

ZB# 99-8

Brian Maxwell

39-5-26

Pellin.

April 12, 1999.

#129/99
Office to Sentral

Public Hearing:

May 10, 1999.

Granted

Area

Variance

Refund: \$198.50

#99-8- Maxwell, Brian

Area
39-5-26.

© Wm. A. Rorer, 1989

DATE April 26, 1999 RECEIPT 039211

RECEIVED FROM Angela Owen Maxwell

Address Fifty and 20/100

FOR zoning board application fee DOLLARS \$50.00

79-8
Town Clerk

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	317.2
AMOUNT PAID		CHECK	50.00
BALANCE DUE		MONEY ORDER	

by Dorothy H. Hanan

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Maxwell, Brian

FILE# 99-8.

RESIDENTIAL: \$50.00 COMMERCIAL: \$150.00
INTERPRETATION: \$150.00

AREA X USE

APPLICATION FOR VARIANCE FEE \$ 50.00

*paid 4/26/99
ck #
3172*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00.

** 3172
4/26/99*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 4/12/99-4 \$ 18.00
2ND PRELIMINARY- PER PAGE 5/10/99-3 \$ 13.50
3RD PRELIMINARY- PER PAGE \$ _____
PUBLIC HEARING - PER PAGE \$ _____
PUBLIC HEARING (CONT'D) PER PAGE \$ _____
TOTAL \$ 31.50

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 4/12/99 \$ 35.00
2ND PRELIM. 5/10/99 \$ 35.00
3RD PRELIM. \$ _____
PUBLIC HEARING \$ _____
PUBLIC HEARING (CONT'D) \$ _____
TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____
TOTAL \$ 101.50

LESS ESCROW DEPOSIT \$ 300.00.
(ADDL. CHARGES DUE) \$ _____
REFUND DUE TO APPLICANT . \$ 198.50.

Angela Maxwell
Brian W. Maxwell
Ph. 914-562-9037
13 Hudson Dr.
New Windsor, NV 12553

50-7131/2219 3172

Date 4/26/99

Pay to the order of Town of New Windsor \$50⁰⁰/100

Fifty dollars and ⁰⁰/100

Dollars

WALDEN SAVINGS BANK
131 EAST MAIN STREET
WASHINGTONVILLE, NEW YORK 10992

For ZBA #99-8 Angela Maxwell

⑆221971316⑆06 03 022399⑆ 3172

Angela Maxwell
Brian W. Maxwell
Ph. 914-562-9037
13 Hudson Dr.
New Windsor, NV 12553

50-7131/2219 3173

Date 4/26/99

Pay to the order of Town of New Windsor \$300⁰⁰/100

Three hundred dollars and ⁰⁰/100

Dollars

WALDEN SAVINGS BANK
131 EAST MAIN STREET
WASHINGTONVILLE, NEW YORK 10992

For ZBA #99-8 Angela Maxwell

⑆221971316⑆06 03 022399⑆ 3173

In the Matter of the Application of

BRIAN MAXWELL

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#99-14.

WHEREAS, BRIAN MAXWELL, residing at 13 Hudson Drive, New Windsor, New York, N. Y. 12553, has made application before the Zoning Board of Appeals for a 7 ft. 6 in. side yard and 5 ft. 5 in. rear yard variance for an existing shed, and 13 ft. rear yard variance for an existing deck at the above single-family residence in an R-4 zone; and

WHEREAS, a public hearing was held on the 12th day of April, 1999 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Mr. and Mrs. Brian Maxwell appeared for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

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

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in an R-4 zone neighborhood containing one-family homes.

(b) The deck on the property has been in existence for approximately six years and the shed approximately ten years.

(c) The shed and deck are consistent with and similar to other sheds and decks in the neighborhood.

(d) Neither the shed nor deck create any water hazards, ponding or collection of water

or interfere with water drainage.

(e) There have been no complaints, either formal or informal, about the shed or deck.

(f) Neither the shed nor deck is built on the top of any septic or well, sewer or water easement.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 7 ft. 6 in. side yard and 5 ft. 5 in. rear yard variance for an existing shed, and a 13 ft. rear yard variance for an existing deck at the above address, in an R-4 zone as sought by the 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: June 14, 1999.



Chairman

Date 5/12/99, 19.....

TOWN OF NEW WINDSOR
TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO James Roth DR.
168 N. Cayuga Road Newburgh Ny 12550

DATE		CLAIMED	ALLOWED
5/10/99	Zoning Board Mtg	76 00	
	Misc		
	Hande / - 2		
	Husted - 3		
	Pierri - 5		
	Maxwell - 3 13.50		
	Hecht - 2		
	Petrone/Decision - 1	76 50	
	17pgs		
		151 50	

MAXWELL, BRIAN

MR. NUGENT: Request for 7 ft. 6 in. side yard and 5 ft. 5 in. rear yard variance for existing shed and a 13 ft. rear yard variance for an existing deck at 13 Hudson Drive in an R-4 zone.

Mr. and Mrs. Brian Maxwell appeared before the board for this proposal.

MR. NUGENT: Tell us what you intend to do and why.

MRS. MAXWELL: We're doing a refinance and the existing deck doesn't meet I guess the specifications needed by the Town, the bank brought it to our attention.

MR. NUGENT: Do you have any photographs of it?

MRS. MAXWELL: I left it with Pat.

MR. KANE: How long have you had the deck?

MRS. MAXWELL: About six years.

MR. KANE: What about the shed?

MR. MAXWELL: Ten years.

MR. KANE: Create any water hazards, ponding, whatsoever with the deck?

MR. MAXWELL: No.

MR. KANE: Other properties in the area have similar decks and sheds?

MR. MAXWELL: Yes.

MR. TORLEY: Very nice deck.

MR. KRIEGER: Have you received any complaints, formal or informal, about the shed or deck?

MRS. MAXWELL: No.

MR. KANE: How far up does the deck come off the ground?

MR. MAXWELL: About two feet.

MR. KANE: Do you have an entranceway from the back of your house to the deck?

MR. MAXWELL: Yes.

MR. KANE: Does the deck provide a safety--

MR. MAXWELL: There's one, two, there's three accesses on and off the deck.

MR. KANE: Without the deck there, you would take a two foot step down?

MR. MAXWELL: Off the house, yes.

MR. KANE: Where you have placed the deck and the shed, is that the minimum amount of a variance that you would need on your property?

MR. MAXWELL: Excuse me?

MR. KANE: Where you have the deck right now, that's a minimum that you need, you don't need, if you placed it someplace else, would you need more of a variance than what you have right now?

MR. MAXWELL: No.

MR. NUGENT: Let the record show there's 79 addressed envelopes sent out and there's no one in the audience for this application. Any further questions by the board? I'll accept a motion.

MR. TORLEY: I move that we grant Mr. Maxwell his requested variance.

MR. KANE: Second it.

ROLL CALL

May 10, 1999

14

MS. OWEN
MR. KANE
MR. TORLEY
MR. REIS
MR. NUGENT

AYE
AYE
AYE
AYE
AYE

Date 4/14/99, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO DR.

