

**ZB# 00-17**

**Julie DeFeo**

**52-1-95**

# 00-17 De Teo, Julie

Use/Area

52-1-95.

Helim.

April 24, 2000

Public Hearing:

May 22, 2000

Granted: Aug.

Refunded:

~~1140.00~~

1140.00

**APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)**

APPLICANT: Julia Dejes

FILE# 00-17.

RESIDENTIAL: \$50.00  
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE     

APPLICATION FOR VARIANCE FEE ..... \$ 50.00

*paid ck. 198.  
5/8/00.  
paid ck # 199.*

ESCROW DEPOSIT FOR CONSULTANT FEES ..... \$ 300.00

**DISBURSEMENTS:**

**STENOGRAPHER CHARGES: \$4.50 PER PAGE**

PRELIMINARY MEETING-PER PAGE	<u>4/10/00 - 11</u>	\$ <u>49.50</u>
2ND PRELIMINARY- PER PAGE	<u>5/22/00 - 9</u>	\$ <u>40.50</u>
3RD PRELIMINARY- PER PAGE		\$ <u>    </u>
PUBLIC HEARING - PER PAGE		\$ <u>    </u>
PUBLIC HEARING (CONT'D) PER PAGE		\$ <u>    </u>
TOTAL		\$ <u>90.00</u>

**ATTORNEY'S FEES: \$35.00 PER MEETING**

PRELIM. MEETING:	<u>4/10/00</u>	\$ <u>35.00</u>
2ND PRELIM.	<u>5/22/00</u>	\$ <u>35.00</u>
3RD PRELIM.		\$ <u>    </u>
PUBLIC HEARING		\$ <u>    </u>
PUBLIC HEARING (CONT'D)		\$ <u>    </u>
TOTAL		\$ <u>70.00</u>

**MISC. CHARGES:**

..... \$       
TOTAL ..... \$ 160.00

LESS ESCROW DEPOSIT ..... \$ 300.00  
 (ADDL. CHARGES DUE) ..... \$       
 REFUND DUE TO APPLICANT . \$ 140.00

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

**JULIA DEFEO**

MEMORANDUM OF  
DECISION GRANTING  
AREA VARIANCES

#00-17.  
-----X

**WHEREAS, JULIA DEFEO**, residing at 680 Beattie Road, Rock Tavern, N.Y. 12575, has made application before the Zoning Board of Appeals for construction of a barn and fence with insufficient lot area for three horses, a fence over 4 ft. in height located 20 ft. from Rt. 207 and 10 ft. from the southern portion of the property, all in variation of Sec. 48-12, Col. C & E, 14A(4) and C(1)© of the Supplemental Yard Regulations, at the above address in an R-1 zone; and

**WHEREAS**, a public hearing was held on the 22nd day of May, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant represented herself; and

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

**WHEREAS**, no one spoke in favor or opposition to this 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 single-family home located on a large parcel of approximately 6 acres and surrounded by rural residences.

(b) The property is located at the intersection of State Route 207 and Beattie Road.

(c) The Applicant seeks variances necessary to construct a fence and barn and for the keeping of three horses on the property. Two horses are allowed by right under Zoning Code.

(d) If the application is approved the Applicant will retain a tree-lined buffer along the back of the property and along Route 207 which will screen the property, and the horses thereon, from motorists and other members of the public.

(e) The fence if allowed will not interfere with operation by or the view of passing motorists. The fence which is sought would be permitted except for the configuration and location of the property by which it has two legal front yards.

(f) The fence variance, if allowed, would permit the construction of a fence approximately 10 ft. from the southerly most property line, but the proposed location of the fence would be approximately 20 ft. from Route 207.

(g) The Applicant has requested a variance to place the barn closer than the main building because of the configuration of the property and it having two legal front yards. As the property is actually utilized, the barn, if permitted, will not project closer to the road than the main structure, but would appear to be in the structure's side yard which is, legally, a front yard.

(h) The barn or the fence will not create any water hazards or interfere with the course of any water drainage.

(i) The proposed fence to be utilized is similar to other fences in the neighborhood.

(j) There is a power line easement on the southwest end of the property but the fence, if allowed, will not be on or interfere with that easement nor will it impede access to that easement by the easement owner, Central Hudson.

**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 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.

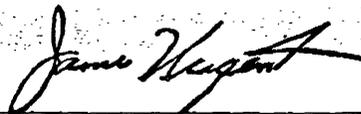
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for variances as stated in paragraph one above at the above residence in an R-1 zone.

**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 26, 2000.



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Chairman

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: 4/10/00

APPLICANT: Julia & Joseph Defeo  
680 Beattie Rd  
Rock Tavern, NY 12575

592-3044.

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 4/7/00

FOR : 5' fence located between the principal building and the street Rt. 207.

LOCATED AT: 680 Beattie Rd

ZONE: R-1 Rural Residential

DESCRIPTION OF EXISTING SITE: 52-1-95

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1.48-14 C(1C) Exceptions to yard requirements Between the principal building and the street on which it fronts, the maximum permissible fence height shall be 4'. Resident proposes 5' fence along Rt. 207.

*Louis J. Kuyheer*  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-1      USE: 4' fence

5' fence

1' Additional fence height

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

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

FENCE HIGHER THAN 4'

RECEIVED

APR 07 2000

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

BUILDING DEPARTMENT

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not make 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, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. 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. Call 24 hours in advance, with permit number, to schedule 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 here is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: 218-2000

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Julia & Joseph DeFEO

Address 1080 Beattie Road Rock Tavern NJ Phone 908-6149

Mailing Address Same

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)

1. On what street is property located? On the SOUTH side of RT 207  
(N,S,E or W)  
and 50 feet from the intersection of BEATHIE ROAD
2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N X
3. Tax Map Description: Section 52 Block 1 Lot 95
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? Yes
7. Dimensions of entire new construction. Frnt \_\_\_\_\_ 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 \_\_\_\_\_

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

\_\_\_\_/\_\_\_\_/\_\_\_\_  
date

**Building Inspector: Michael L. Babcock**  
**Asst. Inspectors Frank Lisi & Louis Krychear**  
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. \_\_\_\_\_

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.

(Signature of Applicant)

