

ZB# 81-8

**Chester & Clementina
Palozzo**

3-1-21

Prelim. Meeting.

3/23/81 -

Public Hearing:

April 13th - 8pm.

Fee Paid

Granted

4/14/81 - cc: Plans to
Bob Rodgers.

81-8-

Palozzo, Chester &
Clementina

General Receipt

4577

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Apr. 14 1981

Received of Chit Palazzo \$ 25.00
Twenty-five and 00/100 DOLLARS

For ZBA #81-18

DISTRIBUTION:

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

By Pauline H. Townsend
Town Clerk
Title

**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. 8
Request of CHESTER PALOZZO and CLEMENTINA PALOZZO for a VARIANCE of the regulations of the Zoning Ordinance to permit second residence on one parcel of land being a VARIANCE of Section 48-9 Table of Use Regulations - Col. A for property situated as follows:

R.D. 1 Silver Stream Road
Town of New Windsor, New York.

SAID HEARING will take place on the 13th day of April, 1981, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 8 o'clock P.M.

RICHARD FENWICK
Chairman
By: Patricia Delio,
Secretary

State of New York
County of Orange, ss:

Errett Smith, being duly sworn disposes as says that he is
..Publisher....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, and that the notice of which the annexed is a true copy was published. *Ans.*... in said newspaper, commencing on the *26th*...day of *March*, A.D., 1981, and ending on the *26th*...day of *March* A.D., 1981

Errett Smith
Subscribed and sworn to before me
this *27th* day of *June*, 19*81*.....

Pauline G. Townsend
Notary Public of the State of New York
County of Orange.

MY COMMISSION EXPIRES MARCH 30, 19__

PAULINE G. TOWNSEND
Notary Public, State of New York
No. 4643692
Appointed in Orange County
My commission expires Mar. 30, 19*83*

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----x
In the Matter of the Application of

CHESTER PALOZZO and CLEMENTINA PALOZZO.

DECISION GRANTING
USE VARIANCE

#81-8.
-----x

WHEREAS, CHESTER PALOZZO and CLEMENTINA PALOZZO of R. D. 2, Silverstream Road, Town of New Windsor, N. Y. - N. C. (Neighborhood Commercial) zone, have made application for a use variance to permit a second residence on a single-family residential lot, same location as stated above; and

WHEREAS, a public hearing was held on the 13th day of April, 1981 at the Town Hall, 555 Union Avenue, New Windsor, New York; and

WHEREAS, applicants appeared pro se; and

WHEREAS, the application was unopposed; 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 Sentinel, also as required by law.

2. The evidence shows that the applicants submitted plans to raise the roof of the detached garage which is to the rear of the property, thereby adding a small apartment for Mr. Palozzo's mother.

3. The evidence shows that there is a 20 gallon-per-minute well which will supply the water to the apartment and the house.

4. The evidence shows that Sewer District #19 presently furnishes sanitary sewer facilities in this area.

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

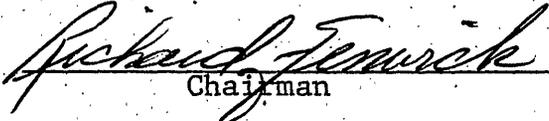
1. The evidence shows that the plight of the applicants was due to unique circumstances and not to general conditions suffered by other persons within the zone.

