

ZB# 99-10

Elaine Hecht

8-1-8

#99-10-Hecht, Elaine

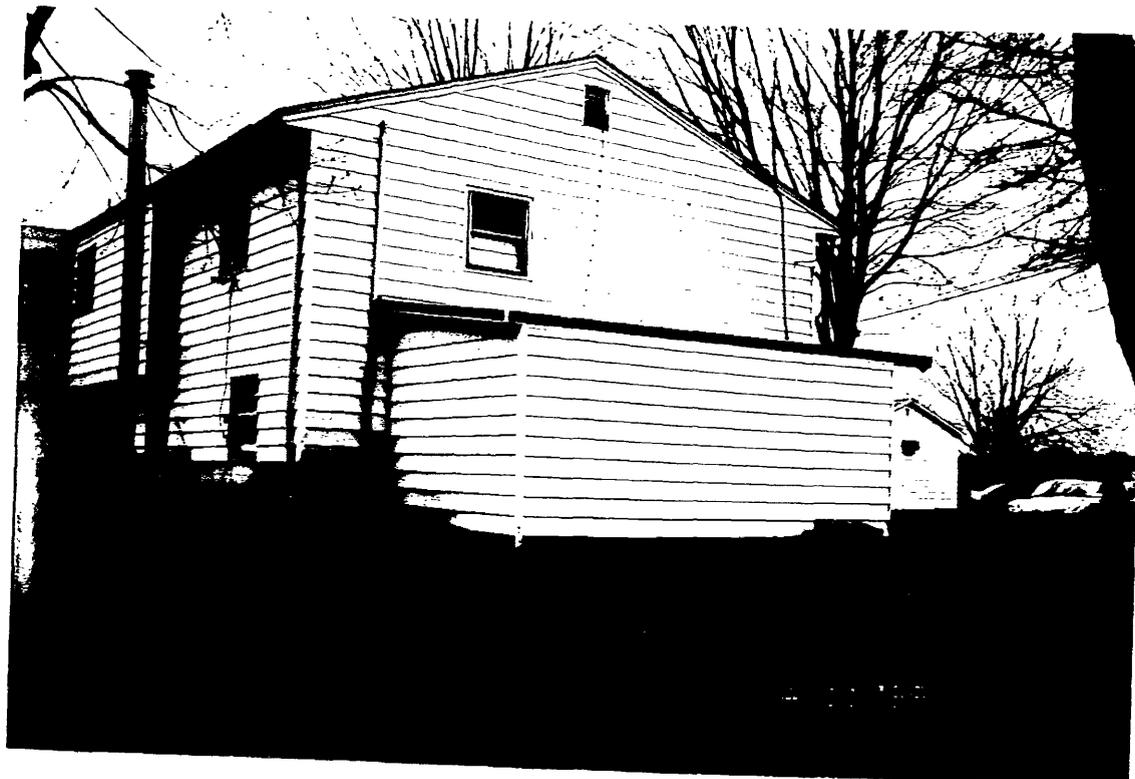
Prudim.