Frances Roth
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE		CLAIMED	ALLOWED
12/99	Zoning Board Mtg MISC - 3	75 00	
	Maxwell - 4 18.00.		
	Fioriti - 4		
	Hecht - 2		
	Caccia - 2		
	NY Telephone/Petrone 6 21	94 50	
		<u>169 50</u>	

PRELIMINARY MEETING:

MAXWELL, BRIAN

MR. NUGENT: Request for 7 ft. 6 in. side yard and 5'5"
~~ft.~~ rear yard variance for an existing shed at 13
Hudson Drive in an R-4 zone.

↓ and 13' rear yd.

Mr. Brian Maxwell appeared before the board for this variance
proposal.

*for existing
deck*

MR. MAXWELL: Want some pictures?

MR. NUGENT: Explain to the board what you want to do.

MR. MAXWELL: I'm just refinancing my house and I have
a shed in the corner that they doesn't have a, I never
got a building permit for it, so it's been there about
nine years.

MR. KANE: Concrete slab?

MR. MAXWELL: No, it's on, it's got 2, 4, 6, it's on 6
concrete pillars, just sitting on top of them.

MR. REIS: You put you the shed up?

MR. MAXWELL: Yes.

MR. NUGENT: Here's a couple pictures of it, I think
that will explain it, if you want to pass them around,
in other words, it's not an easily removed item.

MR. MAXWELL: It's 10 x 12.

MR. BABCOCK: Mr. Chairman, when I opened my file, I
find another denial for an existing rear deck.

MR. NUGENT: He's got pictures, but I don't have that
on my--

MR. BABCOCK: Can you get that, Patty, did you get the
denial for the rear deck also for the, for this
gentleman? I don't see, it's not here.

MS. BARNHART: Here's the original one which was revised, this is a new one here, this is dated March 5. They told me that this one wasn't any good, this one's the newer one, this is dated the third, it does say rear deck.

MR. BABCOCK: One's for rear deck and one's for the shed, are you still asking for that?

MR. MAXWELL: Yes.

MS. BARNHART: Then this wasn't revised.

MR. BABCOCK: No.

MR. KANE: So we're adding the deck. Do we know the numbers?

MR. BABCOCK: Yeah, it's 13 feet is what he's requesting.

MR. KANE: Is that off the back, off the side?

MR. BABCOCK: Off the rear.

MR. KANE: Is that one point of the deck or a large segment, is he catching it on one corner or does the whole thing--

MR. BABCOCK: I'm not sure.

MR. KANE: On my property, it angles so you could have one part that's off on the deck and not the whole deck from the property line, depends where you're hitting.

MR. REIS: Michael, clarify that, it's a 13 foot rear yard variance?

MR. BABCOCK: Yes, the requirements are 40 feet, he has 27 feet so he needs a variance of 17 feet.

MR. KANE: So, obviously, it wouldn't be feasible to chop 13 feet off your deck to come into--

MR. MAXWELL: Not the size of that yard.

MR. TORLEY: Sir, are you on a corner lot?

MR. MAXWELL: No, 13 Hudson Drive right smack dab in the middle.

MR. REIS: Brian, have you had any complaints about your neighbors over the years to do with the shed or deck?

MR. MAXWELL: No.

MR. KANE: Basically, you add the shed looking at where your deck is and where the shed is anywhere, you put that in the back yard, you'd need a rear yard variance anyway?

MR. MAXWELL: Yes.

MR. NUGENT: No matter where he put it.

MR. MAXWELL: Exactly.

MR. KANE: Okay, anything, Larry?

MR. TORLEY: No.

MR. KANE: Mr. Chairman, I would like to set Mr. Maxwell up for a public hearing on his requested variances for 13 Hudson Drive.

MR. REIS: Second it.

ROLL CALL

MR. TORLEY	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. NUGENT	AYE

MR. KRIEGER: Those are the criteria right there, take that with you, that the State requires the Zoning Board of Appeals to decide on, so if you would address yourself to those criteria in making your presentation to the public, that would be helpful.

April 12, 1999

5

MR. MAXWELL: And the public hearing is when?

MR. NUGENT: When you get the information back to
Patty. Thank you.

MR. MAXWELL: Thank you.



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

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April 21, 1999

Mr & Mrs. Brian Maxwell
13 Hudson Drive
New Windsor, NY 12553

RE: 39-5-26

Dear Mr. & Mrs. Maxwell:

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

The charge for this service is \$95.00, less your deposit of \$25.00. Please remit the balance of \$70.00 to the Town Clerk at the above address.

