

**ZB# 07-13**

**William Sarvis**

**32-2-57**

07-13 William Sarvis (by Ken Desien) (P)  
167 Moores Hill Rd (32-2-57)

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

*Granted 6-11-07*

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 32-2-57

In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

**WILLIAM SARVIS**

**AREA**

CASE #07-13

**WHEREAS, Kenneth Lytle represented William Sarvis the , owner(s) of 167 Moores Hill Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 9.1 ft. Side Yard Setback and 32.3% Developmental Coverage for proposed addition to existing detached garage at 167 Moores Hill Road in an R-1 Zone (32-2-57)**

**WHEREAS, a public hearing was held on June 11, 2007 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-1 zone.
  - (b) In constructing the addition to garage, the applicant will not remove any trees or substantial vegetation.

- (c) In building the addition to garage 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 addition to garage the applicant will not create the ponding or collection of water or divert the flow of water drainage.
- (e) With the addition to garage, the house will be similar in size and nature to other houses in the neighborhood.
- (f) The current garage is a two car garage, the proposed addition would make it into a 3-car garage.
- (g) Although the addition would be close to the road, it would not interfere with the safe operation of motor vehicles on the adjacent roadway.

**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).

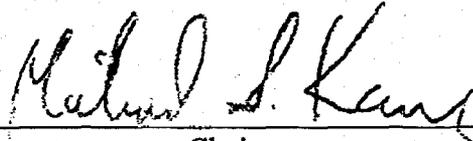
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 9.1 ft. Side Yard Setback and 32.3% Developmental Coverage for proposed addition to existing detached garage at 167 Moores Hill Road in an R-1 Zone (32-2-57) 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: June 11, 2007



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Chairman

June 11, 2007

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PUBLIC HEARINGS

WILLIAM\_SARVIS\_(BY\_ZEN\_DESIGN)\_(07-13)

MR. KANE: Request for 9.1 foot side yard setback and 32.3% developmental coverage for proposed addition to existing detached garage at 167 Moores Hill Road.

Mr. Kenneth Lytle appeared before the board for this proposal.

MR. KANE: Good evening, your name and address.

MR. LYTTLE: Ken Lytle representing William Sarvis. My client is proposing a small addition to an existing garage he has on this parcel. Apparently in doing so requires two variances, one will be a side yard variance and the other would be a building coverage, developmental coverage over the property, requirement is 20 percent, it's currently at 29.7 percent and it's been there for years. And he's looking for a 2.6 percent increase taking up the 32.3 percent of total developmental coverage.

MS. LOCEY: I think we have a typo.

MR. BABCOCK: Yes, we do.

MS. LOCEY: On the notice of disapproval it says requested variance 32.--

MS. MASON: Is this number greater than what he's asking for?

MS. LOCEY: He's supposed to have 20 percent, he's requesting 32.3 so it's 12.3.

MS. MASON: We're okay with the public hearing notice because it went out at 32 percent, it should be what, Mike?

MR. BABCOCK: It should be 12.3.

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

MR. LYTLE: No.

MR. KANE: Creating water hazards or runoffs?

MR. LYTLE: No.

MR. KANE: And besides the developmental coverage, why can't the addition go if we're looking you're on the left side from my point of view you wouldn't need the variance if it was on the right side?

MR. LYTLE: On the right side you still would, if you look at the property where the property line is the rear of the garage extends a little bit over the property line actually coming back here it would be narrowing closer to the house, wouldn't allow for turning and access into it.

MR. KANE: Okay, fair enough. Any easements where you want to put the addition?

MR. LYTLE: No.

MR. LUNDSTROM: The current structure is that a two car garage?

MR. LYTLE: Yes.

MR. LUNDSTROM: This would make it a three car garage?

MR. LYTLE: That's right.

MR. KANE: At this point, I will open it up to the public and ask if anybody's here for this particular

June 11, 2007

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MS. MASON: On May 30, I mailed out 10 addressed envelopes and had no response.

MR. KANE: And let me ask this since it's by the road just so we have it on the record the garage itself at that point is not going to inhibit any view of traffic going down Moores Hill?

MR. LYTLE: Not at all.

MR. KANE: I have to ask.

MR. LYTLE: Yeah, it's over 20 feet back off the road.

MR. KANE: I have no further questions. Eric?

MR. LUNDSTROM: I have no further questions, Mr. Chairman.

MR. TORPEY: No.

MS. LOCEY: No.

MR. KANE: Then I'll accept a motion.

MS. LOCEY: I'll offer a motion to approve the request of the applicant William Sarvis and his request for a 9.1 foot side yard setback and 12.3 percent developmental coverage for a proposed addition to an existing a detached garage at 167 Moores Hill Road in an R-1 zone.

MR. LUNDSTROM: I'll second that motion.

