

TOWN OF WALLKILL
ZONING BOARD OF APPEALS

MARCH 10, 2008

PRESENT:

Mr. K. Dunn
Mr. E. Johnson
Ms M. Petelinz
Ms E. Raffo, Chairperson
Mr. S. Wilson

EXCUSED:

Ms Sullivan

MEETING OPENING:

The Town of Wallkill Zoning Board of Appeals Meeting opened with the pledge to the flag followed by the presentation of the February 11, 2008 Meeting Minutes.

Mr. Wilson: I Move to accept the minutes as written; Seconded (Johnson); In favor (Dunn, Johnson, Petelinz, Wilson); Abstain (Raffo/absent); Motion carried.

The following Public Hearings were continued, conducted and applications reviewed for the April 14, 2008 Meeting.

CORRESPONDENCE:

Ms Raffo: The following requests have been received for a six month extension on variance(s) previously granted.

Serge Lentz

Ms Raffo: Mr. Lentz is requesting a six month extension due to delay in getting the plans done and approved.

Ms Raffo: I Move to grant the following six month extension for variances granted of 249: accessory building from 28x28ft to 14x32ft (oversized accessory building – shed); Property located at 40 Susan Lane (7-2-39); Designated R2; Seconded (Wilson); All in favor; Motion carried.

Fairways Wallkill, LLC., c/o GDC (Formerly MDG Development)

Ms Raffo: Request for an extension of the variances from April to October 2008. This is an on-going project with several extensions and they are working diligently on it.

Ms Raffo: I Move to grant a six month extension:

Fairways Wallkill, LLC., c/o GDC (Formerly MDG Development) for all the variances granted by the Town of Wallkill to expire in April and then be granted a six month extension on all the variances granted to October, 2008; Seconded; All in favor; Motion carried.

Anthony and Nancy Tomesheski

Ms Raffo: They applicants are requesting a six month extension from variances granted on in November 2007 because the work has been affected by the weather.

Ms Raffo: I Move to grant a six month variance extension to Anthony and Nancy Tomesheski for a variance of 249-19(11)(D): Side yard from 40ft to 18.2 ft for an addition of a 3 season sunroom; Property located at Five Bendlin Lane, Howells, NY; (33-7-2); Designated RA; Seconded (Johnson); All in favor; Motion carried.

Carol Wilson

Ms Raffo: We have a request for an ex tension due to the weather conditions that are affecting their construction work.

Ms Raffo: I Move to grant a six month variance extension to Carol Wilson for a variance of 249-22(D) (1) (area variance): 1) side yard from 20ft to 10.8 ft; 2) side yard from 20ft to 8.5 ft; 3) side yard from 20ft to 15.9 ft; for an addition to the existing house; Property located at 30 Rhode Island Avenue (38 – 7 – 15); Designated R-1; Seconded (Johnson); All in favor; Motion carried.

CONTINUANCE:

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.

Michael Bluestein, Esq.: Good evening, I am here with Brian Rivenburgh partner of Mr. Rowley and John Fuller, Project Engineer.

Michael Bluestein, Esq.: In reciting the Code and common ownership, the ordinance says as long as it is the same owner – at the time there was a question if he inherited the property and made it common ownership or not. We have amended the application for area variance for that factor but as well as in the event the board it is not common, for all the variances sought: Lot area, width and depth.

We submitted packaged last time showing the houses in surrounding neighborhood and it is more conforming than others in the area and the area are: rear 50 to 30ft, area 1.5 to .36 acres; width 200 to 106ft and lot depth 250 to 150ft.

If you look at the area picture it is set back further than surrounding pieces. He was asked not to sell lit by the Board and then the Town did access the wells until the time the land became part of the Town.

Ms Raffo: When looking at the rear yard you are asking from 50 to 30ft and looking at a map, including the deck, would be 15 feet?

John Fuller: That is the side yard, and for the purpose of the application moved the deck to comply with 20 foot. We can move it within the triangle allotted by the set backs.

Ms Raffo : Where is the deck?

Jhn Fuller: At the rear of the home, we have flexibility to move it. Other than lot area depth and width the other would be rear yard variance. So in addition, request for a rear yard of 30 feet.