Sincerely,

S. Cook

Leslie Cook
Sole Assessor

Attachment

Cc: Pat Barnhart, ZBA

Nikolaus & Christina Fuchs
19 Valewood Drive
New Windsor, NY 12553

X

Dennis & Karin Guiney
16 Valewood Drive
New Windsor, NY 12553

X

Warren A. Tavetian
16 Birchwood Drive
New Windsor, NY 12553

X

Salvatore Vecchio
17 Valewood Drive
New Windsor, NY 12553

X

Joseph & Juliana Guiney
18 Valewood Drive
New Windsor, NY 12553

X

Matthew Satenberg &
Jacqueline M. Bertz
14 Birchwood Drive
New Windsor, NY 12553

X

William M. & Eleanora Hightower
15 Valewood Drive
New Windsor, NY 12553

X

Edward P. & Robin L. Klouda
20 Valewood Drive
New Windsor, NY 12553

X

Henry & Mary Puglisi
12 Birchwood Drive
New Windsor, NY 12553

X

Sisto & Lena Salbucci
13 Valewood Drive
New Windsor, NY 12553

X

Richard & Kathleen Fenwick
22 Valewood Dr.
New Windsor, NY 12553

X

Dennis K. & Virginia Monahan
10 Birchwood Drive
New Windsor, NY 12553

X

Kenneth F. & Rosalie M. Parker
11 Valewood Drive
New Windsor, NY 12553

X

Soren V. & Susan Lindberg
24 Valewood Drive
New Windsor, NY 12553

X

Roy H. & Lucille R. Coleman
8 Birchwood Drive
New Windsor, NY 12553

X

Anthony & Genieve Franchini
6 Valewood Drive
New Windsor, NY 12553

X

Elizabeth A. Mulligan
26 Birchwood Drive
New Windsor, NY 12553

X

John A. Eunice E. McKee
6 Birchwood Drive
New Windsor, NY 12553

X

Louis D. & Marion B. Randall
8 Valewood Drive
New Windsor, NY 12553

X

Irvin J. Roller
24 Birchwood Dr.
New Windsor, NY 12553

X

Eleanor A. Harris
4 Birchwood Drive
New Windsor, NY 12553

X

Phyllis Scherf
10 Valewood Drive
New Windsor, NY 12553

X

Steven P. & Teresita Pearce
22 Birchwood Drive
New Windsor, NY 12553

X

Harriet R. Odell
2 Birchwood Drive
New Windsor, NY 12553

X

Richard & Angela Coltery
12 Valewood Drive
New Windsor, NY 12553

X

Benedetta Rhodes
20 Birchwood Dr
New Windsor, NY 12553

X

Arlene Swint
1 Hudson Drive
New Windsor, NY 12553

X

Michael & Janie Suchowiecki
14 Valewood Dr.
New Windsor, NY 12553

X

Marlene Babicz
18 Birchwood Drive
New Windsor, NY 12553

X

Eric P. & Celine M. Maxwell
1 Birchwood Drive
New Windsor, NY 12553

X

Lois A. Burt
3 Birchwood Drive
New Windsor, NY 12553

Manfred B. & Ofelia Muller
23 Birchwood Drive
New Windsor, NY 12553

Robert R. & Rhoda L. Smith
9 Hudson Drive
New Windsor, NY 12553

Janet Smedes &
Kristen Eherns
5 Birchwood Drive
New Windsor, NY 12553

Gisela H. Chrisley
27 Hudson Drive
New Windsor, NY 12553

Vincent Pacella
7 Hudson Drive
New Windsor, NY 12553

Aydogan & Nazire Fuat
7 Birchwood Drive
New Windsor, NY 12553

Robert B. & Dorothy W. Wack
25 Hudson Drive
New Windsor, NY 12553

Manuel & Diana DeSouza
5 Hudson Drive
New Windsor, NY 12553

Patrick C. & Teresa R. Boelins
9 Birchwood Drive
New Windsor, NY 12553

Edward J. Beban &
Melita McMillen
23 Hudson Drive
New Windsor, NY 12553

Raymond J. & Janet D. Sullivan
3 Hudson Drive
New Windsor, NY 12553

Rose M. Spart
11 Birchwood Drive
New Windsor, NY 12553

Edwin J. & Marion E. Youngberg
21 Hudson Drive
New Windsor, NY 12553

Timothy & Donna Conklin
4 Hudson Drive
New Windsor, NY 12553

Harry C. III & Patricia Tompkins
13 Birchwood Drive
New Windsor, NY 12553

John, Helen & Stephanie Wajada
226 Leslie Ave
New Windsor, NY 12553

Elizabeth Ocskay & Mary Lillian Irvine
6 Hudson Drive
New Windsor, NY 12553

William & Lynn Corti
15 Birchwood Drive
New Windsor, NY 12553

John F. & Gina L. Mahoney
17 Hudson Drive
New Windsor, NY 12553

Mark L. & Diane M. Wentzel
8 Hudson Drive
New Windsor, NY 12553

Daniel P. & Diane F. Loughran
17 Birchwood Drive
New Windsor, NY 12553

Robert & Linda Thompson
15 Hudson Drive
New Windsor, NY 12553

Charles J. Jr. & Linda Baranski
10 Hudson Drive
New Windsor, NY 12553

Thomas L. & Patricia L. Schroeder
19 Birchwood Drive
New Windsor, NY 12553

Brian & Angela Maxwell
13 Hudson Drive
New Windsor, NY 12553

Raymond A. & Elizabeth T. Lagoy
12 Hudson Drive
New Windsor, NY 12553

Thomas W. & Lillian G. Stacklum
21 Birchwood Drive
New Windsor, NY 12553

Maxwell, Michael E. & Francis E. as
Trustees of the Michael E. & Frances E.
Maxwell Loving Trust
11 Hudson Drive
New Windsor, NY 12553

David C. & Debra Albrecht
14 Hudson Drive
New Windsor, NY 12553

Kathleen M. Mazzareli
16 Hudson Drive
New Windsor, NY 12553

Paul M. & Cheryl A. Ciaccio
4 Chimney Corner
New Windsor, NY 12553

Richard E. & Ellen Jane Wilkins
18 Hudson Drive
New Windsor, NY 12553

Richard & Frances Butler
6 Chimney Corner
New Windsor, NY 12553

Elton V. & Estelle I. Stanford
20 Hudson Drive
New Windsor, NY 12553

Everette & Patrice Henry
5 Chimney Corner
New Windsor, NY 12553

Kenneth J. & Virginia L. Urban
22 Hudson Drive
New Windsor, NY 12553

Claudine Annicet
P.O. Box 4052
New Windsor, NY 12553

Floyd H. Jr. & Mary J. Skakel
27 St. Anne Drive
New Windsor, NY 12553

William & Gaetana Feigel
26 Hudson Drive
New Windsor, NY 12553

Andres Reyes
25 St. Anne Drive
New Windsor, NY 12553

Frances Schorno
28 Hudson Drive
New Windsor, NY 12553

William J. & Lillian K. Rogers
23 St. Anne Drive
New Windsor, NY 12553

Richard L. Terwilliger
18 St. Anne Drive
New Windsor, NY 12553

Anne M. Ciaccio
21 St. Anne Drive
New Windsor, NY 12553

Michael J. & Dorothy A. Engenito
20 St. Anne Drive
New Windsor, NY 12553

Dane W. Leroy
Judy L. Coleman
2 Spring Rock Rd
New Windsor, NY 12553

Charles Q. Wilson
22 St. Anne Drive
New Windsor, NY 12553

Town of New Windsor
555 Union Ave
New Windsor, NY 12553

Pls. publish immediately. Send bill to: Applicant @ below address

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. 8

Request of Brian & Angela Maxwell.

for a VARIANCE of the Zoning Local Law to permit:

existing shed w/ insufficient rear & side yard and
an existing deck w/ insufficient rear yard;

being a VARIANCE of Section 48-12 - Table of Use | Bulk
Regs - Cols. F & G

for property situated as follows:

13 Hudson Drive, New Windsor, N.Y.

known as tax lot Section 39 Block 5 Lot 26.

SAID HEARING will take place on the 10th day of May,
1999, at New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York, beginning at 7:30 o'clock P. M.

James Nugent.
Chairman

By: Patricia A. Barnhart, Secy.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

99-8

Date: 4/21/99

I. Applicant Information:

- (a) Brian + Angela Maxwell 13 Hudson Drive - 562-9037
(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 contractor/engineer/architect)

II. Application type:

- Use Variance Sign Variance
- Area Variance Interpretation

III. Property Information:

- (a) R 13 Hudson Drive 39.5-26 90x125
(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? 1988
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? _____
- (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) 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.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes No .

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. F, G.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. <u>10 ft.</u>	<u>2ft. - 6in.</u>	<u>7ft. - 6in - Shed</u>
Reqd. Rear Yd. <u>10 ft.</u>	<u>4ft. - 7in.</u>	<u>5ft. - 5in - Shed</u>
Reqd. Street Frontage* <u>40 ft.</u>	<u>27 ft.</u>	<u>13 ft. - Deck</u>
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only
** No-residential districts only

✓(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

We are hoping that our application for an area variance will be granted so we can keep our deck attached to our house and enjoy the use of it for the Spring/ Summers to come.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A

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

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____

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

(b) Variance: Granted (___) Denied (___)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

Charles Slater

In consideration of the sum of \$ 1.00 and other valuable considerations, the receipt whereof from Central Hudson Gas and Electric Corporation, a domestic corporation having its principal office (residence) at South Road (no street number), Poughkeepsie, New York, AND New York Telephone Company, a domestic Corporation having its principal office (residence) at 140 West Street, New York, N.Y., is hereby acknowledged, the undersigned hereby grants and conveys unto said corporation(s), and each of them, their respective successors, assigns and lessees, an easement and right of way 20 feet in width throughout its extent, in, upon, over, under and across the lands of the undersigned, including roads and highways thereon and adjacent thereto, situated in the Town of New Windsor, County of Orange, State of New York.