ROLL CALL

MR. LUNDSTROM            AYE

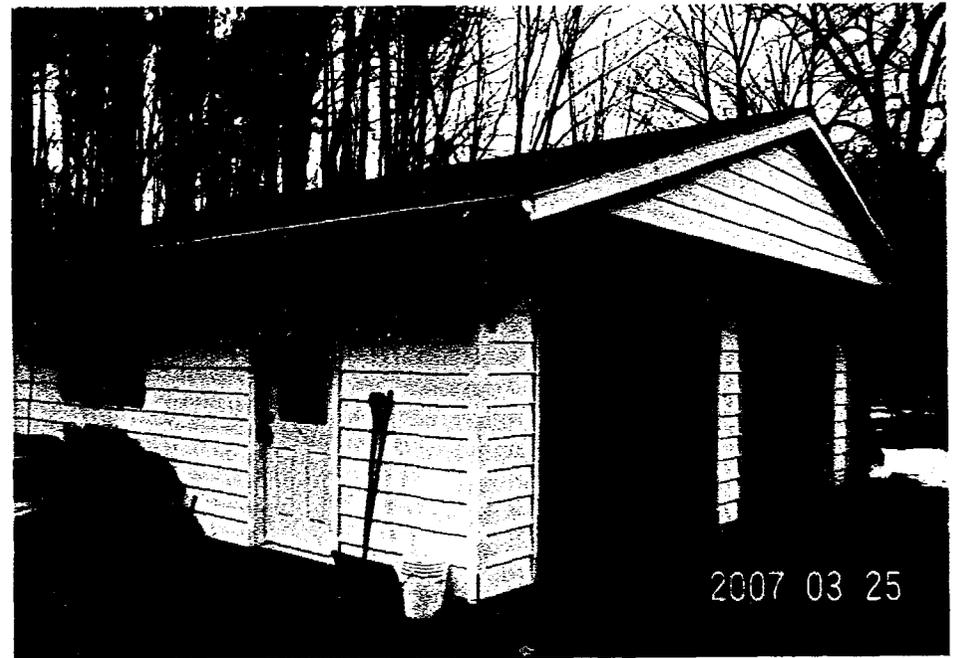
June 11, 2007

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MS. LOCEY  
MR. TORPEY  
MR. KANE

AYE  
AYE  
AYE







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

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE: 3/12/07**

**Revised: 5/18/07**

**APPLICANT: Zen Design**  
**C/O Ken Lytle**  
**1450 Route 300, Suite 4**  
**Newburgh, NY 12550**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:**

**FOR : William & Nancy Sarvis**

**LOCATED AT: 167 Moores Hill Road**

**ZONE: R-1    Sec/Blk/ Lot: 32-2-57**

**DESCRIPTION OF EXISTING SITE: Single Family dwelling with detached garage addition**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. 300-10 Use/Bulk Table R-1 zone Line 5 Column L Developmental Coverage, 20%, proposed 32.3%. A variance to permit 32.3% is required.**
- 2. 300-11A Accessory Buildings shall be set-back 10ft from any property line. Proposed garage addition will be .9ft from the side property line. A variance of 9.1ft is required.**



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 underslab 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 floor 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 perc 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

FEB 22 2001

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 William S. & Nancy J. Sarris  
~~167~~  
Address RD 2, Box 291, Moores Hill, Road, New Windsor, NY Phone # 845-564-1442  
Mailing Address 167 Moores Hill Rd, New Windsor, NY 12553 Fax #  
Name of Architect / Engineer - John R. Zumbo, P.E., c/o Zen Design Consultants  
Address 1450 Rt. 300, Suite 4, Newburgh, NY 12550 Phone 845-568-0366  
Name of Contractor Self  
Address Same as above 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)

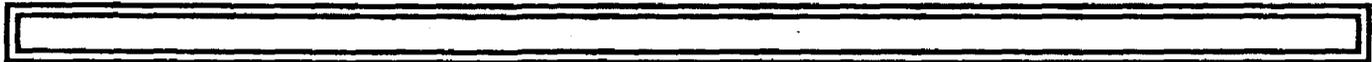
1. On what street is property located? On the South side of Moopes Hill Road  
(N,S,E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_
2. Zone or use district in which premises are situated R-1 Is property a flood zone? Y N
3. Tax Map Description: Section 32 Block 2 Lot 57
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
  - a. Existing use and occupancy one family residential garage
  - b. Intended use and occupancy same
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 12' Rear 12' Depth 24' Height \_\_\_\_\_ No. of stories 1 1/2
8. If dwelling, number of dwelling units: N/A Number of dwelling units on each floor N/A  
Number of bedrooms N/A Baths N/A Toilets N/A Heating Plant: Gas N/A Oil N/A  
Electric/Hot Air N/A Hot Water N/A If Garage, number of cars 3
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use N/A
10. Estimated cost TBD Fee \_\_\_\_\_

\_\_\_\_/\_\_\_\_/\_\_\_\_  
date

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

Building Inspector: Michael L. Babcock  
Asst. Inspectors Frank Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 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)

