

TOWN OF WALLKILL ZONING BOARD OF APPEAL
JANUARY 14, 2008

TOWN OF WALLKILL
ZONING BOARD OF APPEALS
JANUARY 14, 2008

PRESENT:

K. Dunn
M. Petelinz
E. Raffo
E. Johnson
R. Sullivan
S. Wilson

J. Owen, Esq.

MEETING OPENING:

The Town of Wallkill Zoning Board of Appeals Meeting opened with the pledge to the flag followed by the presentation of the December 10,2007 Meeting Minutes.

Ms Raffo: I Move to accept the minutes as written; Seconded (Wilson); All in favor, Motion carried.

The following Public Hearings were conducted, continued to and applications reviewed for February 11, 2008.

CORRESPONDENCE:

Six Month Extensions:

ERIC JOHNSON:

Ms Raffo: We have received a request for a six month extension on a variance granted on June 13, 2005. Originally 6/13/05 ZBA Meeting. 275 Howells Turnpike, During the recent staffing changes and issues in the Building Department, a building permit has not yet been issued. When issued work should begin in 8 to 10 days.

Ms Raffo: I Move to grant an extension to ERIC JOHNSON for variances granted on June 13, 2005 to June 2008: 249-3 (accessory building) from 28x28ft to 32x56ft for a garage to store personal vehicles and equipment; Property located at 375 Howells Turnpike (13-1-37.1); Designated RA; Seconded (Guenste);

VOTE:

In favor (aye) 6	Sullivan, Petelinz, Wilson, Dunn, Raffo
Opposed (nay): 0	
Abstain: 1	Johnson

ARNOLD SILVER:

Ms Raffo: A request for a six month extension was received from Arnold Silver. They have received approval of the septic and building permit is filed for building review. They will begin as soon as permit is issued.

Ms Raffo: I Move to grant a six month extension to ARNOLD SILVER: 1) lot width from 200ft to 100ft; 2) side yard from 40ft to 33ft; 3) side yard from 60ft to 26ft; 4) side yard from 100ft to 59ft; Property located at 282 Derby Road (21-1-10); Designated RA; Seconded (Johnson). All in favor; Motion carried.

CONTINUANCE:

Quick Chek Corporation

c/o Howard D. Geneslaw, Esq.,

Request for a variance of 249-8(a) and
249-11(H)(6) accessory and sign:

- 1) location in front of primary building
- 2) three type fonts for pricing information
- 3) number of type faces up to eight
- 4) number of wall signs – 2 on each side of canopy
- 5) sign area

Property (78-1-94) located at 601 Dunning Road,
Middletown, New York 10940
Designated HC

Ms Raffo: This is a continuation of the December 10, 2007 Meeting.

Jennifer M. Porter, Esq.: What we were waiting for was correspondence to the signage and structure from the County. No negative comments; only signage detail information for the Board to make a determination and it was part of our application. We will go over the 5 variances: 4 signage and 1 canopy.

Jeff Martel, Project Engineer, Polar Engineering:

1) based on accessory structure location. The PB engineer, Mr. McGoey stated the canopy is an accessory and is in front of the principal structure which is convenience store. 97 feet and store is 114 and we need a variance for accessory structure in front yard. Justified for number of reasons. The ordinance did not take this into consideration and most gas stations are this way. In our case, we rotated it 90 degrees by comments from the Planning Board (PB) and it will be on the side but still closer to the roadway and is an open air (canopy) as opposed to a shed which has a negative way to view house from right of way.

The other 4 are dealing with signage – most of them – 2 of them are with the canopy: number on each building and have 2 on the canopy – western side for those traveling east and on the façade that faces East Main Street. An additional is for the canopy and is based on the area. The area allowable is based on linear feet of the linear frontage and now the longest side does not face Main Street and we now have 2 signs 24 sq/ft for total of 48 sq/ft and based on that we allowed 24 sq/ft total. Had we taken the larger façade we could have had 70 feet.

