

ZB# 87-36

Dino Sciamanna

25-2-6

87-36 - Scianna, Dino - sideyard

Prelim:

June 5, 1987.

Public Hearing

June 22, 1987.

Notice to Sentinel

on 6/1/87.

Area -
variance
granted

6/22/87

General Receipt

9023

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

6/12 19 87

Received of Dino Sciamanna \$ 25.00

Twenty-five 00 DOLLARS

For Young Board Application Fee 100 87-36

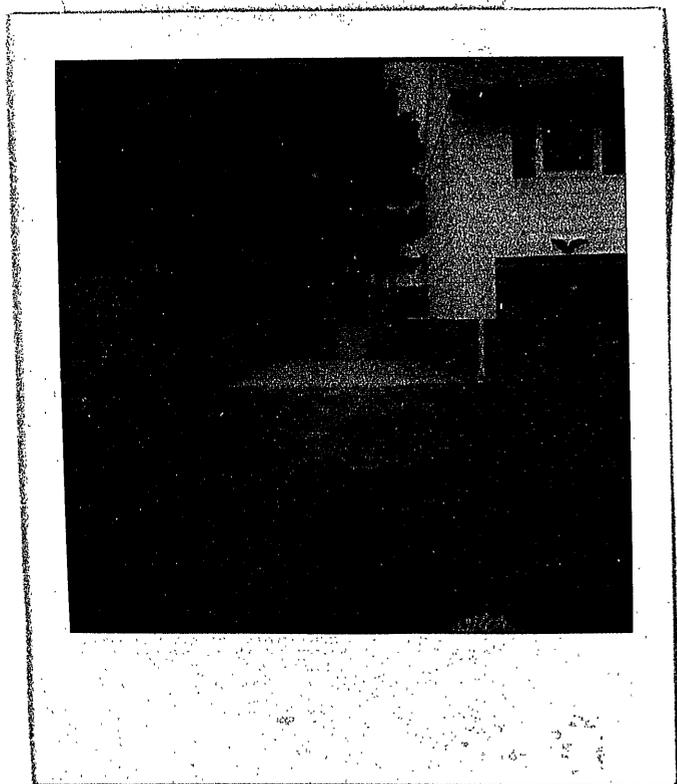
DISTRIBUTION:

FUND	CODE	AMOUNT
<u>Check 2625</u>		<u>25.00</u>

By Pauline H. Townsend
ES

Town Clerk
Title

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



NEW WINDSOR ZONING BOARD OF APPEALS

-----x

In the Matter of the Application of

DECISION GRANTING
AREA VARIANCE

DINO SCIAMANNA,

#87-36.

-----x

WHEREAS, DINO SCIAMANNA, 73 Hudson Drive, New Windsor, New York, 12550, has made application before the Zoning Board of Appeals for a side yard variance for purposes of construction of garage at the above address in an R-4 zone; and

WHEREAS, a public hearing was held on the 22nd day of June, 1987 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant appeared in behalf of himself; 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 applicant is seeking an 8 ft. side side yard variance in order to construct a two-car garage at the above address.

3. The evidence presented by the applicant substantiated the fact that the proposal would not be detrimental to the neighboring properties.

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

1. The evidence shows that the applicant will encounter practical difficulty if the variance requested is not granted due to the fact that applicant cannot obtain additional property to make the lot conform to bulk regulations.

2. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood which is residential in nature.

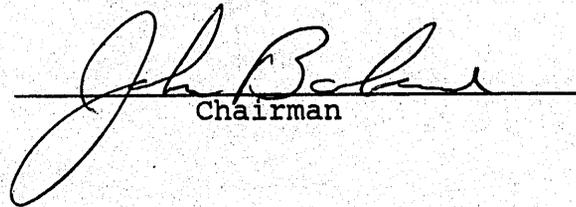
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a side yard variance of 8 ft. for purposes of construction of two-car garage in accordance with plans submitted at 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 applicant.

Dated: July 13, 1987.


Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

June 23, 1987

Mr. and Mrs. Dino Sciamanna
73 Hudson Drive
New Windsor, N. Y. 12550

RE: APPLICATION FOR AREA VARIANCE
#87-36

Dear Mr. and Mrs. Sciamanna:

This is to confirm that the Zoning Board of Appeals made a decision to grant the above application for a variance at the June 22, 1987 meeting.

Formal decision will be drafted at a later date and forwarded to you by return mail.

