

TOWN OF WALLKILL
ZONING BOARD OF APPEAL

APRIL 9, 2007

PRESENT:

N. Guenste
E. Johnson
M. Petelinz
R. Sullivan
E. Raffo
S. Wilson

J. Owen, Esq.

MEETING OPENING:

The April 9, 2007 Meeting of the Town of Wallkill Zoning Board of Appeals opened with the pledge to the flag followed by the presentation of the March 12, 2007 Meeting Minutes.

The Minutes were reviewed by the Board. The Motion was made to accept the minutes as written; Seconded; All in favor; Motion carried.

The following reviews were made for May 14, 2007, continuation held and public hearings conducted.

CORRESPONDENCE:

Ms Raffo: The following are requests for six (6) month extensions:

TAC ASSOC. (Joseph Brown):

Ms. Raffo: We received a letter from Alan Hicks for the applicant regarding their variances granted on October 16th stating they have made substantial progress and now the engineer is working with the Orange County Health Department on the septic design and are awaiting approval by the Town. They requested a variance for OCHD reviews to receive building permit.

Ms. Raffo: I Move to grant a six month extension of variances originally granted on 5/8/2006, extended 10/16/2006 for: 1) area from 2 acres to 50,806 sq/ft; 2) width from 200ft to 145ft; 3) side yard from 40ft to 35ft; 4) 2 side yards from 100ft to 85ft; property located on Top Notch Road (32-2-42); Seconded; All in favor; Motion carried.

DECISION: Six month extension granted.

THOMAS J. and KATHRYN STAPLES:

Ms Raffo: This is for an applicant who was granted variances for a 2 family residence concerning lot width, 2 side yards, a rear and side yard. Originally it was for a deck and an existing 2 family house. They are currently working with the Planning Board to get their approval.

Ms Raffo: I Move to grant a second six month extension to variances originally granted 8/8/2005 to 1/9/2006 and from 6/2006 to 1/10/2007 for variance of 249-22-D (side/rear yard setbacks): 1) side yard from 15ft to 12ft; 2) side yard from 15 to 14ft; 3) rear yard from 30ft to 11ft; for construction of a deck at property located at Eight Clark Street (52-4-6); Designated R-1; Seconded; All in favor; Motion carried.

DECISION: Six month extension granted.

GEORGE MARTIN:

Ms Raffo: We have received a request for an extension on a garage from October as they were not able to start work due to the weather.

Ms Raffo: I Move to grant the request for a six month extension on a variance of 249-8-A(5) granted 10/16/2006: 1) allow accessory building closer to the front lot line than the principal building. Property located at 127 York Road (Sec 3 BL 2 LOT 13); Designated R-A; Seconded; All in favor; Motion carried.

DECISION: Six month extension granted.

PAUL & SANDRA DOOLITTLE:

Ms Raffo: The applicant is requesting an extension for work they were unable to start construction. because of weather.

Ms Raffo: I Move to grant a six month extension for a variance of 249-3 (accessory building) granted 10/16/2006: 1) from 28x28ft to 28x30ft; Property located at 29 Murray Road (SEC 62 BL 1 LOT 30.3); Designated RA; Seconded; All in favor; Motion carried.

DECISION: Six month extension granted.

BERLIN, LLC. (NY Land, LLC):

Ms Raffo: We have a letter from Fellenzer Engineering regarding the Dunkin Donut proposal that was granted parking and side yard variances in October. They are working with the Planning Board and awaiting results of a traffic study to be reviewed by the Planning Board.

Ms Raffo: I Move to grant a six month extension on variances granted 10/2006: 249-12(d)(7): side yard from 10ft to 2.45ft; 249-12 (Parking spaces) from 44 to 31 spaces. Property located on East Main Street (SEC 50 BL 2 LOT 14.11); Designated HC; Seconded; All in favor; Motion carried.

DECISION: Six month extension granted.