The other is on the main driveway and a monument style is typical for this type of use – convenience store and gas sales. Not confusing but conservatively has 8 type faces used in your ordinance. It is different size number or letter or any way to advertise and we have more than 8 fonts (letter height, gas pricing (9/10th), different grades.

The last variance is related to percentage that can be for changeable prices. The bottom portion is the changeable area and can't be more than 33% and we have 64%. We have taken portion

of sign. If you only take the changeable (prices) would be under 33% more like 10-15% but with the grade of gas we considered the both. That is essential it.

Ms Raffo: Any questions from the Board? (no)

Ms Raffo: Any questions from the Public? (no)

Ms Raffo: I Move to close the Public Hearing at 7:48 pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following variances: 1) 249(a) canopy in front of main building; 2) 249(h): 67% of proposed free standing for changeable gas prices; 3) 249(h) allow 8 type faces on free standing sign; 4) 249(o) allow 2 signs versus 1 (building and canopy); 5) 249(o) allow mixable sign area at 48ft versus calculation of 24ft; Seconded.

DISCUSSION:

(None)

VOTE:

In favor (aye) 6 Johnson, Sullivan, Wilson, Petelinz, Dunn, Raffo
Opposed (nay) 0

DECISION:

Ms. Raffo: The variances are granted. Please go to the Building Department. Be sure to start work in 6 months if not come in before that time and request an extension.

PUBLIC HEARINGS:

Howard D. and Sue Rosen Request for a variance of 429 (area):
1) front yard from 35ft to 25ft
2) 1 side yard from 20ft to 12ft
3) 2 side yards from 40ft to 35ft
4) lot area from 1.5 acre to .24 acre
5) lot width from 150ft to 104ft
6) lot depth from 200ft to 104ft;
Property located at 143 Blumel Road
(92-2-14);
Designated R-2

Ms Raffo: The mailings were reviewed by the Board and filed for the record.

Ms Raffo: I Move to open the Public Hearing at 7:52 pm.

Howard Rosen: Basically we want to expand the foot print of the house; want to add covered porch in front, extend kitchen in the back and add a couple of rooms in the back. Was told we need variance for the side and front.

Ms Raffo: Any questions from the Board? (no)

Ms Raffo: Anyone from the Public for M/M Rosen? (No)

Ms Raffo: Any questions from the Public?

George Strecker (143 Blumel Road): What is it they want to do, I got the notice.

Ms Raffo: They want to put a front porch on and not quite within the set backs. They have to notify you in case you have any objections.

Mr. Strecker: As far as I am concerned it is okay.

Mr. Wilson: Will this have siding similar to the siding and schemes you have there now?

Howard Rosen: Yes.

Mrs. Rosen: All new siding what there now is old and needs to come down.

Ms Raffo: I Move to close the Public Hearing at 7:57 pm; Seconded; All in favor; Motion carried.

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Ms Raffo: I Move to grant the following variances: 1) front yard from 35ft to 25ft; 2) 1 side yard from 20ft to 12ft; 3) 2 side yards from 40ft to 35ft; 4) lot area from 1.5 acre to .24 acre; 5) lot width from 150ft to 104ft; 6) lot depth from 200ft to 104ft; Seconded (Wilson).

DISCUSSION:

(None)

VOTE:

In favor (aye) 6 Johnson, Sullivan, Wilson, Petelinz, Dunn, Raffo
Opposed (nay) 0

DECISION:

Ms Raffo: The variances are granted. See building department for permits and if you don't start work before 6 months, request an extension or you will have to start the process over.

Ken Cesca: Request for a variance of 249-19D(1)
1) lot width 200 to 68.1ft;
2) lot frontage from 200ft to 58.44ft
Property located at 34 Lo Presti Road
(32-18.2 and 3-2-18.24)
Designated RA.

Ms Raffo: The mailings were reviewed by the Board and filed for the record.

Ms. Raffo: I Move to open the Public Hearing at 8:00pm.

Roger Ferris for Mr. Cesca. We have 2 existing lots on Lo Presti and York Roads and want to take piece of the LoPresti parcel and add to York Road so have 2 buildable lots on York Road. The request is frontage and lot width for Lot #2 – house that placed to the rear. Lot #1 has existing house on it. Lot #3 on LoPresti has approved house and septic.