Very truly yours,

PATRICIA A. BARNHART
Secretary

/pab

cc: Town Planning Board
Town Building Inspector Babcock

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

87-36

Date: 06/01/87

I. Applicant Information:

- (a) SCIAMANNA, DINO - 73 Hudson Drive, New Windsor, N. Y.
(Name, address and phone of Applicant) (Owner)
- (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 Sign Variance
- Area Variance Special Permit

III. Property Information:

- (a) R-4 73 Hudson Drive, New Windsor 25-2-6 90 x 125
(Zone) (Address) (S 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? 8/62
- (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
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: n/a

~~IV. Use Variance:~~

- ~~(a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

_____~~

(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 of Use/Blk Regs., Col. F.

Requirements	Proposed or Available	Variance Request
Min. Lot Area	_____	_____
Min. Lot Width	_____	_____
Reqd. Front Yd.	_____	_____
Reqd. Side Yd.	<u>/15 ft.</u>	<u>/7 ft.</u>
Reqd. Rear Yd.	_____	<u>/8 ft.</u>
Reqd. Street Frontage*	_____	_____
Max. Bldg. Hgt.	_____	_____
Min. Floor Area*	_____	_____
Dev. 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.

Applicant feels that it is essential that he construct a two-car garage on property and that practical difficulty will result if Applicant fails to obtain variance. No additional land is available at property location so that Applicant may obtain additional land within which to construct two-car garage.

VI. Sign Variance:

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

	Requirements	Proposed or Available	Variance Request
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 of _____ Regs., Col. _____.

(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.)

Construction of two-car garage will be same type structure as the residence and will be conducive to the neighborhood.

IX. Attachments required:

- Copy of letter of referral from Bldg./Zoning Inspector.
- Copy of tax map showing adjacent properties.
- Copy of contract of sale, lease or franchise agreement.
- 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 the amount of \$ 25.00 payable to TOWN OF NEW WINDSOR.
- Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date June 1, 1987

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.


(Applicant)
DINO SCIAMANNA

Sworn to before me this
____ day of _____, 19__.

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.

Prelim. Plat
June 8, 1986.

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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. Date 5/12, 1987.

To: DIHO SGIAMAYMA
73 HUDSON DRIVE
NEW WINDSOR, N.Y. 12550

PLEASE TAKE NOTICE that your application dated 5/12, 1987.

for permit to BUILD GARAGE

at the premises located at 73 HUDSON DRIVE R-4

is returned herewith and disapproved on the following grounds:

Need 15 Ft. Side Yard Have 7 Feet Need 8 Feet
VARIANCE

John Ferrigno
Building Inspector

Requirements	Proposed or Available	Variance Request
Min. Lot Area	_____	_____
Min. Lot Width	_____	_____
Reqd. Front Yd.	_____	_____

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 5/12, 1987

To DIHO SCIAMAMMA

73 HUDSON DRIVE

NEW WINDSOR, N.Y. 12550

PLEASE TAKE NOTICE that your application dated 5/12, 1987

for permit to BUILD GARAGE

at the premises located at 73 HUDSON DRIVE R-4

is returned herewith and disapproved on the following grounds:

Need 15 Ft. Side Yard Have 7 Feet Need 8 Feet

VARIANCE

John Finnegan
Building Inspector

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. <u>15</u>	<u>7</u>	<u>8</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area**		
Dev. Coverage* %	%	%
Floor Area Ratio**		

* Residential Districts only
** Non-residential districts only

Name of Owner of Premises DINO J. SCIAMANNA *wed.*
 Address 73 HUDSON DRIVE Phone 561-8530
 Name of Architect NONE 561-8588
 Address Phone
 Name of Contractor NONE
 Address Phone
 State whether applicant is owner, lessee, agent, architect, engineer or builder: OWNER
 If applicant is a corporation, signature of duly authorized officer.

.....
 (Name and title of corporate officer)

1. On what street is property located? On the WEST side of HUDSON DRIVE
 (N. S. E. or W.)
 and 400' feet from the intersection of ERIE AVE & HUDSON DRIVE
2. Zone or use district in which premises are situated
3. Tax Map description of property: Section..... Block..... Lot 73
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
 - a. Existing use and occupancy SINGLE FAMILY RES
 - b. Intended use and occupancy SINGLE FAMILY RESIDENCE
5. Nature of work (check which applicable): New Building..... Addition Alteration..... Repair..... Removal.....
 Demolition..... Other.....
6. Size of lot: Front 90' Rear 90' Depth 125' Front Yard 50' Rear Yard 51' Side Yard 20'
 Is this a corner lot? No.
7. Dimensions of entire new construction: Front 12' Rear 12' Depth 24' Height 8' Number of stories 1
8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....
 Number of bedrooms..... Baths..... Toilets.....
 Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....
 If Garage, number of cars.....
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....