CONTINUATION:

CROSS VIEW REALTY: Request a variance of 249-292:
To permit a cul-de-sac of 2780 feet.
Property located on Scotchtown Collabar Road
SEC 19 BL 1 LOT 10

Ms Raffo: We have received a letter from Michael Donnelly, Esq. noting that the last (board) vacancy is yet to be filled and is not filled by the April Meeting. They requested the public hearing be once again be adjourned for May meeting for the continuation. Please announce when you open in April 9th. No further comment in our absence.

Ms Raffo: I Move to continue the public hearing May 14th; Seconded (Guenste).

DISCUSSION:

Ms Guenste: I think we have dragged this on long enough and know it will take time to grant another member. It is not fair to the public to have to come back every month and thought they were going to be here to finish up. What can we do to continue this without a final board member?

J Owen, Esq.: Chair can notify them there will be no further continuance.

Ms Raffo: We will address it at the May meeting accordingly.

Ms Raffo: I Move to continue the Public Hearing of Cross View Realty to May 14, 2007 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded; All in favor; Motion carried.

They are to be notified there will be no further continuances.

SEBAEDIM & SEYDIJA PARLAPANOV Request for a variance of 249-12(F)

1. parking reduction for eating establishment from 40 to 33 spaces

2. landscape buffer reduction side yards

For a bakery/coffee shop in addition to hair salon.

Property located at 795-99 Rt 211 East

SEC 43 BL 2 LOT(2) 22.11 and 22.121

Designated HC.

Ms Raffo: This is continuance for Parlapanov from March.

Dan Yanosh: Again I was here last month to discuss this variance or the use based on how you go with the parking. It is more parking than use. Where the zoning meets with the 'fast food drive up' needs 28 spaces for small coffee shop area and look at eating/drinking establishment I need 21 spaces. I believe the 21 spaces applies – this is not fast food, sit down, drive up, you have your coffee have a pastry, get your hair cut and it is not fast food.

Also the other variance interpretation is the fact the new zoning in effect after the site was approved in 2002 for 'Hair by Sobo' from 'Osters Florist'. There was no need for a 50-foot set back or 25 buffer. I show it in the plan here. The Newlin property owned by Heather Mulligan - we talked to her and agreed to put up stockade fence, take care of tree over hanging. We still have to go back to Planning Board (PB) for site plan approval. We can put up a fence and she agreed with that and I have her phone number and if that is condition we have no problem with that at all.

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

Ms Raffo: Any comments or questions from the Board?

Mr. Stanley: What will they sell?

Dan Yanosh: Like a Starbucks – coffee , small cheese/spinach pies which is only thing they are making there.

Mr. Stanley: Any other products brought in to be sold?

Dan Yanosh: Other bakery items; not baked there.

Mr. Stanley: Will it look similar to what they have now?

Daniel Yanosh: I have no architectural re-engineering. Walkway in the front so you can walk from one use to the another. If they change it will all look the same anyway. I gave it back to the architect. Here is the floor plan (showed the board).

Mr. Stanley: How many will it seat?

Dan Yanosh: Probably 30 people. So again 21 spaces for that use alone and one or two people per car. In 1992 the salon required 12 spaces. It is intertwining as well. Hopefully use coffee shop also.

Mr. Wilson: Only 1 handicap parking space, you will need 2 for code.

Dan Yanosh: Okay. I did not pick that up.

Ms Sullivan: Has anything changed since the last meeting?

Dan Yanosh: Can't change anything really. What we are in - the code versus one or the other - it is not fast food restaurant. It is like café diner.

Ms Sullivan: The other place got their approval a long time ago. Last time we discussed substantial buffering and it was a big issue. Did anything change?

Dan Yanosh: The biggest question was the Newlin property, (Ms Mulligan) and she was satisfied with what we would do. The landscape person from the town requested more landscaping – and I can show that and have to address another HC space.

Ms Raffo: I need plans with landscaping. This is abutting residential.