Said easement and line shall extend from the property line of FOXES Hill Estate Lot #96 on the West in a easterly direction to the property line of the undersigned on the East.

Together with the right at all times to enter thereon and to have access thereto and to construct, relocate, operate and maintain thereon and to repair, replace, protect and remove, lines of poles, cables, crossarms, wires, guys, braces, underground conduits, and all other appurtenances and fixtures adapted to the present and future needs, uses and purposes of said corporation(s), their respective successors, assigns and lessees.

Together with the right also to trim, cut and remove at any time such trees and other objects thereon and on adjacent property of the undersigned, as in the judgment of said corporation(s), their respective successors, assigns and lessees, may interfere with, obstruct or endanger the construction, operation or maintenance of said rights, lines and fixtures or any thereof.

The exact location of said easement and lines is to be as determined by said corporation(s) having regard to the origin, general direction and destination of said lines and the requirements of said corporation(s).

Reserving unto the undersigned the right to cultivate the ground between said poles and beneath said wires and fixtures, provided that such use of said ground shall not interfere with, obstruct or endanger any of the rights granted as aforesaid and provided that no house or other structure shall be erected within the limits of the right of way without the written consent of said corporation(s); and provided that damage to the property owned by the undersigned caused solely by said corporation(s), their respective successors, assigns or lessees, in maintaining or repairing said lines shall be adjusted at the expense of said corporation(s), their respective successors, assigns or lessees.

The provisions hereof shall inure to and bind the heirs, legal representatives, successors, assigns and lessees of the undersigned and said corporation(s) respectively.

Signed, sealed and delivered, on Sept 15 1958, in the presence of:

Howard B. Hewitt Residing at: 5 BLACKWELL STREET
NEW WINDSOR ORANGE N.Y.
Town, City or Village County State

INDIVIDUAL ACKNOWLEDGMENT.
 STATE OF NEW YORK

County of Orange

On this 15th day of September 1958, before me, the subscriber, personally appeared Charles A. Slater to me personally known and known to me to be the individual(s) described in and who executed the foregoing instrument, and he (severally) duly acknowledged to me that he executed the same.

Howard B. Hewitt
 Notary Public.
 My Commission Expires March 30th 1960

A true record entered September 30th, 1958 at 9:00 A. M.
H. B. Hewitt Clerk

L 1477cp 464
 Rec 9-30-58

BRUHOB REALTY CORP. (C.S.) By
D. Bruce Schoonmaker, President
Party of the first part

GRANT
Dated Dec. 1, 1958
Rec. Jan. 19, 1959
L. 1439 cp. 316

to

CENTRAL HUDSON GAS AND ELECTRIC
CORPORATION, Party of the second
part, and
NEW YORK TELEPHONE COMPANY,
Party of the third part.

For and in consideration of the sum of \$1.00 paid in hand to the party of the first part by the parties of the second and third parts and other good and valuable considerations, the receipt whereof is hereby acknowledged, the party of the first part does hereby grant and lease unto the said parties of the second and third parts, their successors, assigns and lessees, an easement and right of way in, over, under and across the lands of the undersigned, being the streets, avenues and roads to be located on a portion of the land conveyed by Charles A. Slater to Bruhob Realty Corp. by Deed dated April 11, 1958, recorded June 3, 1958, in Liber 1462 of Deeds at page 481, Orange County Clerk's Office, together with the right at all times to enter thereupon and have access thereto, and to install, operate and maintain thereon, and to repair, replace, protect and remove a line of poles, cables, cross-arms, wires, guys, gas mains, gas regulators, gas services and all other appurtenances or fixtures adapted to the present or future needs, uses and purposes of the parties of the second and third parts, their successors, assigns and lessees.

This easement shall also include the right to construct, operate and maintain a gas regulator station at a location reserved for this purpose by the party of the first part at the

northwest corner of this parcel and shall include the right to install, operate and maintain a gas main to supply service to the adjacent property to the south at a location mutually agreed by the parties of the first and second part.

The said parties of the second and third parts shall also have the right to install tree guys and anchor guys at points and distances 20 feet from the poles to be erected, and to construct said anchor guys to adjacent poles by a wire or wires.

The party of the first part does also hereby grant to the parties of the second and third parts, their successors, assigns and lessees, the right to trim, cut and remove trees, so as to provide a clearance of 15 feet from the wires.

The parties of the second and third parts shall reimburse the party of the first part for any damage to its property caused solely by said parties of the second and third parts in installing the line to be located on this easement.

8-210

THIS INSTRUMENT made the ^{16th} day of March, nineteen hundred and fifty-nine BETWEEN SILVER LAKE HOMES, INC., a corporation organized under the laws of the State of New York, with principal office in the City of Middletown, Orange County, New York, party of the first part, and FRANK E. GIBSON and ROSAMOND GIBSON, husband and wife, residing at R. D. #2 Middletown (no street or number) Town of Walkkill, Orange County, New York as tenants by the entirety, parties of the second part.

WITNESSETH that the party of the first part, in consideration of ONE AND OTHER (\$1 &c) DOLLARS, lawful money of the United States, paid by the parties of the second part, does hereby grant and release unto the parties of the second part, their heirs and assigns forever:

ALL that certain lot, piece or parcel of land located to the West of lots facing on the Mechanicstown-Mudd Mill Road in the Town of Walkkill, County of Orange and State of New York and more accurately bounded and described as follows:-

42

Lot to the rear of the one owned by Gibson-BEGINNING at the northwesterly corner of the lot owned by Gibson which fronts on the Mechanicstown-Mudd Mill Road; thence from said point of beginning and along the rear line of lot of Gibson South 10° 30' West 50.0' to a point, said point being the Southwest corner of said lot of Gibson; thence along a continuation of the Southerly line of lot of Gibson North 77° 30' West 119.76' to a point in the top of the bank above the outlet stream to Silver Lake; thence along the top of the bank North 5° 00' East 50.23' to a point; thence on a continuation of the Northerly line of lot of Gibson South 79° 30' East 124.59' to the point of beginning.

BEING a portion of the lands and premises described in a deed from Harry Miller and Belle C. Miller, his wife, to Silver Lake Homes, Inc. dated July 16, 1923 and recorded in the Orange County Clerk's Office July 18, 1923 in Book 634 of Deeds at Page 66.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the parties of the second part, their heirs and assigns forever.

The parties of the second part, hereinafter designated as the owner of said plot, covenants and agrees as follows:

LIB 1498 PAGE 365

4-16-59

FCWD

1. That said plot shall not be used except for residence purposes; that the owner of said plot will not erect, carry on, maintain, support or permit on the said plot or upon any part thereof, any business, trade, amusement hall, dance hall or mercantile trade or pursuit of any kind, nor any dangerous, offensive or noxious occupation.

