

**ZB# 89-50**

**Stanley Zgrodek**

**49-6-8**

# 89-50 - Zgoddek, Stanley - Road frontage

Return: - 1/16

Oct. 23rd

Motion to hold  
P.H. on completion  
of paperwork.

App. furnished 10/23/89

No OCPL.

Notice del'd to  
Sentinel on 10/25/89.

Public Hearing

Nov. 13, 1989.

Fee Paid

20 ft.  
Front yard  
Variance &  
Street frontage  
Variance  
Granted on  
11/13/89.

# General Receipt

11035

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

Nov. 22 19 89

Received of Nagar Homes (Zgodet Stanley) \$ 25.00

Twenty-five and 00/100 DOLLARS

For ZBA Application, Dec #89150

DISTRIBUTION

FUND	CODE	AMOUNT
<u>CP# 6732</u>		<u>25.00</u>

By Pauline N. 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 VARIANCES

STANLEY A. ZGRODEK

#89-50.

-----x

WHEREAS, STANLEY A. ZGRODEK, residing at 6 Rocky Lane, New Windsor, N. Y. 12550, has made application before the Zoning Board of Appeals for a 20 ft. front yard and 60 ft. street frontage variance to construct a single-family residence on Rocky Lane located in R-4 zone; and

WHEREAS, a public hearing was held on the 13th day of November, 1989 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared with his contractor, Mr. Ben Hagar of Hagar Homes, Inc.; 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 permission to vary the bulk regulations with regard to front yard and required street frontage in order to construct a single-family residence in an R-4 zone.

3. The evidence presented by Applicant substantiated the fact that a variance for less than the allowable front yard and required street frontage would be required in order for Applicant to construct the proposed structure which otherwise would conform to the bulk regulations contained in the R-4 zone and rejection of same would cause practical difficulty since the relief sought by Applicant is not substantial in relation to the required bulk regulations.

*see attached*  
~~4. The evidence presented by the Applicant further shows that an easement through a cul-de-sac at the end of Rocky Lane allows ingress and egress to the lot in question. And, also, applicant delivered a gratuitous easement (10 ft. in width) to the Town of New Windsor so that a sewer line could be placed within the front portion of the property.~~

5. The requested variances will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

9. The requested variances will produce no effect on the population density or governmental facilities.

10. That there is no other feasible method available to Applicant which can produce the necessary results other than the variance procedure.

11. The interest of justice would be served by allowing the granting of the requested variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 20 ft. front yard and 60 ft. street frontage variance sought by 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 applicant.

Dated: November 27, 1989.

---

Chairman

(ZBA DISK#1-053085.FD)

4. The evidence presented by the Applicant further shows that the applicant's father and mother acquired Title to the subject parcel in 1959 and the same was described as an 88.76' by 80' lot, fronting on a proposed roadway 50' in width, together with an easement of ingress and egress over said proposed roadway. The proposed roadway was never extended beyond a cul-de-sac at the end of Rocky Lane and thus the proposed frontage <sup>on the subject premises</sup> ~~never~~ never materialized.

5. The evidence presented by the Applicant further shows that the subject parcel was created by deed prior to the adoption of a Zoning Local Law by the Town of New Windsor.

6. The current Tax map for the Town of New Windsor shows the subject parcel as a 138.8' by 80' lot, i.e. the area of the lot, as it appears on the Tax map, includes the

originally described lot, plus  
the area of the proposed  
roadway 50' in width. There  
there is still no street frontage,  
but only the easement of ingress  
and egress.

7. The Applicant thus requires  
a 60' street frontage variance  
in order to construct a single-  
family residence on the subject  
lot with no street frontage,  
as well as a 20' front yard  
variance in order to site the  
house in conformity with other  
existing houses on Rocky Lane.

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 89-50

Date: 10/25/89

I. Applicant Information:

- (a) STANLEY A. ZGRODEK, 6 Rocky Lane, New Windsor, N.Y. 12550 x  
(Name, address and phone of Applicant) (Owner)
- (b) -  
(Name, address and phone of purchaser or lessee)
- (c) -  
(Name, address and phone of attorney)
- (d) Hagar Homes, Inc. - Frozen Ridge Road, Newburgh, N.Y. 12550  
(Name, address and phone of ~~broker~~ contractor)

II. Application type:

- Use Variance  Sign Variance
- Area Variance  Interpretation

III. Property Information:

- (a) R-4 Rocky Lane 49-6-8 80 x 130+  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? n/a
- (c) Is a pending sale or lease subject to ZBA approval of this application? no
- (d) When was property purchased by present owner? 1959
- (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: n/a

- (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. H.

Requirements	Proposed or Available	Variance Request
Min. Lot Area	_____	_____
Min. Lot Width	_____	_____
Reqd. Front Yd.	_____	_____
Reqd. Side Yd. <u>/</u>	<u>/</u>	<u>/</u>
Reqd. Rear Yd.	_____	_____
Reqd. Street Frontage*	<u>60 ft.</u>	<u>60 ft.</u>
Max. Bldg. Hgt.	<u>0</u>	_____
Min. Floor Area*	_____	_____
Dev. Coverage* <u>%</u>	<u>%</u>	<u>%</u>
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.

(See annexed schedule)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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.

- (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. Interpretation: n/a

- (a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

- (b) Describe in detail the proposal before the Board:

---



---



---



---



---

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.)

Applicant proposes construction of a single-family residential dwelling which will be in strict conformance with the neighboring properties and will actually enhance the surrounding properties.

---



---

IX. Attachments required:

- x   Copy of letter of referral from Bldg./Zoning Inspector.
- x   Copy of tax map showing adjacent properties.
- x   Copy of ~~contract of sale leasehold interest agreement~~ Deed.
- x   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.
- n/a   Copy(ies) of sign(s) with dimensions.
- x   Check in the amount of \$25.00 payable to TOWN OF NEW WINDSOR.
- x   Photos of existing premises which show all present signs and landscaping.



SCHEDULE ANNEXED TO APPLICATION FOR AREA VARIANCE (60 FT. ROAD FRONTAGE)- RE: ZGRODEK, STANLEY A.