2. The evidence shows that the application as presented does not alter the essential character of the neighborhood.

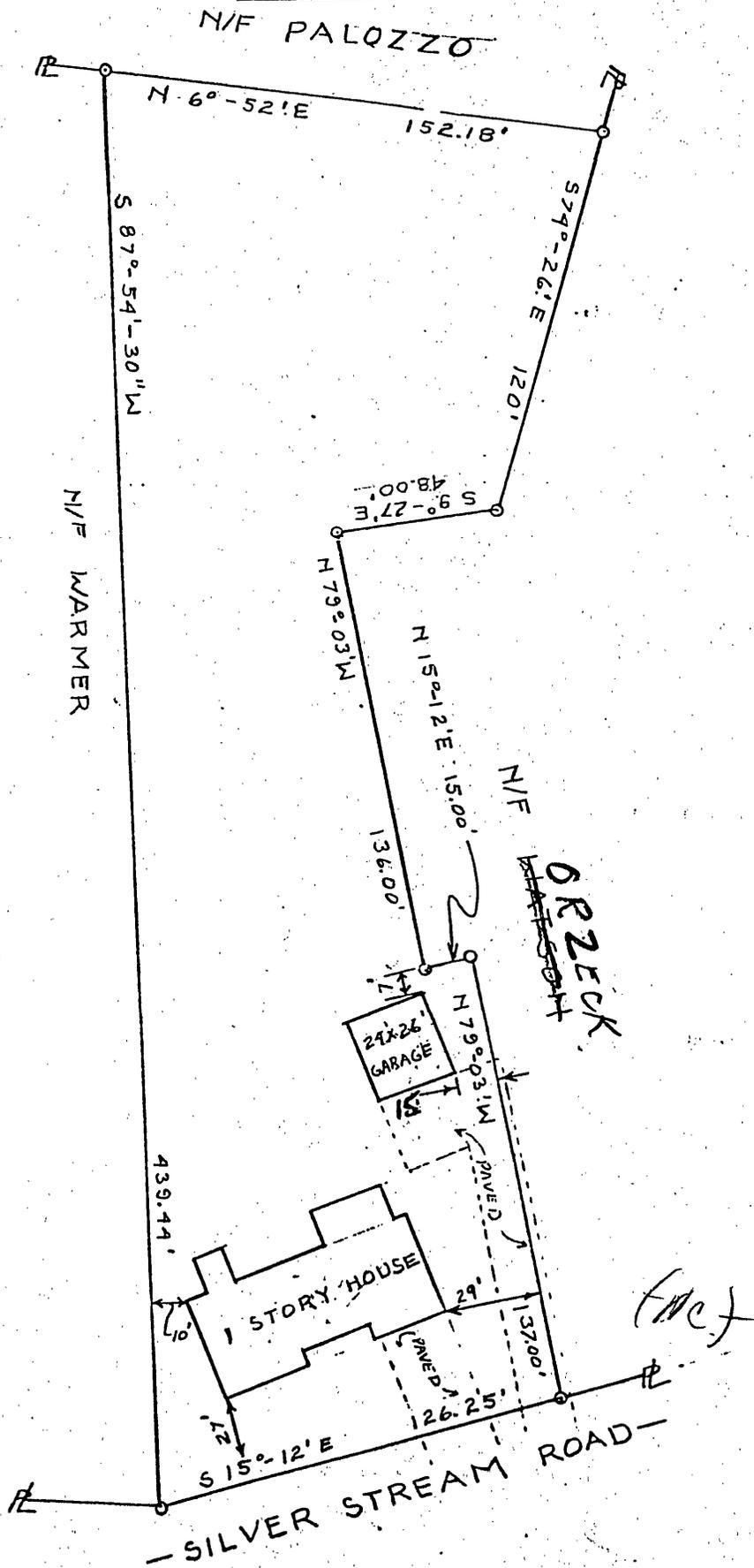
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grant a use variance as applied for by applicants listed above.