Dan Yanosh: Take advice of the landscape and wrote recommendations to the Board.

Ms Raffo: This is new construction – extra building here and we have new zoning regulations, the landscape along fence will not give room for an awful lot of parking. We need to see it.

Dan Yanosh: What this is now is 2 separate tax parcels. The applicant can also appear before the PB put separate building in the middle same place with same amount of parking in the same area. He is combining 2 together giving more room and better use of the lot. It is still developable both ways.

Ms Raffo: Like to see what is going on in back.

Ms Guenste: I am looking at it – expanding it to have tan salon conducive to hair salon, looking – it might generate a lot of traffic in/out of there we have to look at. Talking to people, you go and get your hair cut and leave, you usually don't sit and have coffee. I am looking how it is set up. You have 2-3 employee parking spaces – they have 2-3 employees in salon and 2 in the café.

Dan Yanosh: Those are designated and the code does not say which is for what – but total.

Ms Guenste: I just...the way building added on with alleyway in the middle – what is that?

Dan Yanosh: The way or shape of the building is the way it is.

Ms Guenste: It is a place to gather stuff – more like jammed together to have larger business rather than separate building. Trying to make it a little mini-mall rather than a separate coffee shop there. Combining the 2 – trying to figure the purpose there.

Dan Yanosh: Same ownership – one use.

Ms Guenste: Totally 2 different uses. I agree with the landscaping.

Dan Yanosh: I can do that. She has a buffer on all 4 sides.

Ms Raffo: The new code refers to buffer.

Dan Yanosh: it is minimal not like Walmart going in here. Not make special trip to Rt 211 to get coffee. If it is it is minimal from other places that come here.

Ms Guenste: What is road frontage on each lots? Is one 100 and other 99.

Dan Yanosh: Yes, existing tax lots.

Ms Guenste: I think we should hold it over.

Ms Raffo: I Move to continue the Public Hearing on May 14, 2007 at 7:30 pm; Seconded; All in favor; Motion carried.

PUBLIC HEARINGS:

Eugene and Maria Baltera: Request for a variance of 249-22-D:
1. lot area from 18,750 sq/ft to 13,889 sq/ft
2. lot depth from 125ft to 106ft
Property located at Schutt Road and Avenue “C”
(77-4-8 and 9); Designated R1.

Ms Raffo: The mailings were reviewed by the Board and filed for the record. I Move to open the Public Hearing at 8:07 pm.

Kim Ludley, Fusco Engineering: We have an existing trailer on what straddles 3 parcels. We are removing 1 lot line and he forgot to file the map.

Mr. Baltera: My wife picked up the papers and was told it was there. We are looking for area and lot depth.

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

Ms Raffo: Any questions from the Board?

Ms Guenste: Remove the existing trailer and putting up a bi-level?

Ms Ludley: Yes. That is correct. We have the architectuals.

Ms Guenste: The driveway is going out to Avenue C?

Ms Ludley: It will not change, out to Schutt Road.

Ms Guenste: We talked about moving it to Avenue C for safety reason as the road is getting crazy. Don't know if you can do that.

Ms Ludley: Only issue was leaving existing trees at the last meeting.

Mr. Wilson: Trees are on Schutt Road?

Ms Ludley: Yes.

Ms Raffo: If granted it will be with the stipulation for no variances on set back lines on the new house. You need to stay within the set back lines.

Ms Raffo: Anything else from the Board? (No)

Ms Raffo: I Move to close the Public Hearing at 8:09 pm; Seconded; All in favor; Motion carried.

Ms Raffo: I move to grant the following variances: 1) area 18,750 sq/ft to 13,899 sq/ft; 2) lot line change: lot depth from 125ft to 106ft; subject to no additional variances will be granted from the setbacks on the new construction; Seconded.

DISCUSSION: (None)

VOTE:

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

DECISION:

Ms Raffo: The variance is granted, please proceed to the Building Department.