Ms Raffo: You put the rear yard some place...rear yard where the deck is on the map ...

Mr. Wilson: It seems the road frontage is Hickory Place instead. (looked at map with Mr. Fuller).

Mr. Fuller: What I am saying is placement of home - we'd be 30 feet off and is what we are seeking. The deck would be in the triangle here (drawing). It is technically a corner yard. The variance we need is 30 feet off that (drawing) property line.

Ms Raffo: This has not been before the Planning Board yet?

John Fuller: No; these are just area variances for the permit.

Ms Raffo: You don't have water/sewer up there.

John Fuller: At time of filing for the building permit application it was reviewed by Jim Winter and we have application for septic with the DOH.

Ms Raffo: Are there any comments from the Board? (no)

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

Mr. Wilson: I understand what you are doing here. It is my interpretation you will need all the additional variances and should vote on that tonight.

Ms Raffo: Any thing further? (no)

Ms Raffo: I Move to close the Public Hearing at 7:55 pm; All in favor; Motion carried.

Ms Raffo: I Move to grant the following variances: 1) rear yard from 50ft to 30ft; 2) area from 1.5 acres to 0.36 acres; 3) lot width from 200ft to 106ft; and lot depth from 250 to 150ft; Seconded (Johnson).

DISCUSSION:

Mr. Johnson: I am voting for this because it fits in the neighborhood and is not a drastic change. The question of ownership and the rear yard is extreme as compared to the rest.

Mr. Dunn: I am in favor for the same reason.

VOTE:

In favor (aye):4	Johnson, Dunn, Wilson, Raffo
Opposed (nay): 0	
Abstain: 1	Petelinz

DECISION:

Ms Raffo: The variances are granted, please see the building department.

PUBLIC HEARINGS:

Ethel Paula Levine
Jackie Lee Jacobs

Request for a variance of 249-22(D)(1)
1) area from 18,750 to 16,744 sq/ft
Property located at 127 Sproat Street
(36-2-30)
Designated R-1.

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

S. Wilson: The Public Hearing was read at 7:44 pm.

Ms Raffo: I Move to open the Public Hearing at 7:45 pm.

Ms Raffo: We will open the Public Hearing but need to continue it as we have not received response from the County.

Ms Raffo: Is there anyone here from the Public? (no)

Ms Raffo: Any questions?

John Thompson, Esq.: No.

Ms Raffo: I Move to continue the Public Hearing to April 14, 2008 at 7:30 pm or as soon there after as the matter can be heard; All in favor; Motion carried.

Jonathan Field
DKVinyl Industries, Inc.
Vinyl Tech:

Request for a variance of 249-20(D)(1):
1) side yard from 20ft to 16ft
For construction of a 12x18ft deck with enclosed three
season sunroom.
Property located at 18 Amy Lane
(81-3-5)
Designated R-2.

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

Mr. Wilson: The Public Hearings was read at 7:59 pm.

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

Applicant: We are looking to build sun room on a deck that is there now that is 16 feet from the property line and we need a 4 foot variance for the side yard and when we build it will be non-conforming.

Ms Raffo: Any questions from the Public?

Public #1: We are fine with it.

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

Ms Raffo: I Move to close the Public Hearing at 8:02 pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following side yard variance from 20ft to 16ft; Seconded (Johnson).

DISCUSSION: (None)

VOTE:

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

DECISION:

Ms Raffo: The variance is granted. See the Building Department.

Thomas J. Dembek: Request for a variance of 249-22(D)(1):
1) side yard from 20ft to 11ft
2) 2 side yards from 40 to 22ft
3) lot frontage from 100ft to 50ft
4) lot width from 100ft to 50ft
To build a new home after removing existing house.
Property located at 191 Shutt Road
(73-1-3)
Designated R-1.

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

Mr. Wilson: The Public Hearing Notice was read at 8:03 pm.

Ms Raffo: I Move to open the Public Hearing at 8:04 pm.

Ms Raffo: Please present your application.

Dan Yanosh: Mr. Dembeck owns the property with an existing 2 story house and wants to take it down and build a new one. There is existing water and septic. He will have to hook up to the Town's services and a sewer line can be put down Shutt Road. The requirements we need as it's pre-existing and need side yard 20 to 11.9ft and 2 sides from 40 to 23.8 ft.

