

ZB# 88-9

Betty Paola

4-2-7.2

#88-9 - Paola Betty - area

Releas.

~~3/11/88~~

2/22/88.

Public Hearing:

3/28/88.

Notice to

sentimental ✓

3/14/88

~~Collect \$25.00~~

Area
Jarancee
6 wanted
3/31/88

General Receipt

9710

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

March 31 19 88

Received of Eleanor Di Paolo \$ 25⁰⁰/₁₀₀

Twenty Five and 00/100 DOLLARS

For 3 BA fees - 88-9

DISTRIBUTION:

FUND	CODE	AMOUNT
Check #		25.00
#	0161	

By Pauline J. Townsend
ec

Town Clerk
Title

NEW WINDSOR ZONING BOARD OF APPEALS

In the Matter of the Application of

ELIZABETH PAOLA

#88-9.

DECISION GRANTING
AREA VARIANCE

WHEREAS, ELIZABETH PAOLA, 503 Union Avenue, New Windsor, New York 12550, has made application before the Zoning Board of Appeals for area variances of the Regulations of Section 48-12 in order to subdivide two (2) lots with insufficient sideyard located on Union Avenue in an R-4 zone; and

WHEREAS, a public hearing was held on the 28th day of March, 1988 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared with her attorney, Mark Wright, Esq., 266 Main Street, Fishkill, N. Y. 12524; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings 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 area variances in order to subdivide two of her existing three lots.

3. The evidence presented by Applicant substantiated the fact that Applicant cannot purchase additional property in order to meet bulk regulations.

4. The evidence shows that the applicant will encounter practical difficulty if the variances requested are not granted since existing adjacent structure was constructed in 1958 prior to zoning and at that time it was utilized as a second dwelling. There now exists two residential dwellings on one lot and applicant wishes to subdivide, thereby creating two separate lots, each with one residence thereon.

5. The requested variances 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 two (2) sideyard variances for Lots 1 and 2 of 10.75 ft. each as stated above in accordance with plans submitted to the Building Inspector and presented at the public hearing, subject to approval by the Planning Board.

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: April 11, 1988.

Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

feh

March 31, 1988

Mark Wright, Esq.
266 Main Street
Fishkill, N. Y. 12524

RE: APPLICATION FOR AREA VARIANCE
#87-53 - PAOLA, ELIZABETH
88-9.

Dear Mr. Wright:

This is to confirm that the Zoning Board of Appeals at its March 28, 1988 meeting voted to grant the above application for variance of PAOLA.

Formal decision will be drafted some time in the future and acted upon by the Board. You will be receiving a copy by return mail.

Very truly yours,

Patricia A. Barnhart

PATRICIA A. BARNHART
Secretary

/pab

Enclosure

cc: Town Planning Board
Michael Babcock, B. I.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

88-9.

Date: _____

I. ✓ Applicant Information:

(a) Elizabeth Paola 503 Union Ave. New Windsor, N.Y.
(Name, address and phone of Applicant) (Owner)

(b) 944-562-7143
(Name, address and phone of purchaser or lessee)

(c) ATTN MARK WRIGHT, 266 MAIN ST. P.O. Box 422 Fish Kill, N.Y.
(Name, address and phone of attorney) 896-5707

(d) N.A.
(Name, address and phone of broker)

II. ✓ Application type:

Use Variance

Sign Variance

Area Variance

Special Permit

III. ✓ Property Information:

(a) R4 503 Union Ave. Sec 4 BL 2 Lot 7.2 ACRER
(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? _____

(e) Has property been subdivided previously? NO When? 10 yrs ago

(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: NO

IV. Use Variance: N/A

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

(b) ^{N/A} 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 Rules Regs., Col. F.

Requirements	Proposed or Available	Variance Request
Min. Lot Area	_____	_____
Min. Lot Width	_____	_____
Reqd. Front Yd.	_____	_____
Reqd. Side Yd. <u>15/30</u>	<u>Lot 1/ 5.25</u> <u>Lot 2/ 5.25</u>	<u>10.75</u> <u>10.75</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

(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.

There are two houses on this parcel, therefore subdivision is needed because as it is now, owner cannot sell just one house but must sell both at once. This creates a severe practical difficulty. Owner has attempted to alleviate this difficulty by subdividing but subdiv. was denied on ground of needing a waived variance.

