

ZB# 79-16

Frank Wortmann

34-3-16

(2)

Prelim. Meeting

July 9, 1979.

Public Hearing

Sep. 10, 1979 - 8 pm.

Notice sent to
newspapers on 8/17/79

Area variance
for size of lot.

GENERAL RECEIPT

4105

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550RECEIVED OF Frank Wortman (Pat. Meleo) Sept 11 1979
Twenty-five and 00/100 \$ 25.00
DOLLARSFOR Variance application fee #79-16

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>25.00</u>		
<u>Ch</u>		

BY

Pauline J. Townsend cmTown Clerk

TITLE

Williamson Law Book Co., Rochester, N. Y. 14609

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----x
In the Matter of the Application of
FRANK WORTMANN,
Application #79-16.

DECISION APPROVING
AREA VARIANCE

-----x
WHEREAS, FRANK WORTMANN, of 32 Weather Oak Hill, Town of New Windsor, New York, has made application before the Zoning Board of Appeals for an area variance for the purposes of constructing a two-family residence in an R-4A zone without central water; and

WHEREAS, a public hearing was held on the 10th day of September, 1979 before the Zoning Board of Appeals at the Town Hall, 555 Union Avenue, New Windsor, N.Y.; and

WHEREAS, the applicant represented himself; and

WHEREAS, the application was opposed by a number of area residents who submitted a petition for the record in opposition thereto; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Evening News, also required by law.

2. The application was required because the total area size of the lot in question was approximately 3,500 square feet below the size required where central water and sewer service to the property is not available. If both central water and sewer facilities were available to the property, the total lot size would be in conformance with the code. It appears that the lots are served with central sewer but not

central water.

3. The evidence shows that the variance sought will not alter the general character of the neighborhood in that the two family use sought by the applicant is a permitted use under the zoning law.

4. The evidence given by the applicant of expense incurred for an approved subdivision by the Town Planning Board together with the high taxes presently on the property shows that the denial of this variance will result in a significant economic injury to the applicant.

5. The evidence shows that the variance if granted will result in no appreciable additional population or strain on existing governmental facilities as the construction of two-family homes is a permitted use.

6. The evidence shows that there is no feasible way for the applicant to use the lot in question without obtaining this variance so that the proposed home may be constructed thereon.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

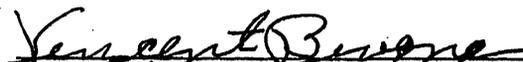
1. The applicant will encounter practical difficulty if the area variance is not granted.

2. The proposed area variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grant an area variance for central water to the applicant as stated above.

BE IT FURTHER, RESOLVED that the Secretary of the Zoning Board of Appeals transmit a copy of this decision to the Town Planning Board, Town Clerk and applicant.

Dated: September 24, 1979.


Chairman

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----X
In the Matter of the Application of
FRANK WORTMANN and ROBERT LOEVEN
#78-5.

DECISION DENYING
USE VARIANCE

-----X
WHEREAS, FRANK WORTMANN of 32 Weather Oak Hill, Town of New Windsor, New York and ROBERT LOEVEN of Browns Drive, Town of New Windsor, N. Y., have applied to the Zoning Board of Appeals for a use variance to permit construction of three four-family dwellings in an R4-A zone (four-family dwellings not permitted), on property owned by Robert Loeven and located on Weather Oak Hill and Moore's Hill Road in the Town of New Windsor, N. Y.; and

WHEREAS, a public hearing was held on the 27th day of February, 1978 at which time numerous property owners were present and submitted a petition in opposition to the application before the board; and

WHEREAS, notice of public hearing was duly sent to residences and businesses as prescribed by law, and published in The Evening News, also required by law; and

WHEREAS, one of the applicants, FRANK WORTMANN, appeared with his proposal at the time of the public hearing; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. In view of the findings of law set forth below, the Board does not reach the question of whether or not the proposed use to be authorized by the variance sought herein will alter the essential character of the locality.

WHEREAS, the Zoning Board of Appeals makes the following determinations of law in this matter:

1. The applicant has failed to show on the record that the return from the property would not be reasonable for each and every permitted use under the applicable Zoning Ordinance.

2. The applicant has failed to show on the record as sufficient evidence that his plight is due to unique circumstances and not to general neighborhood conditions.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR deny a use variance as requested by the applicant.