Ms Raffo: You are next to the Regency – there is a big old barn?

Mr. Dembeck: That's the one.

Ms Raffo: That is coming down and a house is going in?

Mr. Dembeck: Yes.

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 8:06 pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following variances: 1) side yard from 20 to 11ft; 2) 2 side yards from 40ft to 22ft; 3) lot frontage from 100ft to 50ft; 4) lot width from 100 to 50ft; Seconded (Johnson)

DISCUSSION:

(None)

VOTE:

In favor (aye) 5 Johnson, Petelinz, Dunn, Wilson, Raffo
Opposed (nay) 0

DECISION:

Ms Raffo: The variances are granted and be sure to start work within 6 months or send in a request for an extension or you will have to start over.

James Clark

Request for a variance of 249-22(D):

Lot #1:

- 1) side yard from 30ft to 7ft
- 2) side yard from 30ft to 16ft
- 3) side yard from 30ft to 23ft
- 4) area from 18,750 sq/ft to 10,500 sq/ft

Lot #2:

- 1) lot width from 100ft to 75ft
- 2) area from 18,750 sq/ft to 10,300 sq/ft

Property located at 126 Belmont Avenue
(76-5-2.2)

Designated R-1.

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

Mr. Wilson: The Public Hearing Notice was read at 8:07 pm.

Ms Raffo: Open at 8:09 pm.

Ms Raffo: Please present your application.

Al Fusco: I am here for the applicant.

Ms Raffo: Is there anyone here from the Public on this application? (no)

Ms Raffo: These are substantial variances and there is already a house on the property. The house is vacant and there is a pool shed and a shed along with the house on the property line. The house is vacant and both sheds are in serious disrepair. What is happening with the house on this?

Mr. Fusco: The owners want to subdivide the house and make repairs to the house and upgrade it and create another lot. Last month the shed and pool house were noted to be along the line and the new plan says it will be abandoned.

Ms Raffo: Removed, not abandoned.

Mr. Fusco: We will change the terminology – remove shed and pool house. One thing we noted was the tax map in the area it would not be adverse to the neighborhood. There are many lots smaller than this. There are substantial variances involved and many houses that have same situation. One things we proceed with and was brought up before – they will be removed and change the plans and stipulate the same.

Ms Raffo: There are small lots. One reason when you consider a variance is to get it...

Mr. Fusco: ...we still have to go the Planning Board and they will have further restrictions and requests.

Ms Raffo: He bought it in 2005 and when he bought it it was not in compliance – you understand that?

Mr. Fusco: Yes.

Ms Raffo: It is his business to buy them and turn them over at a profit and it is our business to keep the property to Code. Any other questions from the Board?

Mr. Wilson: Stipulate the proposed dwelling no further variances. What size house are you proposing to put on the lot?

Mr. Fusco: Basically 35 x 30ft.

Ms Raffo: No additional variances will be granted - it has to fit in the set backs.

Mr. Wilson: Nothing else.

Mr. Fusco: On lot #2 the lot size is the variance and width 100 to 75 and still allow for side yards and a 35 foot home.

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

Mr. Raffo: Any questions from the Public?

Ken Ross, 138 Belmont Avenue: This is all fresh to the information – there are 2 lots there and they will be building on what?

Ms Raffo: There is 1 and they want to put a house between yellow house and big house.

Ken Ross: They will remove the pool house?

Ms Raffo: Yes.

Ken Ross: Will they be built on spec or are people waiting for them?

Mr. Fusco: The existing is there and can't speculate on new house until they get approvals. Months away from getting that.

Ken Ross: My concern is the number of houses built and not sold and are empty and that brings in vandals. That is my only concern.

Mr. Fusco: I can't speak for him but don't think he will build first.

Mr. Ross: Thank you.

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

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

Ms Raffo: I Move to grant the following variances for the 2-lot subdivision on Lot #1 at 126 Belmont Avenue: 1) side yard from 20ft to 7.0ft; 2) side yard from 20ft to 16ft; 3) 2 side yards from 40ft to 23ft; 4) area from 18,750 sq/ft to 10,500 sq/ft; 5) lot width from 100ft to 75ft; On Lot #2: 1) lot width from 100ft to 75ft; 2) area from 18,750 sq/ft to 10,300 sq/ft; Seconded.