Ms Raffo: (reviewed lot layouts with Roger Ferris).

Mr. Wilson: As far as the shaping of the property they are pretty odd.

Ms Raffo: To say the least.

Ms Raffo: You meet all requirements other than front and width on the one lot.

Mr. Wilson: Where did you get frontage from?

Mr. Ferris: From the front.

Mr. Wilson: You have 58 off York Road, do you see that on your map, not 60.

Mr. Ferris: I stand corrected 58.44

Mr. Wilson: Same thing for Lot #1 also.

Mr. Ferris: The lot width is not an issue there. We corrected that so Lot #1 met everything.

Mr. Wilson: You need 2 more feet?

Ms Petelinz: Can you explain where the existing lots right now (he did so looking at the drawings).

Mr. Ferris: We are taking a portion of Lo Presti frontage lot and adding to this parcel so we can make 2 lots out of it.

Ms Petelinz: The road frontage is here (looked at drawing)?

Mr. Ferris: Yes. The existing is 58.44 from 200 required.. lot 68

Ms Raffo: You bought this in 2003?

Mr. Cesca: I believe so.

Mr. Ferris: We currently have 2 and will end up with 3.

Ms Raffo: Questions from the Public?

Evlin Edderworst: I got the notice and don't know what it is and came to find out.

Ms Raffo: Is there anyone else who would like to see the map, please come down.

Evelin Edderworst: My concern is how it affects LoPresti Road. It is very narrow.

Mr. Ferris: (showed them where things were on the map). We are not changing anything. Just one more driveway.

Public 2: That's fine. We thought it was going to be widened.

Mr. Cesca: The only way is to see it is to come here.

Mr. Dunn: Where are you getting the lot width from?

Mr. Ferris: From the building set back. 60 feet off the right of way. (showed him on the building set back line on the drawings).

Ms Raffo: Do you have soils on this?

Mr. Ferris: They are not shown on the drawing, it was done as the sketch.

Mr. Johnson: I wanted to know the perk. You basically are adding to this existing lot.

Mr. Ferris: This lot (looking at the drawing).

Mr. Wilson: 2 b and 2 a are one lot now?

Mr. Ferris: Yes.

Mr. Wilson: This line here (on the drawing) does not exist now.

Mr. Ferris: They are asking for one new house.

Mr. Wilson: Trying to get acreage to build on. The purpose of the law was not to get it from the corner of the lot. That would be a major problem.

Ms Raffo: Any further comments from the Public?

Evelin Eddlehurst: Concern is added traffic and an increase of traffic to the road and there is a blind curve area and you can't see until you are over the crest of the hill which is very bad and it is narrow road without shoulders.

Ms Raffo: Any questions or comments from the Board?

Mr. Wilson: The driveway will go on the other road. Thank you.

Ms Raffo: I Move to close the Public Hearing at 8:15 pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following variances: 1) lot width 200 to 68.1ft; 2) lot frontage from 200ft to 58.44ft; Seconded.

DISCUSSION:

Mr. Johnson: Based on specific criteria and at first it is substantial from 200 to 58ft is substantial. Would it be an undesirable change – flag lots are undesirable and is pretty much what this is. Self created – for the most part it is and purchased after current zoning was adopted and prior to buying this it would have been a flag lot.

Ms Sullivan: He said it all and the flag lot is undesirable and you purchased after the zoning changes and says a lot as to if you can do something else.

Mr. Cesca: I don't know when we purchased it. I'll have to go back and check.

Mr. Johnson: Sizeable variance and a flag lot.

Mr. Wilson: I believe it is a substantial request and everything has been said.

Ms Petelinz: The road frontage is severely inadequate so I would vote no.

Mr. Dunn: For the reasons stated, no.

Ms Raffo: This creates a flag lot, so no.

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VOTE:

In favor (aye) 0

Opposed (nay) 6 Johnson, Sullivan, Wilson, Petelinz, Dunn, Raffo

DECISION:

Ms Raffo: The variances are denied.