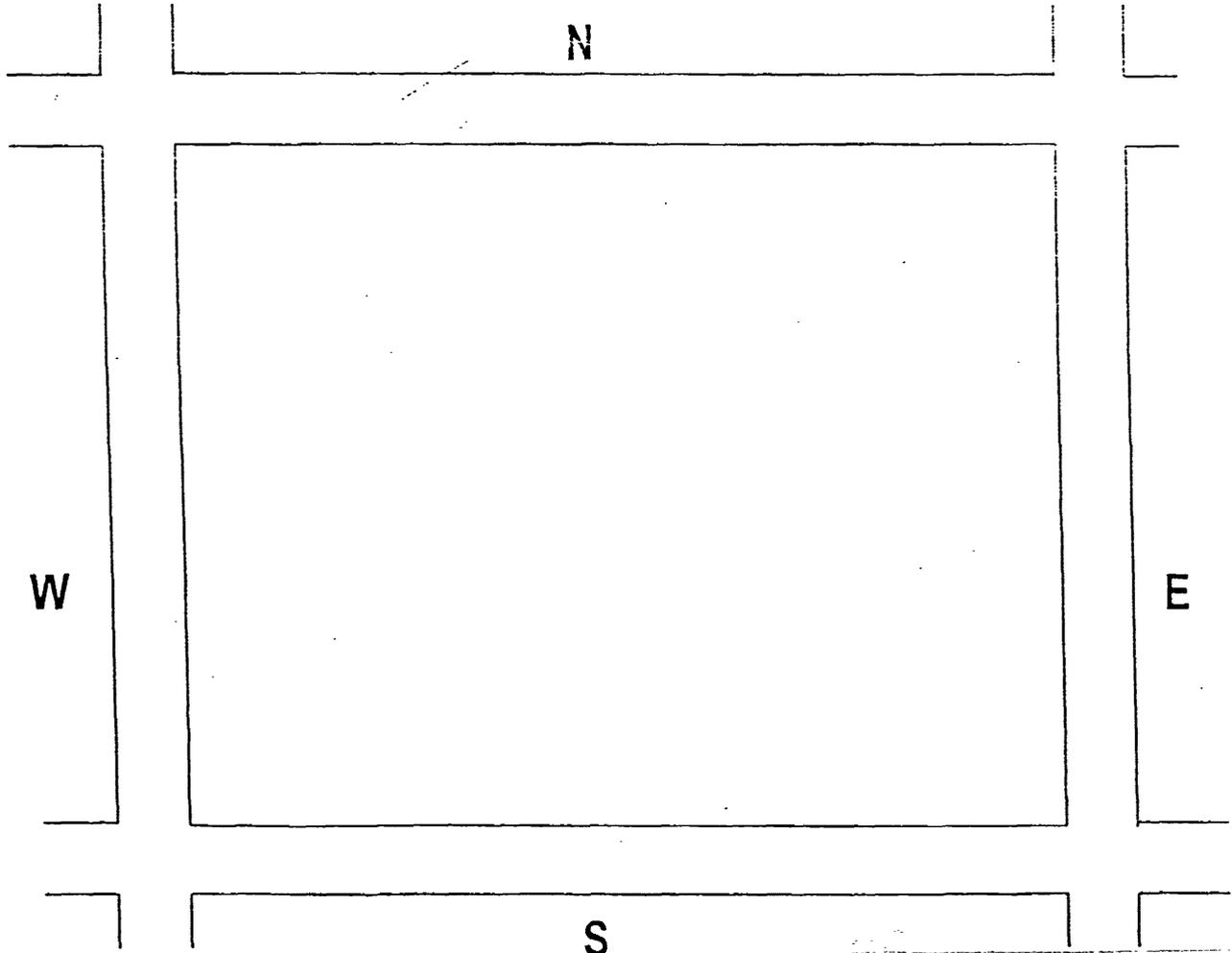
*Julia DeFec*  
(Owner's Signature)

(Address of Applicant)

1680 BEATHE ROAD Peek TOWN  
(Owner's Address)

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.



S.F.T.  
SPLIT  
RAILY  
Horse Fence  
PROFT  
FRONT  
PROPERTY  
LINE

N. Y. S. RTE. # 207

N 82°-19'-48" E  
96.55'

N 77°-10'-54" E  
178.68'

N 75°-53'-49" E  
158.72'

ROAD  
N 21°-27'-49" E  
174.32'

WELL?

Horse Paddock

BRN  
36'  
36'

F.M. LOT  
18  
ROAD  
OLD

AREA:  
5.428 Ac.

SHALE DRIVE

DECK

2 STORY  
FRAMED  
DWELLING

APPROX. LOCATION  
SEPTIC AREA

OLD ROAD

Horse Paddock

F.M. LOT  
17

875.21'  
N 69°-46'-20" W

SEPTEMBER 26, 1996

I HEREBY CERTIFY TO JOSEPH DEFEO and  
JULIA BECHTEL, FIDELITY NATIONAL TITLE  
INSURANCE COMPANY OF NEW YORK and  
SAWYER SAVINGS BANK, its successors,  
and/or assigns THAT THE HOUSE AND  
WELL ARE LOCATED AS SHOWN

*Leo J. Carroll*

LEO J. CARROLL, N.Y.S. L.S.  
#48997



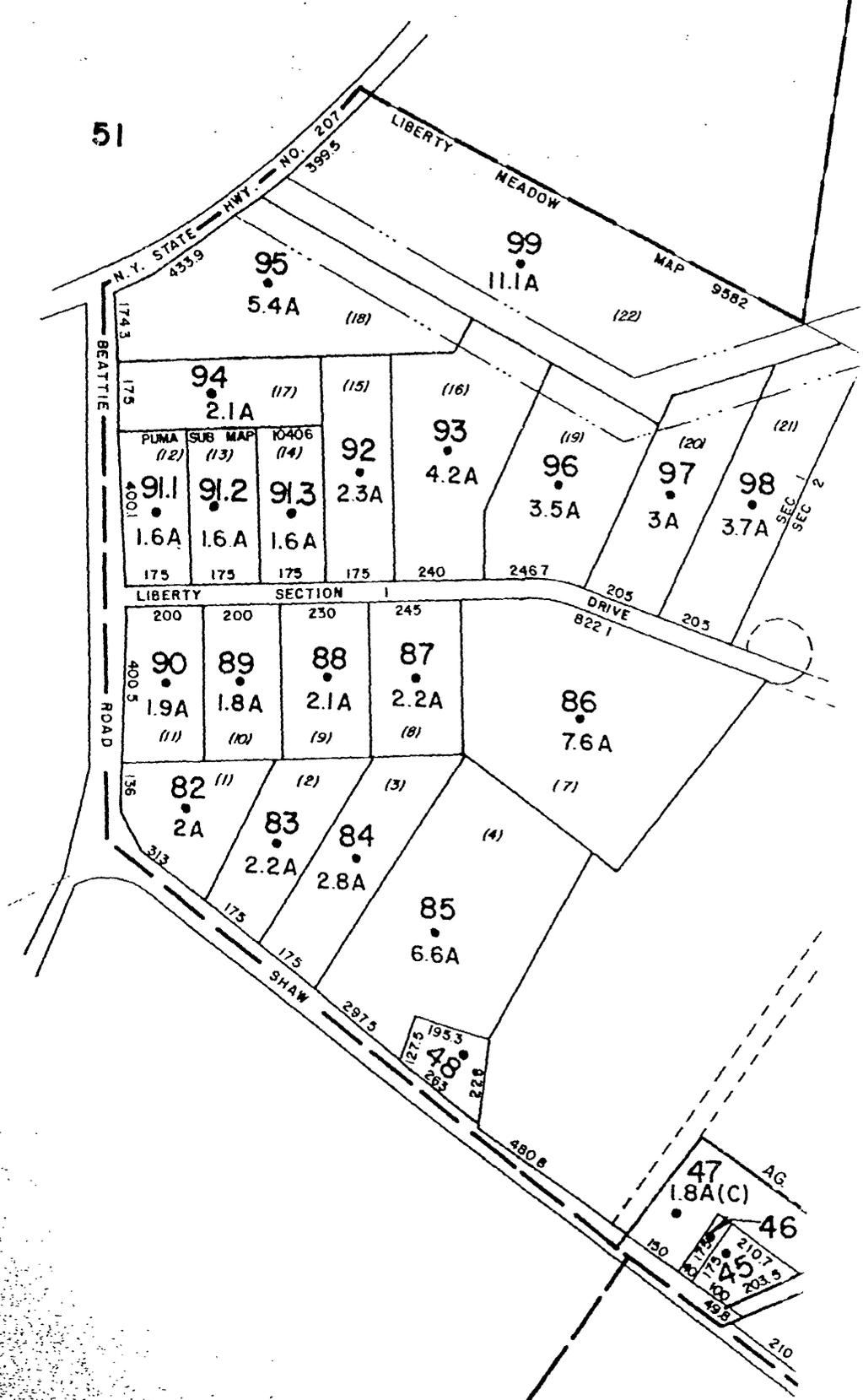
**TAX MAP REFERENCE:**

TOWN OF NEW WINDSOR  
SECTION 52, BLOCK 1, LOT 95

**FILED MAP REFERENCE:**

BEING LOT #18 OF A FILED SUBDIVISION MAP  
ENTITLED "SUBDIVISION PLAN LIBERTY M. AOW"  
AND FILED AS MAP #9582 ON AUG. 1, 1987 AT  
ORANGE COUNTY CLERK'S OFFICE.