Subject to the following: Any construction on Lot 2 (new lot) will be granted no variances for set backs what so ever and with the stipulation that the shed and pool house on Lot #1 be removed. And that the property is to be cleaned up; Seconded.

DISCUSSION:

Mr. Johnson: It fits in the neighborhood and he is cleaning up the lot and making it a nicer area.

Ms Petelinz: In view of the stipulations I'd vote yes.

Mr. Dunn: It falls in with the rest of the neighborhood.

Mr. Wilson: It does fall into the rest of the neighborhood but it needs to be cleaned up and it should conform with the rest of the neighborhood.

VOTE:

In favor (aye) 5 Johnson, Petelinz, Dunn, Wilson, Raffo
Opposed (nay) 0

DECISION:

Ms Raffo: The variances are granted with the noted stipulations. See the building department and the variances are good for six months.

Patricia Silvernail /
Kevin Baker
(Cotter Road, LLC):

Request for a variances of 249-22(D)(1):

- 1) rear yard from 30ft to 27ft
- 2) side yard from 30ft to 10ft
- 3) side yard from 30ft to 10ft
- 4) front yard set back fro 40ft to 20ft
- 5) area from 18,750 to 5,000
- 6) depth fro 150ft to 100ft
- 7) width from 100ft to 50

Property located at 202 Commonwealth Avenue
(38-11-7)

Designated R-1.

Ms Raffo: Applicant not present.

Joel E. Gorton

Request for a variance of 249-22(D)(1):
1) lot area from 5.0 acres to 1.5 acres
Property located on Sands Road
(7-1-44.12)
Designated RA

Ms Raffo: The applicant is not present for the Public Hearing.

John T. Cieslewitz

Request for a variance of 249-19(D)(1):
1) lot frontage from 200ft to 121.8ft
2) lot frontage from 200ft to 59.5 ft
3) lot frontage from 200ft to 58.7 ft
4) lot frontage from 200ft to 128.0ft
Property located at 400 Hufcut Road
(12-1-96)
Designated RA.

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

Mr. Wilson: The Public Hearing Notice was read at 8:22 pm.

Ms Raffo: Please present your application.

Dan Yanosh: For John T. Cieslewitz.

Ms Raffo: I move to open the Public Hearing at 8:23pm.

Dan Yanosh: This is to transfer some land to give 1.4 acres in square package and construct a 997 ft road. The zoning requires 1000 feet and meets rules and regulations and there is wetlands in the middle of the property making it difficult for roads. It will create seven (7) lots.

Some meet the requirements: Lot 2, 3 or 5 don't meet 200 lot frontage because of zoning change 50 foot to 200 ft in RA zone. I could not make the road longer because of variance length and hopefully we can work it out this way. We have met with the Planning Board (PB) and because of the Federal wetlands there was no better way to subdivide. Lots are 5,6 and 3.5 acres and are nice sized lots. Open area.

Ms Raffo: Any questions from the Public?

Richard Jacobson: 402 Hufcut: I approve and think it is added investment to the community.

Priscilla Thompson: I think there are way too many variances on this and the driveway is way too long. I feel this would make a nice mini horse farm or a vineyard but it does not belong in a residential area and it makes it hard to sell. It is going to be an issue. Those are my thoughts. Thank you.

Ms Raffo: Any questions from the Board?

Mr. Johnson: I 'd like to start with fact there are 2 driveways 1000 foot after 1000 foot cul de sac which is an issue for me and also you will need 2 certain flag lots at 58 and 59 feet and have to put in new cul de sak and asking for 4 of the 6 lots to not meet current zoning is

extreme. Not with 4 – it is a lot. Concerned with wet lands and roads going along that with road salt and it is a buffer to protect ground water. It is not our concern but is important.

Mr. Wilson: I agree with Mr. Johnson and he stated my thoughts. 4 of 6 not conform for a new development and don't know what you can do.

