

TOWN OF WALLKILL ZONING BOARD OF APPEAL
FEBRUARY 11, 2008

TOWN OF WALLKILL
ZONING BOARD OF APPEALS
FEBRUARY 11, 2008

PRESENT:

K. Dunn
E. Johnson, Presiding
M. Petelinz
R. Sullivan
S. Wilson

J. Owen, Esq.

ABSENT / EXCUSED:

E. Raffo

MEETING OPENING:

The Town of Wallkill Zoning Board of Appeals Meeting opened with the pledge to the flag followed by the presentation of the January 14, 2008 Meeting Minutes.

Mr. Dunn:: I Move to accept the minutes as written; Seconded (Petelinz); All in favor, Motion carried.

The following Public Hearings were conducted, continued to and applications reviewed for March 10, 2008.

TOWN OF WALLKILL ZONING BOARD OF APPEAL
FEBRUARY 11, 2008

CORRESPONDENCE:

JOHN CIESLEWITZ:

Mr. Johnson: We have received a request from the applicant to postpone their Public Hearing to March.

PUBLIC HEARINGS:

Prosthetic & Orthodic Associates

(Thomas Passero)

Request for a variance of 249 (interpretation)

1. Interpretation of Section 62 with regard to
Zoning District O/R.

Property located on River Side Drive
(60-1-95); Designated O/R

Mr. Johnson: The applicant is not present.

Michael Palmucci

Request for a variance of 249-22-D(1).

1. Side yard from 20ft to 10ft
2. Front yard from 35ft to 12 ft
3. One side yard from 20ft to 12.5 ft
4. Area from 18,750 sq/ft to 6,890 sq/ft
5. Lot width from 100ft to 50ft
6. Two side yards from 40ft to 23ft

Property located at corners of Brookline Avenue and
Victory Street
(75-9-1); Designated R-1

Mr. Johnson: The mailings were reviewed by the Board and filed for the Record. The Public Hearing Notice was read at 7:43 pm.

Mr. Johnson: I Move to open the Public Hearing at 7:44pm.

Mr. Johnson: What are you requesting tonight?

John Palmucci: A single family house – small cape and pictures of other homes in the area.

Michael Palmucci: The plans are for the actual home in comparison to others in the neighborhood.

Mr. Johnson: Any questions from the Public? (No)

Mr. Johnson: Any questions from the Board? (No)

Michael Palmucci: The tax map (gave to the Board – showed the locations on the map).

Ms Petelinz: According to the application you are asking for several variances: side yard, set back, rear yard set back and the lot width – halving it then?

John Palmucci: Correct.

Ms Petelinz: We want to be clear on that.

Mr. Wilson: Side or front yard?

Michael Palmucci: The front and both sides and area. The house in the last page is what it's like.

John Palmucci: When its landscaped it should look pretty nice on that corner.

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Ms Petelinz: I have a concern that it is a very, very small lot. It is half the width that is required and in addition asking for other variances also; I have a concern about that. It is not just one thing - it is several.

John Palmucci: When it is done it will have a good side yard and will fit. We are asking for both side yards, yes.

Michael Palmucci: We want it to go with the others and is why we took the pictures of them.

Mr. Johnson: Any questions from the Board? (no)

Mr. Johnson: I Move to close the Public Hearing at 7:52 pm; Seconded; All in favor; Motion carried.

Mr. Johnson: I Move to grant the following variances of 294:

1) Side yard from 20ft to 10ft; 2) Front yard from 35ft to 12 ft; 3) One side yard from 20ft to 12.5 ft; 4) Area from 18,750 sq/ft to 6,890 sq/ft; 5) Lot width from 100ft to 50ft; and 6) Two side yards from 40ft to 23ft and subject to no further variances being granted; Seconded.

DISCUSSION:

Ms Petelinz: I will vote 'NO' For the reasons already stated.

Mr. Wilson: The lot size is a concern but is consistent with the rest of the neighborhood.