KP Industries: Request for a variance of 249-11 (sign)
KP Signs (Sleepez) 1) from 35sq/ft to 98sq/ft
Property located at 470 Rt 211 East
(50-2-62)
Designated HC

Ms Raffo: The mailings were reviewed by the Board and filed for the record.

Ms Raffo: I Move to open the Public Hearing at 8:19 pm.

Ms Raffo: Please present your application

Rick Lackner: Basically if you are familiar with the shop the signs on the rear are larger than 1 sq/ft per linear foot of wall. They want to bring sign up to the rest of the shopping center. 1 sq/ft is very tiny considering what is there.

Mr. Wilson: Do you have measurements on what you are proposing? I am looking for the information on the back of the application:

Rick Lackner: 98sq/ft is being requested.

Mr. Wilson: Allowable is 36 sq/ft.

Rick Lackner: The previous sign is 38" letter for Rockaway Bedding.

Ms Raffo: Any questions from the Board? (no)

Ms Raffo: Any questions from the Public? (no)

Ms Raffo: I Move to close the Public Hearing at 8:22pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following variance of 249-11: sign square footage from 36sq/ft to 98sq/ft; Seconded (Johnson)

DISCUSSION: (None)

TOWN OF WALLKILL ZONING BOARD OF APPEAL
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VOTE:

In favor (aye) 6 Johnson, Sullivan, Wilson, Petelinz, Dunn, Raffo
Opposed (nay) 0

DECISION:

Ms Raffo: The variance is granted see the building department.

Leslie Rogers Newman Request for a variance of 249-20(12)(1):
1) front yard from 150 to 100ft;
Property located on M&M Road
(14-1-11)
Designated R-2.

Ms Raffo: This is continued from December 10th.

Mr. Pahuki: Last month asked for soils map.

Ms Raffo: This is again road frontage from 150ft for a single lot. It conforms to what already is there and it's the length.

Mr. Wilson: We talked about building in the foot print.

Mr. Pahuki: I made a larger copy on the back.

Ms Raffo: Any questions from the Public? (no)

Ms Raffo: Any comments from the Board?

Ms Raffo: I move to close the Public Hearing at 8:27 pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following variance of 249-20(12)(1): road frontage from 150ft to 100ft with the stipulation that no further variances be granted on this lot an building setbacks; Seconded (Johnson)

DISCUSSION:

Mr. Johnson: IT fits within th existing and you have owned it for so long.

Ms Raffo: Yes due to the fact this is not substantial and there are several others close to that size.

VOTE:

In favor (aye) 6 Sullivan, Johnson, Petelinz, Dunn, Wilson, Raffo
Opposed (nay)

DECISION:

Ms Raffo: The variance is granted. If you don't start work in 6 months, send us a letter for an extension or you will need to start all over.

HEARING REVIEWS:

METRO PROPERTY GROUP, LLC.:

Jay Myrow, Esq., Blustein, Shapiro & Rich, LLP.: I am the attorney for the applicant and this is for variance from sign variance. Stevens Manor apartment complex and have 4 entrances into there: 2 on each road which front on it. The Town has issued permits for 2 signs based on reading of subsection K-249-11(k)2: one free standing double faces per street frontage. I believe the intent presumes one entrance off each road and they have 2 off each road. Currently there are 3 signs with 4 very nice signs. We have permits for 2 very nice signs and like to mark the other 2 entrances so it is clear to the public when they are coming in and out of Stevens Manor.

Mr. Wilson: You have picture.

Ms Raffo: This is for 4 signs on existing entrances of the property.

Jay Myrow, Esq.: Yes.

Ms Raffo: I Move to hold a Public Hearing on February 11, 2008 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded; All in favor; Motion carried.

Ms Raffo: It is necessary to notify everyone within 300 feet of your property. You can obtain the list of names from the Town Tax Office. The notice of the Public Hearing will be in the Times Herald Record's Public Notice Section within the week. Take that notice, copy it and mail it to everyone on the list at least 10 days prior to your scheduled Public Hearing date. Mailings must be sent either by certified or registered mail. Bring your proof of mailings with you to your Public Hearing. The Public Hearing will not be opened without your proof of mailings.