VI. Sign Variance: N/A

(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.

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

^{N/A}
(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.)

There will be no changes to the zone or neighboring zones as the houses are on the 2 proposed parcels are already in place and in fact, predate zoning. This would just allow them to be sold separately.

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 \$ _____ payable to TOWN OF NEW WINDSOR.
- _____ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date MARCH 14, 1988

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.

Charles Paul
(Applicant)

Sworn to before me this

14th day of MARCH, 1988.

MARK E. WRIGHT
Notary Public, State of New York
Qualified in Dutchess County
Commission Expires March 30, 1988
July

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.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

Paola, Eliz.

78

March 8, 1988

Rev. L.A. Sperry
503 Union Avenue
New Windsor, NY 12550

Re: Variance List 4-2-7.2 —

Dear Rev. Sperry:

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 \$95.00, 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
Attachments

Barbieri, Lawrence P.
12 Bayview Terrace
Newburgh, NY 12550

Lindenauer, Harvey & Maxine
15 Cimorelli Drive
New Windsor, NY 12550

Spicci, Patricia A. &
Soukup, Vincent
13 Cimorelli Drive
New Windsor, NY 12550

Ferraiulo, Anthony P. & Shirley P.
11 Cimorelli Dr.
New Windsor, NY 12550

Gearn, Helen Vernooy
9 Cimorelli Dr.
New Windsor, NY 12550

Konovalenko, Vasily & Anna
7 Cimorelli Dr.
New Windsor, NY 12550

Cleary, Kevin R.
5 Cimorelli Dr.
New Windsor, NY 12550

Davis, Paul J. & Ruth W.
3 Cimorelli Dr.
New Windsor, NY 12550

Coe, Russell H. & Marlis F.
1 Cimorelli Dr.
New Windsor, NY 12550

Mugnaino, Pasquale & Anna Maria
2 Cimorelli Dr.
New Windsor, NY 12550

Laudato, Alberto & Anna Rose
4 Cimorelli Dr.
New Windsor, NY 12550

Katz, Seymour & Rae
6 Cimorelli Dr.
New Windsor, NY 12550

Clayton, Charles D. & Mary Elizabeth
8 Cimorelli Dr.
New Windsor, NY 12550

Blumenthal, Judah M. & Donna Irene
10 Cimorelli Dr.,
New Windsor, NY 12550

Lark, Richard & Patrice
532 Union Ave.
New Windsor, NY 12550

Young, Ernest & Lillian
524 Union Ave
New Windsor, NY 12550

Cohen, Seymour S.
522 Union Ave.
New Windsor, NY 12550

Serbus, Michael W.
510 Union Ave.
New Windsor, NY 12550

Venus, Eva G.
303 Nina St.
New Windsor, NY 12550

Paolo, Eleanor & Dante A.
502 Union Ave.
New Windsor, NY 12550

Clinton, Frank & Sally
452 Union Ave.
New Windsor, NY 12550

City School District of the City of Newburgh
98 Grand St.
New Windsor, NY 12550

McPhillips, William & Eda
481 Union Ave.
New Windsor, NY 12550

Grehl, James A. & Judy Lynn
24 Cimorelli Drive
New Windsor, NY 12550

L'Estrange, Richard & Nancy
26 Cimorelli Drive
New Windsor, NY 12550

Graham, Jack W. & Elsie M.
28 Cimorelli Drive
New Windsor, NY 12550

Marcantonio, Nicholas & Charlotte
30 Cimorelli Drive
New Windsor, NY 12550

Riccio, Albert J. & Gladys M
17 Cimorelli Drive
New Windsor, NY 12550

Lander, Ronald F. & Ellen A.
12 Cimorelli Dr.
New Windsor, NY 12550

Tom Wai King, Victor
1 Park Hill Drive
New Windsor, NY 12550