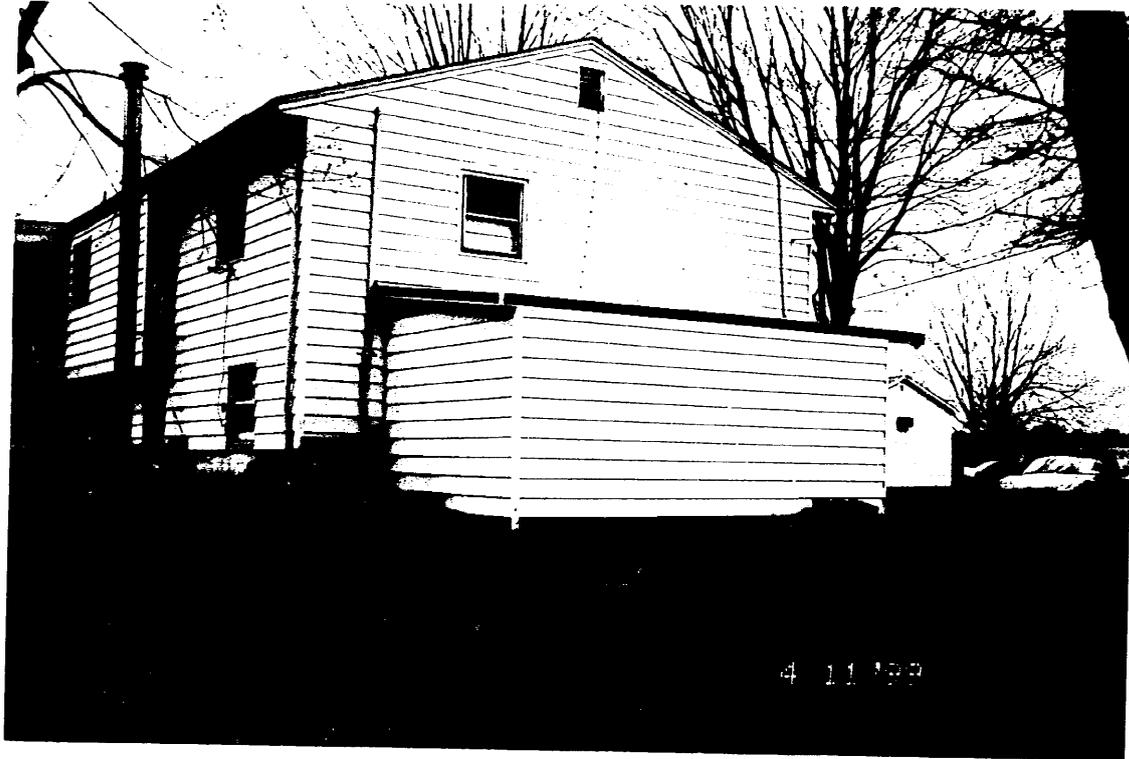
Apr. 12, 1998.
Fees here & List
Deed &

Application &
Notice ^{Voluntary}
Public Hearing ^{4/27/98}

May 10, 1998.
Area variance
Granted

Refund:
\$ 212.00





APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Hecht, Elaine

FILE# 99-10

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA _____

USE _____

APPLICATION FOR VARIANCE FEE \$ 50.00

* * *

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 4/12/99-2 \$ 9.00
 2ND PRELIMINARY- PER PAGE 5/10/99-1-2 \$ 9.00
 3RD PRELIMINARY- PER PAGE \$ _____
 PUBLIC HEARING - PER PAGE \$ _____
 PUBLIC HEARING (CONT'D) PER PAGE \$ _____
 TOTAL \$ 18.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

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 \$ 88.00

LESS ESCROW DEPOSIT \$ 300.00
 (ADDL. CHARGES DUE) \$ _____
 REFUND DUE TO APPLICANT . \$ 212.00

ELAINE HECHT
13 ONA LANE
NEW WINDSOR, NY 12553

50-693 302
219
3230 200 20463

1468

April 14, 1999
DATE

PAY TO THE
ORDER OF

Town of New Windsor

\$500.00

Five hundred and 00/100

DOLLARS

KeyBank National Association
Vails Gate, New York 12584
PrivateBank

Elaine Hecht

MEMO #99-10 ZBA

⑆021906934⑆ 323020020463⑆ 1468

STATE



ELAINE HECHT
13 ONA LANE
NEW WINDSOR, NY 12553

50-693 302
219
3230 200 20463

1467

April 14, 1999
DATE

PAY TO THE
ORDER OF

Town of New Windsor

\$300.00

Three hundred and 00/100

DOLLARS

KeyBank National Association
Vails Gate, New York 12584
PrivateBank

Elaine Hecht

MEMO #99-10 ZBA

⑆021906934⑆ 323020020463⑆ 1467

STATE

-----X
In the Matter of the Application of

ELAINE HECHT

MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE

#99-10.
-----X

WHEREAS, ELAINE HECHT, residing at 13 Ona Lane, New Windsor, N. Y. 12553, has made application before the Zoning Board of Appeals for an 11 ft. side yard variance for an existing carport at the above single-family residence in an R-4 zone; and

WHEREAS, a public hearing was held on the 10th day of May, 1999 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Ms. Elaine Hecht and Mr. Scott Hecht appeared on behalf of 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 a neighborhood containing one-family homes.

(b) This property is improved by a carport which is attached to the house and is enclosed on two sides with the same siding that is used on the house.

(c) The carport has been in existence for approximately fifteen years and there have been no complaints filed, either formal or informal.

(d) The lot is irregular in size and is located on a sharp turn creating a pie-shaped lot.

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 variance 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 variance requested is substantial in relation to the Town regulations but nevertheless is warranted for the reasons listed above.

4. The requested variance 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 variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance is appropriate and is the minimum variance 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 variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for an 11 ft. side yard variance to allow an existing carport 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.

Jane Wright

Chairman

Date 5/17/99 19.....

TOWN OF NEW WINDSOR

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

TO James Roth DR
168 N. Cayuga Newburgh Ny 12550

DATE		CLAIMED	ALLOWED
5/10/99	Zoning Board Mtg	75 00	
	M.S.C.		
	Hande / 2		
	Husted - 3		
	Pierri - 5		
	Maxwell - 3		
	Hecht - 2 9.00		
	Petrone/Decision - 1	<u>76 50</u>	
	17pgs		
		151 50	

HECHT, ELAINE

Mrs. Elaine Hecht and Mr. Scott Hecht appeared before the board for this proposal.

MR. NUGENT: Request for 11 ft. side yard variance for an existing carport at 13 Ona Lane in an R-4 zone. Explain to us for the record so that she can hear you what you want to do and why.

MRS. HECHT: I am in the process of selling my home and I need a variance because the carport is too close to the property line.

MR. KANE: How long has the carport been there?

MRS. HECHT: I would say at least 15 years.

MR. REIS: Mr. Chairman, let the record show that I am involved with the sale of the property.

MR. NUGENT: Can you vote on it without any prejudice?

MR. REIS: Absolutely.

MR. KANE: Does the existence of the carport leave any drainage problem, pools of water, anything along those lines?

MRS. HECHT: No.

MR. NUGENT: Is your lot irregular in size, is that part of the problem?

MR. BABCOCK: Yes, it's on Ona Lane, it's on a corner, it's actually not on a corner, but it's on a sharp turn and creates a pie shape on that one side.

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

MRS. HECHT: No.

MR. NUGENT: Let the record show there's 56 addressed envelopes sent out. Are there any further questions by

the board?