PROSTHETIC & ORTHODIC ASSOCIATES:

Jay Myrow, Esq., Blustein, Shapiro & Rich, LLP.: This is referral from the Planning Board (PB) and since the matter was referred they have agreed to put it on their agenda, with the issue we were going to come to you, on Wednesday. The industrial park received approvals in 1990 if they have vested rights to continue despite changes to most recent zoning law. The PB made the referral and we have spoken with Mr. Bacon and others, Mr. McKay, and the PB can consider this issue.

J. Owen, Esq.: I would have said they would not have been able.

Mr. Wilson: Where are you now?

Jay Myrow, Esq.: The PB is to determine if the applicant has vested right to continue and if so continue if they have a vote on this. We would like to have it scheduled and if not have a Public Hearing here in February.

Ms Raffo: The variance would be under new zoning.

Jay Myrow, Esq.: For an interpretation if we have vested rights.

Ms Raffo: You only need the 4 foot on the road front.

Jay Myrow, Esq.: For this one lot. We feel and will make our presentation and is the procedural posturing. We hope its set on Wednesday.

Ms Raffo: Any questions? This is for an interpretation under 249 of the zoning code.

Mr. Wilson: When was it purchased?

Public: New partners as of 2006 and the original owners were in 1990.

Ms Raffo: I Move to hold a Public Hearing on February 11, 2008 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded; All in favor; Motion carried.

Ms Raffo: It is necessary to notify everyone within 300 feet of your property. You can obtain the list of names from the Town Tax Office. The notice of the Public Hearing will be in the Times Herald Record's Public Notice Section within the week. Take that notice, copy it and mail it to everyone on the list at least 10 days prior to your scheduled Public Hearing date. Mailings must be sent either by certified or registered mail. Bring your proof of mailings with you to your Public Hearing. The Public Hearing will not be opened without your proof of mailings.

MICHAEL PALMUCCI:

Ms Raffo: What is the for exactly?

John Palmucci: I am helping my brother out. He is looking to build his house on Brookline and Victoria and need an area variance. It was proposed to purchase it before you a couple of years back from the existing owner in 2005 – Zimmerali. It is on a narrow lot on

Mr. Wilson: We need a map of the area to include neighboring and their area and size of lots and house.

Ms Raffo: Proposed house stipulation granted the variances asked for is all there will be.

John Palmucci: The grade can come up, just not porches or decks?

Ms Raffo: Yes. We'll take a look at it.

John Palmucci: Talking about foot print 900 sq/ft and that is why looking at a cape. They previous people were talking on ly about the first floor but we propose for 2nd floor. We are not looking at 2 story but a cape.

Ms Raffo: The Town just doesn't want a house towering over another.

Mr. Wilson: We need surveys.

Ms Raffo: It's called a tax map.

John Palmucci: Not a problem.

Ms Raffo: I Move to hold a Public Hearing on February 11, 2008 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded; All in favor; Motion carried.

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JOHN T CIESLEWITZ:

Dan Yanosh: I have been out there with the Town.

Ms Raffo: You want 5 flag lots off a cul-de-sac.

Dan Yanosh: 1000 foot. The length of the road limits us. Is it worth putting in 800 foot of road for 2 more houses. It is not easy to develop. If we had more land on Lybolt it would be different.

Ms Raffo: I Move to hold a Public Hearing on February 11, 2008 at 7:30 pm or as soon there after as the matter can be heard; Seconded; All in favor; Motion carried.

Ms Raffo: It is necessary to notify everyone within **1000** feet of your property. You can obtain the list of names from the Town Tax Office. The notice of the Public Hearing will be in the Times Herald Record's Public Notice Section within the week. Take that notice, copy it and mail it to everyone on the list at least 10 days prior to your scheduled Public Hearing date. Mailings must be sent either by certified or registered mail. Bring your proof of mailings with

you to your Public Hearing. The Public Hearing will not be opened without your proof of mailings.