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is directed to forward a copy of this decision to the applicant, the Town Planning Board and the Town Clerk.

Dated: March 13, 1978.

S/ Richard Fenwick
~~Richard Fenwick~~, ~~Chairman~~
Acting

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

79-16.
(Number)

8/24/79
(Date)

I. Applicant information:

- (a) FRANK WORTMANN NEW WINDSOR. 564-6349
(Name, address and phone of Applicant)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- Use variance
- Area variance
- Sign variance
- Special permit

III. Property information:

- ✓ (a) R4A MOORES HILL RD. 21,532
(Zone) (Address) (M B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 1975
- (e) Has property been subdivided previously? YES When? 1975
- (f) Has property been subject of variance or special permit previously? YES When? 2/79

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

79-16.
(Number)

8/24/79
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- (a) FRANK WORTMANN NEW WINDSOR. 564-6349
(Name, address and phone of Applicant)
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(Zone) (Address) (M B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 1975
- (e) Has property been subdivided previously? YES When? 1975
- (f) Has property been subject of variance or special permit previously? YES When? 2/79
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? YES. If so, when 7/6/79
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. NO

IV. Use variance:

(a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to allow

(Describe proposed use)

(b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table Bulk, Column 3

Requirements	Regs.	Proposed or Available	Variance Request
✓ Min. Lot Area <u>25,000 sq ft.</u>		<u>21,522.</u>	✓
<i>Needs area variance for total size of lot.</i>			
Min. Lot Width			
Reqd. Front Yard			
Reqd. Side Yards	<u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yard			
Reqd. Street Frontage*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Development Coverage* %			%
Floor Area Ratio**		<u>none</u>	

Central Water

* Residential districts only

** Non-residential districts only

(Describe proposed use)

(b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.



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<i>Needs area variance for total size of lot.</i> Min. Lot Width _____			
Reqd. Front Yard _____			
Reqd. Side Yards <u>1</u>		<u>1</u>	<u>1</u>
Reqd. Rear Yard _____			
Reqd. Street Frontage* _____			
Max. Bldg. Hgt. _____			
Min. Floor Area* _____			
Development Coverage* _____ %			
Floor Area Ratio** _____			
<i>Central Water</i>		<u>none</u>	

* Residential districts only
** Non-residential districts only

(b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

See attached letters from local realtors for practical difficulty which will show lack of reasonable return on my part.



VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

*See attached letters from local realtors
for practical difficulty which will show
lack of reasonable return on my part.*



VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.

VIII. 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, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

IX. Attachments required:

- Copy of letter of referral from Building and Zoning Inspector.
 - Copy of contract of sale, lease or franchise agreement.
 - Copy of tax map showing adjacent properties.
 - Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
 - Copy(ies) of sign(s) with dimensions.
 - Check in amount of \$25.00 payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.

(b) Describe in detail the use and structures proposed for the special permit.

VIII. 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, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

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Copy(ies) of sign(s) with dimensions.

Check in amount of \$25.00 payable to Town of New Windsor.

Photos of existing premises which show all present signs and landscaping.

All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.

Other

X. AFFIDAVIT

Date 8/28/79

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 knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Frank Watson
(Applicant)

Sworn to before me this

29th day of August, 1979.

Patricia Delio

PATRICIA DELIO
Notary Public, State of New York
Appointed in Orange County
My Commission expires Mar. 30, 1980

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

Special Permit is _____

(c) Conditions and safeguards: _____

STATE OF NEW YORK)
) SS.:
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XI. ZBA Action:

- (a) Public Hearing date _____
- (b) Variance is _____
Special Permit is _____
- (c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

John J. Lease

REAL ESTATE

313 BROADWAY

P. O. Box 2577

NEWBURGH, N. Y. 12550

914 - 565-2800



REALTOR®

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SALES

APPRAISING

MORTGAGE LOANS

BROKERS

JOHN J. LEASE, SR.
JOHN J. LEASE, JR.
RICHARD F. LEASE

February 20, 1978

To Whom It May Concern:

On January 20, 1977 Frank Wortman listed for sale three 4 acre lots located off Weather Oak Hill Road, and fronting on Moores Hill Road in the Town of New Windsor, New York. Since that time we have shown the property to 10 clients and to date have been unable to find a purchaser.

The response by these clients indicates that the prime reason for not buying is the tax structure for one family homes, with town sewer, in this particular area of New Windsor.