MR. KRIEGER: Carport is enclosed so that it's the same color and type of siding as on the house so it just, simply except for the open part looks like part of the house, is that correct?

MRS. HECHT: Yes, it does.

MR. NUGENT: Let the record show there's no one in the audience.

MR. KANE: Mr. Chairman, accept a motion?

MR. NUGENT: Yes.

MR. KANE: Move that we approve the requested variances by Elaine Hecht for her property at 13 Ona Lane.

MR. TORLEY: Second it.

ROLL CALL

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

**ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK**

In the Matter of the Application for Variance of

Claine Hecht

Applicant.

99-10

**AFFIDAVIT OF
SERVICE BY
MAIL**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, Windsor, N. Y. 12553.

That on April 28, 1999, I compared the 56 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Patricia A. Barnhart

Patricia A. Barnhart

Sworn to before me this

12th day of May, 1999.

Deborah Green

Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1999

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

Prelim.
April 12, 1999
#99-10

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: April 7, 1999

APPLICANT: Eliane Hecht
13 Ona Lane
New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: April 7, 1999

FOR : Car Port

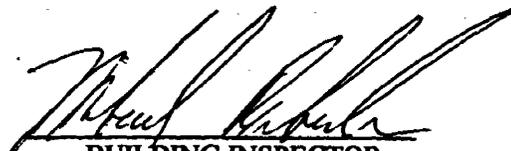
LOCATED AT: 13 Ona Lane

ZONE: R-4 Zone

DESCRIPTION OF EXISTING SITE: 8-1-8

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Side yard set backs.


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE:

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD: 15Ft.

4Ft.

11Ft.

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

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 under slab 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 ELAINE HECHT

Address 13 ONA LANE New Windsor Phone 562-3488

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)

FOR OFFICE USE ONLY

Building Permit # _____

1. On what street is property located? On the ONA LANE side of ONA LANE
(N,S,E or W)
and Summit Drive feet from the intersection of Summit Drive.
2. Zone or use district in which premises are situated _____ Is property a flood zone?
Y _____ N
3. Tax Map Description: Section 8 Block 1 Lot 8
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 _____
5. Nature of work (check if applicable) New Bldg Addition Alteration Repair Removal Demolition Other
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 3 Baths 2 Toilets 3
Heating Plant: Gas _____ Oil Electric/Hot Air _____ Hot Water _____
If Garage, number of cars 1
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost _____ Fee 50⁰⁰/₁₀₀

REFER TO

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

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

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

4/17/99

4, 17, 1999

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

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

[Handwritten Signature]

(Signature of Applicant)