Applicant is seeking a 60 ft. road frontage variance in order to permit construction of a single-family residence in an R-4 zone to be located at the end of Rocky Lane, past an existing cul-de-sac. The lot in question has ingress and egress through a 50 ft. wide right-of-way. Attached hereto and marked Exhibit A is a copy of a plot plan depicting the right-of-way. Also, Applicant, on February 13, 1977, gave a gratuitous easement for construction of a sanitary sewer line for use of Sewer District #22, which easement runs parallel to the front portion of the Zgrodek lot. Copy of easement is annexed hereto as Exhibit B.

Applicant respectfully submits to the Zoning Board of Appeals the following in response to the question of practical difficulties:

1. The request for road frontage is very minimal when you consider that there is a right-of-way for ingress and egress and a sewer easement located on the front portion of the property. Applicant intends to construct the dwelling with sufficient setback to allow for continuity with the adjacent lots.

2. The effect, if the variance is allowed, of the increased population density thus produced on available governmental facilities is also minimal. Since the request is for a single family dwelling, there would be no significant increase in the demand on public facilities beyond the demand which can presently be met.

3. There will be no substantial change in the character of the neighborhood which is residential in nature (R-4). A single family residential dwelling will add to the continuity of the neighboring lots.

4. The difficulty herein cannot be obviated by some other feasible method for Applicant to pursue other than the variance requested.

5. The interest of justice would be served by allowing the proposed variance to be granted since Applicant had previously granted a gratuitous easement for construction of a sanitary sewer through the front portion of the property in question, which easement would be deducted from the amount of frontage which Applicant would normally utilize.

Considering the above points concerning practical difficulty, Applicant requests that the 60 ft. road frontage variance be granted by the Zoning Board of Appeals.

N/F McQUADE FOUNDATION  
L. 1441, P. 534

N/F A.C.F.M. REALTY  
L. 1549, P. 554

N 31° 58' 00" W 80.00'

N 58° 02' 00" E 138.76'

S 31° 58' 00" E 80.00'

N/F ORDER OF ST. HELENA  
L. 1546, P. 297

ROCKY LAKE

EASEMENT FOR WGRESS  
AND EGRESS TO ROCKY  
LAKE

TOWN OF NEW WINDSOR  
SANITARY SEWER  
EASEMENT

CENTERLINE OF  
SANITARY SEWER

42'  
PROPOSED  
ONE FAMILY  
FRAME  
DWELLING

TRIP DRIVE

STONE WALL

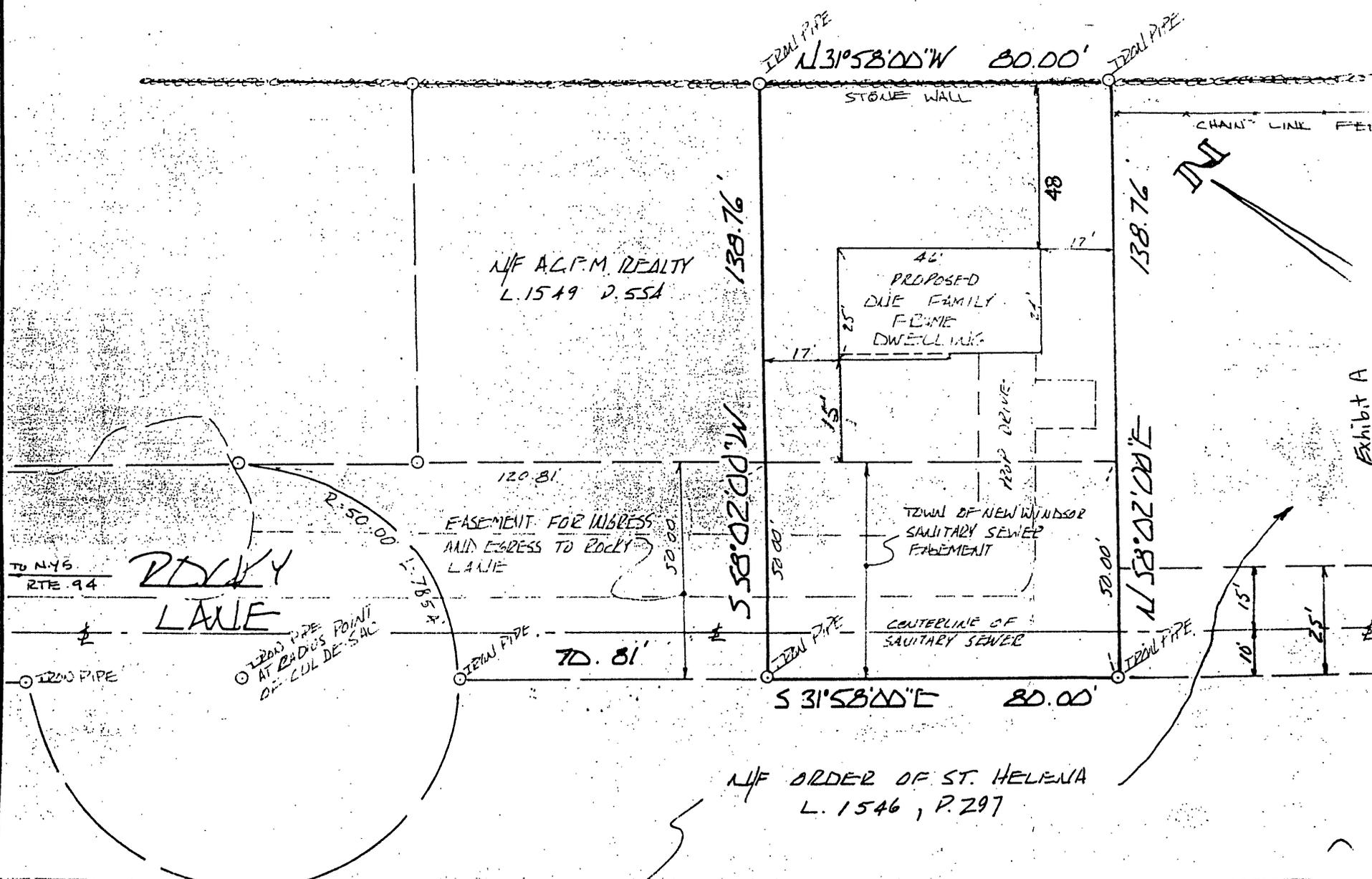
CHAIN LINK FENCE

Exhibit A

TO NYS  
RTE 94

IRON PIPE  
AT BOUNDARY POINT  
DE L'ÉCUL DE SAC

SAN MATEO, CA 94402



*0 Tatty for recording*

E A S E M E N T

EASEMENT granted this *13th* day of *February*, 1977, in consideration of the sum of ONE (\$1.00) DOLLAR, the payment of which is waived, the undersigned,