Although the properties highest and best use is residential, it appears that it is not for one family homes.

Very truly yours,

JOHN J. LEASE REAL ESTATE

John J. Lease, Jr.
John J. Lease, Jr.

JJL/c



838 BROADWAY • NEWBURGH, N. Y. 12550
(914) 562-4800

February 24, 1978

Mr. Frank Wartman
32 Weather Oak Hill Road
New Windsor, NY 12550

Dear Mr. Wartman:

We have had a listing on your undeveloped land on Moores Hill Road for more than one year and have not been able to generate buyer interest for said property.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kenneth W. Davies", is written over the typed name.

Kenneth W. Davies

djd





E. S. Panarello & Associates, Inc.

REALTORS

257 North Plank Road, Newburgh, N. Y. 12550

914 - 562-6800

BROKERS

EUGENE S. PANARELLO
Chairman of the Board

GEORGE D. ALSDORF, C.R.B.
President

JOSEPH M. LOPIN, G.R.I.
Executive Vice President

EDWIN F. WILLIAMS, JR., G.R.I.
Vice President

B. VICTOR MITCHELL
Asst. Vice President

MARGARET F. WILLIAMS, G.R.I.
Asst. Vice President

MARTIN GORDON
Asst. Vice President

GEORGE K. MOYER
Asst. Vice President

KATHLEEN C. CHESSER
Asst. Vice President

February 24, 1978

Messrs. Ralph & Frank Wortman
RD #32
Highland Mills, New York 10930

Gentlemen:

As per our conversation of February 23rd, we have had your three lots, of approximately 4 acres each, on the market since September 3, 1975. Despite our many efforts, we have not been able to sell them.

Sincerely yours,

Shirley Woolf
Shirley Woolf, G.R.I.
Sales Associate

SW:mpa

295 BROADWAY
NEWBURGH, N.Y. 12550
562-2720

Ashton Rowell
and Associates, Inc.
Licensed Real Estate Brokers

157 SOUTH PLANK RD.
NEWBURGH, N.Y. 12550
564-3390

February 25, 1978

TO WHOM IT MAY CONCERN:

RE: 3 Parcels of land, on Weather Oak Hill and Morris Hill Road
New Windsor, New York

We have listed the above property owned by Frank and Ralph Wartmann at a fair
market price of \$10,000. So far we have not been able to produce a sale.

Carmen Rowell (sm)
Carmen Rowell, Broker

CR/sm





A.B.S. REALTY, CORP.
146 North Plank Road
Newburgh, New York 12550
(914) 565-6080

SEP 10 1979

Sept. 2 1979

To whome it may concern;

We have had Mr. Wortmanns land in New Windsor listed
for sale at \$ 48000 from 4/18/79.



Isaac Scheiner Broker



"Each office is independently owned and operated"

Public Hearing - Frank Wortmann 9/10/79 - 8pm

<u>Names:</u>	<u>Addresses:</u>
✓ W. Morrison Hornbrook	31 Weather Oak Hill
Douglas J. Hansen	30 Weather Oak Hill
✓ Katherine S. Bull	14 Weather Oak Hill
H. Fahr	34 Weather Oak Hill
ANGELO MASCIOLO	189 CARSON AVE NBK, N.Y.
✓ Patricia Anna Dent	11 Weather Oak Hill
✓ George Kuntz	" " " "
✓ Benny A. Confane	8 Weather Oak Hill N.W.
Ray Delaney	6 Weather Oak Hill N.W.
James J. Delaney	6 Weather Oak Hill N.W.
Roseann Volbringer	10 Weather Oak Hill N.W.
Nicholas A. Volbringer	10 Weather Oak Hill N.W.
Francis J. Sontak	Morris Hill Road N.W.
Frank M. Bull	14 Weather Oak Hill N.W.

TOWN OF NEW WINDSOR
 UNION AVENUE
 NEW WINDSOR, NEW YORK 12550

Rec'd. 9/10/79.
 ZBA Pd.

The following named property owners and taxpayers residing in the Town of New Windsor, New York, are opposed to the granting of a variance for the purpose of erecting a two (2) family dwelling, without central water, on Weather Oak Hill and Moores Hill Road in said town as requested by Frank Wortmann per attached public notice.