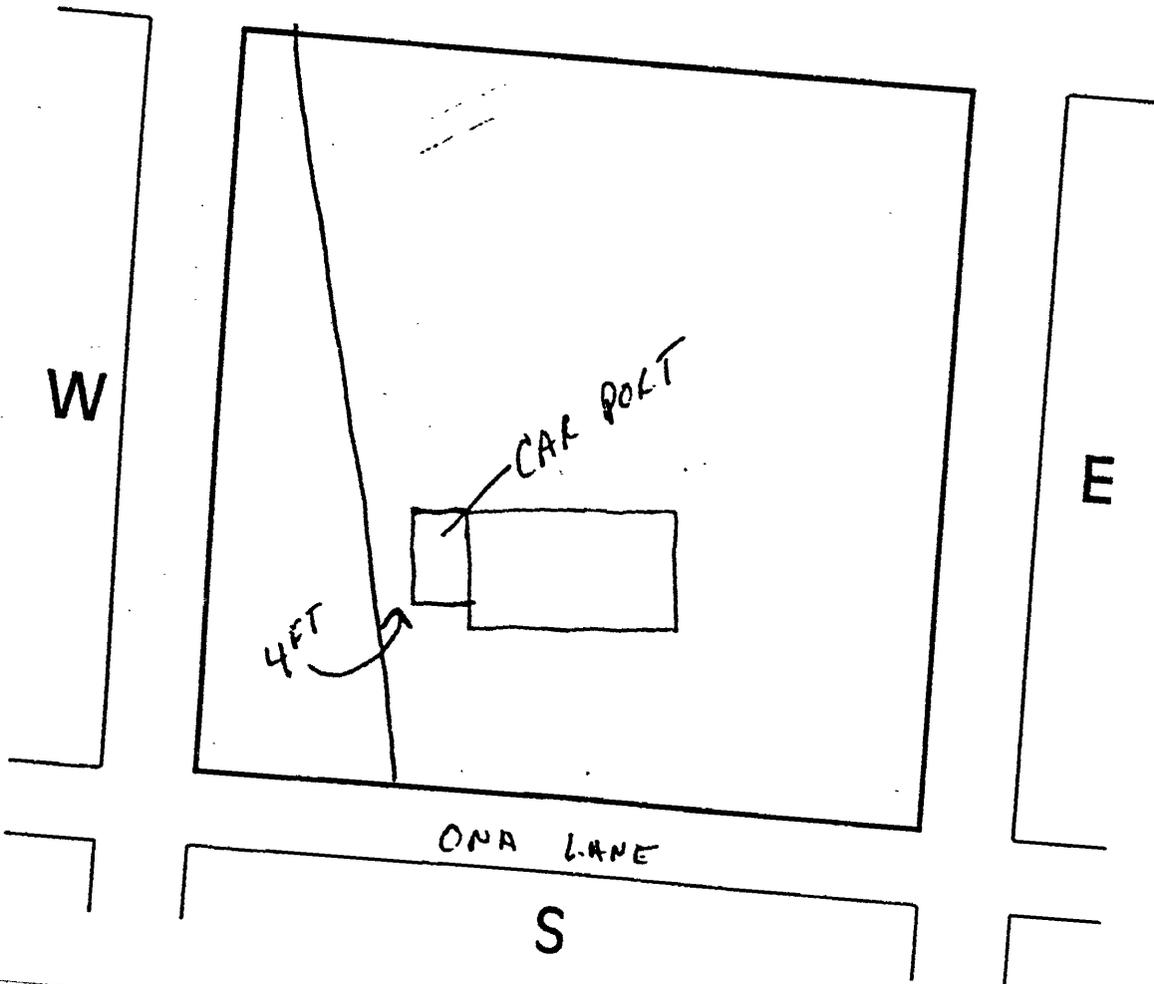
13 ONA LANE

(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.





IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

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 under slab plumbing.
4. When framing is completed and before it is covered from inside and plumbing rough-in.
5. Insulation.

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	75 00	
	MISC - 3		
	Maxwell - 4		
	Fioriti - 4		
	Hecht - 2 9.00.		
	Caccia - 2		
	NY telephone / Petrone 6		
	21	94 50	
		<hr/>	
		169 50	

HECHT, ELAINE

MR. NUGENT: Request for 11 ft. side yard variance for existing carport at 13 Ona Lane in an R-4 zone.

Mrs. Elaine Hecht and Mr. Scott Hecht appeared before the board for this proposal.

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

MR. HECHT: Roughly 15 years ago, we had a carport put on the side of my mother's house, the builder that put it on who's no longer living in the area was supposed to take care of all the permits to have it put on. He didn't do such and she just took a binder on the house and is selling it, not to cause any problems at all, she wants to have all the permits and C.O.'s issued.

MR. KANE: Do you have some pictures?

MR. REIS: I'd like to disclose to the board and the public that I am involved with the sale of the property.

MR. NUGENT: Would it influence your decision?

MR. REIS: Not at all.

MR. KANE: We're looking for 11 foot side?

MR. BABCOCK: Yes.

MR. NUGENT: You have an odd shaped lot in the front.

MR. BABCOCK: It's on a turn.

MR. TORLEY: Cul-de-sac.

MR. KANE: Structurally everything else is okay?

MR. BABCOCK: Yeah, it's fine.

MR. REIS: If I may make a comment, I'm very familiar with the property as a result of being the listing agent, it blends in very nicely with the house and the

pictures will reflect that. In fact, it's been up so many years, the neighbors haven't complained.

MR. KANE: Obviously, the construction with the pad and everything hasn't caused any type of drainage problems to your neighbors after all these years?

MRS. HECHT: No.

MR. TORLEY: Entertain a motion on this?

MR. NUGENT: I will.

MR. TORLEY: I move that we grant Elaine Hecht the public hearing on her requested side yard variances.

MR. KANE: Second the motion.

ROLL CALL

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

MR. KRIEGER: Those are the criteria on which the State is required that the zoning board decide. So if you would address yourself to those criteria at the time of the public hearing, that would be helpful.



Town of New Windsor

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

Assessors Office

April 26, 1999

56

Ms. Elaine Hecht
13 Ona Lane
New Windsor, NY 12553

RE: 8-1-8

Dear Ms. Hecht:

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 \$75.00, less your deposit of \$25.00. Please remit the balance of \$50.00 to the Town Clerk at the above address.

Sincerely,

J. Cook / (e)

Leslie Cook
Sole Assessor

/ev
Attachments

cc: Pat Barnhart, ZBA

Robert & Margaret Rizzuto X
10 Park Hill Drive
New Windsor, NY 12553

Clara Sgammato & Graham Alida X
5 Ona Lane
New Windsor, NY 12553

John & Theresa Lyden X
13 Park Hill Drive
New Windsor, NY 12553

Decrosta Karen Ann & Susan D.
Rossi & Rita Marie Rosa & L.
Marino X
12 Park Hill Drive
New Windsor, NY 12553