Mr. Johnson: It fits with the neighborhood.

VOTE:

In favor (aye) 4	Dunn, Sullivan, Wilson, Johnson
Opposed (nay) 1	Petelinz

DECISION:

Mr. Johnson: The variances are approved subject to the mentioned condition. It is valid for six months and if you have not started you will need to come in before that time and request an extension.

Brian Rivenburgh

Request for a variance of 249-20(d)(1):

1. Rear yard from 50ft to 30ft
2. Area from 1.5 acres to 0.36 acres
3. Lot width from 200ft to 106ft
4. Lot depth from 250ft to 150ft

Property located at Hickory Place / Maple Drive
(16-1-8); Designated R-2.

Mr. Johnson: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 7:54 pm.

Mr. Johnson: I Move to open the Public Hearing at 7:55 pm. Please present your application.

John Fuller, Licensed Engineer: The application involves seeking a minimum rear yard set back and interpretation for the opportunity to build on vacant lot on corner of Maple Drive and Hickory Place about 1/3 acre and subdivided in 1960. A single family is consistent with the neighborhood as far as the size and scope of the home. It is consistent with the neighborhood in lot size, depth and we are here to seek interpretation of portion of ordinance and rear yard set back.

Michael Bluestein, Esq.: In addition to what he said, we are seeking an interpretation of the Code (passed out packet) with the Code talking about prior non-conforming lots. It is our contention they have owned it since 1960 and that Mr. Robert Rowley, who passed away, deeded it to his surviving trust in 1991. They are seeking an interpretation that just because it was transferred in estate planning and Richard Rowley is part of the trust – existing lot. They don't own adjacent property and have owned it since December 1961. If they don't see that interpretation on page 3 there is a copy of tax map highlighted to show on the map that the section it is the same size as other lots in the area most of which have been built on. The Microsoft sky shot shows the house in RED and the house would look like others in the neighborhood.

Flip the page from there, and in event you did not favorably vote as non-conforming prior lot, table with the surrounding don't conform either: lot width, depth and rear yard set backs versus one variance and interpretation. You can see that none of the lots are conforming with the zoning. In speaking with Mr. Rowley it backs up to the Town golf course and they made a deal with the late Mr. Cosgrove regarding \$70,000 and your Town lot comes from - it has access - it was part of a private water district owned by Mr. Rowley, some time or after the golf course was built the Town took over the water system as part of the Town and serve the golf course and other areas in the Town. It could have been sold off a long time ago and could be conforming except it was sold to the Town for the golf course. We would be happy to explain anything else.

Mr. Johnson: Any questions from the Public? (No)

Mr. Johnson: Any questions from the Board?

Mr. Wilson: The interpretation- explain what you are stating.

Michael Bluestein, Esq.: The Code allows for non-conforming lots – it is undersized as currently zoned – if the owner does not own adjacent lot(s) and it was owned by same owner since December 1961 you don't need four variances - only the rear – we don't need the total acreage – width or depth when substantiated owned by same owner, if you determine it is prior non-conforming lot. I did a lot of work on this today and his father gave a lot of land to the Town and the land passed to the wife. We are saying it is the same family who has owned it. Not like you bought it or anyone else.

Mr. Wilson: The name changed the ownership changed.

Michael Bluestein, Esq.: It changed from father to wife's trust.

Mr. Wilson: Who owns it now?

Michael Bluestein, Esq.: The Joan Rowley Trust / Richard Rowley trustee. We were asked to not sell it and sold for \$70,000.

J. Owen, Esq.: You can continue this to March and you have one abstention. There will be 5 members at next month's meeting unless you wish for the members to vote tonight. That is your option.

Michael Bluestein, Esq.: If anyone has any concerns we'll have a month to address it. Any case law that it is the same owner, otherwise even without that it is clear – this is a no brainer to get the variance.

Mr. Johnson: I would like to know what variances you need for the non-conforming lot – what ever you need. If variances are not significant it is noted.

