50-3-1
Michael & Terri Mastrococco
3 Forge Hill Rd.
New Windsor, NY 12553

50-3-2
David & Phylis Haring
36 Canterbury Lane
New Windsor, NY 12553

37-1-13.12
Robert & Barbara Farkas
16 Laurel Ave.
New Windsor, NY 12553

37-1-37
Gary & Della Melrose
38 Lyndon Lane
New Windsor, NY 12553

37-1-38
Andrew & Pamela Mc Ardle
8 Forge Hill Rd.
New Windsor, NY 12553

37-1-39
N&C Land Corp
433 Jackson Ave.
New Windsor, NY 12553

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 06-20-06

FOR: ESCROW 06-39

FROM:

Thomas Santoro
13 Forge Hill Road
New Windsor, NY 12553

CHECK FROM:
SAME

CHECK NUMBER: 2063

TELEPHONE: 534-4614

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

6/22/06
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

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

RECEIPT
#511-2006

06/22/2006

Santoro, Thomas ZBA# 06-39

Received \$ 50.00 for Zoning Board Fees, on 06/22/2006. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



Town of New Windsor

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

ZONING BOARD OF APPEALS

June 20, 2006

Thomas Santoro
13 Forge Hill Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #06-39

Dear Mr. Santoro:

This letter is to inform you that you have been placed on the June 26, 2006 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

13 Forge Hill Road
New Windsor, NY

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

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



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



APPLICATION FOR VARIANCE

6.8.2006
Date

Application Type: Use Variance Area Variance
Sign Variance Interpretation

I. Owner Information:

Thomas Santoro
(Name)

Phone Number: (845) 534-4614
Fax Number: (845) 622-3810

13 Forge Hill Rd., New Windsor NY 12553
(Address)

II. Applicant:

same as owner
(Name)

Phone Number: ()
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-3 Property Address in Question: 13 Forge Hill Rd, New Windsor
Lot Size: 50 x 100 Tax Map Number: Section 50 Block 1 Lot 19

- a. Is pending sale or lease subject to ZBA approval of this Application? no
- b. When was property purchased by present owner? 6.24.2002
- c. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? no

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

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

COMPLETE THIS PAGE

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

APPLICATION FOR VARIANCE - continued

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	5000 sq. ft.		
Min. Lot Width	50'		
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	50 ft.	22 ft.	28 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:

Because the deck will not effect
the neighborhood or the community or surrounding
area. I believe the deck will improve the property
value of the home and neighborhood.

PLEASE NOTE:

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

COMPLETE THIS PAGE

XII. ADDITIONAL COMMENTS:

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

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 area that variances is being requested for showing relationship to property lines (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.

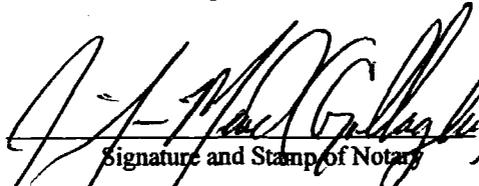
Sworn to before me this:

9th day of June 2006



Owner's Signature (Notarized)

DL# 291-757-569 exp. 01-17-13



JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2006

Signature and Stamp of Notary

Applicant's Signature (If not Owner)

PLEASE NOTE:

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



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 FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.39 STAMP. **BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR FURTHER INSTRUCTIONS.** YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

WHEN YOU COME IN WITH YOUR ENVELOPES, PLEASE ALLOW TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL.

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 INSTRUCTIONS ON COMPLETION. PLEASE ALLOW YOURSELF TIME TO PUT THE NOTICES IN THE ENVELOPES WHILE HERE, THEN YOU WON'T HAVE TO RETURN AGAIN.

NOTE:

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