Frank & Edith Ponessa X
3 Ona Lane
New Windsor, NY 12553

John V. Dunikowski X
15 Park Hill Drive
New Windsor, NY 12553

Frederick Loggia Jr. X
14 Park Hill Drive
New Windsor, NY 12553

John & Rhoda Harvin X
1 Ona Lane
New Windsor, NY 12553

Joyce Marie Hanyan
17 Park Hill Drive
New Windsor, NY 12553

John W. & Rose Ann Coakley X
18 Park Hill Drive
New Windsor, NY 12553

Kirk Andrews X
2 Ona Lane
New Windsor, NY 12553

Luigi & Frances LoGuidice X
19 Park Hill Drive
New Windsor, NY 12553

Charles A. & Rita R. Welch X
20 Park Hill Drive
New Windsor, NY 12553

Thomas & Laura Anderson X
4 Ona Lane
New Windsor, NY 12553

Eli & Ethel Kosanovich X
21 Park Hill Drive
New Windsor, NY 12553

Michael Peter Williams X
22 Park Hill Drive
New Windsor, NY 12553

Franklin P. & Virginia E. Reggero X
6 Ona Lane
New Windsor, NY 12553

Tina Lastowski X
23 Park Hill Drive
New Windsor, NY 12553

Humberto & Clara Cappas X
15 Ona Lane
New Windsor, NY 12553

Raymond & Linda Donovan X
204 Summit Drive
New Windsor, NY 12553

Anthony D. & Mary Decunzo X
P.O. Box 263
Vails Gate, NY 12584

Lynn & Mary Pyle X
11 Ona Lane
New Windsor, NY 12553

Robert C. Delson X
206 Summit Lane
New Windsor, NY 12553

Mark B. & Laurie J. Mallia X
27 Park Hill Drive
New Windsor, NY 12553

James & Kathleen Higgins Jr. X
9 Ona Lane
New Windsor, NY 12553

Gerardo A. & Elba Figueroa X
208 Summit Drive
New Windsor, NY 12553

Martin J. & Raissa Clancy X
29 Park Hill Drive
New Windsor, NY 12553

Anthony J. & Maria C. Landi X
7 Ona Lane
New Windsor, NY 12553

Sandra Aldorasi X
11 Park Hill Drive
New Windsor, NY 12553

Charles W. & Ursula Anne Jerome X
31 Park Hill Drive
New Windsor, NY 12553

Saverio & Gloria M. Cea
17 Ona Lane
New Windsor, NY 12553

Peter James & Barbara Marshall
12 Ona Lane
New Windsor, NY 12553

Joan Mesaris
7 Park Hill Drive
New Windsor, NY 12553

Roland V. & Rose Yannuzzi
24 Park Hill Drive
New Windsor, NY 12553

Paul Fernandez
104 Parkdale Drive
New Windsor, NY 12553

Frank D. & Hope L. Ronsini
9 Park Hill Drive
New Windsor, NY 12553

Nicholas Cracolici
26 Park Hill Drive
New Windsor, NY 12553

Eric G. & Patricia L. Moller
106 Parkdale Drive
New Windsor, NY 12553

Thomas J. & Eileen A. McCullough
8 Herbert Hoover Drive
New Windsor, NY 12553

Dawn E. Pinder
28 Park Hill Drive
New Windsor, NY 12553

W.T. & Lore Cooper
209 Summit Drive
New Windsor, NY 12553

Edward J. & Janice E. Lewis Jr.
7 Herbert Hoover Drive
New Windsor, NY 12553

Louise Y. Price
30 Park Hill Drive
New Windsor, NY 12553

Charles & Marsha Rein
207 Summit Drive
New Windsor, NY 12553

Luther A. & Dorothy Powers
216 Gardnertown Rd
Newburgh, NY 12550

Phillip A. Masciola
23 Ona Lane
New Windsor, NY 12553

Andrew Niejadlik
205 Summit Drive
New Windsor, NY 12553

John & Martha Petro
8 Park Hill Drive
New Windsor, NY 12553

Arthur P. & Shirley Zodikoff
21 Ona Lane
New Windsor, NY 12553

Dominick B. & Judy G. Passantino
203 Summit Drive
New Windsor, NY 12553

Francis L. & Doris Rich
19 Ona Lane
New Windsor, NY 12553

William & Eda Mc Phillips
487 Union Ave
New Windsor, NY 12553

Andrew J. & Mary Jo Maroney III
8 Ona Lane
New Windsor, NY 12553

Newburgh Enlarged City School
District
124 Grand Ave
Newburgh, NY 12550

Geo L. & Patricia Mc Evoy
10 Ona Lane
New Windsor, NY 12553

Dominick Scagliane DBA
Scaglione Quality Builders
241 Temple Hill Rd
New Windsor, NY 12553

Pls. publish immediately. Send bill to A.O. below address.

PUBLIC NOTICE OF HEARING

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. 10

Request of Elaine Hecht

for a VARIANCE of the Zoning Local Law to Permit:

existing carport w/ insufficient sideyard;

being a VARIANCE of Section 48-12 - Table of Use/Bulk Req., Col. F.

for property situated as follows:

13 One Lane, New Windsor, N.Y.

known and designated as tax map Section 8, Blk. 1, Lot 8.

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

James Nugent
Chairman

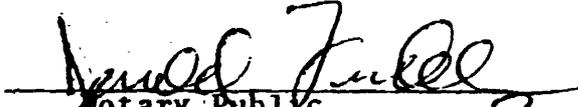
By: Patricia A. Barnhart, Secy.

STATE OF NEW YORK)

: ss.:

COUNTY OF ORANGE)

On the 15th day of March, 1973, before me came DANIEL J. BLOOM, ESQ., to me known and known to me to be the attorney in fact of KENNETH A. CARLSON and MARGARET R. CARLSON, husband and wife, the individuals described in, and who by their said attorney in fact executed the foregoing instrument, and duly acknowledged before me that he executed the same as the act of deed of KENNETH A. CARLSON and MARGARET R. CARLSON, husband and wife, therein described, and for the purposes therein mentioned, by virtue of a power of attorney duly executed by the said KENNETH A. CARLSON and MARGARET R. CARLSON, husband and wife, dated the 7th day of July, 1972, and recorded in the office of the Orange County Clerk in Liber 1928 of Deeds at page 308 on the 13th day of December, 1972.


Notary Public
State of New York, County of Orange
Commission expires March 30, 1973

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

Deed.