CLARA ZGRODEK, residing at 6 Rocky Lane, Town of New Windsor, Orange County, New York,

hereinafter called "Grantor," hereby grants unto the TOWN OF NEW WINDSOR, hereinafter called the "Grantee", a municipal corporation having its office at No. 555 Union Avenue, Town of New Windsor, Orange County, New York, for the use of Sewer District No. 22, a perpetual right-of-way and right of entry to enter upon and lay, install, operate, maintain and replace a pipe, pipeline, manhole or manholes, and appurtenances for conveying sewage under the property of the grantor which is described in Schedule A hereto attached.

The Grantor reserves the right to use and enjoy the said premises, except for the rights and privileges herein described and granted, provided that such use shall not interfere with or cause injury or damage to the said sewer line or appurtenances thereto.

This Easement is made upon the following expressed conditions and reservations which shall run with the land and be binding upon and inure to the benefit of the Grantor and the Grantee and their respective successors, heirs or assigns;

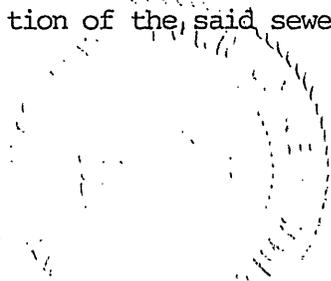
- (a) That the Grantee shall, at its own cost and expense after completion of the original construction and the completion of any future repairs to the sewer line, restore the surface of said lands and premises to substantially the same conditions as before such construction or repairs.

(b) That the sewer line and appurtenances placed in or under said right of way shall, at all times, remain the property of the Town of New Windsor and under its control and supervision and the Grantor and its successors and assigns shall not interfere with or cause injury or damage to said sewer line or appurtenances.

(c) That the Grantor shall have the right to enter at any manhole or other location along the sewer line easement for the purpose of connecting to the said sewer line.

(d) That the Grantor shall have the right to place a road over or across the location of the aforesaid sewer line easement and also the right to pave any section of the said sewer line easement area for the purpose of parking facilities.

(e) That the Grantee agrees to provide reasonable and necessary surface water drainage facilities including the installments of culverts to prevent any flooding or ponding on the property of the Grantor caused by the construction and location of the said sewer line.



Will

Alvie W. Rainey  
Councilman Alvie W. Rainey

M. William Lahey  
Councilman M. William Lahey

G. J. Manuche  
Councilman George Manuche

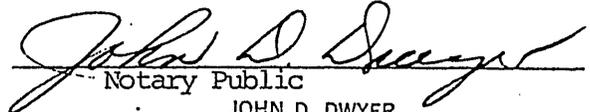
Anthony Marshall  
Councilman Anthony Marshall

Clara Zgrodek  
CLARA ZGRODEK

William J. Larkin, Jr.  
TOWN OF NEW WINDSOR  
By: William J. Larkin, Jr., Supervisor

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF ORANGE )

On this 13<sup>th</sup> day of February, 1977 before me personally came, STANLEY A. ZGRODEK and CLARA ZGRODEK to me known and known to me to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same.

  
Notary Public  
JOHN D. DWYER  
Notary Public, State of New York  
No. 4617581  
Qualified in Orange County  
Commission Expires March 30, 1977

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF )

On this \_\_\_\_\_ day of \_\_\_\_\_, 197 before me personally came, \_\_\_\_\_ to me known and known to me to be the person described in and who executed the foregoing instrument and acknowledged that \_\_\_\_\_ executed the same.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF ORANGE )

On this \_\_\_\_\_ day of \_\_\_\_\_, 197 before me personally came, \_\_\_\_\_, to me known, who, being by me duly sworn, did depose and say that he resides at \_\_\_\_\_ Orange County, New York, and who executed the foregoing instrument and acknowledged that he executed the same.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK )  
COUNTY OF ORANGE )

SS.:

On the 3 day of Mar, 197<sup>7</sup>, before me personally  
came WILLIAM J. LARKIN, JR.

to me known, who being by me duly sworn, did depose and say that he resides  
at No. ONA LANE, TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

that he is the Supervisor

of the Town of New Windsor

municipal  
the corporation described in and which executed the foregoing instrument;

that he knows the seal of said corporation; that it was so affixed by

order of the board of directors of said corporation, and that he signed

his name thereto by like order.

Julius M. Tucker  
Notary Public

DESCRIPTION OF SANITARY SEWER EASEMENT THROUGH LANDS OF STANLEY & CLARA ZGRODEK, LOT 8, BLOCK 6, SECTION 49, TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

---

BEGINNING at a point, said point being the northwesterly corner of lands of the grantor; and running thence,