Dubaldi, Carmen R. & Louise A.
3 Park Hill Drive
New Windsor, NY 12550

Guadagno, John Anthony & Concetta Mary
5 Park Hill Dr.
New Windsor, NY 12550

Mesaris, Joan
7 Park Hill Dr.
New Windsor, NY 12550

Ronsini, Frank
9 Park Hill Dr.
New Windsor, NY 12550

Denny, William & Concetta
2 Herbert Hoover Dr.
New Windsor, NY 12550

Gaudioso, Bartholomew R. & Marie
4 Herbert Hoover Dr.
New Windsor, NY 12550

Muscarella, Lenin & Anne
6 Herbert Hoover Dr.
New Windsor, NY 12550

Kun, Julius & Susanne
8 Herbert Hoover Dr.
New Windsor, NY 12550

Goldfluss, John L. & Karen J.
7 Herbert Hoover Dr.
New Windsor, NY 12550

Rizzuto, Robert & Margaret
10 Park Hill Dr.
New Windsor, NY 12550

DeCrosta, Marino L. & Rita
12 Park Hill Dr.
New Windsor, NY 12550

Tallarico, Joseph & Carmen
14 Park Hill Dr.
New Windsor, NY 12550

Coakley, John W. & Rose Ann
16 Park Hill Dr.
New Windsor, NY 12550

Welch, Charles A. & Rita R.
20 Park Hill Dr.
New Windsor, NY 12550

Cappas, Humbert & Clara
15 Ona Lane
New Windsor, NY 12550

Hecht, Eugene I & Elaine
13 Ona Lane
New Windsor, NY 12550

Pyle, Lynn & Mary
11 Ona Lane
New Windsor, NY 12550

Deho, John R. & Constance M
9 Ona Lane
New Windsor, NY 12550

Rabe, Helen B.
7 Ona Lane
New Windsor, NY 12550

Choe, Jon K. & Sandy B.
5 Ona Lane
New Windsor, NY 12550

Ponessa, Frank & Edith
3 Ona Lane
New Windsor, NY 12550

Stent, Jr. Edward & Patrice
1 Ona Lane
New Windsor, NY 12550

Andrews, Lawrence H.
2 Ona Lane
New Windsor, NY 12550

Anderson, Thomas & Laura
4 Ona Lane
New Windsor, NY 12550

Reggero, Franklin P. & Virginia E.
6 Ona Lane
New Windsor, NY 12550

Donovan, Raymond & Linda
204 Summit Drive
New Windsor, NY 12550

Delson, Robert C. &
Price Betty D.
206 Summit Dr.
New Windsor, NY 12550

Figueroa, Gerardo A. Elba Lucia
208 Summit Dr.
New Windsor, NY 12550

Cranston, John F. & Sandra
210 Summit Dr.
New Windsor, NY 12550

Finn, Edward J. & Lorraine A.
212 Summit Dr.
New Windsor, NY 12550

Serrano, Raphael & Maria
214 Summit Dr.
New Windsor, NY 12550

Morales, Daniel P. & Diana M.
216 Summit Dr.
New Windsor, NY 12550

Kawula, Lawrence J. & Evelyn
218 Summit Dr.
New Windsor, NY 12550

Cracolici, Gino & Ella
220 Summit Dr.
New Windsor, NY 12550

Buckley, John & Helen
211 Summit Dr.
New Windsor, NY 12550

Cooper, W.T. & Lore
209 Summit Dr.
New Windsor, NY 12550

Rein, Charles & Marsha
207 Summit Dr.
New Windsor, NY 12550

Lieby, Joseph & Regina
411 Philo St.
New Windsor, NY 12550

Small Town Land Co.
518 Balmoral Circle
New Windsor, NY 12550

Bealkowski, Joseph & Jean
415 Philo St.
New Windsor, NY 12550

Sottile, John D.
418 Philo St.
New Windsor, NY 12550

Ross, James D. & Suzanne
420 Philo St.
New Windsor, NY 12550

Valley, Dwight E. Jr. & Nancy E.
422 Philo St.
New Windsor, NY 12550

Fleming, Robert B. & Vicky A.
424 Philo St.
New Windsor, NY 12550

Spina, Charles M. & Marie
426 Philo St.
New Windsor, NY 12550

Hicks, Ronnie L. & Carol Ann
309 Nina St.
New Windsor, NY 12550

Langle, Richard P. & Patricia
307 Nina St.
New Windsor, NY 12550

DiVincenzo, Joseph & Cheryl J.
305 Nina St.
New Windsor, NY 12550

Gossett, Barry J. & Helen R.
413 Philo St.
New Windsor, NY 12550

3/28/88 Public Hearing - Paola, Eliz.