We ask the Board to deny the application and afford the undersigned a right to be heard when the matter is presented on Monday, September 10, 1979, at 8 o'clock P.M..

DATE	SIGNATURE	ADDRESS	WITNESS
4 Sept	James A. Delane	6 Weather Oak Hill	D. St. Hansen
4 Sept	Garnie A. Delane	6 Weather Oak Hill	D. St. Hansen
4 Sept	Gmy R. Delane	6 Weather Oak Hill	D. St. Hansen
4 Sept	Jane V. Delane Jr.	6 Weather Oak Hill	D. St. Hansen
4 Sept	Amata Kamit	5 Weather Oak Hill	D. St. Hansen
4 Sept	Flora Kamit	5 Weather Oak Hill	D. St. Hansen
4 Sept	Nicholas A. Volbringer	10 Weather Oak Hill	D. St. Hansen
4 Sept	Friederide Rottumer	9 Weather Oak Hill	D. St. Hansen
4 Sept	Rudolf Rottumer	9 Weather Oak Hill	D. St. Hansen
4 Sept	Rosemarie M. Volbringer	10 Weather Oak Hill - New Windsor	D. St. Hansen
4 Sept	Verles Carforone	8 Weather Oak Hill	D. St. Hansen
4 Sept	Barry H. Coef	8 Weather Oak Hill	D. St. Hansen
4 Sept	Dorothy St. Hansen	30 Weather Oak Hill	K. S. Bull
4 Sept	Robert J. Hansen	30 Weather Oak Hill	K. S. Bull
6 Sept	Carl F. Howard	18 Weather Oak Hill	D. St. Hansen
6 Sept	Lucas H. Howard	18 Weather Oak Hill	D. St. Hansen
6 Sept	Joseph S. Crimini	15 Weather Oak Hill	D. St. Hansen
6 Sept	Patricia G. Kent	11 Weather Oak Hill	D. St. Hansen
6 Sept	John Kent	11 Weather Oak Hill	D. St. Hansen
6 Sept	Annet M. Bull	14 Weather Oak Hill	D. St. Hansen
6 Sept	Katherine S. Bull	14 Weather Oak Hill	D. St. Hansen
6 Sept	V. Vignati	17 Weather Oak Hill	D. St. Hansen
6 Sept	Elizabeth Vialotto	17 Weather Oak Hill	D. St. Hansen

UNION AVENUE
NEW WINDSOR, NEW YORK 12550

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4 Sept	Jeanie A. Deane	6 Weather Oak Hill	D. St. Hansen
4 Sept	Judy L. Deane	6 Weather Oak Hill	D. St. Hansen
4 Sept	Jane V. Deane Jr.	6 Weather Oak Hill	D. St. Hansen
4 Sept	Amata Kamit	5 Weather Oak Hill	D. St. Hansen
4 Sept	Glenn Kamit	5 Weather Oak Hill	D. St. Hansen
4 Sept	Nicholas A. Volbringer	10 Weather Oak Hill	D. St. Hansen
4 Sept	Friederike Rottumier	9 Weather Oak Hill	D. St. Hansen
4 Sept	Rudolf Rottumier	9 Weather Oak Hill	D. St. Hansen
4 Sept	Rosemarie M. Volbringer	10 Weather Oak Hill - New Windsor	D. St. Hansen
4 Sept	Verles Carfarone	8 Weather Oak Hill	D. St. Hansen
4 Sept	Barry A. Coif	8 Weather Oak Hill	D. St. Hansen
4 Sept	Dorothy St. Hansen	30 Weather Oak Hill	K. S. Bull
4 Sept	Robert J. Hansen	30 Weather Oak Hill	K. S. Bull
6 Sept	Carl F. Howard	18 Weather Oak Hill	D. St. Hansen
6 Sept	Laura H. Howard	18 Weather Oak Hill	D. St. Hansen
6 Sept	Joseph S. Crimini	15 Weather Oak Hill	D. St. Hansen
6 Sept	Patricia G. Kent	11 Weather Oak Hill	D. St. Hansen
6 Sept	John Kent	11 Weather Oak Hill	D. St. Hansen
6 Sept	Ann M. Bull	14 Weather Oak Hill	D. St. Hansen
6 Sept	Katherine S. Bull	14 Weather Oak Hill	D. St. Hansen
6 Sept	V. Vigliotti	17 Weather Oak Hill	D. St. Hansen
6 Sept	Elizabeth Vigliotti	17 Weather Oak Hill	D. St. Hansen
6 Sept	John E. Brown	23 Weather Oak Hill	D. St. Hansen
6 Sept	Leonard M. Gold	25 Weather Oak Hill	D. St. Hansen
6 Sept	Nora Goldman	"	D. St. Hansen

Town of New Windsor

Union Avenue
New Windsor, New York 12550

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We ask the Board to deny the application and afford the undersigned a right to be heard when the matter is presented on Monday, September 10, 1979, at 8 o'clock P.M..