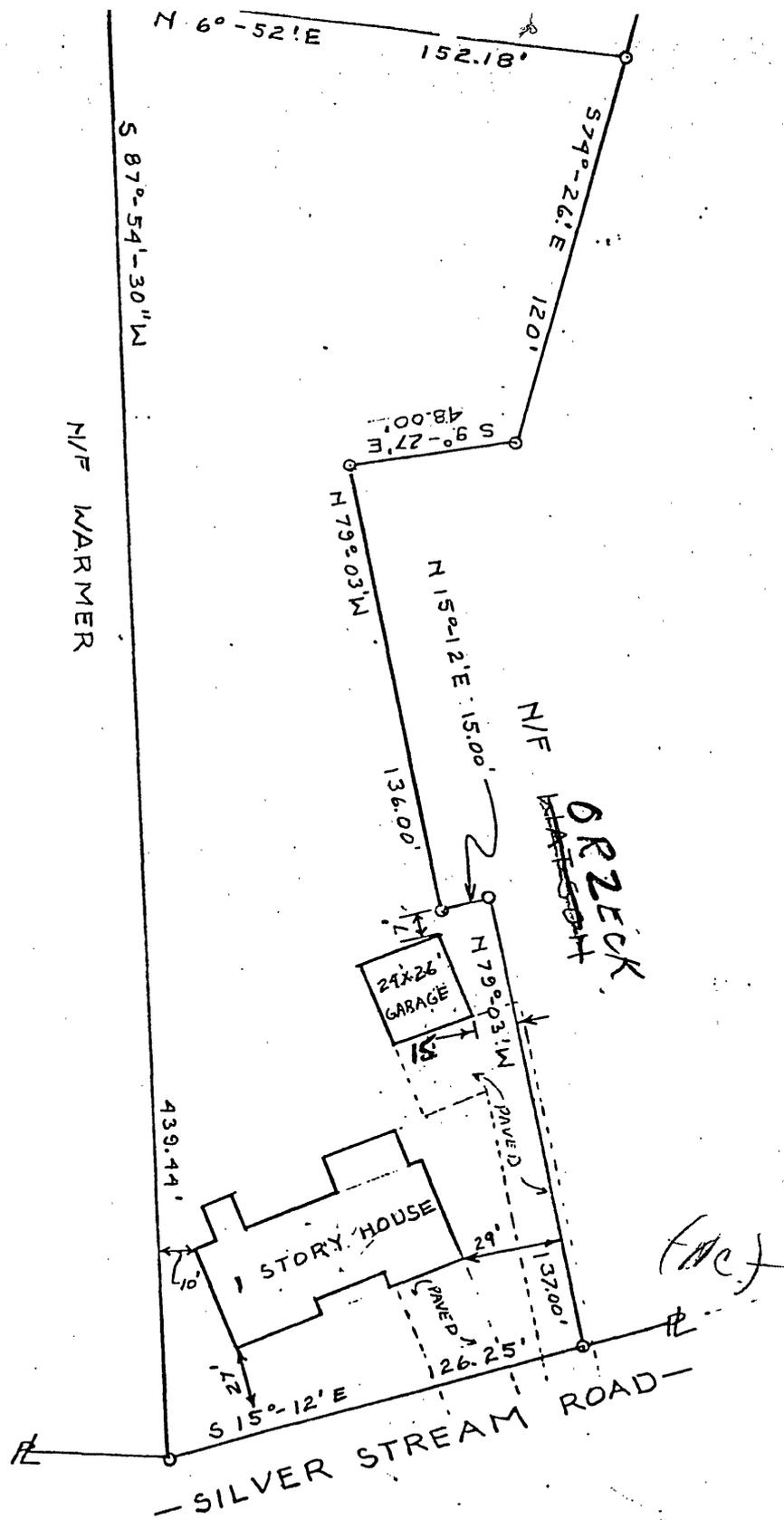
Dated: June 22, 1981.


Chairman

WEST
NORTH



OWNERS:
CHESTER PALOZZO
& CLEMENTINA PALOZZO



OWNERS:
 CHESTER PALOZZO
 & CLEMENTINA PALOZZO

LANDS OF PALOZZO

TOWN OF NEW WINDSOR ORANGE CO., N.Y.

SCALE 1" = 50'

APRIL 5, 1981

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

81-8
(Number)

March 25, 1981
(Date)

I. Applicant information:

- (a) CHESTER & CLEMENTINA PALOZZO 564-6836
(Name, address and phone of Applicant)
- (b) NONE
(Name, address and phone of purchaser or lessee)
- (c) NONE
(Name, address and phone of attorney)
- (d) NONE
(Name, address and phone of broker)

II. Application type:

- Use variance
 Area variance
 Sign variance
 Special permit

III. Property information:

- (a) NC RD2 SILVERSTREM ROAD 3 1 21 126 x 406
(Zone) (Address) (\$ B L) (Lot size)
- (b) What other zones lie within 500 ft.? PI
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 25 years
- (e) Has property been subdivided previously? NO When? _____
- (f) Has property been subject of variance or special permit previously? NO When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? NO If so, when _____

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

81-8
(Number)

March 25, 1981
(Date)

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- (a) CHESTER & CLEMENTINA PALOZZO 564-6836
(Name, address and phone of Applicant)
- (b) NONE
(Name, address and phone of purchaser or lessee)
- (c) NONE
(Name, address and phone of attorney)
- (d) NONE
(Name, address and phone of broker)

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- (b) What other zones lie within 500 ft.? PI
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 25 years
- (e) Has property been subdivided previously? NO When?
- (f) Has property been subject of variance or special permit previously? NO When?
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? NO. If so, when
- (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 48-9, Table USE, Column B, to allow

ESTABLISH DWELLING UNIT OVER EXISTING GARAGE
(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.

AGED MOTHER LIVE IN NEWBURGH NEEDS CARE SO SHE CAN BE CLOSE
TO HER DAUGHTER TO CARE FOR HER

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
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* <u>%</u>	<u>%</u>	<u>%</u>
Floor Area Ratio** _____	_____	_____

* Residential districts only

ESTABLISH DWELLING UNIT OVER EXISTING GARAGE

(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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V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____

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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** _____	_____	_____

* 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.



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?



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	_____	_____	_____
<hr/>			
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...