SECTION 51



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: 4/10/00

APPLICANT: Julia & Joseph Defeo  
680 Beattie Rd  
Rock Tavern, NY 12575

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 4/7/00

FOR : Keeping 3 horses closer than 75' to the property lines.

LOCATED AT: 680 Beattie Rd

ZONE: R-1 Rural Residential

DESCRIPTION OF EXISTING SITE: 52-1-95

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1.48-12, R-1 Table Column M-9 Any animal other than domestic animal shall be restrained such that said animal cannot enter any portion of the premises that is within 75' of any property line. Resident proposes horses kept 20' from Rt. 207 and 10' from South property line.

*Louis J. Kephart*  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-1 <sup>N/A.</sup> ~~USE:~~ Horses 75ft  
FROM PROPERTY LINE:

10' South Line  
20' North Line

65' South Property Line  
55' Rt207 Property Line

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

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

3RD HORSE + CHOSER THAN 75' FROM PROPERTY

RECEIVED

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

APR 07 2000

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy **BUILDING DEPARTMENT** must make 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, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. 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. Call 24 hours in advance, with permit number, to schedule 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 here is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: 216-2000

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Julia + Joseph DeFec

Address 680 BEATTIE ROAD ROCK TAVERN NJ Phone 496-6149

Mailing Address SAME

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

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

(Name and title of corporate officer)

1. On what street is property located? On the South side of Route 27  
(N,S,E or W)  
and 0.17 feet from the intersection of Brattle Road
2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_
3. Tax Map Description: Section S.2 Block 1 Lot 95
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? Yes
7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_
8. If dwelling, number of dwelling units: N/A 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 \_\_\_\_\_

**PAID** 50.00

\_\_\_\_/\_\_\_\_/\_\_\_\_  
date

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. Inspectors Frank Lisi & Louis Krychear**  
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. \_\_\_\_\_



INSTRUCTIONS

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- 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.

(Signature of Applicant)

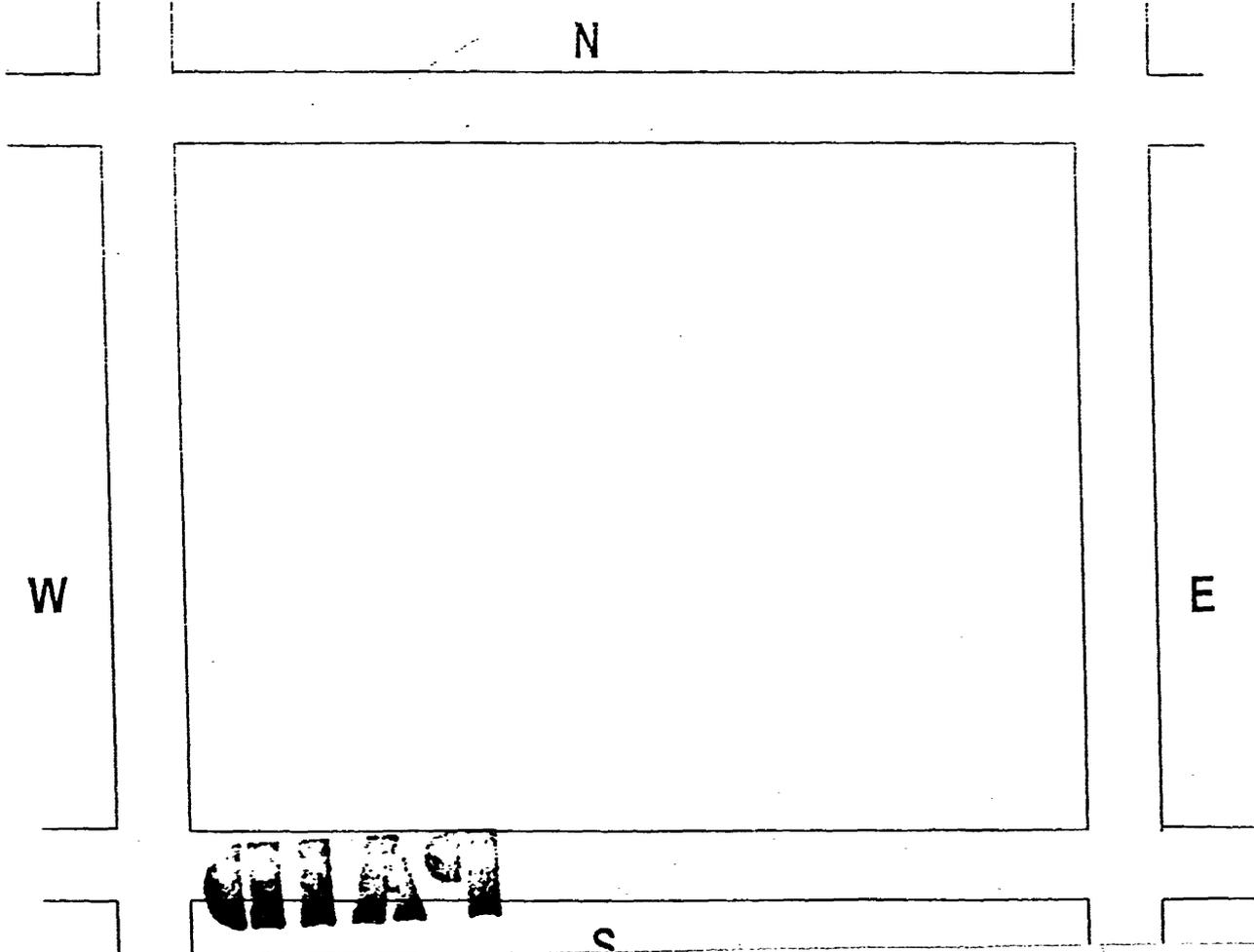
(Address of Applicant)

(Owner's Signature)

(Owner's Address)

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.



JULIA DEFEO  
JOSEPH DEFEO  
680 BEATTIE RD.  
ROCK TAVERN, NY 12575

29-1/213  
9423842884

198

DATE 5/8/00

PAY TO THE  
ORDER OF

Town of New Windsor

\$ 50<sup>00</sup>

fifty dollars <sup>XX</sup>/<sub>100</sub>

DOLLARS

**Fleet**  
27529 Washingtonville  
Washingtonville, New York 10992

MEMO 2BA #00-17

*Julia Defeo*

⑆021300019⑆ 94238 42884 ⑈ 0198

SAFETY PAPER

JULIA DEFEO  
JOSEPH DEFEO  
680 BEATTIE RD.  
ROCK TAVERN, NY 12575

29-1/213  
9423842884

199

DATE 5/8/00

PAY TO THE  
ORDER OF

Town of New Windsor

\$ 300<sup>00</sup>

three hundred dollars <sup>XX</sup>/<sub>100</sub>

DOLLARS

**Fleet**  
27529 Washingtonville  
Washingtonville, New York 10992

MEMO 2BA #00-17

*Julia Defeo*

⑆021300019⑆ 94238 42884 ⑈ 0199

SAFETY PAPER



Date 5/3/00, 19.....

# TOWN OF NEW WINDSOR

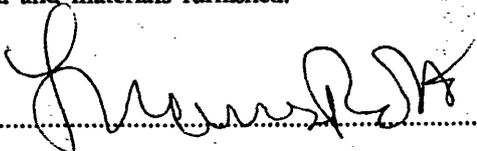
TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

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

DATE		CLAIMED	ALLOWED
5/22/00	Zoning Board Mtg	75.00	
	Misc - 3		
	Morano - 7		
	Ujor - 3		
	L.G. Enterprises - 3		
	Bila Partners - 9		
	Deleo - 9 \$40.50		
	Shuman - 2	162.00	
	<u>36</u>	<u>162.00</u>	
		237.00	
	<i>James Wright</i>		

STATE OF NEW YORK,  
TOWN OF NEW WINDSOR } ss.