<u>SIGNATURE</u>	<u>DATE</u>	<u>ADDRESS</u>	<u>WITNESS</u>
W. Roy Trachte	9/6/79	29 Weather Oak Hill	D. St. Hansen
Walter J. Hornbrook	9/6/79	31 Weather Oak Hill	D. St. Hansen
Bernice J. Hornbrook	9/6/79	31 Weather Oak Hill	D. St. Hansen
William Fahr	9/7/79	34 Weather Oak Hill	D. St. Hansen
Christen Fahr	9/7/79	34 Weather Oak Hill	D. St. Hansen
Jeannette Switak	9/7/79	Moores Hill Rd.	D. St. Hansen
Francis J. Switak	9/7/79	Moores Hill Road.	D. St. Hansen
Rouline Switack	9/7/79	Moores Hill Rd.	D. St. Hansen
Frank Percy	9/9/79	Moores Hill Rd.	D. St. Hansen

(914) 565-8550

September 11, 1979

Mr. Frank Wortmann
32 Weather Oak Hill
New Windsor, N. Y. 12550

RE: APPLICATION FOR AREA VARIANCE - #79-16
FRANK WORTMANN

Dear Frank:

This is to confirm that your above application for an area variance before the Zoning Board of Appeals was granted at a regular meeting held on Monday evening, September 10, 1979.

Very truly yours,

PATRICIA DELIO, Secretary
New Windsor Zoning Board of Appeals

/pd

cc: Howard Collett - Bldg./Zoning Inspector
Town Planning Board

INTER-OFFICE CORRESPONDENCE

TO: ZONING BOARD OF APPEALS MEMBERS

FROM: ANDREW S. KRIEGER

SUBJECT: WORTMANN APPLICATION FOR TWO-FAMILY HOME USE

DATE: March 23, 1978

You will recall at our last meeting Frank Wortmann had a preliminary hearing on the construction of two-family homes on his 12 acre parcel. To the best of my recollection, the area was zoned for two-family homes with a reservation that there must be central sewer and water and the only respect in which Mr. Wortmann did not qualify was a failure to have central water. I have checked the law and it appears that the ZBA has the power to grant a variance for the failure to have central water and I have so advised Mr. Wortmann pursuant to his specific inquiry.

ANDREW S. KRIEGER

ASK:pr

1

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date July 6, 1979

To FRANK WURTMAN
32 WEATHER OAK HILL
NEW WINDSOR

PLEASE TAKE NOTICE that your application dated July 3, 1979
for permit to ERECT TWO FAMILY DWELLING
at the premises located at ~~WEATHER OAK HILL & MOORES~~
HILL ROAD 34-3-16

is returned herewith and disapproved on the following grounds:

48-12 BULK REGULATIONS
R4A REQUIRES WATER & SEWER
CENTRAL

Howard R. Caratt
Building Inspector

PUBLIC NOTICE OF HEARING BEFORE
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
pursuant to Section 48-33A of the Zoning Ordinance on the
following proposition:

Appeal No. 16

Request of FRANK WORTMANN

for a VARIANCE ~~SPECIAL USE PERMIT~~ of
the regulations of the Zoning Ordinance, to permit
construction of a two-family dwelling
without central water

being a VARIANCE ~~SPECIAL USE PERMIT~~ of
Section 48-12 - Table of Bulk Regulations- Col. 3
for property situated as follows:

Weather Oak Hill and Moores Hill Road
(Sec. 34 - Block 3 - Lot 16)
Town of New Windsor, N. Y.

SAID HEARING will take place on the 10th day of September, 1979,
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.
beginning at 8 o'clock P. M.