Ms Raffo: I look at this, honestly, all you have done is create 2 driveways in stead of 2 cul de sacs the law is there and it is a safety issue and safety issue with snow in the winter and can't get a vehicle in there. It is too long. That law was put in there for a reason. You can't defeat it by putting in 2 driveways.

Dan Yanosh: If you get the road longer would that make a difference?

Mr. Johnson: This is down the road where we had a similar application before the Board. You may want to have a look at this again.

Dan Yanosh: We looked at a circle and trying to preserve the wetlands. Looked at it that way. We have the wetlands. The longer road – the problem is the first 500 feet along vacant land and look at expense of putting in the road and not worth putting in the road. There is low lying and can't put in a septic. If you can give us a layout...it has not gone to planner yet. I know and understand I don't know why the town did the cul-de-sac – at the end of the cul de sac it limits the number of houses with the length. Land is made – we did not create the lot. It is long and skinny because land is particular. If we could go through the Thompson property it would be different, we can't.

Mr. John T. Cieslewitz: The maximum is 1000 ft? With 3 acre zoning it does not justify putting in more lot – what about eliminating these and make one (looking at maps)

Dan Yanosh: Combine 3 and 4 together?

Mr. Wilson: How will you get back there?

Dan Yanosh: 400 ft driveway.

John T. Cieslewitz: Make the drive 2/3rds of what it is now.

Dan Yanosh: 100 foot wide access area.

Ms Raffo: I have to vote no on this one and you have to take it back and find out what you can do with it.

Mr. Wilson: You may need fewer houses on larger lots. We have to work with what we are given and you might have to do the same.

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

Mr Yanosh: We can leave it open and come back next month?

Ms Raffo: I Move to continue the Public Hearing to April 14, 2008 at 7:30 pm or as soon thereafter as the matter can be heard.

REVIEW:

Raymond and Tammy Smith

D. Yanosh: He was in back in April '07 for variances on a sub division from the adjoining piece – lot line change, variances issued back then for the lot. Area, width 100 to 83ft and granted for single family house. Now since the sub division was filed on 10/25/07 he is looking for 2 family instead of single family – and went to the PB and we are back for the variances for the area, lot width 100ft to 83ft and the frontage from 100ft to 83ft. There are other 2 family residence and will give you a list next month.

Mr. Wilson: Are you developing to sell?

Raymond Smith: Keeping it for a couple of kids I am helping out.

Ms Raffo: I Move to Hold a Public Hearing on April 14, 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.

Gary Nemth

Applicant: Trying to put addition on side for my father-in-law who was previously at Senior Horizons and his health is failing and living with us for a while. We have a 3 bedroom raised ranch and it is very tight. He has had 2 strokes in the meantime and am trying to get the addition going and had the engineering and survey and have setback on the one side not have it now.

Ms Raffo: I Move to hold a Public Hearing on April 14, 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
MARCH 10, 2008

MEETING CLOSE:

Ms Raffo: There being no further items to be presented to this Board, I Move to close the Meeting at 8:41 pm; Seconded; All in favor; Motion carried.

REQUEST: Publication date: March 12, 13, 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 14th day of April, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Gary Nemeth, Six Placid Avenue, Middletown, New York for a variance of 249-22(D) (side yard) for the property of Gary Nemeth, Six Placid Avenue, Middletown, New York. Property located at Six Placid Avenue (92-6-3) 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: March 12, 13, 14

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 14th day of April, 2008, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Raymond and Tammy Smith, 214 Watkins Avenue, Middletown, New York 10940, for a variance of 249-22(D)(1) for the property of Raymond and Tammy Smith, 214 Watkins Avenue, Middletown, New York 10940. Property located at 210 Watkins Avenue (36-12-6.2) and Designated R-1.

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

MARCH 10, 2008

Decision Sheet

Public Hearings

Ethel Paula Levine
Jackie Lee Jacobs

Request for a variance of 249-22(D)(1)
1) area from 18,750 to 16,744 sq/ft
Property located at 127 Sproat Street
(36-2-30)
Designated R-1.

CONTINUE to April 14, 2008

Jonathan Field
DKVinyl Industries, Inc.
Vinyl Tech:

Request for a variance of 249-20(D)(1):
1) side yard from 20ft to 16ft
For construction of a 12x18ft deck with enclosed three
season sunroom.
Property located at 18 Amy Lane
(81-3-5)
Designated R-2.