*William S. Samis*

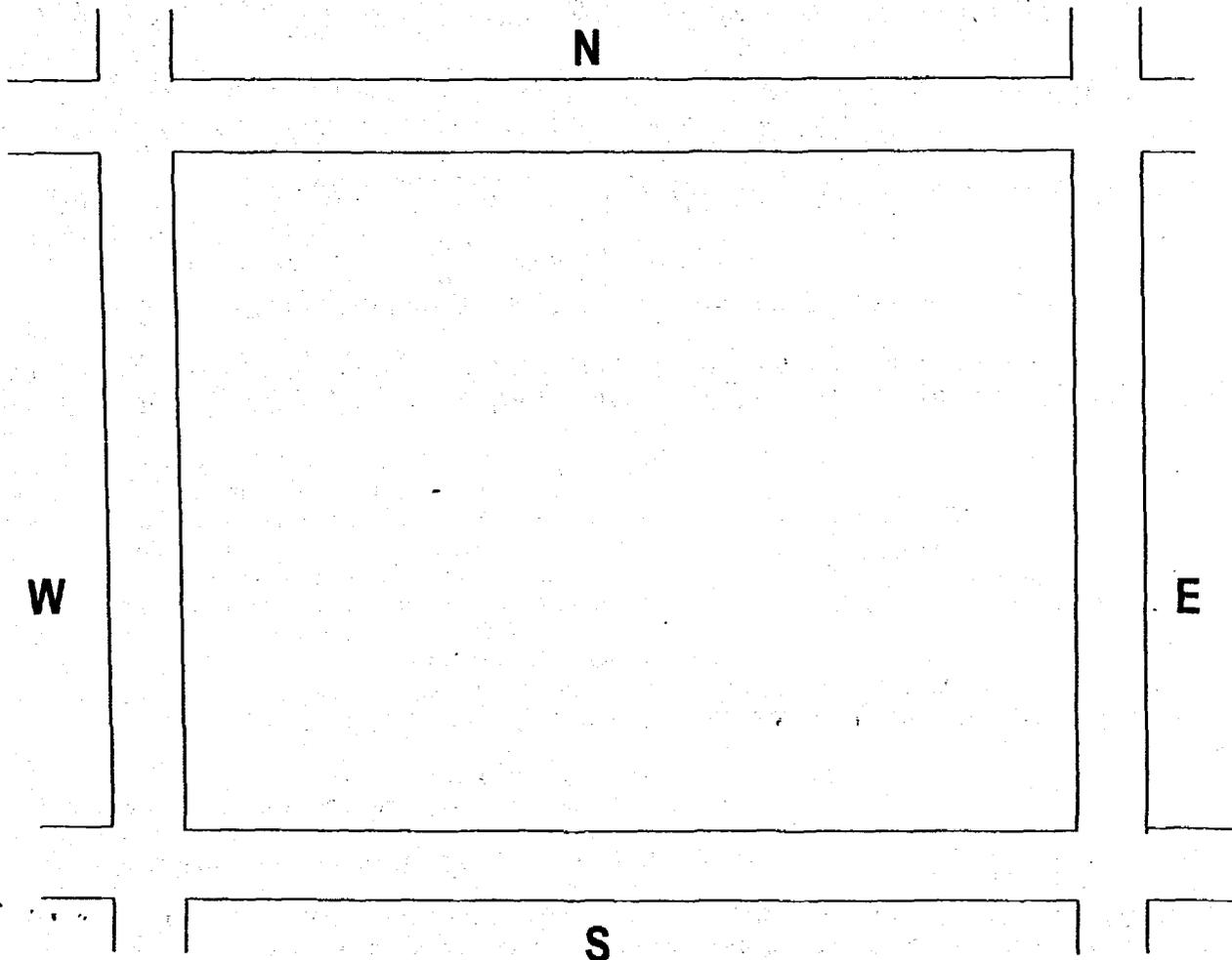
*SAME*

(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.



**ZEN Design Consultants, Inc.**

1450 ROUTE 300, SUITE 4  
NEWBURGH, NY 12550  
(845) 568-0366 (phone)  
(845) 568-6146 (fax)  
26065-wsa

January 22, 2007

Town of New Windsor  
Building Department  
555 Union Avenue  
New Windsor, NY 12553

Re: William Sarvis – SBL: 32-2-57

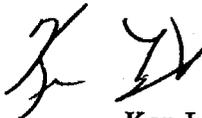
To Whom It May Concern:

I am writing this letter on behalf of William Sarvis, who is the owner of SBL: 32-2-57. This parcel is located in the R1 (residential) Zone. Our client is interested in adding (1) bay to the existing garage. Please see attached map for location of the proposed addition.

We are trying to schedule a planning board workshop meeting to discuss if this is a feasible proposal.

If you have any questions or concerns, please feel free to contact me at (845)-568-0366.

Very truly yours,



Ken Lytle

ZEN Design Consultants, Inc.