10. Estimated cost \$2,500.- Fee.....
 (to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION — YOU MUST CALL FOR THESE

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.

Address Phone

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

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the WEST side of HUDSON DRIVE
(N. S. E. or W.)

and 400' feet from the intersection of ERIE AVE & HUDSON DRIVE

2. Zone or use district in which premises are situated

3. Tax Map description of property: Section..... Block..... Lot..... 73

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy SINGLE FAMILY RES b. Intended use and occupancy SINGLE FAMILY RESIDENCE

5. Nature of work (check which applicable): New Building..... Addition. Alteration..... Repair..... Removal.....
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Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....

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CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS — 565-8807

- 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 is completed, and before it is covered from inside, and Plumbing rough-in.
- 5—Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.
- 6—Driveway inspection must meet approval of town Highway Inspector.
- 7—\$20.00 charge for any site that calls for the same inspection twice.

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

Examined.....19.....
 Approved.....19.....
 Disapproved a/c.....
 Permit No.

Office of Building Inspector
 Michael L. Babcock
 Town Hall, 555 Union Avenue
 New Windsor, New York 12550
 Telephone 565-8807

Refer -
 Planning Board.....
 Highway.....
 Sewer.....
 Water.....
 Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT
 Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

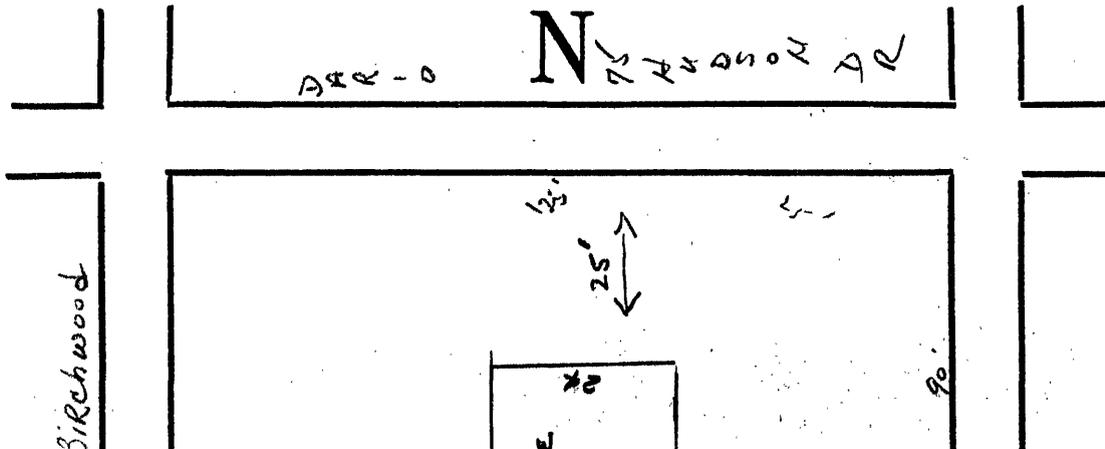
- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout 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.

David J. Selman, 73 Hudson St., New Windsor, N.Y.
 (Signature of Applicant) (Address of Applicant)

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.



Planning Board.....
 Highway.....
 Sewer.....
 Water.....
 Zoning Board of Appeals.....