Name:

Mark Wright Esq.

Address:

200 Main St. Ferrisburgh, NY.

P/S. publish immediately! send bill to applicant now

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. 9

Request of ELIZABETH PAOLA

for a VARIANCE of

the regulations of the Zoning Local Law to

permit Subdivision of lands with insufficient side yard;

being a VARIANCE of

Section 48-12 Table of Bulk Reqs. Col. F

for property situated as follows:

503 Union Ave.

New Windsor, N.Y.

SAID HEARING will take place on the 28th day of March, 1988, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 7:30 o'clock P. M.

JAMES NUGENT
Chairman

By: Patricia A. Barnhart, Secy.

Prelim.
2/22/88.

OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, N.Y.

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

File No. 87-50 → 565-5686 Date 1-20-88

To: Betty Asola
503 Union Avenue
New Windsor, N.Y. 12550
562-9143 Rev. Specy

PLEASE TAKE NOTICE that your application dated 1-7-87
for (Subdivision - Site Plan) Subdivision (minor)
located at Union Ave, New Windsor, N.Y.

is returned herewith and disapproved for the following reasons.

R4 Zone) by subdividing property, insignificant
side yards for both lots

Henry Scheile
Planning Board Chairman enw

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>15,000</u>	_____	_____
Min. Lot Width <u>100</u>	_____	_____
Reqd Front Yd. <u>35</u>	_____	_____
Reqd. Side Yd. <u>15/30</u>	<u>Lot 1 5.25</u>	<u>10.75</u>
Reqd. Rear Yd. <u>40</u>	<u>Lot 2 5.25</u>	<u>10.75</u>
Reqd. Street Frontage* <u>60</u>	_____	_____
Max. Bldg. Hgt. <u>35</u>	_____	_____
Min. Floor Area* <u>1,000</u>	_____	_____
Dev. Coverage* <u>90 %</u>	_____	_____

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

File No. 87-50 → 565-5686 Date 1-20-88

To: Betty Poala
503 Union Avenue
New Windsor, N.Y. 12550
 562-7143 Rev. Spring

PLEASE TAKE NOTICE that your application dated 1-7-87
 for (Subdivision - Site Plan) Subdivision (minor)
 located at Union Ave, New Windsor, N.Y.

is returned herewith and disapproved for the following reasons.