**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 4, 2007**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 163.97 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #07-13**

**NAME & ADDRESS:**

**William Sarvis  
167 Moores Hill Road  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**J.F.10-04-07**



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



FILE #07-13      TYPE:AREA      TELEPHONE:      568-0366 ZEN DESIGN

APPLICANT:  
William Sarvis  
167 Moores Hill Road  
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>1579</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 1580



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

PRELIMINARY:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date:05-25-07      \$ 17.03

TOTAL:      \$ 66.03      \$ 70.00



ESCROW POSTED:      \$ 300.00  
LESS: DISBURSEMENTS:      \$ 136.03

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 163.97

Cc:

J.F. 10/04/07

PUBLIC HEARINGS

WILLIAM SARVIS (BY ZEN DESIGN) (07-13)

MR. KANE: Request for 9.1 foot side yard setback and 32.3% developmental coverage for proposed addition to existing detached garage at 167 Moores Hill Road.

Mr. Kenneth Lytle appeared before the board for this proposal.

MR. KANE: Good evening, your name and address.

MR. LYTLE: Ken Lytle representing William Sarvis. My client is proposing a small addition to an existing garage he has on this parcel. Apparently in doing so requires two variances, one will be a side yard variance and the other would be a building coverage, developmental coverage over the property, requirement is 20 percent, it's currently at 29.7 percent and it's been there for years. And he's looking for a 2.6 percent increase taking up the 32.3 percent of total developmental coverage.

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MR. KANE: Creating water hazards or runoffs?

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MR. LYTLE: Not at all.

MR. KANE: I have to ask.

MR. LYTLE: Yeah, it's over 20 feet back off the road.

MR. KANE: I have no further questions. Eric?

MR. LUNDSTROM: I have no further questions, Mr. Chairman.

MR. TORPEY: No.

MS. LOCEY: No.

MR. KANE: Then I'll accept a motion.

MS. LOCEY: I'll offer a motion to approve the request of the applicant William Sarvis and his request for a 9.1 foot side yard setback and 12.3 percent developmental coverage for a proposed addition to an existing a detached garage at 167 Moores Hill Road in an R-1 zone.

MR. LUNDSTROM: I'll second that motion.

ROLL CALL

MR. LUNDSTROM        AYE

June 11, 2007

37.

MS. LOCEY  
MR. TORPEY  
MR. KANE

AYE  
AYE  
AYE

April 23, 2007

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WILLIAM\_SARVIS\_(07-13)

Mr. Kenneth Lytle appeared before the board for this proposal.

MR. KANE: Request for 9.1 ft. side yard setback and 31.6% developmental coverage for proposed addition to existing detached garage at 167 Moores Hill Road. Tell us what you want to do.

MR. LYTLE: Ken Lytle representing Bill Sarvis. He has an existing .35 acre lot with an existing two car garage on it, an existing residence and he's going to put a 12 x 24 garage addition onto the front side of the garage. In doing so, he will exceed the lot coverage by 1.9 percent over what it is currently at 20 percent actually is what's required and he will also need a side yard variance for 9.1 feet.

MR. KANE: All right, just so the board understands what that 31.6 is the total that we're looking for?

MR. LYTLE: That's correct.

MR. KANE: So currently he's at 29.7, is that pre-existing, Mike?

MR. BABCOCK: I'm sure it is, Mr. Chairman.

MR. LYTLE: Yes.

MR. KANE: So make sure you point that out in the public hearing that 29 cause we're only actually looking for another 2 percent on top of what's existing.

MR. LYTLE: Yes.

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

April 23, 2007

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MR. LYTLE: No.

MR. KANE: Creating water hazards or runoffs?

MR. LYTLE: No.

MR. KANE: Since it's already exceeding the developmental coverage, has there been any complaints formally or informally about the lot that you know of?

MR. LYTLE: No.

MR. KANE: Any easements running through where you plan to expand?

MR. LYTLE: No.

MR. KANE: The corner of the garage that is existing, how far off of the road will that be?

MR. LYTLE: I believe it's 24 feet, it's on the map.

MR. KANE: And that's not going to inhibit the view of any traffic coming down the road?

MR. LYTLE: Not at all, no.

MR. KANE: I think we've got enough. Any questions?

MS. LOCEY: No.

MR. KANE: I'll accept a motion.

MS. LOCEY: I will offer a motion to schedule a public hearing on the application of William Sarvis by Zen Design for a requested 9.1 foot side yard setback and 31.6 percent developmental coverage for a proposed addition to an existing detached garage all at 167 Moores Hill Road in an R-1 zone.