BRIAN RIVENBURGH:

John Fuller: It makes it simpler if you can visualize it.

John Fuller, Licensed Civil Engineer: We represent Joan Rowley and seek out a minimum rear yard set back and possible other variances to make it buildable. The existing lot is the 'Woodlands Acre' subdivision in 1960 and Joan Rowley, Robert Rowley was owner until 1991 when he died and deeded to her through the estate. It is on Hickory Place and the lot is .36 acre and consistent with the others in the area. central water wells located close to adjacent golf course and on-site septic but do have central water.

They would like to build simple bi-level and currently ranch and raised ranch and similar to raised ranch. Rear yard and Mr. Rivenburgh was sent here from the Building Department and you may feel others are needed for area.

Ms Raffo: The house is determined by the septic.

John Fuller: Regarding the lower part and we consulted with town engineer and this is best place for the septic to place the house.

Ms Raffo: You need a lot more than the one variance. Because if it is pre existing or not it is new construction and need variances to meet current zoning.

John Fuller: Like to add at minimum we were seeking is the rear yard setback and feel we can meet front and side with house placement. It does not meet lot area.

J Owen, Esq.: It does not meet lot area, width, depth or rear yard – none of those things.

John Fuller: Nothing to prohibit use of existing lot and did not think it was lot area. Any guidance we can seek.

Ms Raffo: I'd rather you have it scheduled for everything you need rather than come back.

John Fuller: The Town only identified the back yard. Are there others?

Ms Raffo: Yes. We have to look at the whole picture and under today's Codes: 249 for lot size and set backs..

Ms Raffo: I Move to hold a Public Hearing on February 11, 2008 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded; All in favor; Motion carried.

Ms Raffo: It is necessary to notify everyone within 300 feet of your property. You can obtain the list of names from the Town Tax Office. The notice of the Public Hearing will be in the Times Herald Record's Public Notice Section within the week. Take that notice, copy it and mail it to everyone on the list at least 10 days prior to your scheduled Public Hearing date. Mailings must be sent either by certified or registered mail. Bring your proof of mailings with you to your Public Hearing. The Public Hearing will not be opened without your proof of mailings.

TOWN OF WALLKILL ZONING BOARD OF APPEAL
JANUARY 14, 2008

MEETING CLOSE:

Ms Raffo: There being no further items to be presented to this Board, I Move to close the Meeting at 8:57 pm; Seconded; All in favor; Motion carried.

REQUEST: Publication date: January 16, 27 or 18th

TOWN OF WALLKILL
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing of the Zoning Board of Appeals of the Town of Wallkill, Orange County, New York will be held at the Town Hall, 99 Tower Drive – Building A, Middletown, New York on the 11th day of February, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Metro Property Group, LLC, One West Red Oak Lane, White Plains, New York 10604 for a variance of 249 (signs) for the property of HP Coolidge Scotchtown Road, LLC, One West Red Oak Lane, White Plains, New York 10604. Property located at 644 Silverlake / Scotchtown Road (24-1-35) and Designated R-1.

All parties of interest will be heard at the said time and place.

E. Raffo
Zoning Board of Appeals

REQUEST: Publication date: January 16, 27 or 18th

TOWN OF WALLKILL
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing of the Zoning Board of Appeals of the Town of Wallkill, Orange County, New York will be held at the Town Hall, 99 Tower Drive – Building A, Middletown, New York on the 11th day of February, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Prosthetic & Orthodic Associates, Two Edgewater Drive – Suite 210, Middletown, New York 10940 for a an interpretation of Section 249 for the property of Sharon Lesko, Joan A. Lesko, et al, Richard J. Smith, Tetz Family, LLC, P.O. Box 668, Pine Bush, New York 12566. Property located on River Side Drive (60-1-95) and Designated O/R.

All parties of interest will be hard at the said time and place.