Michael Bluestein, Esq.: The lot area is .36 acres.

Mr. Johnson: You can amend the application.

John Fuller: The rear yard is from 50ft to 30ft; area from 1.5 acres to 0.36 acres; width from 200ft to 106ft; lot depth from 250ft to 150ft.

Michael Bluestein, Esq.: We would like to Continue to March

Mr. Johnson: I Move to continue to March 10, 2008; Seconded (Wilson); All in favor; Motion carried.

Metro Property Group, LLC. Request for a variance of 249-11 (signs)
1. Request for 3 additional signs for a total of four (4):
one at each of the four entrances.
Property located at 644 Silverlake/Scotchtown Road
(24-1-35); Designated R-1

Mr. Johnson: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 8:09 pm.

Mr. Johnson: I Move to open the Public Hearing at 8:10pm.

Michael Bluestein, Esq.: Judy Himlee: This is regarding the Stevens Manner complex on Silverlake Scotchtown Road and Fortune West. There are 4 entrances and replacing signs and 3 existing signs. According to Code, looking for an interpretation – it is unclear in the Code – it says in conjunction with multi dwelling unit – one free-standing per street frontage. We have 3 signs and want 4 and one on Silverlake and one on Frontage and are asking for each entrance on the road – it is really safer and people turn in when they don't know where they are going and turn around.

Mr. Wilson: Where they have one they are asking for a second?

Ms Sullivan: Are they lighted?

Judy Himlee: No.

Mr. Wilson: What is the approximate size?

Michael Bluestein, Esq.: 18x43x60”.

Mr. Wilson: Are all four that size?

Judy Himlee: Yes – uniform so they all look the same. They go up but are not as wide across.

Ms Petelinz: They will then conform?

Michael Bluestein, Esq.: Yes.

Ms Sullivan: There are three there now? How did you get the 3rd one?

Judy Himlee: It has been there since 1972 or 1974.

Ms Sullivan: You have always had the 4 entrances?

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Judy Himlee: Yes.

Mr. Johnson: Any questions from the Public? (No)

Mr. Johnson: Any questions from the Board? (No)

Mr. Johnson: I Move to close the Public Hearing at 8:16pm; Seconded; All in favor; Motion carried.

Mr. Johnson: I Move to grant the following sign variances: 2 additional signs one per entrance way on 2 roadways for total of 4 signs; Seconded (Wilson).

DISCUSSION:

(None)

VOTE:

In favor (aye) 5 Wilson, Sullivan, Dunn, Petelinz, Johnson

DECISION:

Mr. Johnson: The variance is granted and are good for six months.

HEARING REVIEWS: March 10, 2008

Ethel Paula Levine and Jackie Lee Jacobs:

Representative: They are dividing the property in two with 2 fronts. In 2006 it was short of the area that is needed – so needs an area variance.

Mr. Wilson: The existing has the short road frontage?

Applicant: Area of the Lot number 2 is short.

Mr. Wilson: It needs frontage from 100ft to 85ft, width from 100ft to 93ft.

Applicant: It is pre-existing.

Mr. Wilson: He will also need a width.

Applicant: The 93 are prior – pre-existing.

J Owen, Esq.: You are going to create a sub-standard lot.

Mr. Johnson: When make new lot you have to meet the current codes. Even though it is one big lot now. You need to add the width and frontage.

Mr. Wilson: On Lot #2 you need: lot width and frontage.

Mr. Johnson: I Move to hold a Public Hearing on March 10, 2008 at 7:30pm or as soon there after as the matter can be heard; Seconded; All in favor; Motion carried.

Mr. Johnson:: 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 15 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.

Thomas J. Dembek:

D. Yanosh: He has .47 acres on Schutt Road with 50 foot frontage. There is an existing house and he wants to take it down and put a new one up. It is undersized for width and frontage and side yard 20 ft and 40ft and only have 11.9 on each side. There is mistake on application we are in water/sewer but house has septic and well. The side yards may be different on this. If we have to redo the septic on this. We will probably use the town water; not sure about the sewer. There is a manhole down the street on James Drive down to the south.