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

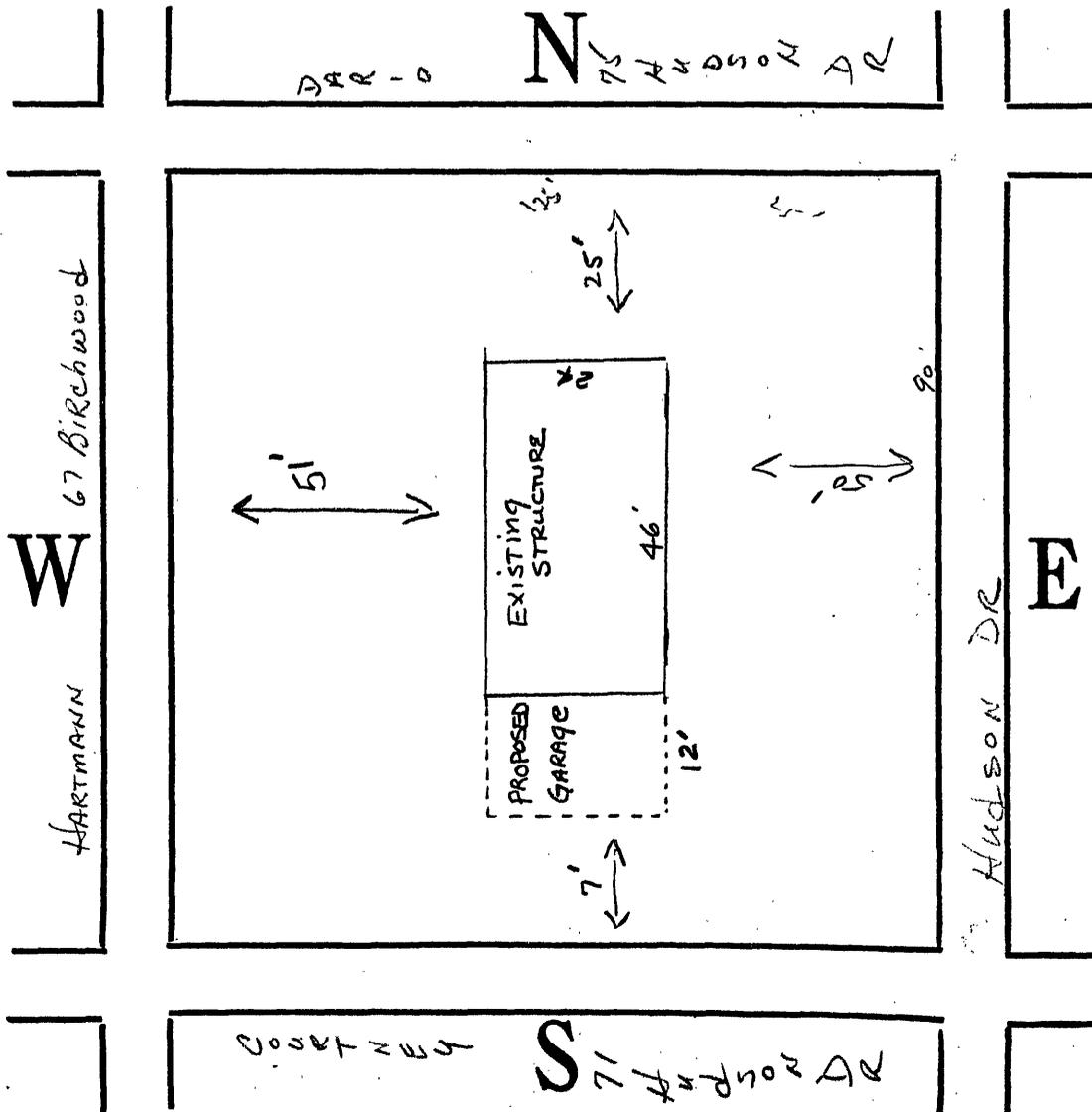
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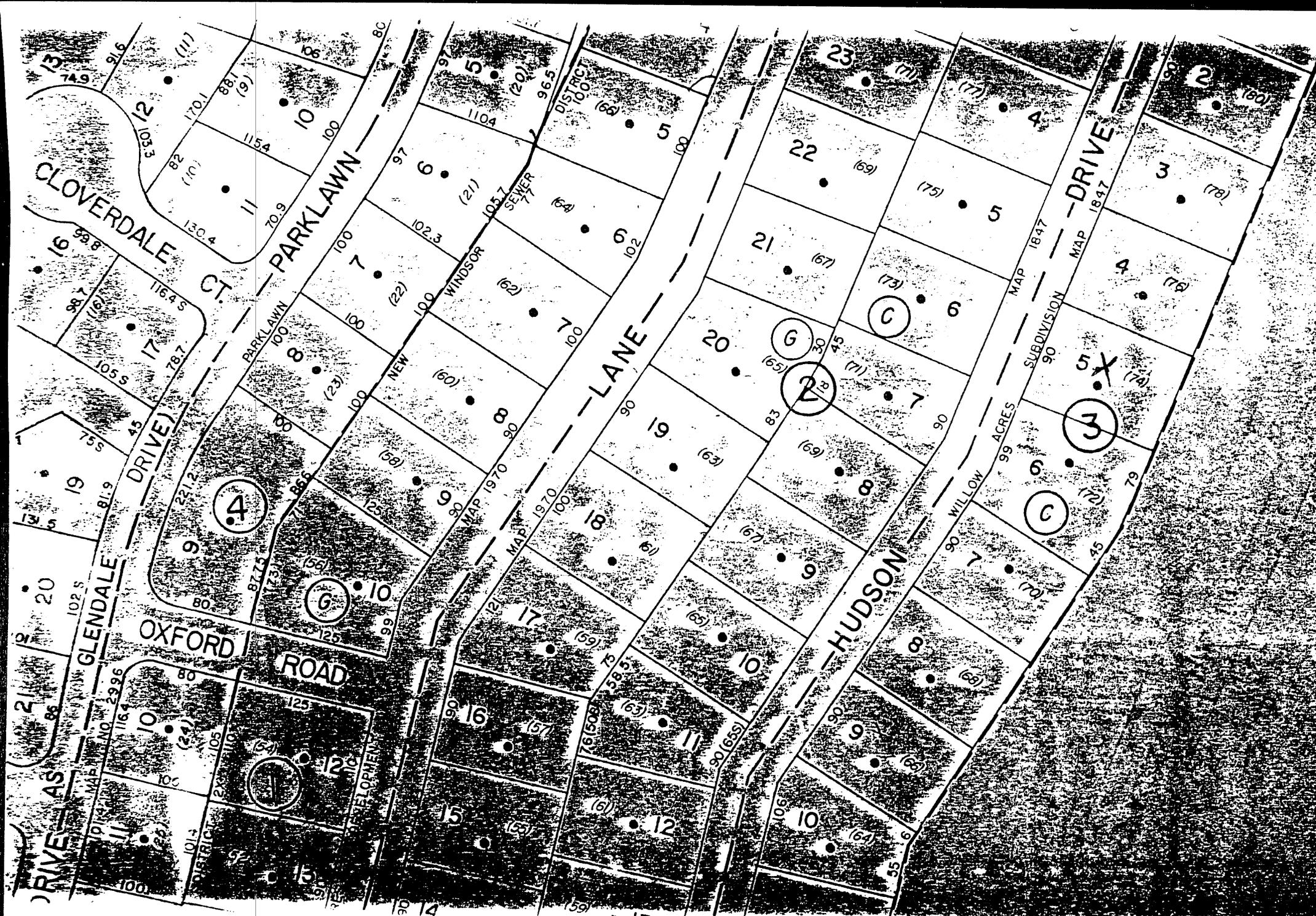
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Stan J. Altmann 73 Hudson Dr., New Windsor, N.Y.
 (Signature of Applicant) (Address of Applicant)