April 23, 2007

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MR. LUNDSTROM: I will second that motion.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. KANE	AYE

Please return with payment



# THE SENTINEL

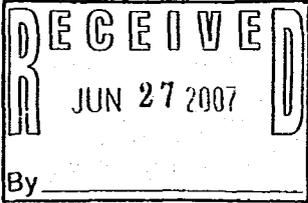
P.O. BOX 406  
VAILS GATE, NY 12584

## Invoice

Date	Invoice #
6/18/2007	446

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

P.O. No.	Terms	Project
49463		

Issue Date	Description	Rate	Amount
5/25/2007	LEGAL ADS: PUBLIC HEARING NOTICE - WILLIAM SARVIS	13.03	13.03
	1 AFFIDAVIT	4.00	4.00
			
<b>Total</b>			\$17.03

**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. 07-

Request of **WILLIAM SARVES**  
 (by Zen Design)

for a VARIANCE of the Zoning Local Law to Permit

Request for 9.5' Side Yard Setback and 32.3% Developmental Coverage for proposed addition to existing detached garage at 167 Moores Hill Road in an R-1 Zone (32-2-57)

PUBLIC HEARING will take place on **JUNE 11TH, 2007** at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

Michael Kane,  
 Chairman

State of New York  
 County of Orange, ss:  
 Kathleen O'Brien 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 in said newspaper, 1 time (s) commencing on the 25th day of May A.D., 2007 and ending on the 25th day of May A.D. 2007

*Kathleen O'Brien*  
 Subscribed and shown to before me this 22<sup>nd</sup> day of June, 2007.

*Deborah Green*  
 Notary Public of the State of New York  
 County of Orange.

DEBORAH GREEN  
 Notary Public, State of New York  
 Qualified in Orange County  
 #4984065  
 Commission Expires July 15, 2011

My commission expires \_\_\_\_\_.

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

**RECEIPT**  
**#280-2007**

04/23/2007

Sarvis, William

Received \$ 50.00 for Zoning Board Fees, on 04/23/2007. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

ZBA 07-13 application

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

DATE RECEIVED: 04-19-07

FOR: 07-13 ESCROW

FROM:

**William Sarvis**  
**167 Moores Hill Road**  
**New Windsor, NY 12553**

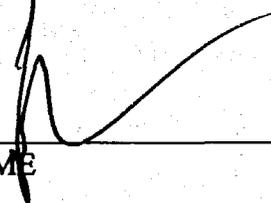
CHECK FROM:  
SAME

CHECK NUMBER: 1580

TELEPHONE: 564-1442

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

4/23/07  
\_\_\_\_\_  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

PUBLIC HEARING FOR: Wm. Larvis

DATE: June 11, 2007

SIGN-IN SHEET

	NAME	ADDRESS	PHONE NUMBER
1.			
2.	<i>No public Comment</i>		
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			



**COUNTY OF ORANGE**

**EDWARD A. DIANA**  
COUNTY EXECUTIVE

**DEPARTMENT OF PLANNING**

124 MAIN STREET  
GOSHEN, NEW YORK 10924-2124  
TEL: (845)291-2318 FAX: (845)291-2533  
www.orangecountygov.com/planning

**DAVID CHURCH, A.I.C.P.**  
COMMISSIONER

**ORANGE COUNTY DEPARTMENT OF PLANNING**  
**239 L, M OR N REPORT**

**This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and countywide considerations to the attention of the municipal agency having jurisdiction.**

**Referred by:** Town of New Windsor  
Zoning Board of Appeals

**Reference/County ID No.:** NWT17-07M  
**County Tax ID:** S32 B2 L57

**Applicant:** William Sarvis  
**Proposed Action:** Area Variance for setbacks and lot coverage  
**Reason for Review:** Non-Mandatory

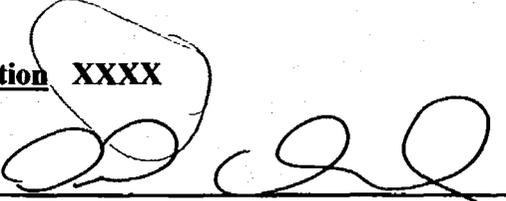
**Comments:**

1. The applicant seeks an area variance to permit a detached garage addition, to permit more than 20% developmental coverage and to permit an accessory building at within 10 feet of the property line, in an R-1 Rural Residential zoning district.
2. Although this request has no countywide or inter-municipal impact this Department reminds the ZBA to grant only the minimum variance deemed necessary and adequate to remedy the difficulty imposed by the dimensional requirements of the Town of New Windsor.

**County Recommendation:**

**Local Determination** XXXX

**Date:** May 22, 2007  
**Prepared by:** Atticus Lanigan, Planner

  
**David Church, AICP**  
**Commissioner of Planning**





1763

# Town of New Windsor

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

## Assessors Office

April 25, 2007

William Sarvis  
167 Moores Hill Rd.  
New Windsor, NY 12553

Re: 32-2-57            ZBA#: 07-13    (10)

Dear Mr. Sarvis:

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 \$25.00 minus your deposit of \$25.00.