Mr. Johnson: The side yards will change with water and septic, perhaps.

Dan Yanosh: There are other codes apply for water/sewer and water/well.

Mr. Wilson: We need to know what you are going to use.

Dan Yanosh: We will use the water use for sure; sewer checking on.

J. Owen, Esq.: Proceed now with what you have given on the application.

Dan Yanosh: Yes.

Mr. Johnson: side yards, frontage, width.

Mr. Johnson: I Move to hold a Public Hearing on March 10, 2008 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded; All in favor; Motion carried.

Mr. Johnson: 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 15 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.

Jonathan Field (DK Vinyl Industries, Inc. DBA Vinyl Tech):

Jonathan Field, Representative: They are seeking to put on a sun room on a non-conforming deck. We proposing 16 feet and need a 4 foot variance on the side yard.

Mr. Johnson: The deck is there now? Will you take it down or replace it?

Jonathan Field: Redo this and put in this. It is about a foot and a half larger.

Mr. Johnson: This is for a side yard from 20ft to 16 feet.

Mr. Wilson: I see.

Mr. Johnson: I Move to hold a Public Hearing on March 10, 2008 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded; All in favor; Motion carried.

Mr. Johnson: 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 15 days prior to your scheduled Public Hearing date.

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Cotter Road, LLC., (Patricia Silvernail and Kevin Baker):

Patricia Silvernail: I am seeking a variance on a corner lot. I would like to do is 25 x 52.

Mr. Wilson: That needs rear and side yard variances.

J. Owen, Esq.: Change this?

Kevin Baker: Yes.

Mr. Johnson: The variances are for rear yard, 2 side yards, front yard, lot depth and area. This is a lot of variances.

Ms Petelinz: Do you already own this lot?

Patricia Silvernail: No.

Mr. Johnson: We need the tax map to show the location and it would be helpful to see what is in the area as well.

Mr. Johnson: I Move to hold a Public Hearing on March 10, 2008 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded; All in favor; Motion carried.

Mr. Johnson: 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 15 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.

James Clark:

Al Fusco, Fusco Engineering: This is not too dissimilar to others tonight. We need quite a few variances and need to amend the application as well. The first lot needs a variance from the bulk area from 18,750sq/ft to 10,500sq/ft and this has been referred by the Planning Board and we will go back there if successful. There are 2 side yards for Lot #1. variances to 7 feet and 16 feet and 2 side yards for 23 feet. I will amend accordingly. 100ft to 75ft on the lot width. There is shed and pool house that in close proximity to the line and request to keep them as they are existing. Obviously if that is something that has to go for the greater good we can weigh that.

On Lot #2 in better shape do have 18750 to 10300 we have lot width 100 to 75ft; and existing shed there which is existing and would like to have it included but something we can use if application is favorable.

We do have some tax maps of the area or at the next meeting to show lots consistent with lots in the area and shows on location. The existing lot is in some cases more than double the size of many of the lots. Lot of 50 foot lots and these are 75 foot in width.

Mr. Wilson: We can take the maps.

Mr. Fusco: The lot is designated in the circle there (maps).

Mr. Johnson: The pool shed is close to the line.

Al Fusco: I can talk to him about having that relocated.

Ms Petelinz: You are proposing 2 lots, I have...

Al Fusco : ... that is correct.

Ms Petelinz: You are not building 2 new houses.

Mr. Fusco: One is there now and dividing it in half so one can be built.

Mr. Johnson: It is still bigger than adjacent lots.

Al Fusco: The Planning Board has not reviewed it in detail but they are pretty standard.

Mr. Johnson: 100ft to 75 ft on both widths, areas and 2 side yards. Any questions? (No)

Mr. Johnson: I Move to hold a Public Hearing on March 10, 2008 at 7:30pm or as soon thereafter as the matter can be heard; Seconded; All in favor; Motion carried.