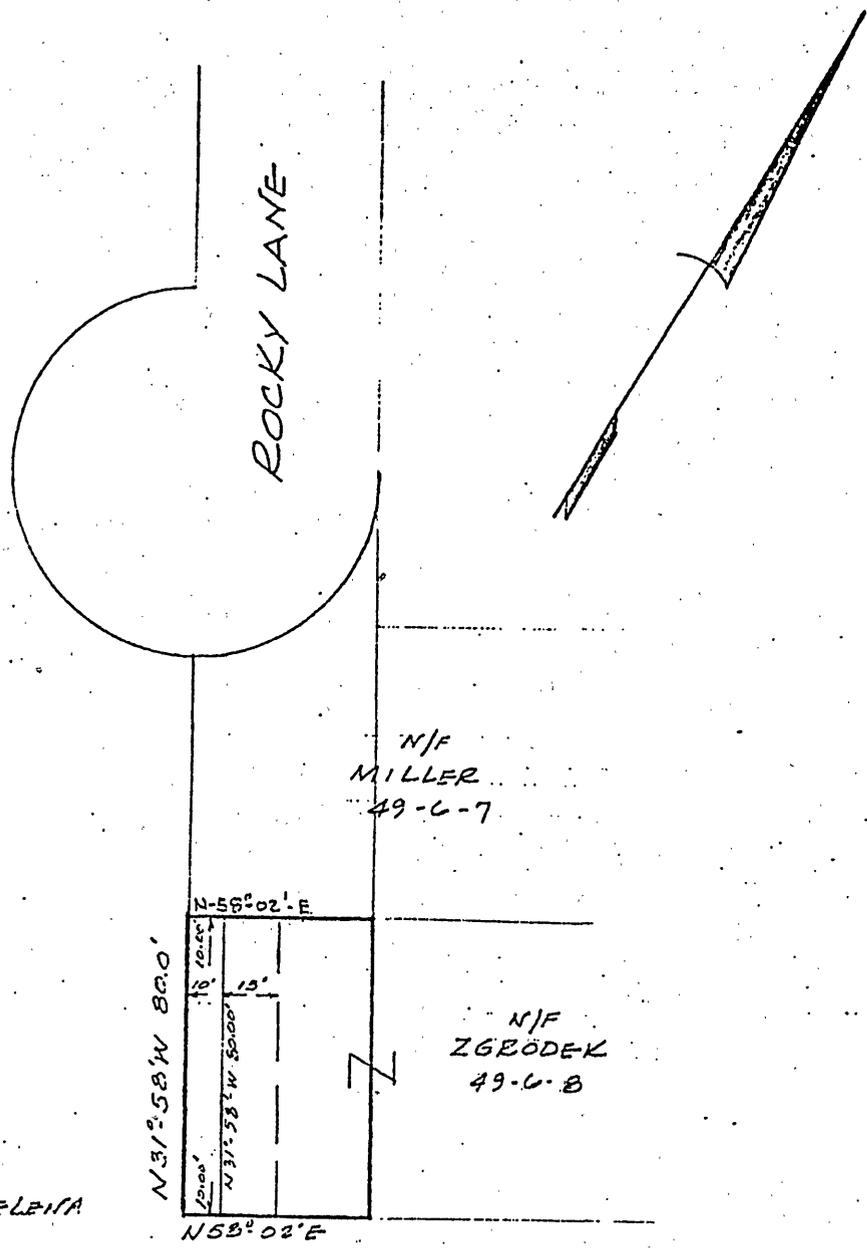
- 1) N 58° 02' E, 10.00 feet along the lands now or formerly of Miller to a point; thence,
- 2) S 31° 58' E, 80.00 feet through the lands of the grantor to a point; thence,
- 3) S 58° 02' W, 10.00 feet along the lands now or formerly of the Order of St. Helena to a point; thence,
- 4) N 31° 58' W, 80.00 feet along the same to the point or place of beginning.

WEHRAN ENGINEERING, P. C.  
Project No. P-75100  
January 13, 1977

/jmf

TOGETHER with a temporary construction easement on either side of, and parallel to, said permanent easement as shown on the accompanying map entitled, "Map of Lands of Stanley & Clara Zgrodek for Easement Acquisition, Sanitary Sewer District No. 22, Town of New Windsor, Orange County, New York", by Wehran Engineering, P. C. Said map to be filed as part of this document.

AND DEED INFORMATION. THE PROPERTY AS SHOWN IS FROM DEED INFORMATION, AND THE DIMENSIONS THEREOF ARE NOT TO BE CONSTRUED AS A PROPERTY SURVEY OF THAT PARCEL.



UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS MAP IS A VIOLATION OF SECTION 7209, SUB-SECTION 2, OF THE N.Y. STATE EDUCATION LAW.

N/F  
ORDER OF ST. HELENA  
43-6-9

N/F  
MILLER  
49-6-7

N/F  
ZGRÓDEK  
49-6-8

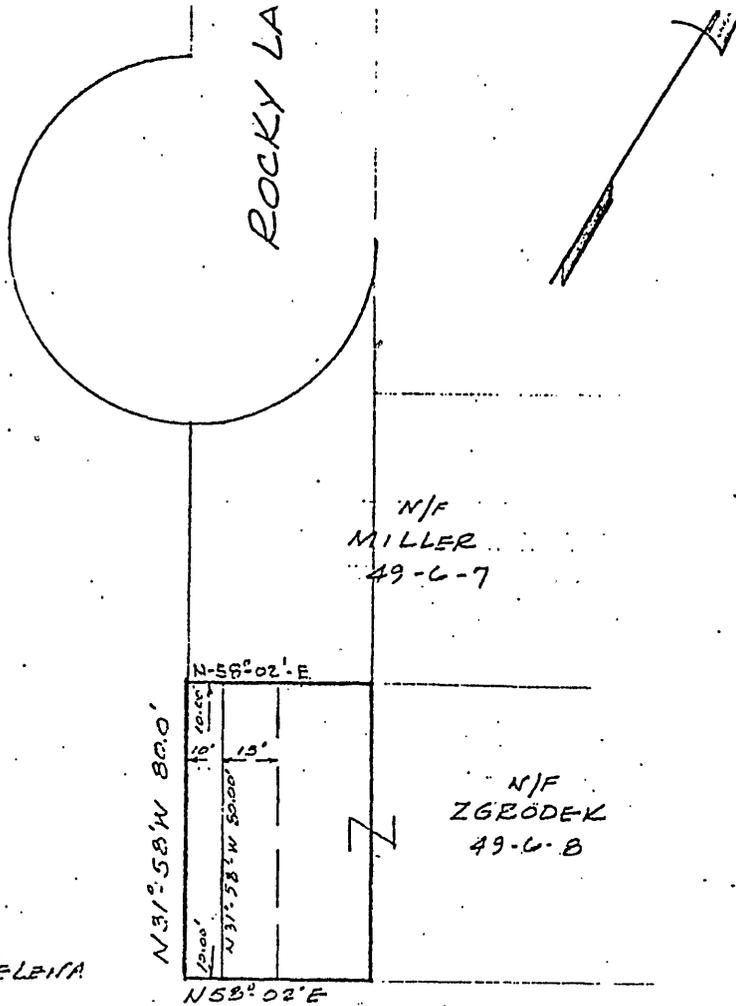
*Fred L. Wehman, Jr.* 12/14/76  
FRED L. WEHEAN, J.R. L.S. No. 49067 DATE