Please remit the balance of \$0.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/rah  
Attachments

CC: Myra Mason, Zoning Board

32-2-12.22,12.23,12.24,12.25  
PIERRE P. BELLE, III  
6 BELLE CT.  
NEW WINDSOR, NY 12553

32-2-15  
IRENE BROWN &  
STANEY VESELY  
8 WALCOTT RD.  
BEVERLY, MA 01915

32-2-52  
NYC DEPT OF E P  
C/O NYC WATER SUPPLY  
465 COLUMBUS AVE. STE. 350  
VALHALLA, NY 10595

32-2-53  
NEWBURGH WATER SUPPLY  
CITY COMPTROLLER,  
CITY HALL  
NEWBURGH, NY 12550

32-2-56  
KJELL GUNNARSEN  
171 MOORES HILL RD.  
NEW WINDSOR, NY 12553

32-2-58,59.2  
FREDERICK PETRO  
172 MOORES HILL RD.  
NEW WINDSOR, NY 12553

32-2-61  
PAUL VESELY &  
FRANCES CAVALARI  
15451 MARTINS HUNDRED DR.  
CENTERVILLE, VA 21020

32-2-62,64.1  
ELIZABETH DEROSA  
179 MT. AIRY RD.  
NEW WINDSOR, NY 12553

32-2-105.2  
LUIS & EVELYN COLON  
308 NINA ST.  
NEW WINDSOR, NY 12553

32-2-105.3  
J. ROTTINGER, M. CALVINO &  
A. LANCASTER  
387B MT. AIRY RD.  
NEW WINDSOR, NY 12553



**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

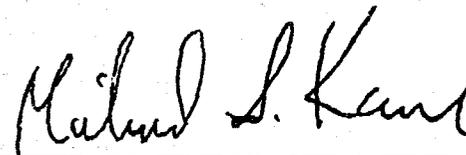
**Appeal No. 07-13**

**Request of WILLIAM SARVIS (by Zen Design)**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 9.1 ft. Side Yard Setback and 32.3% Developmental Coverage for proposed addition to existing detached garage at 167 Moores Hill Road in an R-1 Zone (32-2-57)**

**PUBLIC HEARING will take place on JUNE 11<sup>TH</sup>, 2007**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**



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**Michael Kane, Chairman**





RESULTS OF Z.B.A. MEETING OF: April 3, 2007

PROJECT: William Jarvis ZBA # 07-13  
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) Lo S) Lu VOTE: A 3 N 0



~~GANN~~ \_\_\_\_\_  
LUNDSTROM A  
LOCEY A  
~~TORPEY~~ \_\_\_\_\_  
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 for notes or additional information.

*April 23, 2007 Agenda*

**Orange County Department of Planning**  
Application for Mandatory County Review of Local Planning Action  
(Variances, Zone Changes, Special Permits, Subdivisions)

To be completed by Local Board having jurisdiction.  
To be signed by Local Official.

MUNICIPALITY: TOWN OF NEW WINDSOR

TAX MAP ID: 32-2-57  
(Section-Block-Lot)

Local File #: 07-13

Project Name: WILLIAM SARVIS

Applicant: William Sarvis  
167 Moores Hill Road  
New Windsor, NY 12553

Send Copy of Letter to Applicant: (check one)

Yes  No

Attorney, Engineer, Architect: N/A

Location of Site: MOORES HILL ROAD  
(Street, highway, nearest intersection)

Size of Parcel: \_\_\_\_\_ Existing Lots: XX Proposed Lots/Units: \_\_\_\_\_

Present Zoning District: R-1

**TYPE OF REVIEW:**

- Site Plan (SP): \_\_\_\_\_
- Special Use Permit\* (SUP) \_\_\_\_\_
- Variance\* USE (UV): \_\_\_\_\_  
AREA (AV): XXX
- Zoning District Change\* From: \_\_\_\_\_ To: \_\_\_\_\_
- Zoning Amendment To Section: \_\_\_\_\_
- Subdivision: Major \_\_\_\_\_ Minor \_\_\_\_\_
  - Sketch
  - Preliminary
  - Final (Please indicate stage)
- Other Comments: \_\_\_\_\_

Date: 04-20-07

*Myra Mason*  
Signature

\* Cite Section of Zoning Regulations where pertinent.

\_\_\_\_\_  
**FOR COUNTY USE ONLY**

County ID# \_\_\_\_\_

GML 239 Referral Guide – 02/27/2007



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



**APPLICATION FOR VARIANCE**

\_\_\_\_\_ Application Type: Use Variance  Area Variance   
Date Sign Variance  Interpretation

I. **Owner Information:** Phone Number: (845) 5104-1442  
William S. Nancy J. Sarvis Fax Number: ( )  
(Name)  
167 Moores Hill Road, New Windsor, New York 12553  
(Address)

II. **Applicant:** Phone Number: ( )  
Same as above Fax Number: ( )  
(Name)  
\_\_\_\_\_  
(Address)

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

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number (845) 508-0310  
Fax Number: (845) 508-0140  
John R. Zumbo c/o Zen Design Consultants, Inc  
(Name)  
1450 Rt 300 Suite 4, Newburgh, New York 12550  
(Address)