I hereby certify, that the items of this account are correct; that the disbursements and services charged therein have in fact been made and rendered, and that no part thereof has been paid or satisfied, that the amount herein mentioned is in full settlement for all services rendered and materials furnished.

Sign Here 

No. ....  
Town of New Windsor

.....  
Nature .....  
Amount Claimed \$ .....  
Amount Allowed \$ .....

Filed .....  
I hereby certify that at a meeting of  
said Town Board held at the office of the  
Town Clerk on the ..... day  
of ..... 19.....  
the within claim was audited and allowed  
for the sum of  
\$ .....

.....  
Clerk

PUBLIC HEARINGS:

DEFEO, JULIA

MR. NUGENT: Request for construction for barn & fence with insufficient lot area for three horses; fence over four feet high located 20 ft. from Route 207 and 10 ft. from southern portion of property, all in variation of Section 48-12, Table of Use/Bulk Regulations, columns C & E and 48-14A(4) and C(1)(c) of Supplemental Yard Regulations at 680 Beattie Road in an R-1 zone. Let the record show there's one in the audience.

Ms. Julia Defeo appeared before the board for this proposal.

MS. DEFEO: First off, I promised you last time I was here for the pictures of my horses. Actually, I'm actually more anxious right now to bring them home because of what happened over in Montgomery, they're located in the barn right next door, you've heard what happened to the cows over there, it's a horrible thing. there's only two, but I also tried to take some pictures of my property and also draw in the fence and I wasn't extremely successful but this is the Beattie Road facing the house and I tried to draw in the fence, I tried marker, I tried pen, it was hard.

MR. NUGENT: Not easy.

MS. DEFEO: This is also kind of looking from Beattie Road towards the back yard.

MR. NUGENT: On the right angle, you can see it pretty good.

MS. DEFEO: Yeah, I was there with my ruler. This one is looking from the back yard to Route 207, as you can see, this is the entire side of Route 207, I have a very heavy tree line here and I was actually trying to measure, it was kind of difficult.

MR. NUGENT: You're leaving that.

MS. DEFEO: Yes, the road sits up probably about this

high off of Route 207 and then I have--

MR. TORLEY: Probably over your head.

MS. DEFEO: Well, I've got the stone wall on top of that and then I've got the tree line starting from that so it's pretty high. This is actually from the back yard also looking towards the corner of Route 207 and Beattie Road and you can tell it's that because of the telephone pole that's the corner.

MR. TORLEY: You say split rail horse fence.

MS. DEFEO: Yes. Well, it's not going to be split rail, split rail is where they have the holes in the posts. No, it's going to be 4 X 4, eight foot posts, three foot in the ground and they're going to be 31 inch by four inch boards across. Mike, when you're ready, my pool C.O. is ready, my inspection is ready, I have everything, my fence is complete.

MR. BABCOCK: You've got to do that through my office.

MS. DEFEO: So, the fence I've put around the pool is black wrought iron, very pretty looking, the horse fencing also will be black to kind of compliment the surroundings. This is a view of the corner of Beattie Road and Route 207 showing you basically 207 and the tree line and the height of the ground.

MR. NUGENT: When you're finished, send them over so I can send them to Larry.

MR. TORLEY: I drive by the lot, I watched your house being built.

MR. MC DONALD: So have I.

MS. DEFEO: I have to clear out some of the trees and I'm going to be keeping the tree line all along Route 207 and also the tree line along the back of my property.

MR. KANE: How high is the fence going to be?

MS. DEFEO: Five foot fence, that's why I needed a variance because my side yard facing Route 207 is considered front yard and I can't have--

MR. KANE: Fencing itself isn't going to obstruct any view of the road or any kind of driving hazard?

MS. DEFEO: I don't see the road personally.

MR. KANE: From the road, it's not going to obstruct any traffic vision or anything?

MS. DEFEO: It doesn't even go to the corner.

MR. KANE: Just covering the bases.

MR. TORLEY: That's for the record.

MR. NUGENT: Why does she have this for three horses?

MR. BABCOCK: The way, you're only allowed to have two horses and--

MR. KRIEGER: She only mentioned two horses.

MS. DEFEO: Plus two fowls under six months.

MR. BABCOCK: One year old, something like that, and if you go over that, what you gentlemen had done the last time was if you count the number, it might be a use variance, so if she's allowed to have three horses, if she had 20 acres.

MS. DEFEO: Also said at the last meeting that the property adjacent to mine, the 11 acres that there's not a house on it, but they have a variance for 11 horses which is one acre per horse, so if that's the fact, I should get 6 horses, right? I'm just kidding.

MR. BABCOCK: Mr. Chairman, which one were you talking about?

MR. NUGENT: Request for construction of barn and fence with insufficient lot area for three horses.

MR. BABCOCK: We're not, we didn't do it that way, we've got her down for four variances, one is for, she's allowed two horses, she wants to keep three, so she wants one horse variance, a four foot fence, she's putting up a five foot fence, so she needs a one foot additional height variance, then she needs the law that says that you must maintain a horse 75 feet from the property line, well, if she doesn't put the fence in 75 feet, she needs a variance from that and--

MR. KANE: Is that ten foot from the southern portion?

MR. BABCOCK: Yes, ten from the southern line and 20 foot from the north line.

MS. DEFEO: It's going to be more than 20 feet from Route 207, but eventually, when they get this area cleared out, I was looking to put the fence up ten feet from this line, this way, it just gives them more area to graze, this is a vacant lot and this is also a vacant house.

MR. BABCOCK: The fourth one, Mr. Chairman, is the garage or the barn is closer than the main building, closer to the road.

MS. DEFEO: Because it's considered my front yard still, right?

MR. KANE: Two front yard scenario.

MR. NUGENT: There's four, you said there's four.

MR. BABCOCK: Yes.

MR. KANE: The one horse variance, ten feet from the southern boundary, the one foot fence is three and you have the garage is closer than the main.

MS. DEFEO: I believe the ten foot is also with the 20 foot, it's together.

MR. BABCOCK: I'll make you a copy of it.

MR. TORLEY: Now, for the record, you're requesting

these variances as far as layout of the fences in order to provide a safe environment for your horses that shields them from the traffic?

MS. DEFEO: Correct.

MR. TORLEY: And the layout of this fence is such that it will not interfere with the sight lines of any traffic on either Beattie or 207.

MS. DEFEO: Not at all.

MR. KANE: With putting, building the fence, you're not going to create any water hazards or cut down any trees or anything along that line?

MS. DEFEO: Putting up the fence, no, however, for the barn, yes.

MR. KANE: You want to take one at a time?

MR. NUGENT: I think we're going to have to.

MR. TORLEY: We're working right now on the fence, just the fence, just the fence.

MR. KANE: We've got the height, we've got water and the fencing is similar to other type of fencing for big properties in that area, so you're not changing the--

MR. TORLEY: Now, further on the fence and the 75 foot space you also encroach on the back corner of the property, the western, southwest end of the property where you're putting your barn that's near a power line easement, correct?

MS. DEFEO: Correct, Central Hudson, that's a 75 foot easement.

MR. TORLEY: But the fencing will not be into the easement?

MS. DEFEO: No, it will not.

MR. TORLEY: That will not impede their access to their

easement in any way?

MS. DEFEO: No.

MR. TORLEY: Entertain a motion on this matter?

MR. NUGENT: Yes, on the two of them.

MR. TORLEY: I move, these are the fence and the 75, maintain the horse closer than 75, I move that we grant the Defeos their requested variance for the fence height and keeping horses closer than 75 feet to the property line.

MR. KANE: Second the motion.

ROLL CALL

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

MR. NUGENT: Next one we're going to do is the barn.

MR. KANE: Projects closer than the main building.

MR. NUGENT: Yes.

MR. KANE: The property that you have is considered to have two front yards.

MS. DEFEO: Yes.