2. No residence shall be erected on said plot or any part thereof which shall cost less than the sum of \$2000.00 nor shall any residence be erected thereon except such as shall have at least four rooms and at least 400 square feet of floor space on the ground floor, and no residence shall be erected which shall have strip or sheet roofing or strip or sheet siding, nor shall any building to house more than two families be erected or maintained thereon.

3. No residence shall be erected on said plot until the building plans thereof have been approved in writing by the party of the first part, its successors or assigns. No residence or any piazza, bay or oriel window, of such residence, shall be erected on said plot within 20 feet of the curb line of the street upon which the same may front, now proposed to be laid out in the tract as shown upon a map of said tract, dated the 22nd day of April, 1924, and filed in the Office of the Clerk of Orange County, on the 20 day of May, 1924. This setback covenant not to be construed to apply to the steps of any porch or piazza.

4. The exterior of any building which may be erected on said plot shall be entirely completed within one year from the date of commencement of the construction thereof.

5. No outside privy, shall be erected on said plot; any and every toilet in any building on said premises shall be connected with a septic tank. No cesspools other than septic tanks shall be constructed or maintained on or in said plot.

6. Within one year from the time when the owner of the premises hereby conveyed is notified by the party of the first part that a permanent grade has been established for any street or road adjoining the premises hereby conveyed, the then owner of the plot shall construct, and thereafter maintain, a concrete or flag sidewalk at such grade along such streets both in front of and adjoining said premises, which sidewalk shall be four feet wide and located two feet from the curb line. The said plot, together with the buildings, septic tanks and private drains thereon or therein shall be kept in wholesome, healthful and sanitary condition by the owner of said plot. In the event that the owner of said plot shall fail to construct and maintain such sidewalk or shall fail to keep the said premises in wholesome, healthful and sanitary condition, the said party of the first part, by its duly authorized agents, may enter upon said plot and construct or repair such sidewalk or put the said premises into wholesome, healthful and sanitary condition and the reasonable expenses incurred by it in so doing shall be a charge against the owner of said plot, which the owner of said plot hereby covenants and agrees to pay to the party of the first part on demand.

7. Any shade trees or shrubberies which may be placed along the street line by either the party of the first part or the owner of said lot, shall be placed in the two feet space between the curb line and the sidewalk.

8. It is further mutually covenanted and agreed that for the purpose of protecting Silver Lake and keeping the same and

the waters thereof free from contamination, the party of the first part may determine upon the location and character of all septic tanks and drains upon the said plot, and the owner of said plot shall not construct or maintain any septic tanks or drain except at the place or places and of the character determined upon by the party of the first part.

7. The party of the first part reserves the right and privilege of entering upon said plot or any part thereof at any and all reasonable times and in any reasonable manner for the purpose of laying, constructing, removing and maintaining sewers, culverts, pipes, drains, poles, conduits, wires and lines together with the usual necessary appliances connected therewith, which form a part of any drainage, sewer, heating, lighting, telephone, water supply, or any similar system, which the party of the first part may at any time hereafter desire to lay, construct, erect, alter, remove or maintain in or upon the tract or any portion thereof, of which these premises were a part. But upon exercising any of said rights or privileges reserved in this paragraph, the party of the first part covenants and agrees to restore, at its own charges, the said plot to as good a condition as the said plot was in immediately prior thereto, the presence of said sewers, culverts, pipes, drains, poles, conduits, wires and lines with their appurtenances alone excepted.

The party of the first part expressly reserves the right in connection with owning or selling any adjoining or other plots of land, to change, modify or eliminate in whole or in part these restrictive covenants, when, in the sole discretion of the party of the first part, its successors or assigns, any such changes, modifications or eliminations would, on a certain plot or certain plots, be beneficial for the surrounding property.

The foregoing restrictive covenants are hereby declared to be and shall be covenants attached to and running with the land.

In accepting this deed the parties of the second part understand that the party of the first part has no title or right in Silver Lake or the land or waters of such lake and that no rights therein or thereto are hereby granted.

AND, the party of the first part covenants as follows:

FIRST: That the party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

SECOND: That the parties of the second part shall quietly enjoy said premises;

THIRD: That the said premises are free from incumbrances,

except the aforesaid restrictive covenants;

FOURTH: That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

FIFTH: That the party of the first part will forever warrant the title to said premises.

IN WITNESS WHEREOF, the party of the first part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer the day and year first above written.

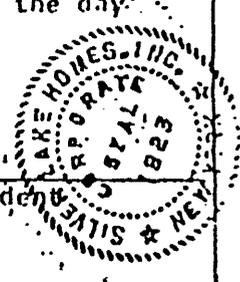
ATTEST:



SILVER LAKE HOMES, INC.

BY *Adam L. Smith*

Adam L. Smith, President

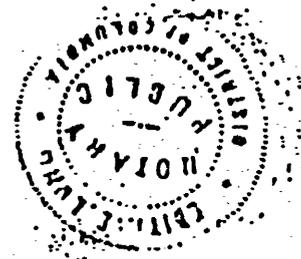


STATE OF MARYLAND)
District of Columbia)
COUNTY OF)

On this 16th day of March, 1959 before me personally came ADAM L. SMITH to me personally known, who, being by me duly sworn, did depose and say that he resides at 8355 Colville Road, Silver Springs, Maryland; that he is the President of Silver Lake Homes, Inc. the corporation described in, and which executed, the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; 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.

Baith. E. Long
Notary Public

My Commission Expires Aug. 24, 1961.



R/10 829

In consideration of the sum of \$1.00 and other valuable considerations, the receipt whereof from Central Hudson Gas & Electric Corporation, a domestic corporation having its principal office at South Road (no street number), Poughkeepsie, New York, and the New York Telephone Company, a domestic corporation having its principal office at 140 West Street, New York, New York, is hereby acknowledged, the undersigned hereby grant(s) and convey(s) unto said corporations, and each of them their respective successors, assigns and lessees, an easement and right of way 30 feet in width throughout its extent, in, upon, over, under and across the lands of the undersigned, being the streets, avenues and ways situated in the Town of New Windsor, Orange County, New York and located on the premises conveyed by Warmers Construction Corporation to Bruhob Realty Corp., by deed dated July 1, 1959, recorded July 6, 1959 in Liber 1509 of Deeds at Page 541, Orange County Clerk's office, Goshen, New York.

Together with the right at all times to enter thereon and to have access thereto and to construct, relocate, operate and maintain thereon and to repair, replace, protect and remove, lines of poles, cables, crossarms, wires, guys, braces, underground conduits, gas mains, gas services and all other appurtenances and fixtures adapted to the present and future needs, uses and purposes of said corporations, their respective successors, assigns and lessees.

Together with the right to install tree guys and anchor guys at points and distances 18 feet from the poles to be erected.