V. **Property Information:**  
Zone: R-1 Property Address in Question: 167 Moores Hill Rd  
Lot Size: 0.35 AC Tax Map Number: Section 32 Block 2 Lot 57  
a. What other zones lie within 500 feet? N/A  
b. Is pending sale or lease subject to ZBA approval of this Application? No  
c. When was property purchased by present owner? 1983  
d. Has property been subdivided previously? No If so, When: N/A  
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 - garage

\*\*\*\*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 Disapproval form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	10'	9.1'	9.1'
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*	20%	31.6%	31.6%
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.**

**COMPLETE THIS PAGE**

**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:

See attachment

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

# ZEN Design Consultants, Inc.

1450 Route 300, Suite 4  
Newburgh, New York 12550  
(845) 568-0366 (phone)  
(845) 568-6146 (fax)  
26065-WSA

## AREA VARIANCE APPLICATION

**PROJECT:**

Lands of Sarvis- Area Variance

**PROPERTY LOCATION:**

167 Moores Hill Road

**SBL:**

32-3-57

**ZONE:**

R-1 -Residential

**IX. Describe why you believe the ZBA should grant your application for an Area Variance.**

1. Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by the granting of the area variance?

No substantial change will be made to the neighborhood or nearby properties as a garage currently exists on the property.

2. Can the benefit sought by the applicant be achieved by some other method feasible for the applicant to pursue other than an area variance?

No. If the garage addition were aligned with the south side of the existing garage, the addition would extend past the property line. Aligning the addition with the north side of the garage is the best solution, requiring less of a setback variance.

3. Is the requested variance substantial?

The existing conditions do not conform to the current zoning. The proposed lot coverage is currently 29.7% and will only increase by 1.9% with the proposed action totaling a lot coverage area of 31.6%. Aligning the garage addition with the north side will be less of a variance than if it were to be placed on the south side.

**4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?**

No

**5. Was the alleged difficulty self-created?**

The existing garage does not conform to the current zoning setbacks and the existing lot coverage exceeds the current requirements.

**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 variance(s) is/are 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:

26<sup>th</sup> day of March 2007,

William S. Sarvis

Owner's Signature (Notarized)

William S. Sarvis

Owner's Name (Please Print)

Catherine A. Walsh

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.***

Catherine A. Walsh  
Notary Public State of New York  
No. 02WA6106460  
Qualified in Orange County  
My Commission Expires in 03/01/2008

COMPLETE THIS PAGE

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

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

William J Sarvis & Nancy J. Sarvis, deposes and says that he resides  
(OWNER)

at 167 Moores Hill Road, New Windsor in the County of Orange  
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map  
(Sec. 32 Block 2 Lot 57)  
designation number (Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_) which is the premises described in

the foregoing application and that he authorizes:

Zen Design Consultants, Inc., 1450 Rt 300, Suite 4, Newburgh, NY 12550  
(Applicant Name & Address, if different from owner)  
*Professional Rep.*

\_\_\_\_\_  
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 3-26-07

William J. Sarvis  
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:  
26th day of March 2007

\_\_\_\_\_  
Applicant's Signature (If different than owner)

Catherine A. Walsh

Ken Ly A  
Representative's Signature

Signature and Stamp of Notary

**THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.**

**\*\* PLEASE NOTE:  
ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

Catherine A. Walsh  
Notary Public State of New York  
No. 02WA6106460  
Qualified in Orange County  
My Commission Expires in 03/01/2008

COMPLETE THIS PAGE



# Town of New Windsor

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

## ZONING BOARD OF APPEALS

### TO ALL ZONING BOARD OF APPEALS APPLICANTS:

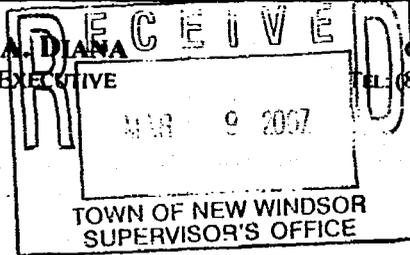
Please note the attached letter from Orange County Department of Planning asking that referrals be made to their office for review.

Due to this request, your application will be sent to Orange County Department of Planning for review. We are hoping to do this in a way that does not add to the time it normally takes to seek a variance.

Thank you for your cooperation in this matter.

ZONING BOARD OF APPEALS

ZENDCI@yahoo.com

**COUNTY OF ORANGE****DEPARTMENT OF PLANNING****EDWARD A. DIANA**  
COUNTY EXECUTIVE124 MAIN STREET  
GOSHEN, NEW YORK 10924-2124  
TEL: (845)291-2318 FAX: (845)291-2533**DAVID CHURCH, A.I.C.P.**  
COMMISSIONER

5 March, 2007

**POLICY REMINDER  
REFERRAL OF CERTAIN MUNICIPAL PERMITS AND ACTIONS  
to COUNTY PLANNING as per NYS GENERAL MUNICIPAL LAW §239 L, M & N**

**NEW POLICY GUIDEBOOK ATTACHED**

As an essential part of Orange County's renewed interest and involvement in planning and development policy, the Planning Department continues to gain staff capability and expertise. The Orange County Planning Department reviews all projects that meet the requirements of Section 239 of the NYS General Municipal Law (GML §239) for County referrals. Please be sure that your municipality is sending the required applications that come under the provisions of GML § 239. Keep in mind that if there is a project that falls under the non-mandatory review requirement, we will be glad to review it upon request of a municipal official.