MR. KANE: That's the main reason you're here before us?

MS. DEFEO: Correct, because my Route 207 side front yard takes up the entire property.

MR. KRIEGER: House on the property now?

MS. DEFEO: On my property, yes.

MR. KRIEGER: It faces which road?

MS. DEFEO: Beattie Road.

MR. KRIEGER: So you consider functionally that's your front yard, 207 is your side yard?

MS. DEFEO: Correct.

MR. KRIEGER: This barn many not project closer to Beattie Road than the house?

MS. DEFEO: No.

MR. KRIEGER: So it would appear to be in the back of the house, anybody looking at it?

MS. DEFEO: Correct.

MR. KANE: And the building of the barn is not creating any water hazards or runoffs in any way?

MS. DEFEO: No.

MR. TORLEY: How big is the barn going to be, 36 x 36, but how high?

MS. DEEO: It was within--

MR. BABCOCK: Can't be more than 15 foot high.

MS. DEFEO: It was within, I have the specifications to the barn.

MR. TORLEY: As long as it's within the code requirements.

MS. DEFEO: It is within the code requirement, as a matter of fact, I have a brochure of what the barn is going to look like, it's a pole barn, it's a six unit pole barn, three stalls one will be an actual room with a door on it for tack and feed and the other two units will be open and used for hay storage.

MR. KANE: The building of the barn isn't going to make a difference to the neighborhood?

MS. DEFEO: No.

MR. TORLEY: You feel the barn is required for proper maintaining of your animals?

MS. DEFEO: Absolutely.

MR. KANE: Accept a motion?

MR. NUGENT: Yes.

MR. KANE: I move that we approve the application by Julia Defeo for having a garage project closer to the road than the main house.

MR. REIS: The barn. Second it.

ROLL CALL

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

MR. NUGENT: Last one is the three horse, actually one horse variance.

MR. KANE: You have private well and septic?

MS. DEFEO: Correct.

MR. TORLEY: In your disposal of the horse waste, it will not be, it will be clear of your, is there a code for how far it has to be from the well?

MR. BABCOCK: No.

MR. KANE: Nothing to do with us.

MR. TORLEY: As long as you know.

MR. KANE: I'm sure she's going to take care of it.

MR. KRIEGER: But the barn won't go on top of the septic or well?

MS. DEFEO: It's probably 800 feet from it, it's very far, my well is actually in my real front yard, kind of on the corner of Route 207 and Beattie Road.

MR. REIS: I make a motion that we grant the Defeos their requested variance for a third horse on their property.

MR. KANE: Second it.

ROLL CALL

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

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: 4/10/00

APPLICANT: Julia & Joseph Defeo  
680 Beattie Rd  
Rock Tavern, NY 12575

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 4/7/00

FOR : 36' x 36' horse barn

LOCATED AT: 680 Beattie Rd

ZONE: R-1 Rural Residential

DESCRIPTION OF EXISTING SITE: 52-1-95

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1.48-14, A(4) Supplementary yard Reg. No accessory building shall project nearer to the street on which the principal building fronts than such principal building. House is 122' +/- from Rt207, proposed barn will be 85' +/- from Rt. 207. A variance of 37' is requested.

*Louis J. Keyser*  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-1      USE: Accessory Building (horse barn)

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD: 122' houses to road      85' barn to road      37 variance

REQ'D. SIDE YD:

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

BARN / FRONT YARD

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.

RECEIVED

APR 07 2000

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, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. 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. Call 24 hours in advance, with permit number, to schedule 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 here is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: 217-2000

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises JULIA + JOSEPH DEFEO

Address 180 BEATTIE ROAD ROCKTOWN Phone 416-6149

Mailing Address SAME

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor Breida Blags

Address P.O. Box 447 Montgomery NY Phone 457-3200

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

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

(Name and title of corporate officer)

1. On what street is property located? On the South side of RT 201  
(N,S,E or W)  
and 00 feet from the intersection of BERTHO ROAD
2. Zone or use district in which premises are situated \_\_\_\_\_ is property a flood zone? Y \_\_\_\_\_ N X
3. Tax Map Description: Section 52 Block 1 Lot 95
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? Yes
7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories 1
8. If dwelling, number of dwelling units: N/A 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 \_\_\_\_\_

**PAID**

50.00

Receipt 764

\_\_\_\_/\_\_\_\_/\_\_\_\_  
date

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. Inspectors Frank Lisi & Louis Krychear**  
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. \_\_\_\_\_

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.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Address of Applicant)

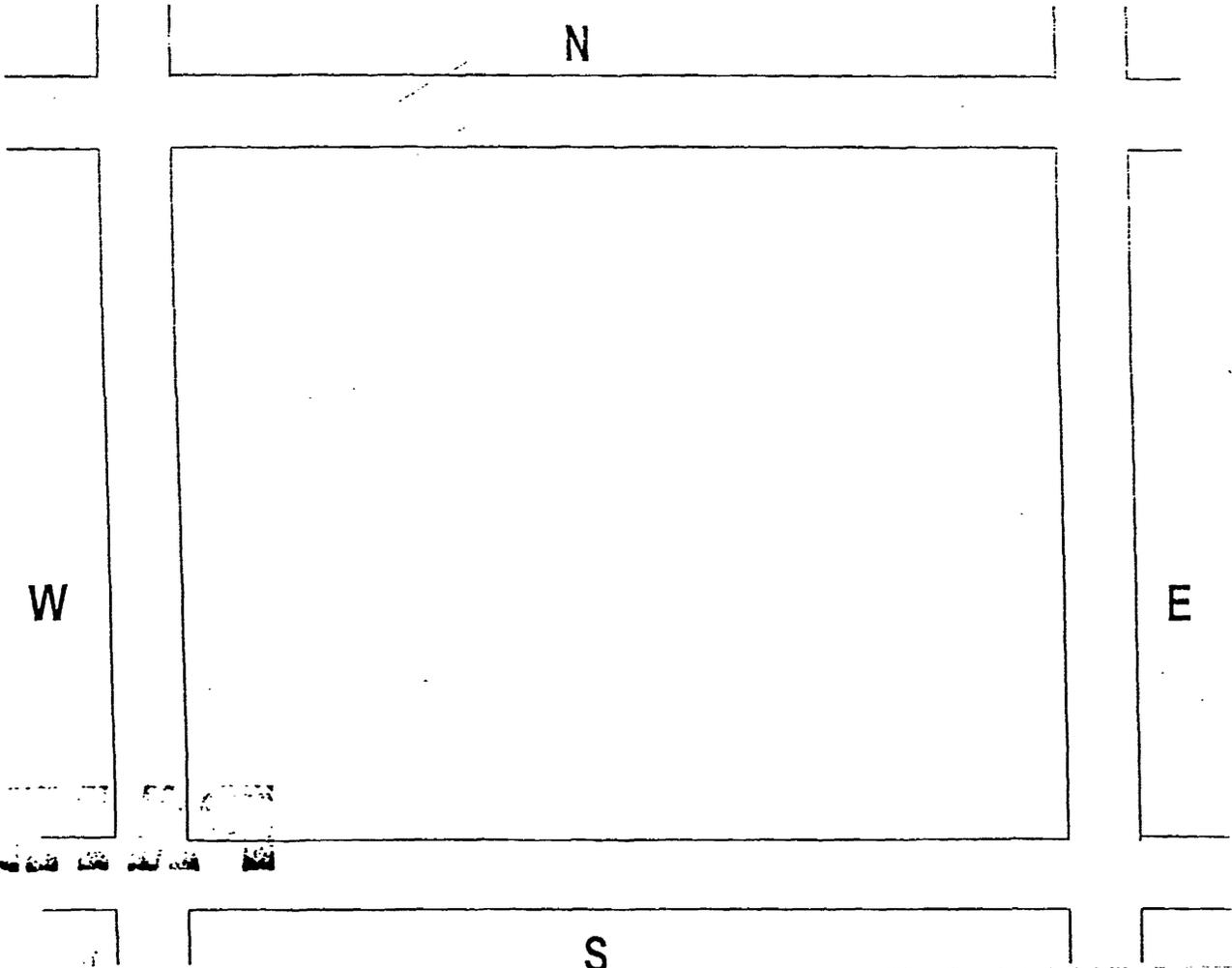
\_\_\_\_\_  
(Owner's Signature)

\_\_\_\_\_  
(Owner's Address)

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.