LEGEND

- PROPERTY LINE
- PERMANENT EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

TAX MAP SECT. 49 BLOCK 6 LOT 8  
DEED. LIBER 1549 PAGE 550

MAP OF  
LANDS OF STANLEY ZGRÓDEK & CLARA ZGRÓDEK H/W



UNAUTHORIZED ALTERATIONS OR ADJUSTMENTS  
 THIS MAP IS A VIOLATION OF SECTION 2, OF THE N.Y. STATE ENGINEERING LAW

*Fred L. Wehran, Jr.* 12/14/76  
 FRED L. WEHRAN, J.R. L.S. Lic. No. 49067 DATE

**LEGEND**

- PROPERTY LINE
- PERMANENT EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

TAX MAP SECT. 49 BLOCK 6 LOT 8  
 DEED. LIBER 1549 PAGE 550

**MAP OF**  
**LANDS OF STANLEY ZGRODEK & CLARA ZGRODEK H/W**  
**FOR**  
**EASEMENT ACQUISITION**  
**SANITARY SEWER DISTRICT NO. 22**  
**TOWN OF NEW WINDSOR, ORANGE COUNTY, N.Y.**

SURVEYED J.R.  
 DESIGNED \_\_\_\_\_  
 DRAWN J.R.  
 CHECKED J.R.



**WEHRAN ENGINEERING**

*Consulting Engineers & Land Surveyors*

MAHWAH, N.J.

MIDDLETOWN, N.Y.

SCALE 1" = 50'  
 DATE \_\_\_\_\_  
 PROJ. NO. \_\_\_\_\_  
P-75100

N/F McQUADE FOUNDATION  
L. 1441, P. 534

TAX MAP DATA:

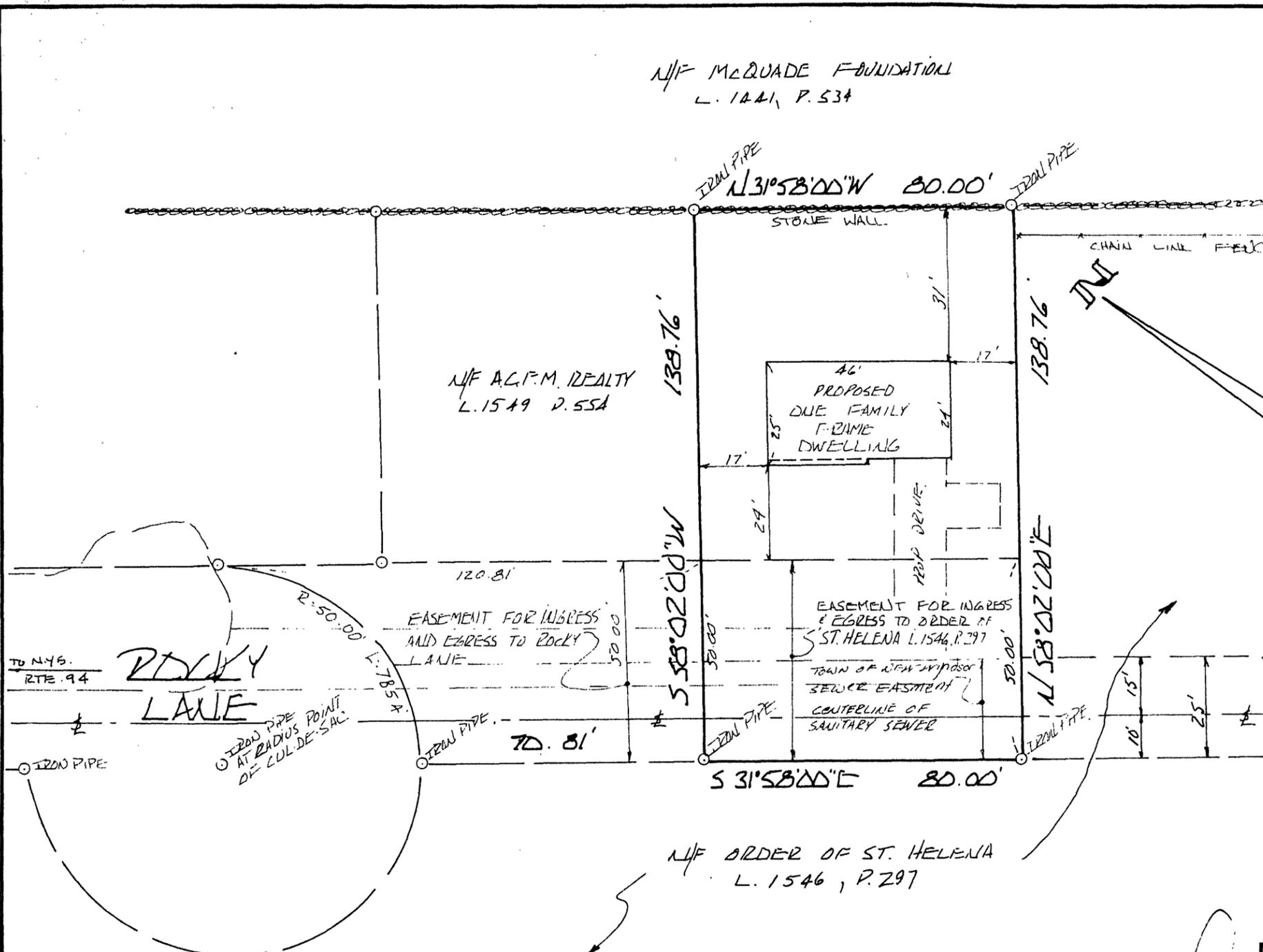
SECTION : 49  
BLOCK : 6  
LOT : 8

DEED REFERENCE:

LIBER 1549, PAGE 550  
LIBER 1549, PAGE 546

LOT AREA:

11,097 S.F.