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

VIII. Additional comments:

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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 March 25 1981

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.

Clementina Pappalardo
Chester Palonzo
(Applicant)

Sworn to before me this

25th day of March, 1981.

Patricia Delio
PATRICIA DELIO
Notary Public, State of New York
Appointed in Orange County
My Commission expires Mar. 30, 1982.

XI. ZBA Action:

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

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.

Clementina Pafazzo
Chester Pafazzo

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25th day of March, 1981.

Patricia Delio
PATRICIA DELIO
Notary Public, State of New York
Appointed in Orange County
My Commission expires Mar. 30, 1982.

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.

(914) 565-8550

April 14, 1981

Mr. and Mrs. Chester Palozzo
R. D. 2
Silverstream Road
New Windsor, N. Y. 12550

RE: APPLICATION FOR USE VARIANCE
#81-8

Dear Mr. and Mrs. Palozzo:

This is to confirm that the above application for a use variance was approved at the April 13, 1981 public hearing before the Zoning Board of Appeals.

Formal decision will be drafted and voted upon at a later date. I will then furnish you a copy of same by return mail.

Very truly yours,

PATRICIA DELIO, Secretary
NEW WINDSOR ZONING BOARD OF APPEALS

/pd

cc: Town Planning Board
Town Building/Zoning Inspector

4/13/81 - Public Hearing - Palazzo, Chester 8pm.

<u>Name</u>	<u>Address</u>
Chester Palazzo	RD 2 Silver Stream RD Bridleugh NY 12550



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Sole Assessor
Paula King
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

March 25, 1981

Mr. Chet Palazzo
RD2, Silver Stream Rd.
New Windsor, N.Y.

Re: 3-1-21

Dear Mr. Palazzo:

According to my records, the attached list of property owners are within 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,

A handwritten signature in cursive script that reads "Paula Sarvis".

PAULA SARVIS
ASSESSOR
Town of New Windsor



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Sole Assessor
Paula King
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

10-

- ✓ Pavlik Anthony M. & Mary
RD2, Silver Stream Road
New Windsor, N.Y. 12550
- ✓ Zawada Edward J. & Elsa
RD2, Silver Stream Road
New Windsor, N.Y. 12550
- ✓ Stellwag Henry A. & Helen
79 D'Alfonso Road
Newburgh, N.Y. 12550
- ✓ Von Gerichten Dolores ETAL
PO Box 148
Newburgh, N.Y. 12550
- ✓ Orzeck Edward & Blanche
53 Sodom Road
Westport, Mass. 02790
- ✓ Craft Charles W. & Carol L.
RD2, Bethlehem Road
New Windsor, N.Y. 12550
- ✓ Mt. Airy Trailer Court Inc.
Box 324, RD1
Walden, N.Y. 12586
- ✓ Nome Property Inc.
c/o Big Saver Corp.
Box 308
Woodridge, N.Y. 12789
- ✓ Metropolitan Transportation
Authority
Stewart Airport
New Windsor, N.Y. 12550
- ✓ New York State Thruway
Authority
Albany, N.Y. 12207

PUBLIC NOTICE OF HEARING BEFORE
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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. 8

Request of CHESTER PALOZZO and CLEMENTINA PALOZZO for a VARIANCE ~~SPECIAL VARIANCE~~ of the regulations of the Zoning Ordinance to permit second residence on one parcel of land

being a VARIANCE ~~SPECIAL VARIANCE~~ of Section 48-9 - Table of Use Regulations - Col. A for property situated as follows:

R. D. 1 - Silver Stream Road, Town of New Windsor, New York.

SAID HEARING will take place on the 13th day of April, 1981, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 8 o'clock P. M.