Pls. publish immediately. Send bill to: Applicant @ 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. 17

Request of Julia De Feo

for a VARIANCE of the Zoning Local Law to Permit:

Construction of barn & fence w/ insufficient lot area;  
fence over 4 ft. high which will be 20' from Rt. 207 & 10' from  
southern property line;  
being a VARIANCE of Section 48-12-Table of Use/Bulk Regs. - Col. C+E;  
Sec. 48-14A(4) & 48-14C(1)c of Supp. Yard Regs.;  
for property situated as follows:

680 Beattie Rd., Rock Tavern, N.Y.

known and designated as tax map Section 52, Blk. 1 Lot 95

PUBLIC HEARING will take place on the 23rd day of May, 192001 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. Corsetti, Secy.

Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(914) 563-4811

**RECEIPT**  
**#342-2000**

05/08/2000

DeFeo, Julia & Joseph

Received \$ 50.00 for Zoning Board Fees, on 05/08/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen  
Town Clerk

ZBA # 00-17

ck # 198

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

-----X

In the Matter of the Application for Variance of

Julia De Feo

AFFIDAVIT OF  
SERVICE  
BY MAIL

#00-17.

-----X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

PATRICIA A. CORSETTI, 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, New Windsor, N. Y. 12553.

That on the 8<sup>th</sup> day of May, 2000, I compared the 14 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 caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patricia A. Corsetti

Notary Public

Sworn to before me this

\_\_\_ day of \_\_\_\_\_, 20\_\_\_.

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



Owner's Policy of Title Insurance

Fidelity National Title Insurance Company
of New York
A Stock Company

POLICY NUMBER 5312- 274237

OWNER'S POLICY OF TITLE INSURANCE

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK, a New York corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

- 1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK has caused this policy to be signed and sealed by its duly authorized officers as of Date of Policy shown in Schedule A.

IN THE EVENT THIS POLICY IS ISSUED IN SOUTH CAROLINA NOTICE IS HEREBY GIVEN THAT THIS POLICY IS SUBJECT TO ARBITRATION PURSUANT TO THE PROVISIONS OF CHAPTER 48 OF TITLE 15 (SEC. 15-48 10 ET. SEQ.) OF THE SOUTH CAROLINA CODE OF LAWS, 1976. AS AMENDED.)

HAMBLETONIAN ABSTRACT, INC.
P.O. BOX 949
GOSHEN, NY 10924
(914-294-8313)

FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK

Countersigned

Authorized Signature (PLEASE PRINT NAME)

DAVID T. SCHOENEGER



By: [Signature] President

Attest: Charles H. Wimer Secretary

**4. DEFENSE AND PROSECUTION OF ACTIONS; DUTY OF INSURED CLAIMANT TO COOPERATE**

(a) Upon written request by the insured and subject to the options contained in Section 6 of these Conditions and Stipulations, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an insured in litigation

correspondence and mem. All information designated as confidential reasonably pertain to the loss or damage. All information designated as confidential by the insured claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the insured claimant to submit for examination under oath, produce other reasonably requested information

ALTA Owner's Policy  
10-17-92  
Schedule A

# OWNER TITLE INSURANCE POLICY

## SCHEDULE A

Policy No. 5312-274237

Title No. 96-239

Date of Policy: November 6, 1996

Amount of Insurance:  
\$ 230,000.00

**1. Name of Insured:**

JOSEPH DE FEO and JULIA BECHTEL

**2. The estate or interest in the land described herein and which is covered by this policy is:**

Fee Simple

**3. The estate or interest referred to herein is at date of policy vested in:**

JOSEPH DeFEO AND JULIA BECHTEL

Who acquired title by deed from DUNN-WELL HOMES & CONTRACTING INC., dated October 31, 1996 recorded November 6, 1996 in Liber 4477 cp 247 in the ORANGE County Clerk's Office.

**4. The land referred to in this policy is described as follows:**

See Attached Legal Description

## SCHEDULE A (Description)

Policy No. 5312-274237

Title No. 96-239

ALL that certain piece or parcel of land situate in the Town of New Windsor, County of Orange, State of New York; being known as Lot #18 on a map entitled "Subdivision Plan, Liberty Meadows," filed in the Orange County Clerk's Office on August 1, 1989 as Map No. 9582; said lot being more accurately described as follows:

BEGINNING at a point marking the intersection of the southerly line of N.Y.S. Route 207 with the easterly line of Beattie Road; said point marking the most northwesterly corner of the herein described parcel of land.

From said point of beginning and along N.Y.S. Route 207 for the first three (3) courses and distances:

- (1) North 82-19-48 East, 96.55 feet; thence,
- (2) North 77-10-54 East, 178.68 feet; thence,
- (3) North 75-53-49 East, 158.72 feet to Lot 22 on the referenced subdivision map; thence,

along Lot 22, South 39-05-10 East, 635.11 feet to Lot 16 on the referenced map; thence, along Lot 16, South 46-39-40 West, 91.89 feet; thence, still along Lot 16 and along Lots 15 and 17, North 69-46-20 West, 875.21 feet to the easterly line of Beattie Road; thence, along the easterly line of Beattie Road, North 21-27-49 East, 174.32 feet to the place of BEGINNING.

# OWNER TITLE INSURANCE POLICY

## SCHEDULE B

Policy No. 5312-274237

Title No. 96-239

### EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

1. Easement to Central Hudson Gas and Electric Company in Liber 662 cp 259.
2. Easement to Central Hudson Gas & Electric Corporation in Liber 706 cp 533.
3. Easement to Central Hudson Gas and Electric Corporation and Highland Telephone Co. in Liber 760 cp 222.
4. Road taking in Liber 776 cp 341.
5. Right of way in Liber 920 cp 555.
6. Easement to Central Hudson Gas & Electric Corporation in Liber 1314 cp 573.
7. Appropriation in Liber 2093 cp 995
8. Road dedication in Liber 3555 cp 13.
9. Road dedication in Liber 3555 cp 18.
10. Declaration in Liber 3579 cp 34.
11. Notes, setbacks and easement on Filed Map #9582.
12. Dwelling within bounds and:
  - (a) Utility easement along easterly portion of record title.  
As shown on survey by Leo J. Carroll, P.E. dated 26 SEP 96.
13. Mortgage made by JOSEPH V. DE FEO and JULIA O. BECHTEL to SAWYER SAVINGS BANK in the amount of \$181,800.00 dated October 31, 1996, recorded November 6, 1996 in Liber 5961 mp 20 in the ORANGE County Clerk's Office.

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# 00-17

Date: \_\_\_\_\_

I. ✓ Applicant Information:

- (a) Julia Defeo 680 Beattie Rd. Rock Tavern NY 12575 476-6149  
(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) RI 680 Beattie Road Rock Tavern 52-1-95 5.40 ACRES  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? \_\_\_\_\_
- (e) Has property been subdivided previously? NO
- (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: N/A
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

IV. Use Variance. N/A

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

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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. C, E.

Sec. 48-14 A (4) - Supp. Yard Regs.  
" 48-14 C (1)(c) - " " " " " " "

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>20 A</u>	<u>5.4 A</u>	<u>15 A</u>
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
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:

There will be no undesirable change to the community, unfortunately due to being a corner piece of property there is no other way to do this. Zoning indicates no barn on front yard & the town considers me having a front yard. BARN will be away from road and tree line for privacy will stay. Livestock not to be visible by road.