N/F A.G.F.M. REALTY  
L. 1549 P. 554

46'  
PROPOSED  
DUE FAMILY  
FRAME  
DWELLING

EASEMENT FOR INGRESS  
& EGRESS TO ROCKY  
LANE

EASEMENT FOR INGRESS  
& EGRESS TO ORDER OF  
ST. HELENA L. 1546, P. 297

TOWN OF NEW WINDSOR  
SEWER EASEMENT  
CENTERLINE OF  
SAUNTERY SEWER

N/F ORDER OF ST. HELENA  
L. 1546, P. 297

1. Violation of alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7207, sub-division 2 of the N.Y. State Education Law.
2. Only copies from the original of this survey marked with an original of the land surveyor's inked seal or his unique seal shall be considered to be valid true copies.
3. Certifications indicated hereon certify that this survey was prepared in accordance with the existing laws of the State of New York and the laws of the New York State Association of Professional Land Surveyors. This certification is given only to the persons for whom the survey is prepared, to their heirs, assigns, successors, company, governmental agency and lending institution, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owner.
4. Building, ground improvements or encroachments, if any, are not shown hereon.

TO CLARA M. ZGRODEK, AND  
THE TOWN OF NEW WINDSOR  
CERTIFIED TO BE A CORRECT AND  
ACCURATE SURVEY.

SEPT. 11, 1989



Patrick T. Kennedy, L.S.		
219 QUINSAK AVE. • NEW WINDSOR • NEW YORK - 12550		
SCALE 1" = 30'	APPROVED BY	DRAWN BY
DATE FEB. 20, 1988		REVISED Nov. 9, 1989
SURVEY OF LANDS FOR <b>CLARA M. ZGRODEK</b>		
TOWN OF NEW WINDSOR ORANGE COUNTY • NEW YORK		DRAWING NUMBER <b>88-88</b>

DATA/PRINT CORP. 700 SO. CLAREMONT ST. SAN MATEO, CA 94402

# Patrick T. Kennedy, L.S.

PROFESSIONAL LAND SURVEYOR  
219 QUASSAICK AVENUE, SUITE 5 SQUIRE VILLAGE SHOPPING CENTER NEW WINDSOR, NEW YORK 12550  
(914) 562-6444

November 9, 1989

Clara M. Zgrodek  
Rocky Lane  
New Windsor, New York 12550

RE: Explanation of easements and right of ways across land  
on Rocky Lane, Town of New Windsor  
Tax Map Section 49, Block 6, Lot 8

Dear Mrs. Zgrodek;

The following is an explanation of where the above referenced easements and right of ways were plotted from:

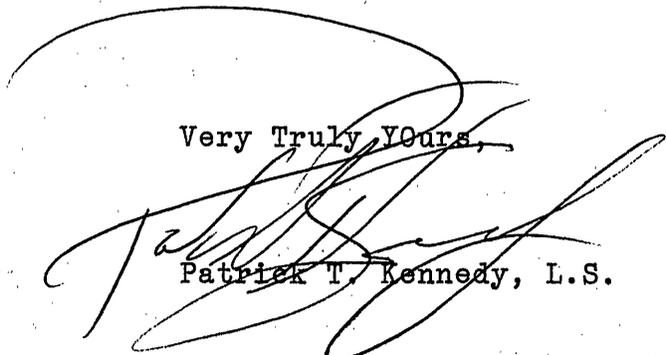
A: 1). Deed L.1546 P.297 - The Order of St. Helena had a map attached showing a 25 feet easement around the sewer line crossing said property. This easement was extended across your lot and lands of ACFM Realty to Rocky Lane.

2). Said deed also calls for a 50 footwide easement for ingress & egress to Rte 94, from their property across adjoining lands.

B: 1). Deed L.1549, P.550 - Zgrodek - calls for a 50 footwide right of way across lands of A.C.F.M. Realty (Metes & Bounds description) for ingress and egress and to use and maintain the sewer line under said parcel.

PTK:er

Very Truly Yours,

  
Patrick T. Kennedy, L.S.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

15

October 31, 1989

Hager Homes  
9 Frozen Ridge Rd.  
Newburgh, NY 12550

Re: Stanley Zgrodek - Parcel #49-6-8  
Variance List 500 ft.

Dear Mr. Hager:

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 \$35.00, minus your deposit of \$25.00.

Please remit balance of \$10.00 to the Town Clerk, Town of New Windsor, NY.

Sincerely,

*Leslie Cook*  
LESLIE COOK  
Sole Assessor

LC/po  
Enc.  
cc: Patricia Barnhart

(15)

The Order of St. Helena ✓  
PO Box 426  
Vails Gate, NY 12584

The McQuade Foundation ✓  
PO Box 4064  
New Windsor, NY 12550

George J. & Anna. M. Bak ✓  
5 Rocky Lane  
New Windsor, NY 12550

Arthur & Renee Miller ✓  
7 Rocky Lane  
New Windsor, NY 12550

Marilyn Maisonet ✓  
9 Rocky Lane  
New Windsor, NY 12550

ACFM Realty Ltd. ✓  
196 Quassaick Avenue  
New Windsor, NY 12550

William G. & Anna Preston ✓  
8 Rocky Lane  
New Windsor, NY 12550

Joseph V. Deering  
4 Rocky Lane  
New Windsor, NY 12550

Wing & Lois Sato ✓  
104 Shaker Ct., No.  
New Windsor, NY 12550

Andoom Development Co., Inc. ✓  
33 Sweet Briar Rd.  
Stamford, CT 06905

James A. & Jennifer A. Marotta ✓  
108 Shaker Ct.  
New Windsor, NY 12550

John & Doris Bjorkman ✓  
107 Shaker Ct., No.  
New Windsor, NY 12550

Michael S. & Patricia A. Kane ✓  
105 Shaker Ct., No.  
New Windsor, NY 12550

Raymond P. & Virginia M. Dolan ✓  
103 Shaker Ct., No.  
New Windsor, NY 12550

George R. & Donald T. Krom, Jr. ✓  
11 Maple Ave.  
Cornwall-on-Hudson, NY 12520

# This Indenture,

Made the 6th day of October, nineteen hundred and fifty-nine

Between JOSEPH CIMORELLI and MARIE CIMORELLI, both residing at (No Number) Route 94, in the Town of New Windsor, Orange County, New York, husband and wife,

parties of the first part, and  
STANLEY A. ZGRODEK and CLARA M. ZGRODEK, husband and wife, both residing at 22 Meriline Avenue, Town of New Windsor, Orange County, New York,

parties of the second part:

Witnesseth, that the parties of the first part, in consideration of TEN (\$10.00) ----- Dollars, lawful money of the United States, and other good and valuable consideration, paid by the parties of the second part, do hereby grant and release unto the parties of the second part, their heirs and assigns forever, Parcel No. 1

All that certain piece or parcel of land, situate, lying and being in the Town of New Windsor, Orange County, New York, more particularly bounded and described as follows:

BEGINNING at a point in the easterly line of lands of St. Helena Convent, the said point being a distance of 302.59 feet measured on a course South 32° 28' East along said line from the southerly line of Blooming Grove Turnpike (Route 94), and runs thence from said point of beginning along said Convent lands South 32° 28' East 97.93 feet to a point of bend in said Convent lands; thence North 75° 46' East 105.36 feet to a point in the westerly line of a proposed roadway 50 feet wide which leads in a southerly direction from Route #94 into lands formerly of Joseph Cimorelli and Marie Cimorelli; thence along said land North 31° 58' West 130 feet to a point; thence South 58° 02' West 101.20 feet to the point or place of beginning.

SUBJECT to a mortgage now a first lien on the foregoing described premises executed April 25, 1958 by Joseph Cimorelli and Marie Cimorelli as mortgagors to Newburgh Savings Bank, Newburgh, New York, as mortgagee, in the amount of \$12,000. with interest, recorded in the office of the Clerk of Orange County in Liber 1248 of Mortgages at Page 172, which the grantees hereby assume and agree to pay to the extent of \$10,000. thereof.

Parcel No. 2

ALL that certain piece or parcel of land, situate, lying and being in the Town of New Windsor, Orange County, New York, more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of a proposed roadway 50 feet in width, which point is 735 feet measured on a course South 31° 58' East from the southerly side of Blooming Grove Turnpike (Route 94)

Between

JOSEPH CIMORELLI and MARIE CIMORELLI, both residing at (No Number) Route 94, in the Town of New Windsor, Orange County, New York, husband and wife,

parties of the first part, and

STANLEY A. ZGRODEK and CLARA M. ZGRODEK, husband and wife, both residing at 22 Meriline Avenue, Town of New Windsor, Orange County, New York,

parties of the second part:

Witnesseth, that the parties of the first part, in consideration of TEN (\$10.00) ----- Dollars, lawful money of the United States, and other good and valuable consideration, paid by the parties of the second part, do hereby grant and release unto the parties of the second part, their heirs and assigns forever, Parcel No. 1

ALL that certain piece or parcel of land, situate, lying and being in the Town of New Windsor, Orange County, New York, more particularly bounded and described as follows:

X

BEGINNING at a point in the easterly line of lands of St. Helena Convent, the said point being a distance of 302.59 feet measured on a course South 32° 28' East along said line from the southerly line of Blooming Grove Turnpike (Route 94), and runs thence from said point of beginning along said Convent lands South 32° 28' East 97.93 feet to a point of bend in said Convent lands; thence North 75° 46' East 105.36 feet to a point in the westerly line of a proposed roadway 50 feet wide which leads in a southerly direction from Route #94 into lands formerly of Joseph Cimorelli and Marie Cimorelli; thence along said land North 31° 58' West 130 feet to a point; thence South 58° 02' West 101.20 feet to the point or place of beginning. X

SUBJECT to a mortgage now a first lien on the foregoing described premises executed April 25, 1958 by Joseph Cimorelli and Marie Cimorelli as mortgagors to Newburgh Savings Bank, Newburgh, New York, as mortgagee, in the amount of \$12,000. with interest, recorded in the office of the Clerk of Orange County in Liber 1248 of Mortgages at Page 172, which the grantees hereby assume and agree to pay to the extent of \$10,000. thereof.

Parcel No. 2

ALL that certain piece or parcel of land, situate, lying and being in the Town of New Windsor, Orange County, New York, more particularly bounded and described as follows:

X

BEGINNING at a point on the easterly side of a proposed roadway 50 feet in width, which point is 735 feet measured on a course South 31° 58' East from the southerly side of Blooming Grove Turnpike (Rt. 94) and runs thence along the easterly side of said proposed roadway South 31° 58' East 80 feet to a point; thence North 58° 02' East 88.76 feet to a point on the easterly boundary of lands of said Cimorelli; thence along said boundary North 31° 58' West 80 feet to a point; thence South 58° 02' West 88.76 feet to the point or place of beginning.

BEING portions of the premises described in a deed dated August 29, 1955 made by Martin O. Ogden and Gertrude L. Ogden to Joseph Cimorelli and Marie Cimorelli and recorded in the office of the Orange County Clerk on August 30, 1955 in Liber 1359 of Deeds at Page 193.

Together with the appurtenances and all the estate and rights of the parties of the first part, in and to the said premises.

To have and to hold the premises herein granted unto the parties of the second part, their heirs and assigns forever, as tenants by the entirety.

And said parties of the first part

covenant as follows:

First. That said parties of the first part are seized of the said premises in fee simple, and have good right to convey the same;

Second. That the parties of the second part shall quietly enjoy the said premises;

Third. That the said premises are free from incumbrances; except as herein stated.

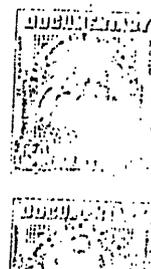
Fourth. That the parties of the first part will execute or procure any further necessary assurance of the title to said premises;

Fifth. That said parties of the first part will forever warrant the title to said premises.