E. Raffo
Zoning Board of Appeals

REQUEST: Publication date: January 16, 27 or 18th

TOWN OF WALLKILL
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing of the Zoning Board of Appeals of the Town of Wallkill, Orange County, New York will be held at the Town Hall, 99 Tower Drive – Building A, Middletown, New York on the 11th day of February, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Michael Palmucci (Robert W. Fink, Esq.), P.O. Box 900, Goshen, New York 10924 for a variance of 249 (area) for the property of Dianna Ziemelis, 39 Lower Reservoir Road, Goshen, New York 10924. Property located at the corner of Brookline Avenue and Victory Street (75-9-1) and Designated R-1.

All parties of interest will be heard at the said time and place.

E. Raffo
Zoning Board of Appeals

REQUEST: Publication date: January 16, 27 or 18th

TOWN OF WALLKILL
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing of the Zoning Board of Appeals of the Town of Wallkill, Orange County, New York will be held at the Town Hall, 99 Tower Drive – Building A, Middletown, New York on the 11th day of February, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

John T. Cieslewitz, 217 King Road, Middletown, New York 10941 for a variance of 249-19-D(1) (area) for the property of John T. Cieslewitz, 217 King Road, Middletown, New York 10941. Property located at 400 Hufcut Road (12-1-96) and Designated R-A.

All parties of interest will be hard at the said time and place.

E. Raffo
Zoning Board of Appeals

REQUEST: Publication date: January 16, 27 or 18th

TOWN OF WALLKILL
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing of the Zoning Board of Appeals of the Town of Wallkill, Orange County, New York will be held at the Town Hall, 99 Tower Drive – Building A, Middletown, New York on the 11th day of February, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Brian Rivenburgh, 70 Orchard Hill Road, Middletown, New York 10941 for a variance of 249-20-D(1) (area) for the property in the estate of John Rowley, 181 Libertyville Road, New Paltz, New York 12561. Property located at Hickory Place and Maple Drive (16-1-8) and Designated R2.

All parties of interest will be heard at the said time and place.

E. Raffo
Zoning Board of Appeals

Ken Cesca

Request for a variance of 249-19D(1)
1) lot width 200 to 68.1ft;
2) lot frontage from 200ft to 58.44ft
Property located at 34 Lo Presti Road
(32-18.2 and 3-2-18.24)
Designated RA.

DECISION: Variances denied.

In favor (0)

Opposed (6) Johnson, Sullivan, Petelinz,
Dunn, Wilson, Raffo

KP Industries, Inc.
KP Signs (Sleepez)

Request for a variance of 249-11 (sign)
1) from 35sq/ft to 98sq/ft
Property located at 470 Rt 211 East
(50-2-62)
Designated HC

DECISION: Variance granted

In favor (6) Johnson, Sullivan, Wilson,
Petelinz, Dunn, Raffo

Leslie Rogers Newman

Request for a variance of 249-20(12)(1):
1) front yard from 150ft to 100ft
on an existing non-conforming lot
Property located on M&M Road
(14-1-11)
Designated R-2

DECISION: Variance granted subject to,

No further variances be granted on this lot an
building setbacks

In favor (6) Johnson, Sullivan, Petelinz
Wilson, Dunn, Raffo

SIX MONTH EXTENSION REQUEST:

Eric Johnson

Request for an extension for originally granted on June 13, 2005: 249-3 (accessory building) from 28x28ft to 32x56ft for a garage to store personal vehicles and equipment; Property located at 375 Howells Turnpike (13-1-37.1); Designated RA.

DECISION: Extension granted

In favor (aye) 5 Sullivan, Petelinz, Wilson, Dunn, Raffo
Opposed (nay) 0
Abstain: 1 Johnson

Arnold Silver:

Request for a six month extension:
1) lot width from 200ft to 100ft;
2) side yard from 40ft to 33ft;
3) side yard from 60ft to 26ft;
4) 2side yards from 100ft to 59ft;
Property located at 282 Derby Road (21-1-10);
Designated RA.

DECISION: Extension granted

In favor (aye) 6 Johnson, Sullivan, Petelinz
Dunn, Wilson, Raffo