Together with the right also to trim, cut and remove at any time such trees and other objects thereon and on adjacent property of the undersigned, as in the judgment of said corporations, their respective successors, assigns and lessees, may interfere with, obstruct or endanger the construction, operation or maintenance of said rights, lines and fixtures or any thereof.

cc'd 10/18/59
LIBER 1527 PAGE 120

The provisions hereof shall inure to and bind the heirs, legal representatives, successors, assigns and lessees of the undersigned and said corporations respectively

Rec 7-1-60

This Indenture,

Made the 28th day of June, 1960,
hundred and Sixty, ninetenth

Between SCHOONMAKER BROS., INC., with office at Route 94, R. D. 4,
(no street number), Town of New Windsor, Orange County, State of
New York,
a corporation organized under the laws of the State of New York,

, party of the first part, and

JOSEPH R. GIORDANO and MADELINE E. GIORDANO, husband and wife,
as tenants by the entirety, residing at Barbara Drive (no street
number), R. D. 1, Newburgh, New York,

, parties of the second part,

Witnesseth, that the party of the first part, in consideration of TEN - - - - -
(\$10.00) - - - - - Dollars,
lawful money of the United States, and other good and valuable considerations,
paid by the parties of the second part,
does hereby grant and release unto the parties of the second part, their heirs
and assigns forever,

All that certain lot, piece or parcel of land, together with the
improvements thereon, known and shown as Lot No. 13 Hudson Drive,
on Map of Plots A and B of Willow Acres Development, Town of New
Windsor, Orange County, New York, made June 1959 by Nial Sherwood,
C. E., filed July 10, 1959 as Map No. 1811, Pocket 15, Folder A,
Orange County Clerk's Office, which lot is more particularly bounded
and described as follows:-

BEGINNING at a point on the northerly side of Hudson Drive at the southeast corner of Lot No. 11 Hudson Drive conveyed by Schoonmaker Bros., Inc. to Maxwell by deed dated November 24, 1959, recorded December 11, 1959 in Liber 1532 of Deeds at Page 577, Orange County Clerk's Office, and running thence along said northerly side of Hudson Drive North 86° 04' East 90 feet to the southwest corner of Lot No. 15 Hudson Drive; thence along the westerly line of said Lot No. 15, North 3° 56' West 125 feet; thence South 86° 04' West 90 feet to the northeast corner of aforesaid Lot No. 11; thence along the easterly line of said Lot No. 11, South 3° 56' East 125 feet to the point of beginning.

LIBER 1555 PAGE 570

from the southerly side of the premises herein conveyed, as well as a similar right of way over and upon any continuation of said street or any connecting street or streets to afford and enable passage and re-passage from the conveyed premises to and from Willow Lane and/or Route 94.

SUBJECT to all grants of record heretofore given to Central Hudson Gas and Electric Corporation and New York Telephone Company.

TOGETHER with all rights in common with all others given the same rights

**PREVIOUS
DOCUMENT
IN POOR
ORIGINAL
CONDITION**

TOGETHER with a right in common with all others hereinafter given or who hereafter may be given by the grantors or their assigns a right of ingress and egress over and upon the hereinabove mentioned proposed street lying in front of the southerly

side of the premises herein conveyed, as well as a similar right of way over and upon any continuation of said street or any connecting street or streets to afford and enable passage and re-passage from the conveyed premises to and from Willow Lane and/or Route 94.

SUBJECT to all grants of record heretofore given to Central Hudson Gas and Electric Corporation and New York Telephone Company.

TOGETHER with a right in common with all others given the same rights to water for ordinary domestic purposes from the well and any auxiliary well subsequently connected thereto which is located upon premises set aside for that purpose by the grantors, and which water may be transmitted to the instant premises by means of any pipe lines running from said well or any auxiliary thereof upon payment from time to time to the owner of said well and/or auxiliary well and premises upon which located, in accordance with any rates hereinafter established by any State or Municipal Agency.

The instant conveyance is subject to the following covenants and restrictions:— In respect to lots shown on Plot A of Map No. 1811, filed in the Orange County Clerk's Office July 10, 1959.

1. That only one one-family residence dwelling may be erected on said premises together with garage for not more than two automobiles, and said premises occupied for residence purposes only, excepting that this shall not exclude usage by Doctors, Dentists, Lawyers and Real Estate Brokers, and similar professions for home and office, provided that exterior architecture of building is kept residential in appearance.
2. That no shack, shanty or trailer shall be erected or permitted on said premises.
3. That no unsightly, offensive or objectionable materials shall be stored or kept on said premises.
4. That no animals, livestock, fowl or chickens may be kept or maintained on said premises, but a reasonable number of household pets may be so maintained.

BEING a portion of the premises described in deed made June 26, 1959 by Bruhob Realty Corp. to Schoonmaker Bros., Inc., recorded July 3, 1959 in Liber 1509 of Deeds at Page 366, Orange County Clerk's Office.

The instant conveyance being made and accepted subject to the \$10,500.00 mortgage made October 16, 1959, by Schoonmaker Bros., Inc. to Walkill Valley Federal Savings and Loan Association with unpaid principal balance of \$10,500.00 together with interest at five and three-quarters (5-3/4%) per centum per annum from date of instant conveyance and which principal and interest the grantees hereunder assume and agree to pay in constant monthly installments of \$66.06 in accordance with the terms and conditions of said mortgage.

LIBER 1555 PAGE 571

613 06 mp 248

Pd 10/2/74

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 17 day of November, nineteen hundred and Eighty-eight,
BETWEEN FRANCES E. MAXWELL, residing at No. 11 Hudson Drive,
New Windsor, Orange County, New York 12550, individually and

Section 39, Block 5, Lot 26

as executor of the last will and testament of
OTTO A. EINHAUS, late of
Town of New Windsor, Orange County, New York,
who died on the 11th day of April, nineteen hundred and Eighty-six,
party of the first part, and

BRIAN MAXWELL and ANGELA MAXWELL, husband and wife,
as tenants by the entirety, residing at No. 13 Hudson
Drive, New Windsor, Orange County, New York 12550

party of the second part,

WITNESSETH, that the party of the first part, to whom letters
testamentary were issued by the Surrogate's Court, Orange County, New York
on May 16, 1988 and by virtue of the power and authority given in and by said last will
and testament, and/or by Article 11 of the Estates, Powers and Trusts Law, and in consideration of

SEVENTY-EIGHT THOUSAND and no/100 - - - - - (\$78,000.00) - dollars,
paid by the party of the second part, does hereby grant and
release unto the party of the second part, the distributees or successors and assigns of the party of the second
part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being to the known and shown as Lot No. 13 Hudson Drive, on Map of
Plots A and B of Willow Acres Development, Town of New Windsor,
Orange County, New York, made June 1959 by Nial Sherwood, C. E.,
filed July 10, 1959, as Map No. 1811, Pocket 15, Folder A, Orange
County Clerk's Office, which lot is more particularly bounded and
described as follows:-

BEGINNING at a point on the northerly side of Hudson Drive at the
southeast corner of Lot No. 11 Hudson Drive conveyed by Schoonmaker
Bros., Inc. to Maxwell by deed dated November 24, 1959, recorded
December 11, 1959 in Liber 1532 of Deeds at Page 577, Orange
County Clerk's Office, and running thence along said northerly side
of Hudson Drive North 86° 04' East 90 feet to the southwest corner
of Lot No. 15 Hudson Drive; thence along the westerly line of said
Lot No. 15, North 3° 56' West 125 feet; thence South 86° 04' West
90 feet to the northeast corner of aforesaid Lot No. 11; thence
along the easterly line of said Lot No. 11, South 3° 56' East 125
feet to the point of beginning.