Mr. Johnson: 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 15 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.

Joel E. Gorton:

J. Gorton: This was subdivided in 1985 and would like to sell the lot and current requirements from 1.5 to 3 acres now. So we need an area variance.

Mr. Johnson: The area.

Mr. Wilson: Do you have a house there now?

J. Gorton: They wanted to build a single family home and met them on the lot.

Mr. Johnson: How do we find it on Sams Road?

J. Gorton: There is a driveway and a yellow house across the street. It is next to 311.

Mr. Johnson: It will help us find it.

J Owen, Esq.: Are you proposing a house here (looking at the drawings)?

J. Gorton: We were told we needed a variance. The buyer should go for the variance and then we were told it would be better if we get it.

Mr. Johnson: It would be easier if we had a plan and you drew in what size house is they want. To approve it without knowing - they could build something else. The soil types are important as well. There is a minimum and it determines how big the lot needs to be.

J. Gorton: We had it engineered by Ptak Engineering.

Ms Petelinz: I see lot area for #2; do you own Lot #1 area also?

Joel Gorton: Yes.

Ms Petelinz: Is there a reason you are not making this a larger lot?

J. Gorton: I have had money spent on this lot for the maps.

Mr. Johnson You did original subdivision on the 1.5 acres from the 12?

J. Gorton: Yes. Not much development there now.

Mr. Johnson: Relief in lot size if you can slide a lot line over to gain additional property. One variance is small to the overall number. The decrease bigger harder to and is additional expense.

J. Gorton: You have buyer for the existing lot.

Mr. Wilson: It was changed to have larger lots from 1.5 to 3 acres.

Mr. Johnson: You have been honest that you have someone else is buying. I understand you did it to sell it and the zoning changed.

J. Gorton: If I had known it was going from 1.5 to 3 acres would have done it.

Mr. Johnson: The lot line is no extra engineering but move of the line. It should not be especially difficult if you go to the engineer...

J. Gorton....Garrison Scott left a long time ago.

Mr. Johnson: something to consider.

J. Gorton: Someone offers you something for a lot and then you have to go back and ask for another \$30,000....

Mr. Johnson: I Move to hold a Public hearing on March 10, 2008 at 7:30p or as soon thereafter as the matter can be heard; Seconded; All in favor; Motion carried.

Mr. Johnson: 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 15 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
FEBRUARY 11, 2008

MEETING CLOSE:

Mr. Johnson: There being no further items to be presented to this Board, I Move to close the Meeting at 8:59 pm; Seconded; All in favor; Motion carried.

REQUEST: Publication date: February 13, 14, 15

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 10th day of March, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Ethel Paula Levine and Jackie Lee Jacobs, 127 Sproat Street, Middletown, New York 10940 for a variance of 249-22(D)(1) (area) for the property of Ethel Paula Levine, 10907 Oak Street, Silver Spring, Maryland 20901. Property located at 127 Sproat Street (36-2-30) 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: February 13, 14, 15

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 10th day of March, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Thomas J. Dembek, 191 Shutt Road, Middletown, New York 10940 for a variance of 249-22(D)(1) (area) for the property of Thomas J. Dembek, 191 Shutt Road, Middletown, New York 10940. Property located at 191 Shutt Road (73-1-3) 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: February 13, 14, 15

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 10th day of March, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Jonathan Field (DK Vinyl Industries, Inc. DBA Vinyl Tech), 668 Dutchess Turnpike, Poughkeepsie, New York 12603 for a variance of 249-20(D)(1) (area) for the property of Rubiel and Alejandra Ibarra, 18 Amy Lane, Middletown, New York 10940. Property located at 18 Amy Lane, (81-3-5) and Designated R-2.