KENNETH A. CARLSON and
MARGARET R. CARLSON

TO

EUGENE I. HECHT and
ELAINE HECHT

Dated, March, 15, 1973

*Change and Return to
Jerald Fiedelholz
P.O. Box 88, New Windsor, N.Y.*

DANIEL J. BLOOM
ATTORNEY AT LAW
ROUTE 94
P. O. BOX 477
VAILS GATE, N. Y. 12584

*4-5
7-*

ORANGE
COUNTY

0 3 6 9 2 2

REAL ESTATE
TRANSFER TAX
Dept. of
Taxation
& Finance
Mails 979



STATE OF
NEW YORK
08.35

★ ★ ★ ★ ★

P.B. 10951

1936
1941

Orange County Clerk's Office, s.s.

Recorded on the 19th day
of Mar, 1973 at 9:00
o'clock A.M. in Liber. 1936
Deeds at page 638
and Examined.

C. N. Winters Clerk

This Indenture,

LIRER 1936 PG 638

Made the 15th day of March, nineteen hundred and seventy three

Between KENNETH A. CARLSON and MARGARET R. CARLSON, husband and wife, both residing at 9th Strategic Rec. Wg. (SAC), 3495 Latham Way, Beale Air Force Base, California

parties of the first part, and

EUGENE I. HECHT and ELAINE HECHT, husband and wife, both residing at 2080 Barnes Avenue, Bronx, New York

parties of the second part:

Witnesseth, that the parties of the first part, in consideration of -----
-----Ten and 00/100-----(\$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,

All that certain lot, piece or parcel of land, situate in the Town of New Windsor, Orange County, New York, known and designated as Lot No. 10, Block B on Map entitled "Section 3 - Park Hill Subdivision, Town of New Windsor, Orange County, New York"; owners and subdividers, John A. Petro and James J. Petro, dated July 3, 1963, revision December 23, 1963 and filed in the Orange County Clerk's Office on March 13, 1964 as Map No. 2037.

BEGINNING at a point on the easterly line of Ona Lane at the northwesterly corner of Lot No. 11, Block B, and running thence along said easterly line of Ona Lane, North 28° 40' 54" East 55 feet to a point; thence still along said line of Ona Lane as same curves to the left an arc distance of 25.43 feet to the southwesterly corner of Lot No. 9, Block B; thence along the southerly line of said Lot No. 9, Block B, South 75° 53' 24" East 158.30 feet to a point; thence South 28° 40' 54" West 120 feet to the northeasterly corner of aforesaid Lot No. 11, Block B; thence along the northerly line of last mentioned Lot No. 11, Block B, North 61° 19' 06" West 150 feet to the point of beginning.

TOGETHER with right-of-way, together with others over and upon the 50-foot wide proposed road lying in front of said lot running to proposed 50-foot wide road lying between Lot No. 1, Block A, and Lot No. 11, Block B, Section 3, Park Hill Subdivision, and between Lots Nos. 15 and 16, Section 2, Park Hill Subdivision, to Park Hill Drive as shown on Map of Section 2, Park Hill Drive, and thence over 50-foot wide Park Hill Drive to Union Avenue.

SUBJECT to the provisions of a grant made by John A. Petro and James R. Petro to Central Hudson Gas and Electric Corporation and New York Telephone Company by instrument dated June 21, 1963 and recorded in Orange County Clerk's Office on August 6, 1963, in Liber 1644 of Deeds at Page 589.

ALSO SUBJECT to the following covenants and restrictions:

4. No chickens, fowl or animals may be kept or harbored upon the premises excepting a reasonable number of household pets.

5. Sewage disposal and water supply system shall be installed or constructed in accordance with the regulations of the New York State Department of Health, and the Town of New Windsor.

6. That no pens shall be constructed on the property for the purpose of confining dogs or cats.

SUBJECT FURTHER to a certain first purchase money mortgage running from Kenneth A. Carlson and Margaret R. Carlson, husband and wife, to the Savings and Loan Association of Newburgh, New York, with offices located at 45 Grand Street, Newburgh, New York, which mortgage is recorded in the Office of the Orange County Clerk, Goshen, New York, on July 1, 1971, in Liber 1572 of Mortgages at page 343, upon which there is presently due and owing to the mortgagee the principal sum of \$27,359.22, up to and including January 31, 1973, in monthly payments of \$283.00, including taxes, at 7 1/2%, for 25-year period, and which mortgage the grantees herein agree to assume and pay as so much of the purchase price of the subject premises.

BEING the same premises described in a deed from Ernest Mentasana and Anna R. Mentasana, to Kenneth A. Carlson and Margaret R. Carlson, dated June 29, 1971, and recorded in the Orange County Clerk's Office on July 1, 1971 in Liber 1877 of Deeds at page 388.

1936 639

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. an 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;

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 total of the same for any other purpose.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written

In the Presence of:

Kenneth A. Carlson
Kenneth A. Carlson

Margaret R. Carlson
Margaret R. Carlson

By: Daniel J. Bloom - Attorney-in-fact
Daniel J. Bloom, Esq., Attorney-in-fact for Kenneth A. Carlson and Margaret R. Carlson

Eugene I. Hecht
Eugene I. Hecht

Elaine Hecht
Elaine Hecht

State of New York,
County of ORANGE

ss.:

On the 15th day of March, nineteen hundred and seventy-three before me personally came Eugene I. Hecht and Elaine Hecht, to me known to be the individuals described in, and who executed, the foregoing instrument, and acknowledged that they executed the same.