VINCENT BIVONA
Vice Chairman

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
FROM: ZONING BOARD OF APPEALS
SUBJECT: PUBLIC HEARING BEFORE ZBA - 9/10/79
DATE: September 4, 1979

Plasse be advised that there is one public hearing to be held before the ZBA on Monday Evening, September 10, ~~0979~~ at 8 p.m. in the matter of the Application of an area variance of FRANK WORTMANN.

Attached hereto is a copy of the pertinent application together with public hearing notice.

Pat

/pd

Attachments

cc: Howard Collett, Building/Zoning Inspector
Town of NewWindsor



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

PAULA KING
ASSESSOR

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

*11 on list
11 net receipts
rec'd.*

August 1, 1979

Mr. Frank Wortmann
32 Weather Oak Hill
New Windsor, N.Y. 12550

Re: 34-3-16

Dear Mr. Wortmann:

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

The charge for this service is \$15.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

PAULA KING
SOLE ASSESSOR
Town of New Windsor

PK/em



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

Svitak Pauline ✓
Box 244, Moores Hill Rd.
New Windsor, N.Y. 12550

Mascioli Angleo Jr. ✓
189 Carson Ave.
Newburgh, N.Y. 12550

Brown Irene V. ✓
Vomund Dorothy ✓
Vesely Mary & Stanley
c/o Irene V. Brown
23 McCall Place
New Windsor, N.Y. 12550

Purdy Ronald F. ✓
R.D.2, Moores Hill Road
New Windsor, N.Y. 12550

Purdy, Frank Jr. & Eleanor F. ✓
R.D.2, Moores Hill Rd.
New Windsor, N.Y. 12550

Losick Paul ✓
P.O. Box 66
Tenefly, N.J. 07670

Purdy Frank D & Martha W. ✓
c/o Wright
113 Weeks Ave.
Cornwall-on-Hudson, N.Y. 12520