**A new guidebook is attached detailing the NYS GML §239 referral process here in Orange County. Additional copies of this guidebook can be downloaded at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).**

As a refresher, prior to making a decision on certain permits or actions, GML § 239 requires that you send to County Planning a copy of the complete application for the following "proposed actions" that are within 500 feet of the properties or thresholds listed in the statute (GML § 239-m (3)):

1. The adoption of a municipal comprehensive plan, zoning ordinance or law, or an amendment to either one;
2. The granting of a use or area variance;
3. The issuance of special use permits;
4. Site plans for residential uses;
5. Site plans for non-residential uses;
6. Subdivisions plats;
7. Other authorizations which a referring body may issue under the provisions of any zoning ordinance or local law.

Proposed "actions" must be referred to County Planning prior to your decision if they apply to real property within five hundred (500) feet of the following:

1. The boundary of any city, village or town;
2. The boundary of any existing or proposed county or state park or any other recreation area;

3. The right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway;
4. the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
5. the existing or proposed boundary of any county or state owned land on which a public building or institution is situated; or
6. the boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the NYS Agriculture and Markets Law.

The County Planning Department's review is guided by certain key elements:

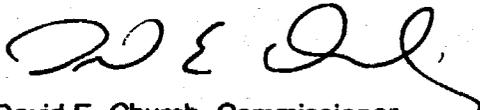
- ✓ Review of "intercommunity and county-wide considerations" as defined in GML §239-I(2);
- ✓ County priorities and policies contained within adopted or accepted Plans such as the County Comprehensive Plan, County Open Space Plan, County Transit Improvement Study, etc. (all available on-line at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning) or by contacting Planning Dept.);
- ✓ Receipt of the full statement of the proposed action, including all materials meeting the municipality's definition of a completed application such as maps, plats or plans, and SEQR documents;

By NYS statute, this Department has thirty (30) days from receipt of a municipal referral, or if needed beyond the 30 days and up to two (2) days prior to municipal final action, to recommend approval, modification or disapproval. Municipal boards cannot act contrary to such recommendation except by a vote of a majority plus one of all the board members. Municipalities are also required within thirty (30) days to report back all final actions and include reasons for acting contrary to any County recommendation.

When making these referrals, you may use any transmittal format you prefer, including this Department's model transmittal cover sheet, so long as your referral is clear, concise and consistent. Generally, application materials referred to this office should be consistent with all the application materials your Board members need to make a decision.

If you have any concerns or questions, contact me directly as we will be happy to talk or meet with your staff or Board to review the requirements and the documentation necessary to meet our needs, and to discuss the county-wide and intercommunity policies that are key to our work.

Sincerely,



David E. Church, Commissioner



**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:

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

\*

**ESCROW**  
 IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

\*\*\*

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:

APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME

## **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). BRING ENOUGH ENVELOPES PREPARED WITH **YOUR** RETURN ADDRESS AND A REGULAR \$.39 STAMP WITH YOU....**YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.**
3. WHEN YOU COME IN TO PICK UP YOUR LIST, **ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL.** YOU WILL BE GIVEN ENOUGH "**NOTICES OF PUBLIC HEARING**" TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
4. **BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.**

NOTE:

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

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**READ THIS PAGE CAREFULLY** □

PROJECT I.D. NUMBER

Appendix C

State Environmental Quality Review  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
 For UNLISTED ACTIONS Only

**PART I—PROJECT INFORMATION** (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <i>Williams: nancy J Sarvis</i>	2. PROJECT NAME <i>Sarvis Variance</i>
3. PROJECT LOCATION: Municipality <i>Town of New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>107 Moores Hill Road</i>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>area variance for setbacks &amp; lot coverage</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>0.35</i> acres    Ultimately <i>0.35</i> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If No, describe briefly <i>Area variance required.</i>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If yes, list agency(s) and permit/approvals <i>Building Permit &amp; Area Variance</i>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>Ken Lytle</i>	Date: <i>3/26/07</i>
Signature: <i>[Signature]</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

**A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.**  
 Yes     No

**B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.**  
 Yes     No

**C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)**

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

**D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?**  
 Yes     No    If Yes, explain briefly

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

\_\_\_\_\_ Name of Lead Agency \_\_\_\_\_

\_\_\_\_\_ Print or Type Name of Responsible Officer in Lead Agency \_\_\_\_\_ Title of Responsible Officer \_\_\_\_\_

\_\_\_\_\_ Signature of Responsible Officer in Lead Agency \_\_\_\_\_ Signature of Preparer (if different from responsible officer) \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