[Signature]
Notary Public
State of New York County of Orange
Commission expires March 30, 1973

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

99-10.

Date: 4/15/99.

I. Applicant Information:

- (a) EIaine HIGHT 13 ONA LANE NEW WINDSOR 562-3488
(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-4 13 ONA LANE 8-1-8 55'F 120'R 150'D
(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? YES
- (d) When was property purchased by present owner? 1973
- (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? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: _____

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.

<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>15 ft.</u>	<u>4 ft.</u>	<u>11 ft.</u>
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
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:

~~IT WILL HAVE NO ADVERSE EFFECTS ON ENVIRONMENT
WILL NOT CHANGE NEIGHBORHOOD. IT IS A CAR PORT THAT
HAS BEEN UP FOR 15 YRS. IT WAS PUT UP BY NW ALIUM
PRODUCTS THEY WERE SUPPOSE TO GET PERMITS BUT DID NOT.
ZBA SHOULD GRANT PERMIT BECAUSE IS PERMITS SELL AND NEIGHBORS DON'T
MIND CAR PORT~~

(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:

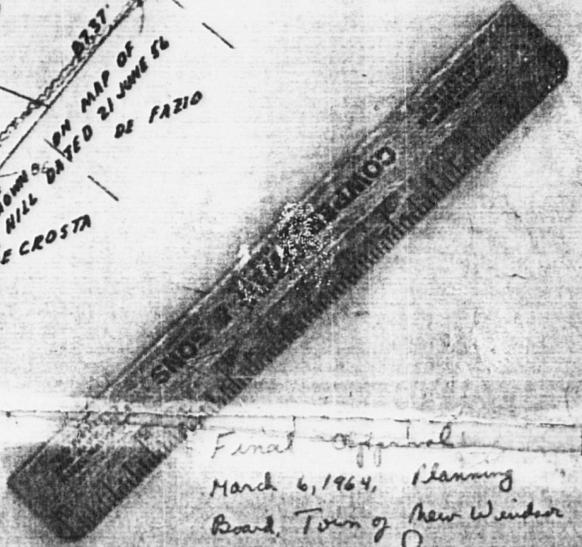
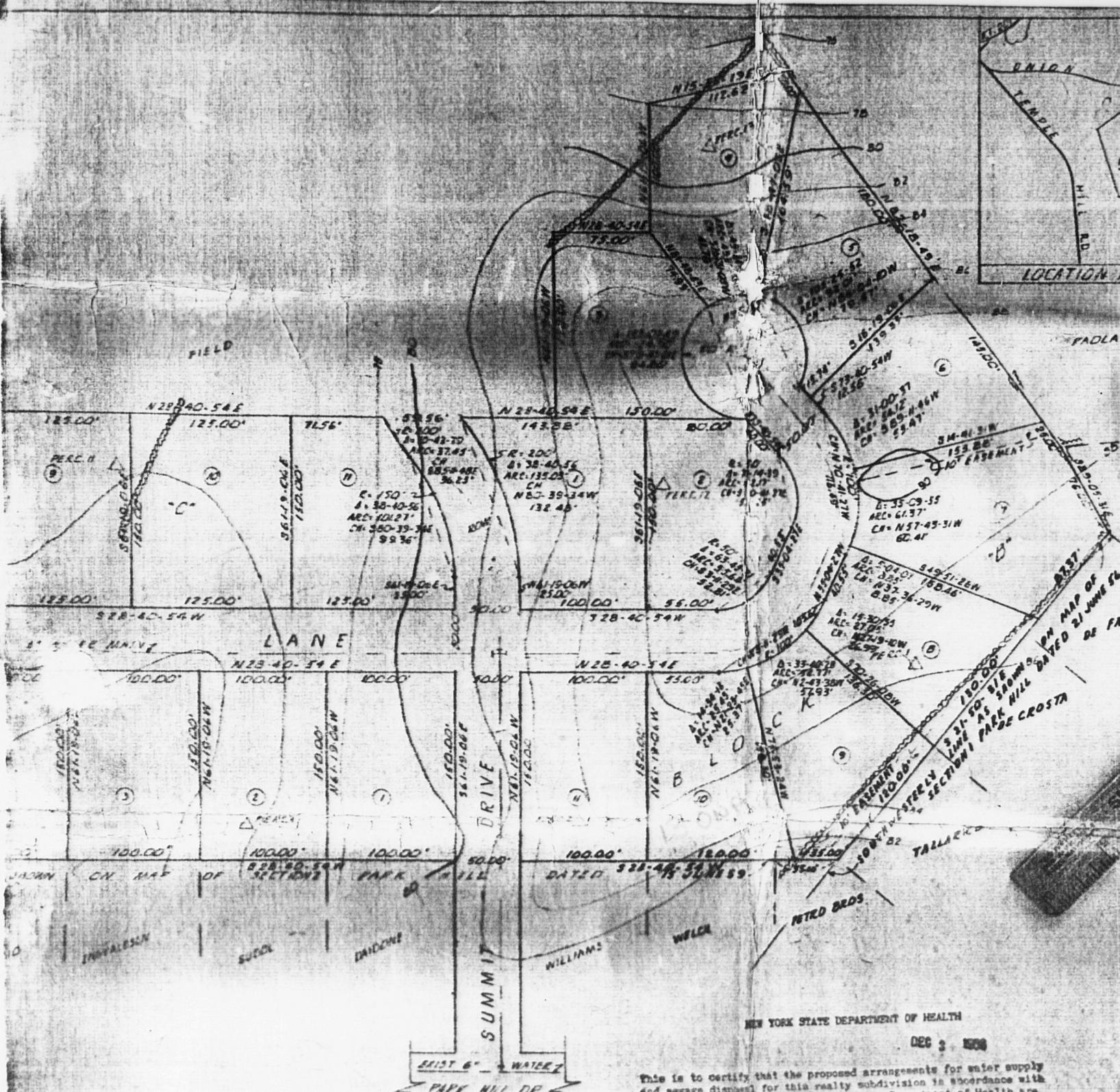
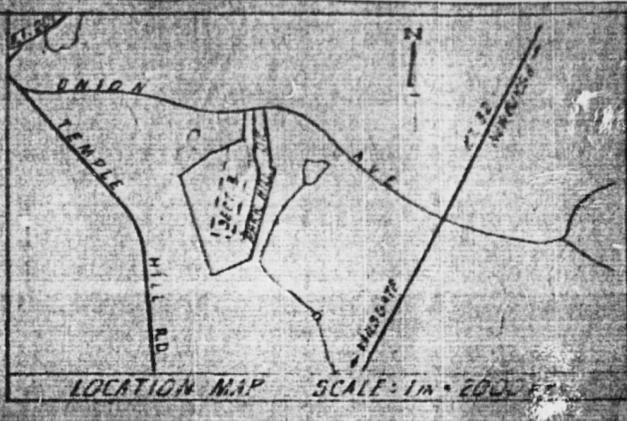
(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(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)