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.





SECTION 26

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 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 36

Request of DINO SCIAMANNA

for a VARIANCE ~~SPECIAL PERMIT~~ of the regulations of the Zoning Local Law to permit construction of garage with insufficient sideyard;

being a VARIANCE ~~SPECIAL PERMIT~~ of Section 48-12 - Table of Use/Bulk Regs. - Col. F for property situated as follows:

73 Hudson Drive, New Windsor, N.Y.

SAID HEARING will take place on the 22nd day of June, 1987, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 7:30 o'clock P. M.

JACK BABCOCK
Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

56

June 2, 1987

Mr. & Mrs. Dino Sciamanna
73 Hudson Dr.
New Windsor, NY 12550

Re: 25-2-6 Variance List.

Dear Mr. & Mrs. Sciamanna:

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

The charge for this service is \$75.00, minus your deposit of \$25.00. Please remit same to the Town Clerk, Town of New Windsor, NY.

Very truly yours,

Christian E. Jahrling

CHRISTIAN E. JAHRLING, IAO
SOLE ASSESSOR

CEJ/cp

Rainey, ~~Alvin~~ Josephine
72 Birchwood Dr.
New Windsor, NY 12550

Cosgrove, Ann L.
70 Birchwood Dr.
New Windsor, NY 12550

Ellick, Sanford A. & Rose
68 Birchwood Dr.
New Windsor, NY 12550

McDonald, Thomas H.
Grieco, Marianne
66 Birchwood Dr.
New Windsor, NY 12550

Bartel, Albin J. & Rose M.
64 Birchwood Dr.
New Windsor, NY 12550

Fkanagan, William J. & Rose
62 Birchwood Dr.
New Windsor, NY 12550

D'Addio, Marion R. VanVoorhis
60 Birchwood Dr.
New Windsor, NY 12550

Grammar, Mark R.
58 Birchwood Dr.
New Windsor, NY 12550

Carfizzi, Santa
56 Birchwood Dr.
New Windsor, NY 12550

Groff, Gordon B. & Eleanor S.
75 Birchwood Dr.
New Windsor, NY 12550

Metzger, Edwin J. & Kathleen A.
81 Hudson Dr.
New Windsor, NY 12550

White, James B. & Beverly
79 Hudson Dr.
New Windsor, NY 12550

Powles, Harold J. & Rita A.
77 Hudson Dr.
New Windsor, NY 12550

Dario, Anthony & Kathryn Anne
75 Hudson Dr.
New Windsor, NY 12550

Courtney, George T.
71 Hudson Dr.
New Windsor, NY 12550

Panzetta, John J. & Marjorie E.
69 Hudson Dr.
New Windsor, NY 23559

Nott, Bruce W. & Marie .
67 Hudson Dr.
New Windsor, NY 12550

Hughes, Joseph T. Jr. & Catherine
65 Hudson Dr.
New Windsor, NY 12550

Annan, Theodore & Kathryn E.
63 Hudson Dr.
New Windsor, NY 12550

Reed, John A. & Erna B.
61 Hudson Dr.
New Windsor, NY 12550

VanVoorhis, John P. & Jean H.
55 Birchwood Lane
New Windsor, NY 12550

Lacourse, Robert A. & Maria A.
57 Birchwood Dr.
New Windsor, NY 12550

Hedlund, Melvin E. & Rose Marie
59 Birchwood Lane
New Windsor, NY 2550

Smith, George S.
40 Willow Parkway
New Windsor, NY 12550

Steger, Alexander & Evelyn
63 Birchwood Dr.
New Windsor, NY 12550

Miller, Kenneth J. & Helen K.
65 Birchwood Lane
New Windsor, NY 12550

Hartmann, Ingrid
67 Birchwood Dr.
New Windsor, NY 12550

Garofal, John B. & Kathleen
69 Birchwood Dr.
New Windsor, NY 12550

Solfaro, Anthony V. & Judith
71 Birchwood Dr.
New Windsor, NY 12550

Soricelli, John G. & Carol S.
73 Birchwood Dr.
New Windsor, NY 12550

Katta, Stanley & Amelia
82 Hudson Dr.
New Windsor, NY 12550

Powles, Harold K.
80 Hudson Dr.
New Windsor, NY 12550

Quicksell, James & Barbara
78 Hudson Dr.
New Windsor, NY 12550

DiGiovanni, Thomas & Regina
76 Hudson Dr
New Windsor, NY 12550

Heft, Lincoln R. & Dolores P.
74 Hudson Dr.
New Windsor, NY 12550

Scott, William H. & Ruth D.
72 Hudson Dr.
New Windsor, NY 12550

Ferreira, Maria A.
70 Hudson Dr.
New Windsor, NY 12550

Gaetano, Geo. L. & Muriel C.
68 Hudson Dr.
New Windsor, NY 12550

Finnegan, John F. & Anna M.
66 Hudson Dr.
New Windsor, NY 12550-

Pettine, Frank J. & Catherine
64 Hudson Dr.
New Windsor, NY 12550

Cook, William R. & Jane
62 Hudson Dr., MD 33
New Windsor, NY 12550

Bracco, Ralph J. & Linda
102 Glendale Dr.
New Windsor, NY 12550

Brown, Jos. R. & Mary J.
104 Glendale Dr.
New Windsor, NY 12550

The Agudas Achen Society
290 North Street
Newburgh, NY 12550

Paul, Henry & Anna
106 Glendale Dr.
New Windsor, NY 12550

Wadler, Laurence H. & Janet
108 Glendale Dr.
New Windsor, NY 12550

Walborn, David P. & Jeanne M.
110 Glendale Dr.
New Windsor, NY 12550

Kochan, John T. &
Makar, Maryann
112 Glendale Dr.
New Windsor, NY 12440

Chapman, David & Phyllis
114 Glendale Dr.
New Windsor, NY 12550

Clark, Jamres E.
284 Main St.
Cornwall, NY 12518

Hamlet, James T. &
Dawson, Denise
202 Cambridge Ct.
New Windsor, NY 12550

Ullman, Stuart & Gladys
201 Cambridge Ct.
New Windsor, NY 12550

Pfeifer, Valentine & Alenka
107 Glendale Dr.
New Windsor, NY 12550

Brown Sr., Howard C. & Jill
302 Cloverdale Ct.
New Windsor, NY 12550

Warmers Construction Corp.
PO Box 148
Newburgh, NY 12550

The Newburgh Woodlawn Cemetery Association
c/o William Rumsey
BOX 203
Newburgh, NY 12550