TOGETHER WITH AND SUBJECT to the same covenants, rights and ease-
ments contained in deed dated June 28, 1960, made by Schoonmaker
Bros., Inc., to Joseph R. Giordano and Madeline E. Giordano,
husband and wife, recorded July 1, 1960 in Liber 1555 of Deeds at
Page 570, Orange County Clerk's Office. X

BEING the same premises described in deed dated January 5, 1962,
by Joseph R. Giordano and Madeline E. Giordano, husband and wife,
to Otto A. Einhaus and Anna R. Einhaus, husband and wife, as
tenants by the entirety, recorded January 11, 1962 in Liber 1609
of Deeds at Page 16, Orange County Clerk's Office.

The said Anna E. Einhaus having died August 8, 1980, survived
by her said husband, Otto A. Einhaus, and Release of Lien of
Estate having thereafter been recorded September 2, 1982, in
Liber 27 of Transfer Tax at Page 633, Orange County Clerk's Office.

LIBER 3045 PAGE 306

305

Rec 11-24-88

The said surviving husband, Otto A. Einhaus, having thereafter died April 11, 1986, leaving a will, probated May 16, 1986, whereunder Letters Testamentary were issued by the Orange County Surrogate's Court on May 16, 1986, to Frances E. Maxwell, the sole legatee and devisee of said probated Will. The said Frances E. Maxwell being the grantor of instant instrument.

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: March 5, 1999

APPLICANT: Brain Maxwell
13 Hudson Drive
New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: March 5, 1999

FOR : Existing Shed

LOCATED AT: 13 Hudson Drive

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 39-5-26

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing shed does not meet minimum side, rear yard set-backs.

*Also
and 13' rear
yard variance
for deck*

Frank Lisi
BUILDING INSPECTOR

John DeLo
3 feet

PERMITTED 10'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 48-14-A-(1)-(B)

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

2'-6"

7'-6"

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

4'-7"

5'-5"

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

IMPORTANT

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Stake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any approved work must be reinspected after correction.

RECEIVED

MAR 05 1999

BUILDING DEPARTMENT

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.
5. Insulation.
6. Plumbing final and final. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Permit number must be called in with each inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

PLEASE PRINT CLEARLY
FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Brian W. and Angie Maxwell

Address 13 Hudson Drive, New Windsor Phone 562-9037

Mailing Address _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

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)

variance needed

FOR OFFICE USE ONLY

Building Permit # _____

1. On what street is property located? On the Hudson Drive side of _____
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ is property a flood zone?
Y _____ N

3. Tax Map Description: Section 39 Block 5 Lot 26

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

a. Existing use and occupancy _____

b. Intended use and occupancy C-4

5. Nature of work (check if applicable) New Bldg Addition Alteration Repair Removal Demolition Other Existing Shed

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

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 _____ Fee \$50

____ / ____ / 19 ____

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspector: Frank Lisi
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

REFER TO:
Planning Board Highway Dept Sewer Water Zoning Board of Appeals

INSTRUCTIONS

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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.

Angela Maxwell

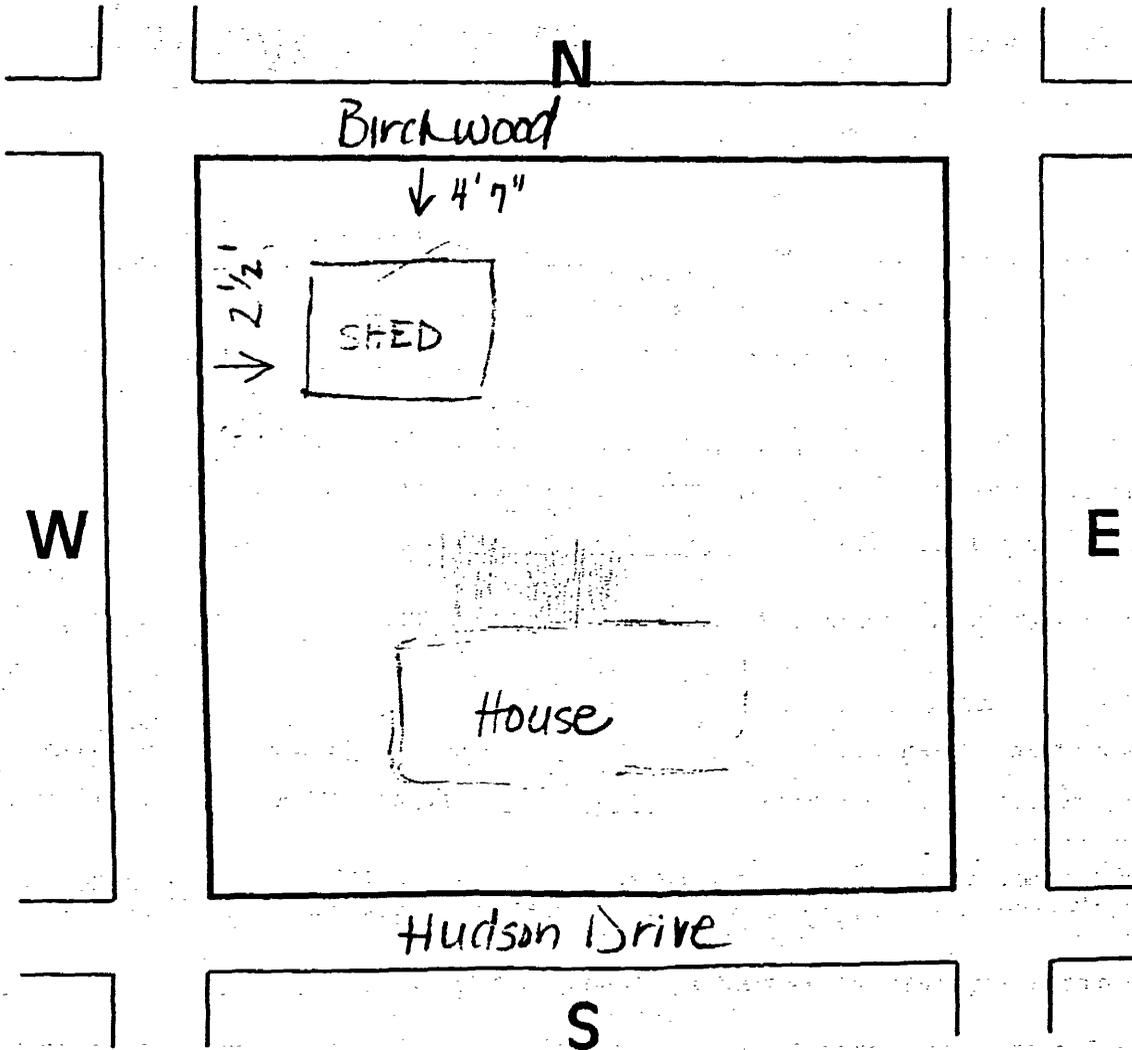
(Signature of Applicant)