Hornibrook Walter J & Bernice ✓
31 Weather Oak Hill,
New Windsor, N.Y. 12550

Svitak Francis J & Jeanette ✓
RD2, Moores Hill Rd.
New Windsor, N.Y. 12550

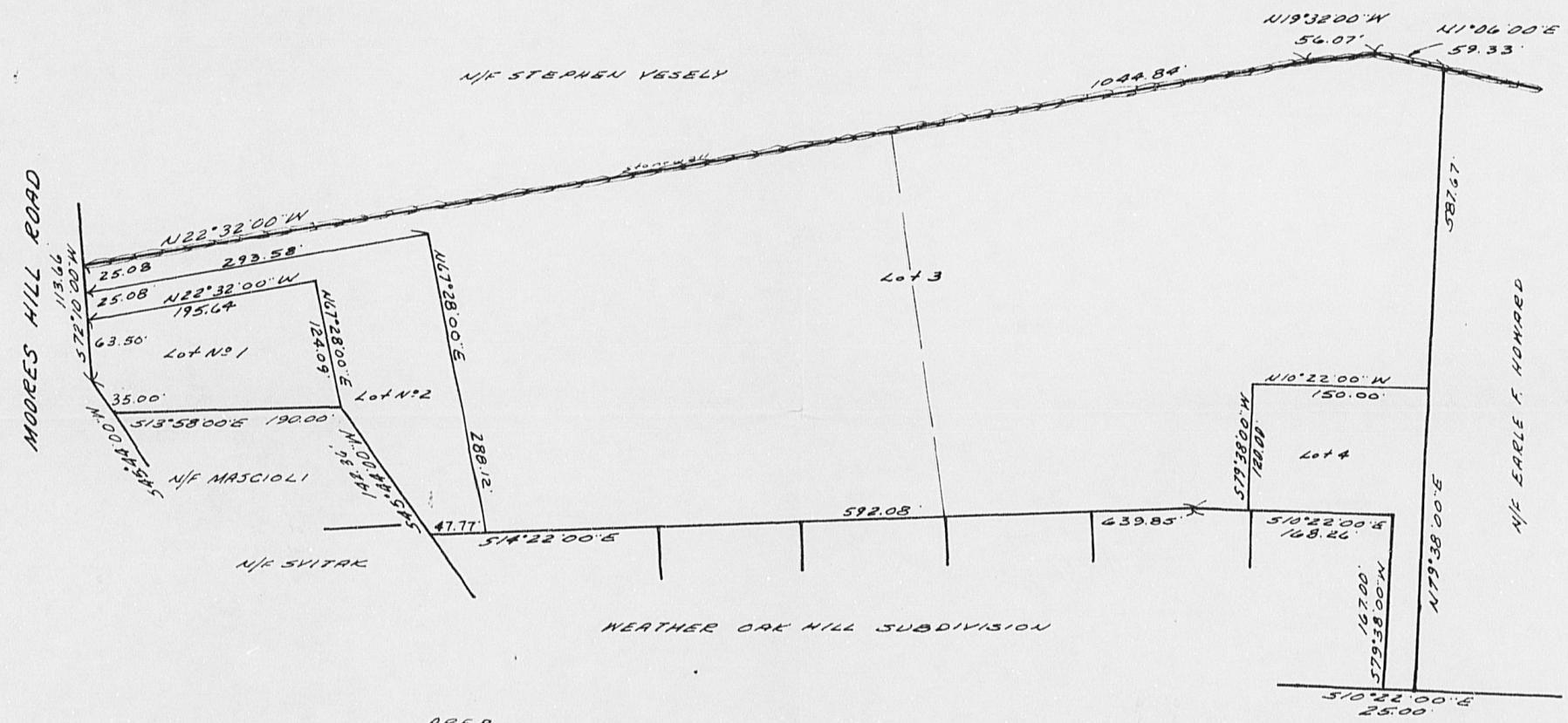
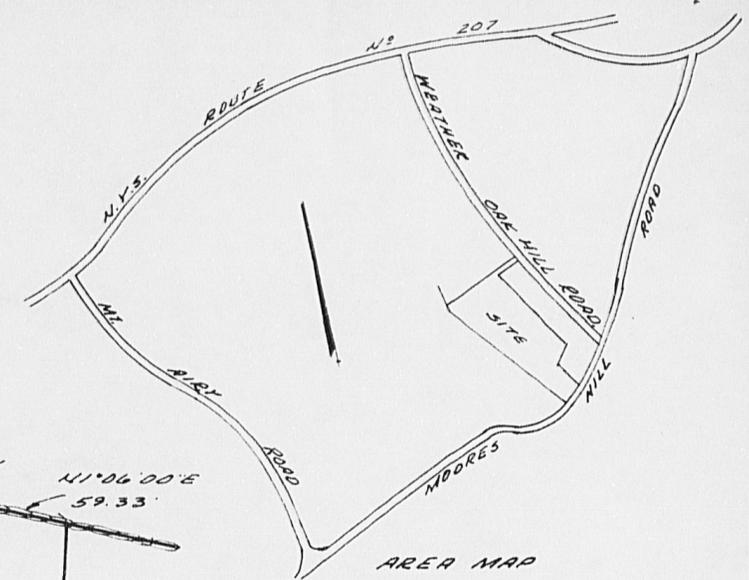
Hanson Dorothy & Robert ✓
30 Weather Oak Hill
New Windsor, N.Y. 12550

Wortmann Frank & Sandra
32 Weather Oak Hill
New Windsor, N.Y. 12550

Fahr William ✓
34 Weather Oak Hill ✓
New Windsor, N.Y. 12550

WASHBURN ASSOCIATES
 ESTERDA ROAD
 CENTRAL VALLEY, N.Y.

MAP REFERENCE:
 "SUBDIVISION FOR FRANK
 WORTMANN & RALPH WORTMANN"
 FILED JUNE 3, 1975
 MAP N° 3469



AREA

Lot No 1	21,522 SQ. FT.
Lot No 2	29,674 SQ. FT.
Lot No 3	6.797 Acres
Lot No 4	22,175 SQ. FT.

map # 4862
 Orig filed 6-3-79

Final Subdivision
 TOWN OF NEW WINDSOR PLANNING BOARD
 March 28, 1979
[Signature]
 Surveyor

RECORD OWNER & SUBDIVIDER
 FRANK WORTMANN
 WEATHER OAK HILL ROAD
 NEW WINDSOR, N.Y.
 TOTAL AREA: 8.481 ACRES

RESUBDIVISION OF FILED
 MAP N° 3469 FOR

FRANK WORTMANN
 RALPH WORTMANN

SCALE: 1"=100'	APPROVED BY:	DRAWN BY
DATE: March 1979		REVISED
TOWN OF NEW WINDSOR ORANGE CO., N.Y.		
		DRAWING NUMBER 1044

[Signature]
 LIC N° 48368