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

E. Raffo
Zoning Board of Appeals

REQUEST: Publication date: February 13, 14, 15

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 10th day of March, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Cotter Road, LLC, Nine Ten Eyck Place, Edison, New Jersey 08820 for a variance of 249-22(D)(1) (area) for the property of Patricia Silvernail and Kevin Baker, 200 Commonwealth Avenue, Middletown, New York.. Property located at 202 Commonwealth Avenue, (38-11-7) and Designated R-1.

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

E. Raffo
Zoning Board of Appeals

REQUEST: Publication date: February 13, 14, 15

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 10th day of March, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

James Clark, 76 East Hoffman, Lindenhurst, New York 11757 for a variance of 249-22(D) (area) for the property of James Clark, 76 East Hoffman, Lindenhurst, New York 11757. Property located at 126 Belmont Avenue (76-5-2.2) and Designated R-1.

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

E. Raffo
Zoning Board of Appeals

REQUEST: Publication date: February 13, 14, 15

TOWN OF WALLKILL
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

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Joel E. Gorton, 1968 Greenville Turnpike, Port Jervis, New York 12771 for a variance of 249-22(D)(1) for the property of Joel E. Gorton, 1968 Greenville Turnpike, Port Jervis, New York 12771. Property located on Sands Road (7-1-44.12) and Designated R-A.

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

E. Raffo
Zoning Board of Appeals

REQUEST: Publication date: February 13, 14, 15

Applicant will pay for re-publishing – will notify if not the case

TOWN OF WALLKILL
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PUBLIC HEARING NOTICE

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John T. Cieslewitz, 217 King Road, Middletown, New York 10940 for a variance of 249-22(D)(1) for the property of John T. Cieslewitz, 217 King Road, Middletown, New York 10941. Property located at 400 Hufcut Road (12-1-96) R-A.

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

E. Raffo
Zoning Board of Appeals

TOWN OF WALLKILL
ZONING BOARD OF APPEAL
DECISION SHEET

FEBRUARY 11, 2008

Michael Palmucci

Request for a variance of 249-22-D(1).

1. Side yard from 20ft to 10ft
2. Front yard from 35ft to 12 ft
3. One side yard from 20ft to 12.5 ft
4. Area from 18,750 sq/ft to 6,890 sq/ft
5. Lot width from 100ft to 50ft
6. Two side yards from 40ft to 23ft

Property located at corners of Brookline Avenue and
Victory Street

(75-9-1); Designated R-1

DECISION: Variances granted subject to:

No further variances to be requested

Aye: Dunn, Sullivan, Wilson, Johnson

Nay: Petelinz

Prosthetic & Orthodic Associates
(Thomas Passero)

Request for a variance of 249 (interpretation)

1. Interpretation of Section 62 with regard to Zoning
District O/R.

Property located on River Side Drive

(60-1-95); Designated O/R

Applicant not present

Brian Rivenburgh

Request for a variance of 249-20(d)(1):

1. Rear yard from 50ft to 30ft
2. Area from 1.5 acres to 0.36 acres
3. Lot width from 200ft to 106ft
4. Lot depth from 250ft to 150ft

Property located at Hickory Place / Maple Drive
(16-1-8); Designated R-2.

Continue to March 10, 2008.

Metro Property Group, LLC.

Request for a variance of 249-11 (signs)

1. Request for 3 additional signs for a total of four (4):
one at each of the four entrances.

Property located at 644 Silverlake/Scotchtown Road
(24-1-35); Designated R-1

DECISION: Variance granted

Aye: Wilson, Sullivan, Dunn, Petelinz,
Johnson

John T. Cieslewitz

Request for a variance of 249-19-D(1):

1. Lot frontage from 200ft to 121.18ft

2. Lot frontage from 200ft to 59.5ft

3. Lot frontage from 200ft to 58.7 ft

4. Lot frontage from 200ft to 128.0 ft

Property located at 400 Hufcut Road
(12-1-96); Designated RA.

Public Hearing rescheduled for March 2008.