RICHARD FENWICK
Chairman

①
Mar. 23 7:30
P.M.
Prelim.
meeting

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

NOTICE OF DISAPPROVAL OF ~~BUILDING PERMIT~~ APPLICATION

File No. Date ... MARCH 5, 1981

To CHESTER PALAZZO
RD 2 SILVER STREAM RD
NEW WINDSOR

PLEASE TAKE NOTICE that your REQUEST application dated MARCH 5, 1981

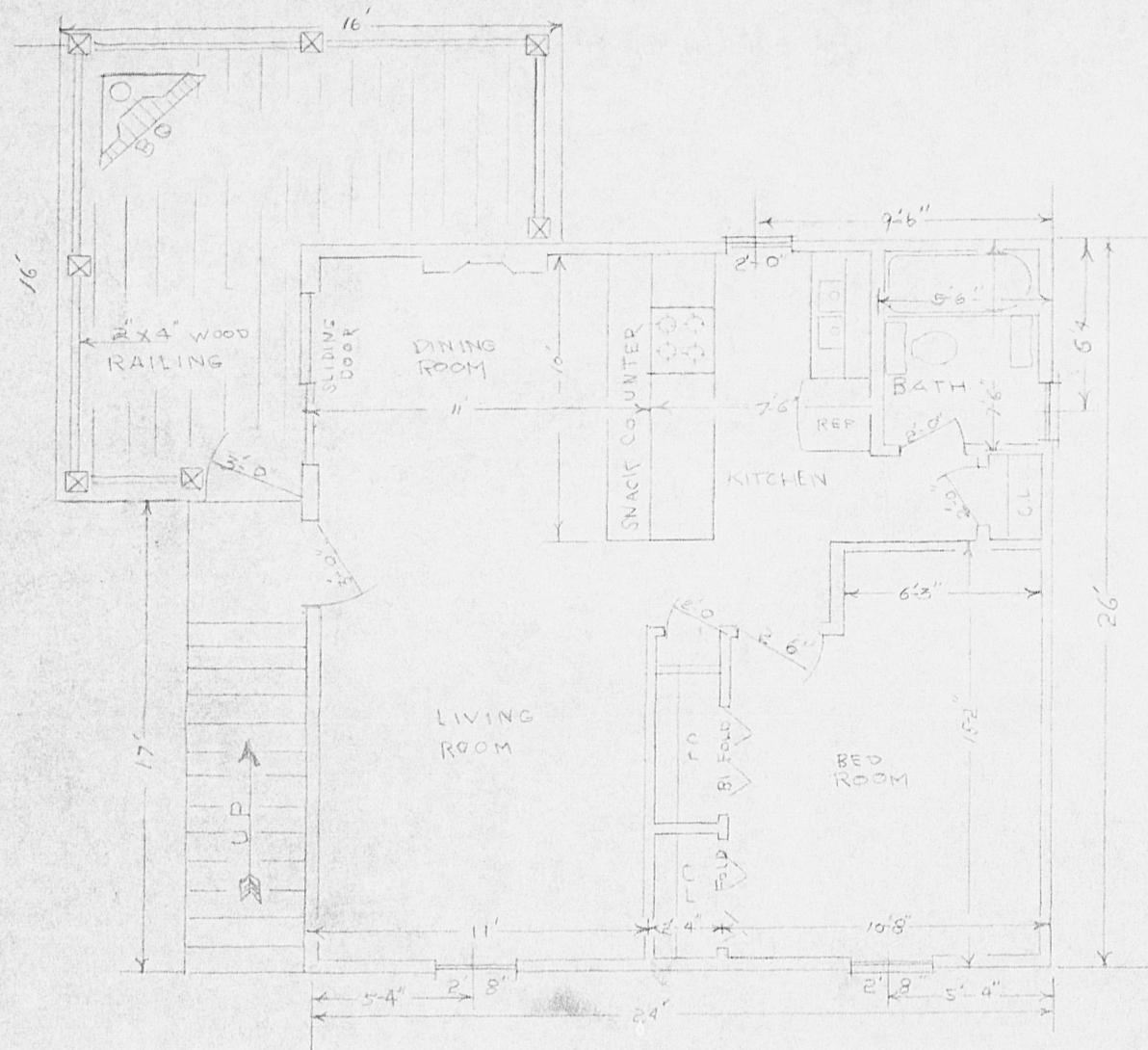
for permit to ALTER EXISTING GARAGE TO CREATE A DWELLING
UNIT ABOVE THE CAR STORAGE AREA
at the premises located at SILVER STREAM ROAD

is returned herewith and disapproved on the following grounds:

TWO DWELLING UNITS ARE NOT PERMITTED ON
ONE LOT. PROPERTY LOCATED IN AN (RC) ZONE

use variance
(NC zone)

Harold R. Covert
Building Inspector



SCALE 1/4" = 1 FOOT



CHET PALOZZO
 558 LITTLE BRITAIN ROAD
 NEWBURGH, NY Phone 564 6600
 MARCH 15, 1981

SEPARATION BETWEEN FLOOR LEVELS TO BE
 A MINIMUM OF 1/2" SHEET ROCK.

APPROVED BY THE
 BUREAU OF FIRE PREVENTION
 TOWN OF NEW WINDSOR, N. Y.

DATE March 1981 SIGNATURE [Signature]
 Fire Inspector