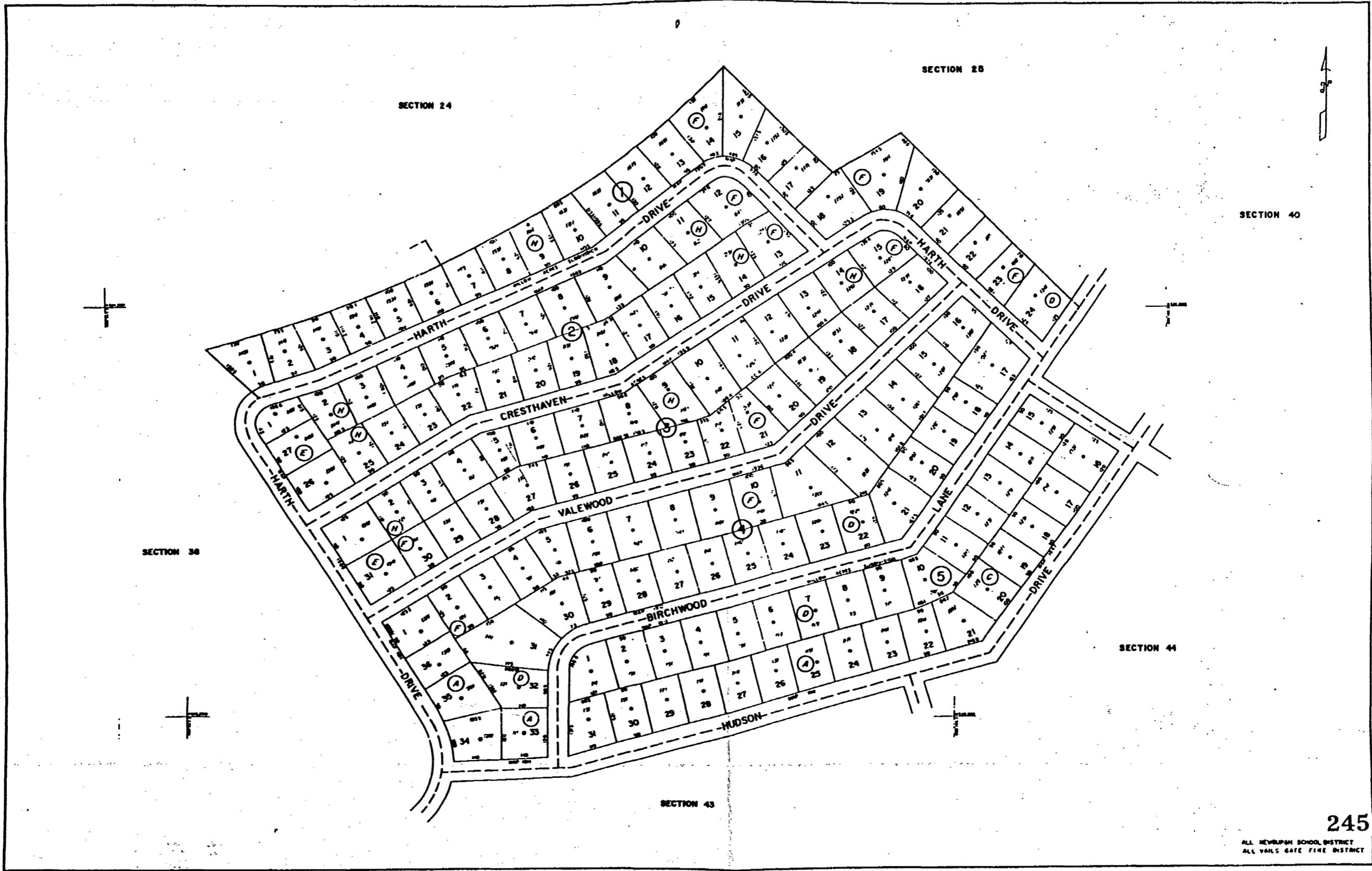
13 Hudson Drive, New Windsor

(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.





Prepared by
AERO SERVICE CORPORATION
 100 West 42nd Street, New York 36, N.Y.
FOR TAX PURPOSES ONLY
 NOT TO BE USED FOR CONVEYANCE

LEGEND			
STREET CENTERLINE	PLAT PLANE LINE	TAX MAP PLAT NO.	TERRACE PLAT NO.
LOT CENTERLINE	CONCRETE LAKE	TAX MAP PARCEL NO.	TERRACE PARCEL NO.
ADJACENT LOT	ENCLOSURE	AGE 25	STREET NUMBER
ADJACENT LOT	ENCLOSURE	ADJACENT LOT	COUNTY NUMBER
ADJACENT LOT	ENCLOSURE	ADJACENT LOT	TOWN NUMBER

ORANGE COUNTY-NEW YORK
 Photo No. 14-3432 Date of Map 2-24-67
 Date of Photo 2-1-65 Date of Revision 2-1-61
 Scale 1"=50'

TOWN OF NEW WINDSOR
 Section No. 39

245
 ALL NEWBURGH SCHOOL DISTRICT
 ALL VALE GATE FIRE DISTRICT

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: 3/3/99

(Leave)

APPLICANT: Brain Maxwell
13 Hudson Drive
New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 3/3/99

FOR : Existing 16 X 21 rear deck.

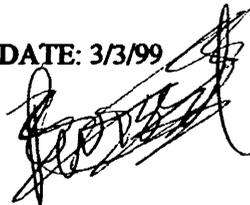
LOCATED AT: 13 Hudson Drive

ZONE: 39-5-26

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing attached rear deck does not meet minimum rear yard set backs.




BUILDING INSPECTOR

PERMITTED 40'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: G-10

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

27'

13'

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

IMPORTANT

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

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. Any disapproved work must be reinspected after correction.

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. Insulation.
6. Plumbing final and final. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Permit number must be called in with each inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

PLEASE PRINT CLEARLY

FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Brian W. and Angela Maxwell

Address 13 Hudson Drive, New Windsor Phone 562-9037

Mailing Address _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

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)

FOR OFFICE USE ONLY
Building Permit # _____

1. On what street is property located? On the _____ side of Hudson Drive
(N,S,E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone?
Y _____ N

3. Tax Map Description: Section 39 Block 5 Lot 26

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

a. Existing use and occupancy _____ b. Intended use and occupancy _____

EXISTING 16x21 REAR DECK - 17 FT

5. Nature of work (check if applicable) New Bldg Addition Alteration Repair Removal Demolition Other
Existing deck

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

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 _____ Fee \$ 50

/ / 19

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspector: Frank Lisi
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

REFER TO:

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Walter Maxwell
(Signature of Applicant)

13 Hudson Drive New Windsor
(Address of Applicant)

PLOT PLAN

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