(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.

	Requirements	Proposed or Available	Variance Request
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)



DEFEO, JULIA

Ms. Julia Defeo appeared before the board for this proposal.

MR. NUGENT: Request for variation of Section <sup>①</sup>48-14A(4) of the Supplemental Yard Regulations to allow horse barn and fence to project closer to road than principal structure; <sup>②</sup>37 ft. front yard variance, plus use variance for one extra horse and variance of Section 48-12, Column M-9 which says that a horse must be restrained within 75 ft. of property line, at existing residence at 680 Beattie Road in an R-1 zone.

MS. DEFEO: I hope you have a copy of my drawing.

MR. NUGENT: We have a copy.

MS. DEFEO: Currently, I own three horses and they are pets and I'd like to bring them home. However, my property is making it a little difficult, this is my home here and because I have two road frontages, I'm on but Beattie and Route 207 where the DEC is directly over here, they state that you, well, because I have two road frontages, they consider it two front yards. Now, if we were to take the left line of my home and bring it straight back which this area here would be considered my front yard, as you can see I basically lose my entire property and then if you're talking about 75 feet from my property line where the horses have to stay within, you're talking I have this much area here to put a barn. So it really leaves me in a difficult position. I have laid out the property line, I have quite a bit of property, I'd like to put the barn back here, which is a wooded tree line here and also along here over here is the line which they do have the easement, I live in a pretty rural area, I only basically have one neighbor.

MR. TORLEY: And one across the street.

MS. DEFEO: Yeah, they're over here but across this area is all--

MR. TORLEY: I live off Beattie Road.

MS. DEFEO: So you know where I live, so you can understand my problem.

MR. TORLEY: I didn't realize it was that deep.

MS. DEFEO: Goes all the way back to this is the utility line and it goes all the way back to here. Now, I understand that I have 75 foot easement with the utility line, however, on this area, I was hoping to bring my fencing closer to the road versus 75 feet.

MR. TORLEY: You may not want to have it that close to the state, they can get busy. How long have you been there?

MS. DEFEO: I've been there four years, it's not too bad.

MR. TORLEY: First day of hunting season.

MS. DEFEO: 207 is generally busy but if you notice all along 207 is basically all horse farms and their fencing comes right up to the road. I'm not looking to go right up to the road. There's an existing tree line and also stone wall along the road, I want it to be on the side of that and of course, for the safety of the horses, their safety really comes first here. So this is my problem.

MR. TORLEY: My only other question--

MR. NUGENT: Where are you getting 36 foot, barn is 36 x 36, how far is the setback on the barn?

MS. DEFEO: This here, this is almost--

MR. BABCOCK: Jim, we estimated the house to be 122 feet from the road and the barn is 85 feet from the road which it's required to be 122 and the difference is 37 feet.

MR. NUGENT: There's no reason you can't move this back 37 feet.

MS. DEFEO: I was trying to cut my expenses in regards to the road, I would have to build to access the barn and I would like to allow as much pasture for them to graze.

MR. TORLEY: If you move the barn further back, you could have a pasture, it could wrap around.

MS. DEFEO: I'm more than willing to take some suggestions, I would trying to lay it out to make it most feasible to access the barn.

MR. NUGENT: It's a difficult lot to start with because of the two front yards and triangular shape to start with.

MR. TORLEY: We have some odd shaped lots.

MS. DEFEO: I have a lot of land, but unfortunately, you know, from this stone wall back it's right now unusable.

MR. KANE: You still want to be 85 feet off the road with the barn?

MS. DEFEO: Yes, I don't want them to be, for their safety, again, people, they have God only knows what they could do but I also have the tree line, so it will also hide the barn.

MR. TORLEY: Requirement for the limitation on horses, that actually would require a use variance.

MR. BABCOCK: Yes, she's allowed to have two horses.

MS. DEFEO: Up to 20 acres.

MR. BABCOCK: Right.

MS. DEFEO: 20 acres you can have as many as you'd like.

MR. BABCOCK: She can have a third horse, not more than six months old.

MR. TORLEY: Now, the minimum lot size for any horse is what?

MR. BABCOCK: There's no minimum lot size.

MR. TORLEY: Has to be 75 feet back.

MR. BABCOCK: Right.

MR. TORLEY: Which makes it a couple acres really.

MR. BABCOCK: Yeah, basically.

MR. REIS: Does--

MR. NUGENT: Not area instead of use?

MR. TORLEY: If she had 20 acres, it should be permitted so it's an area variance.

MR. BABCOCK: If that's what you gentlemen say, that's what it is.

MR. NUGENT: I think I need counsel to--

MR. KRIEGER: That's what I was thinking three horses.

MR. TORLEY: You're permitted to have a horse, it's the number of horses so it's an area variance, I would think.

MR. KRIEGER: If it were just the number of horses, it would be a use variance but the thing is that she can have as many horse as she wants, the property is too small, she needs an area variance to make it bigger.

MR. TORLEY: Fifteen acres.

MR. BABCOCK: You should read that, it talks about raising and breeding, I'm not arguing the fact but I think the 20 acres is if you have a horse farm and then there's no count on the horses, it's basically you have a horse farm and you raise and breed horses there.

MR. REIS: Does any of the fencing exist now? \*

MS. DEFEO: No, no, as a matter of fact, I've done an awful lot of research and I'd like to show you some pictures that I have.

MR. BABCOCK: It would be an R-1 zone.

MS. DEFEO: This is the fencing that I'm looking to go to, it's going to be very nice, although, it's going to be wood, this stuff is way too expensive, \$12 a square foot, I couldn't afford that, but that's what it's going to look like.

MR. NUGENT: That's fiberglass?

MS. DEFEO: Kind of like a plexi-plastic, this is a picture of the barn and there's also--

MS. BARNHART: Do you have a pictures of the horses?

MS. DEFEO: I asked my husband, he was like no, you don't need to. They are beautiful.

MR. TORLEY: Pole barn?

MS. DEFEO: Yes, this is a copy of it, so it's going to be a six unit barn, essentially three 12 x 12 stalls so it's nice and roomy for them. One is going to be a closed off tack room and the other two areas are going to be for feed and hay and, you know, just for them but they're quarter horses, geldings, medium size horses, they're not big horses and they're very gentle, they're pets, like I said, I've never seen them jump the fence, the fence will be five feet high, which is another problem I have, you can't have a five foot fence on your front yard and when you look at my property problem, basically, it's all front yard.

MR. NUGENT: We didn't address that.

MR. KANE: That's in the horse and barn project closer than 75 feet.

MR. BABCOCK: There's one more, she's allowed four foot, she wants to have five foot so she needs a one foot variance. *(Fence also)*

MR. KANE: So we need to add that.

MR. NUGENT: It's not on the agenda, I'm looking to see if it's on the agenda.

MS. DEFEO: This should be.

MR. NUGENT: I don't have that one.

MR. TORLEY: You can add that, that's not a problem.

MS. DEFEO: Because I did forward them at same time.

MR. BABCOCK: Jim, I don't think the numbers are there but it says it's the same regulations about the barn and the fence projecting closer to the street than the principal building, in other words, 4 foot fence can go anywhere, anything in excess of 4 foot fence cannot go in the front yard so we have it listed, allow the horse barn and fence to project closer to the road than the principal building. We have a separate denial showing difference between four and five foot.

MS. BARNHART: Can I have a copy of that, Mike?

MR. BABCOCK: You didn't get a copy?

MS. BARNHART: No, we didn't get a copy.

MR. NUGENT: That's why I didn't know what you were talking about in the beginning.

MS. BARNHART: We have all the other ones but we don't have that one.

MR. TORLEY: One thing, Andy, you say you have an easement for the power lines on the property?

MS. DEFEO: Yes.

MR. TORLEY: Does that count for the 75 feet?