Sixth. The grantors, in compliance with Section 13 of the Lien Law, covenant as follows: That they will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and that they will apply the same first to the payment of the cost of the improvement before using any part of the same for any other purpose.

In Witness Whereof the parties hereto have hereunto set their hand and seals the day and year first above written.

In the Presence of



Handwritten signatures and initials, each followed by "L.S." (Left Signature).

And said parties of the first part

covenant as follows:

First. That said parties of the first part are seized of the said premises in fee simple, and have good right to convey the same;

Second. That the parties of the second part shall quietly enjoy the said premises;

Third. That the said premises are free from incumbrances; except as herein stated.

Fourth. That the parties of the first part will execute or procure any further necessary assurance of the title to said premises;

Fifth. That said parties of the first part will forever warrant the title to said premises.

Sixth. The grantors, in compliance with Section 18 of the Lien Law, covenant as follows: That they will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and that they will apply the same first to the payment of the cost of the improvement before using any part of the same for any other purpose.

In Witness Whereof the parties have hereunto set their hand and seals the day and year first written.

In the Presence of



Joseph Cimorelli L.S.  
Marie Cimorelli L.S.  
Stanley A. Zgrodek L.S.  
Clara M. Zgrodek L.S.

State of New York

County of ORANGE

ss.:

On the 6th

October

, nineteen hundred and

before me

JOSEPH CIMORELLI, MARIE CIMORELLI,

STANLEY A. ZGRODEK and CLARA M. ZGRODEK,

, to me known

to be the individuals described in the foregoing instrument, and acknowledged that they executed the same.

William Pruslin

WILLIAM PRUSLIN  
NOTARY PUBLIC, STATE OF NEW YORK  
Residing in Orange County  
Commission Expires March 30, 1960

**PREVIOUS  
DOCUMENT  
IN POOR  
ORIGINAL  
CONDITION**

TOGETHER with an easement for all purposes of ingress and egress from the above described premises to Route 94 or Blooming Grove Turnpike, over said proposed roadway 50 feet in width adjoining each of the above described parcels, running northwesterly to Route #94 or Blooming Grove Turnpike.

SUBJECT to the terms and conditions of a certain grant dated August 27, 1957, made by Joseph Cimorelli and Marie Cimorelli to Central Hudson Gas & Electric Corporation and New York Telephone Company and recorded in Orange County Clerk's office on September 20, 1957 in Liber 1440 of Deeds at Page 88 insofar as said grant may affect the above described premises:

SUBJECT to ordinances of the Town of New Windsor.

Both parcels herein described are conveyed subject to a personal inspection of the premises and to such a state of facts as an accurate survey may show, provided title is not thereby rendered unmarketable.

TOGETHER with an easement to maintain and use a sewage line between the two foregoing described parcels under and across said proposed roadway.

SUBJECT to the terms and conditions of a certain grant dated August 27, 1957, made by Joseph Cimorelli and Marie Cimorelli to Central Hudson Gas & Electric Corporation and New York Telephone Company and recorded in Orange County Clerk's office on September 20, 1957 in Liber 1440 of Deeds at Page 88 insofar as said grant may affect the above described premises.

SUBJECT to ordinances of the Town of New Windsor.

Both parcels herein described are conveyed subject to a personal inspection of the premises and to such a state of facts as an accurate survey may show, provided title is not thereby rendered unmarketable.

TOGETHER with an easement to maintain and use a sewage line between the two foregoing described parcels under and across said proposed roadway.



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. 89-50

Request of STANLEY A. ZGRODEK

for a VARIANCE of

the regulations of the Zoning Local Law to

permit construction of one-family residential

dwelling with insufficient road frontage;

being a VARIANCE of

Section 48-12 - Table of Use/Bulk Regulations-Col. H

for property situated as follows:

Rocky Lane, New Windsor, N.Y. 12550

known and designated as tax map Sec. 49 - Blk. 6- Lot 8.

SAID HEARING will take place on the 13th day of  
November, 1989, at the New Windsor Town Hall,  
555 Union Avenue, New Windsor, N. Y. beginning at  
7:30 o'clock P. M.

JAMES NUGENT  
Chairman



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

Prelim:  
Oct, 23,  
89-50.

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT

1763

FILE NUMBER

89-40

49-6-8

TO:

HAGAN OR  
STANLEY ZGRODEK (owner) Jr.  
6 ROCKY LA  
NEW WINDSOR NY

- Bent Hagan - 1-6625.

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED No DATE

FOR PERMIT TO CONSTRUCT HOUSE

AT ROCKY LANE IS DISAPPROVED ON THE

FOLLOWING GROUNDS No ROAD FRONTAGE, QUESTIONABLE  
EMERGENCY VEHICLE ACCESS

ZONE

R-4

TYPE OF VARIANCE

REQUIREMENTS

60'

PROPOSED

0'

VARIANCE

60'

NOTE: No BUILDING PERMIT WILL ISSUED UNTIL  
INGRESS AND EGRESS HAS BEEN APPROVED  
BY LOCAL FIRE CHIEF

CALL PAT BARNHART (ZBA SECRETARY) AT 565-8550 FOR APPOINTMENT

Bill Puller

BUILDING/ZONING INSPECTOR

SECTION 49

SECTION 65

SECTION 72

SECTION 70

sect. 49

05-4464 (4494)

(1)

50A(C) SEC. 1/4 = 100' x 100'  
28.3 A(C)

CREAMERY DR

50.121  
17 A(C)

Moodna Development

(2)  
63  
5A

05-4495-4496 (4545)

The Order of Saint Helene

48  
46 A(C)

42  
58.9 A(C)

04-0028 (0078)

BUTTERNUT DR (PROG)  
OF

NEWBURGH CENTRAL

CREEK

COUNTY

NEW WINDSOR WATER DIST

CITY ROAD

1425 S CORNWALL

44.1

11.7 A(C)

Hill Pond Condominiums  
See Section 83

05-0600

45  
48.8 A(C)

49.5 A(C)

N 530.000  
E 578.000

05-0200 (250)

The State of New York

47  
42.2 A(C)