DECISION: Variance granted

Thomas J. Dembek

Request for a variance of 249-22(D)(1):
1) side yard from 20ft to 11ft
2) 2 side yards from 40 to 22ft
3) lot frontage from 100ft to 50ft
4) lot width from 100ft to 50ft
To build a new home after removing existing house.
Property located at 191 Shutt Road
(73-1-3)
Designated R-1.

DECISION: Variances granted

James Clark

Request for the following variances for the 2-lot subdivision on:

Lot #1

- 1) side yard from 20ft to 7.0ft;
- 2) side yard from 20ft to 16ft;
- 3) 2 side yards from 40ft to 23ft;
- 4) area from 18,750 sq/ft to 10,500 sq/ft;
- 5) lot width from 100ft to 75ft;

On Lot #2:

- 1) lot width from 100ft to 75ft;
- 2) area from 18,750 sq/ft to 10,300 sq/ft

Property located at 126 Belmont Avenue
(76-5-2.2)

Designated R-1

DECISION: Variances granted on Lot 1 and 2

Subject to the following: Any construction on Lot 2 (new lot) will be granted no variances for set backs what so ever and with the stipulation that the shed and pool house on Lot #1 be removed. And that the property is to be cleaned up.

Patricia Silvernail / Kevin Baker
(Cotter Road, LLC):

Request for a variances of 249-22(D)(1):

- 1) rear yard from 30ft to 27ft
- 2) side yard from 30ft to 10ft
- 3) side yard from 30ft to 10ft
- 4) front yard set back fro 40ft to 20ft
- 5) area from 18,750 to 5,000
- 6) depth fro 150ft to 100ft
- 7) width from 100ft to 50

Property located at 202 Commonwealth Avenue
(38-11-7)

Designated R-1.

DECISION: Applicant not present for Public Hearing

Joel E. Gorton

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

- 1) lot area from 5.0 acres to 1.5 acres
- Property located on Sands Road

(7-1-44.12)
Designated RA

DECISION: Applicant not present for Public Hearing

Patricia Silvernail / Kevin Baker
(Cotter Road, LLC):

Request for a variances of 249-22(D)(1):

- 1) rear yard from 30ft to 27ft
- 2) side yard from 30ft to 10ft
- 3) side yard from 30ft to 10ft
- 4) front yard set back fro 40ft to 20ft
- 5) area from 18,750 to 5,000
- 6) depth fro 150ft to 100ft
- 7) width from 100ft to 50

Property located at 202 Commonwealth Avenue
(38-11-7)

Designated R-1.

John T. Cieslewitz

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

- 1) lot frontage from 200ft to 121.8ft
- 2) lot frontage from 200ft to 59.5 ft
- 3) lot frontage from 200ft to 58.7 ft
- 4) lot frontage from 200ft to 128.0ft

Property located at 400 Hufcut Road
(12-1-96)

Designated RA.

DECISION: Continue to April 14, 2008

Six Month Extensions

Serge Lentz

Request for a variance of 249:
Oversized accessory building (shed)
1) from 28x28ft to 14x32ft
Property (7-2-39)
Located at 40 Susan Lane, Circleville, New York 10919
Designated R-2

DECISION: Six month extension granted

Fairways Walkkill, LLC., c/o GDC
(Formerly MDG Development)

Request for a six month extension on all the variances granted by the Town of Walkkill to expire in April be extended to October, 2008.

DECISION: Six month extensions granted

Anthony and Nancy Tomesheski

Request for a variance of 249-19(11)(D):
1) Side yard from 40ft to 18.2 ft
For an addition of a 3 season sunroom;
Property located at Five Bendlin Lane, Howells, NY;
(33-7-2);
Designated RA

DECISION: Six month extension granted

Carol Wilson

Request for a variance of 249-22(D) (1) (area variance):
1) Side yard from 20ft to 10.8 ft;
2) Side yard from 20ft to 8.5 ft;
3) Side yard from 20ft to 15.9 ft;
For an addition to the existing house.
Property located at 30 Rhode Island Avenue
(38 - 7 - 15)
Designated R-1

DECISION: Six month extensions granted