MR. BABCOCK: Yes, it's their property.

MR. TORLEY: So that doesn't save them on that?

MR. BABCOCK: Yeah, they save on that.

MS. DEFEO: Are you saying I can put a fence within that?

MR. KRIEGER: No, no, but in order to you count that as part of your 75 feet.

MS. DEFEO: Okay, as per my drawing, I was looking for on this area basically just it's only at this point but I'm going to have the fencing closer to the road, closer than 75 feet and I was also looking because on this area here, this is all open space, there's an 11 acre lot over here and basically, this is just pasture.

MR. TORLEY: Believe me, if you're--

MS. DEFEO: These are already lots here and the homes are all the way up here, is there any way that I can bring the 75 feet just on this area below the tree line?

MR. TORLEY: You can request it.

MS. DEFEO: So requesting less than 75 feet over here and hoping on this area from behind this tree line to be closer to 75 feet only cause I'm just looking for more pasture, just seems like so much waste of property.

MR. TORLEY: The code was passed in response to complaints by some irresponsible horse owners who had put fences right up to the property line and weren't cleaning out the maneuver in a fairly dense residential area, so that's why the code was changed.

MS. DEFEO: This is not dense and I'm willing to not necessarily put it on the line, I can bring it in ten feet.

MR. TORLEY: So what you'd be asking for then is a variance for the front which would be 70 feet or 60 feet, maybe.

MR. NUGENT: 37 foot.

MR. KANE: 37 foot front yard variance.

MR. TORLEY: For the fence.

MS. DEFEO: No, that's for the barn.

MR. BABCOCK: The fence she's looking to, she's allowed four foot fence, she wants to put five foot fence.

MR. TORLEY: Spacing back from the property line.

MR. BABCOCK: Not projecting closer to the 122 feet.

MR. NUGENT: Horse fence has got to be 75 feet from the property line.

MR. BABCOCK: That's correct.

MR. TORLEY: I must of missed that denial.

MR. BABCOCK: I just made Pat one copy of it just now.

MR. NUGENT: You've got it on there restrained within 75 feet of the property line, so if you want to change that then you've got to.

MS. DEFEO: Says here, where it says right here from Route 207, 20 feet from the south property line, then 20 feet from this area over here, it's on this one.

MR. NUGENT: Here it is on this one, too.

MS. DEFEO: I think I really tried to plan it well and make sure that I've got all of my numbers for the building.

MR. TORLEY: You might want to, when we get to the public hearing, it will be really helpful if you talk to your neighbors.

MS. DEFEO: Well, I don't have, this neighbor right here, lot 17, no problem, as a matter of fact, they

would allow me to go all the way up to the property line but I don't want to, I was just looking for around this area so I can speak with these two families.

MR. TORLEY: That's important.

MR. NUGENT: I would do that.

MR. TORLEY: Then you might so then personally, I think I would be more concerned even though it's a rise from the tree line, the spacing from 207.

MS. DEFEO: I think it's actually going to be a little bit more than ten feet from 207, I had ten feet here.

MR. TORLEY: 20 feet.

MR. NUGENT: 20 feet from 207, ten feet from the south property line.

MS. DEFEO: Yeah, that's fine, it should be because I have the, there's quite a bit of property here between the road and also the tree line cause it does rise up and there is a tree line. Is there anything else that I needed to prepare for?

MR. TORLEY: Photographs would help, some idea of when you come back to the public hearing some pictures.

MS. DEFEO: Of the property?

MR. TORLEY: Throw a stake where you want to put the fence so the other members can see.

MR. KANE: We need a definition on whether she needs a use variance or is it a--

MR. KRIEGER: What's required is an area variance although you can condition it when the time comes. The reason I say that's this, there's nothing in the statute that says specifically that has to be commercial or that it has to be, the word farm doesn't appear in there, I think what a court would do with this ambiguous wording is they would interpret, traditionally interpret ambiguous wording in the favor

of the homeowner. Therefore, I think what's required is an area variance to reduce the amount of acreage but with a caveat that when it comes to the public hearing, the board can place reasonable conditions on that because of the size of the land.

MR. KANE: Well, what we'd normally do if you currently own three horses, I think what Andy is getting at is that upon the demise of one of the horses, that it would revert back to two horses only.

MS. DEFEO: Okay.

MR. KRIEGER: And would never go more than three.

MS. DEFEO: No, well, I'm only going to have a three stall barn, I'm not looking to go into business.

MR. KRIEGER: The land cannot support more than three.

MS. DEFEO: Nope.

MR. KANE: Jim, do you have any reservations?

MR. NUGENT: No.

MR. TORLEY: Accept a motion?

MR. REIS: I'd like to interject something here. We're handling the sale of the property just to the east of this 11 acre parcel, contiguous property, in fact, it shares the other 75 foot easement on the other side and that property has a variance for ten horses, it's an 11 acre parcel and due to the fact that this particular parcel is, they're losing approximately a little over an acre with that easement, we'd like to work with you but--

MS. DEFEO: I'd appreciate that.

MR. TORLEY: That garden place?

MR. REIS: Just raw land.

MR. TORLEY: When did we have give a variance?

MR. REIS: I don't know how or why. Just making a comment, that's all.

MR. TORLEY: Accept a motion?

MR. NUGENT: Yes.

MR. TORLEY: I move we grant Ms. Defeo her public hearing on the requested variances.

MR. KANE: Second the motion.

ROLL CALL

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

MR. KRIEGER: If you could address yourself to the criteria on that sheet, that would be helpful, because those are the criteria on which the state requires the zoning board to decide.



# Town of New Windsor

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

## Assessors Office

May 3, 2000

(14)

Julia DeFeo  
680 Beattie Road  
Rock Tavern, NY 12575

Re: 52-1-95

Dear Ms. DeFeo:

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

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

A handwritten signature in cursive that reads "L. Cook" followed by a circled "ld".

Leslie Cook  
Sole Assessor

LC/lrd  
Attachments

CC: Pat Corsetti, ZBA

NYS Dept. of Environmental Conservation  
50 Wolf Road  
Albany, NY 12233

Brian Hammer  
Debra Lamorte  
PO Box 132  
Rock Tavern, NY 12575

Thomas Marks  
106 Sarah Wells Trail  
Campbell Hall, NY 10916

Michael & Monique Meacham  
47 Liberty Drive  
Rock Tavern, NY 12575

John & Kathleen Buckley  
14 Yankee Main Lane  
Goshen, NY 10924

William Timmons  
147 Renwick Street  
Newburgh, NY 12550

Frank Messina III  
651 Beattie Road  
Rock Tavern, NY 12575

Frank Messina III  
Joseph Messina  
637 Beattie Road  
Rock Tavern, NY 12575

James & Kimberly Sgandurra  
46 Hampton Court  
Rock Tavern, NY 12575

Paul & Leanne Manzer  
1 Liberty Drive  
Rock Tavern, NY 12575

Philip & Isabella Archdeacon  
3 Liberty Drive  
New Windsor, NY 12553

Bernard & Migdalia Moran  
17 Liberty Drive  
New Windsor, NY 12553

Stefano Masi  
Thomas Baldassare  
4 Squire Court  
Mahwah, NJ 07430

Gregory & Debra McCarthy Payne  
39 Liberty Drive  
New Windsor, NY 12553

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: 4/10/00

APPLICANT: Julia & Joseph Defeo  
680 Beattie Rd  
Rock Tavern, NY 12575

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 4/7/00

FOR : 3 Horses

LOCATED AT: 680 Beattie Rd

ZONE: R-1 Rural Residential

DESCRIPTION OF EXISTING SITE: 52-1-95

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1.48-12 R-1 Table, Column M-9 Not more than 2 horses permitted, resident proposes 3 horses.

*Louis J. Kuchner*  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-1    USE: 2 Horses

3 Horses

1 Horse

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

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