Final Approval
 March 6, 1964, Planning
 Board, Town of New Windsor
 Seymour Levine
 Secretary

NEW YORK STATE DEPARTMENT OF HEALTH
 DEC 3 1963

This is to certify that the proposed arrangements for water supply and sewage disposal for this realty subdivision in accordance with plans on file in the office of the State Department of Health are hereby approved. Consent is hereby given to the filing of the map on which this statement appears in the office of the County Clerk in accordance with the provisions of Section 1117 of the Public Health Law.

DISTRICT HEALTH OFFICER
 By: *[Signature]*
 DISTRICT SANITARY ENGINEER

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAN OF LOTS AND PARCELS WITHIN THE SUBDIVISION COMPLYING WITH THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE TOWN OF NEW WINDSOR.

FRANK J. VALDINA JR., P.E.
 ENGINEER - NEWBURGH, N.Y.



JAMES J. PETRO
 B. PARK HILL DRIVE
 SCALE: 1 in = 50 ft. DATE: 3-2-64
 JOB NO.: 156-2 REVISION: 28-6-63

LOT NO.	ACREAGE
A1 A2 A3 A4 A5 A6 A7 A8 A9	180
B1 B2	180
B3 B4 B5 B6 B7 B8 B9 B10 B11 B12 B13 B14 B15 B16 B17 B18 B19 B20 B21 B22 B23 B24 B25 B26 B27 B28 B29 B30 B31 B32 B33 B34 B35 B36 B37 B38 B39 B40 B41 B42 B43 B44 B45 B46 B47 B48 B49 B50 B51 B52 B53 B54 B55 B56 B57 B58 B59 B60 B61 B62 B63 B64 B65 B66 B67 B68 B69 B70 B71 B72 B73 B74 B75 B76 B77 B78 B79 B80 B81 B82 B83 B84 B85 B86 B87 B88 B89 B90 B91 B92 B93 B94 B95 B96 B97 B98 B99 B100	200
A11 A12 A13 A14 A15 A16 A17 A18 A19 A20 A21 A22 A23 A24 A25 A26 A27 A28 A29 A30 A31 A32 A33 A34 A35 A36 A37 A38 A39 A40 A41 A42 A43 A44 A45 A46 A47 A48 A49 A50 A51 A52 A53 A54 A55 A56 A57 A58 A59 A60 A61 A62 A63 A64 A65 A66 A67 A68 A69 A70 A71 A72 A73 A74 A75 A76 A77 A78 A79 A80 A81 A82 A83 A84 A85 A86 A87 A88 A89 A90 A91 A92 A93 A94 A95 A96 A97 A98 A99 A100	250

NOTES:
 1. WATER SUPPLY AND SEWAGE FACILITIES APPROVED BY N.Y.S. DEPT. OF HEALTH 5/21/63
 2. THE SUBDIVIDER WILL BE RESPONSIBLE TO THE TOWN OF NEW WINDSOR FOR THE LAND AREAS NOTED FOR STREETS & EASEMENTS
 SUBDIVISION AREA - 15.5 ACRES
 IN
 TOWN OF NEW WINDSOR
 ORANGE COUNTY, N.Y.

TEST PITS

TOP SOIL	1/2"	1/2"
LOAM	10" TO 14"	10" TO 14"
SLATE	10" TO 14"	10" TO 14"

NO GROUND WATER ON 5/15/63

#2037
 15 FOLDER A

Map filed March 13, 1964
 PROPERTY BOUNDARY SURVEY OCT. 62 BY ROBERT L. BARTON

2037 3-13-1964