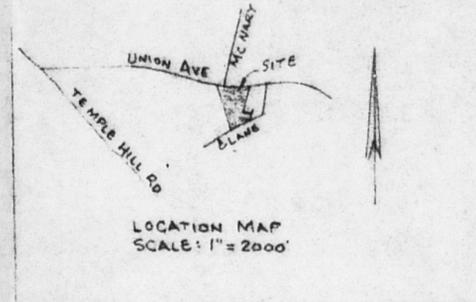
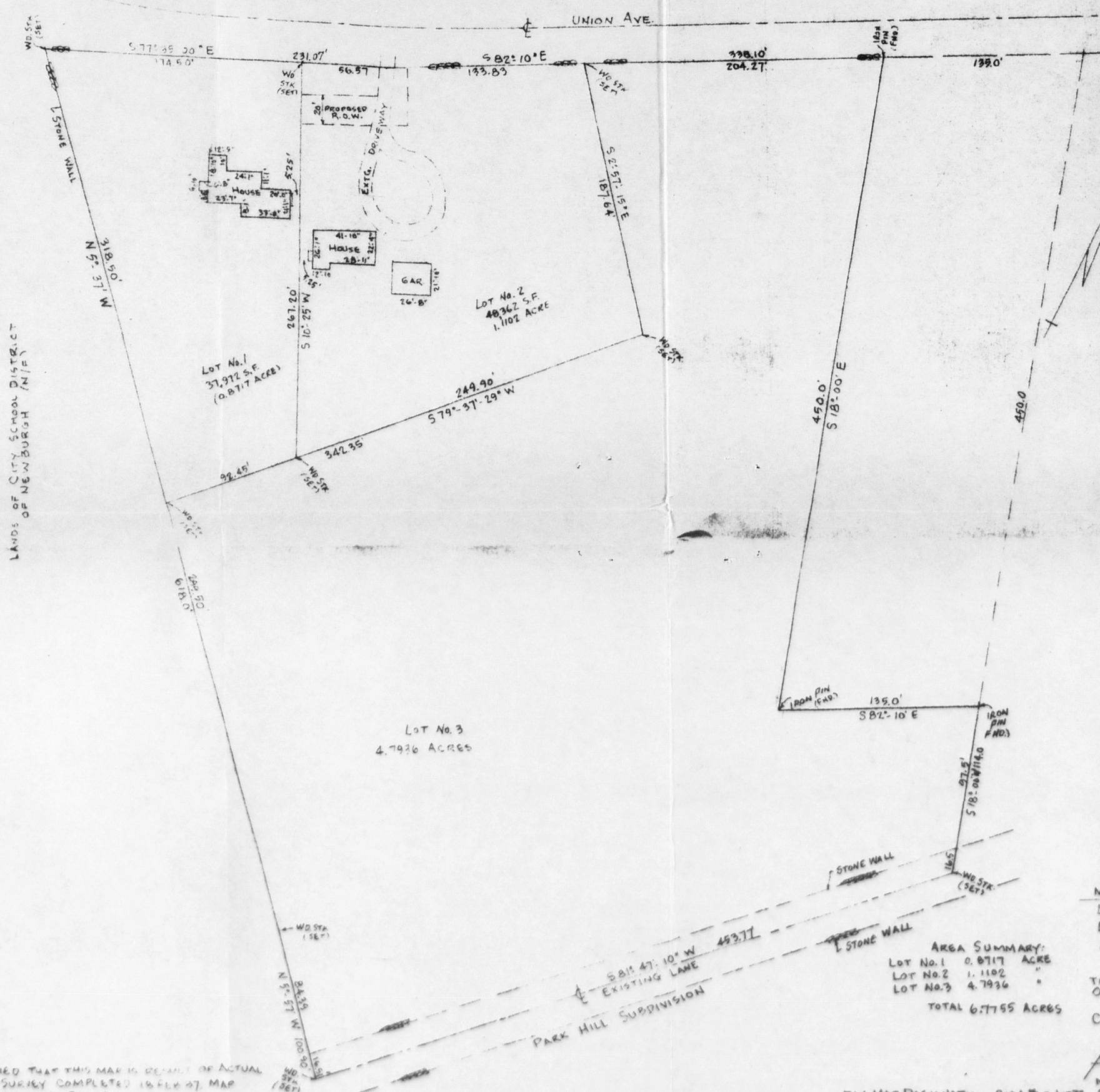
R4 Zone by subdividing property, insufficient side yards for both lots

Henry Scheile
 Planning Board Chairman

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>15,000</u>		
Min. Lot Width <u>100</u>		
Req'd Front Yd. <u>35</u>		
Req'd. Side Yd. <u>15/30</u>	<u>Lot 1 5.25</u>	<u>10.75</u>
Req'd. Rear Yd. <u>40</u>	<u>Lot 2 5.25</u>	<u>10.75</u>
Req'd. Street Frontage* <u>60</u>		
Max. Bldg. Hgt. <u>35</u>		
Min. Floor Area* <u>1,000</u>		
Dev. Coverage* <u>30 %</u>	<u>%</u>	<u>%</u>
Floor Area Ratio <u>N/A</u>		

* Residential Districts only

** Non-residential Districts only



LANDS OF CITY SCHOOL DISTRICT OF NEWBURGH (N/E)

CERTIFIED THAT THIS MAP IS RESULT OF ACTUAL FIELD SURVEY COMPLETED 19 FEB 87. MAP COMPLETED 23 FEB 87

AREA SUMMARY:

LOT No. 1	0.8717	ACRE
LOT No. 2	1.1102	"
LOT No. 3	4.7936	"
TOTAL 6.7755 ACRES		

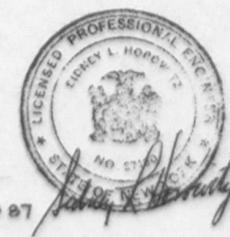
SURVEY
MINOR SUBDIVISION
LANDS OF
ELIZABETH PAOLA
502 UNION AVE.

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

CERTIFIED CORRECT:

Anthony L. Amore, C.E.

PE 8527130
MONTICELLO, N.Y. 23 FEB 87



TAX MAP DESIGNATION: SECA BL2, LOTZ