James Worden
(Nicholas and Lori Scarano):

Request for a variance of 249-22(D)(a):
1. lot area from 18,750 sq/ft to 15, 625 sq/ft.
Property located at 161 Ridgewood Avenue
(76-7-19.2); Designated R-1.

Ms Raffo: The mailings were reviewed by the Board and filed for the record. I Move to open the Public Hearing at 8:11 pm.

Ms Raffo: Please present your application.

Mr. Lou Powell, Eustace and Horowitz (James Worden): They want to purchase 25 feet via lot line change to reduce the Scarano lot from 18,750 sq/ft to 15,625 sq/ft making it non-conforming. The property line – there is a fence along proposed property line and the piece looks like it belongs to them any way. The 15,625 sq/ft lot is actually one of largest I the area and there are only a couple larger in the area.

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

Ms Raffo: Any questions and comments from the Board?

Mr. Wilson: They are purchasing it to put in a driveway and garage in the back?

Lou Powell: Yes.

Ms Guenste: Can they do it without sacrificing trees?

Lou Powell: I don't think so.

Ms Raffo: Any further comments from the Board?

Ms Raffo: I Move to close the Public Hearing at 8:14 pm; Seconded; All in favor; Motion Carried.

Ms Raffo: I Move to grant the following variance (Worden) for lot line change Lot #1 – (76-7-19.1) from 18,750 sq/ft to 15,625 sq/ft; and Lot #2 (76-7-19.2) from 6,250 sq/ft to 9,375 sq/ft:

DISCUSSION: (None)

VOTE:

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

DECISION:

Ms Raffo: The variances are granted, see the Building Department.

Stanley Wilson

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

1. rear yard set back from 30ft to 28ft;
2. side yard set back from 20ft to 8ft

For extension of an existing deck.

Property located at 24 Evans Court
(76-8-24); Designated R-1.

Ms Raffo: The mailings were reviewed by the Board and filed for the Record. The Public Hearing was opened at 8:16 pm.

Ms Raffo: Please present your request.

Stanley Wilson: I am extending my deck since I was in here 3 years ago. I would like to widen it up a bit so we can enjoy it.

Ms Raffo: Any questions from the Public?

Ray Vasquez: 22 Evan Court: I am here to support the work on his deck. I was here last year for something similar.

Ms Raffo: Any questions from the Board?

Ms Guenste: We get these variances from condos all the time because if you go out in the yard you have 50 foot drop. It is nice to sit on the deck and know kids are not going to run off the edge of the property. What is the color?

Stanley Wilson: Redwood.

Ms Raffo: I Move to close the Public Hearing at 8:20 pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following variance for the extension to an existing deck rear yard 30ft to 20ft; side yard 20ft to 8 ft to expand their deck; Seconded; All in favor; Motion carried.

VOTE:

In favor (aye) 5: Johnson, Guenste, Petelink, Sullivan, Raffo

Opposed (nay) 0:

Abstain 1: Wilson

DECISION:

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

Ray Smith

(Stanley and Dorothy Starr): Request for a variance of 249-22 for lots 38-12-6, 7 & 8:

1. side yard set back from 40 to 36.3 ft.
2. Lot #1 area from 18,750 sq/ft to 9,715 sq/ft
3. Lot #2 area from 18,750 sq/ft to 12,035 sq/ft
4. Lot width from 100ft to 67ft.

To permit combination of three (3) existing lots into two
Property located at Watkins Avenue
(38-12-6, 7 and 8); Designated R-1.

Ms Raffo: The mailings were reviewed by the Board and filed for the Record. The Public Hearing was opened at 8:21 pm.

James Dillon (for the owners, M/M Starr): They have owned it since July, 1981 and owned it for 26 years. They have 3 separate tax lots. He thought he had 3 lots to sell off until he tired. He has house on Watkins and electric and subdivide and create 1 lot. The zoning has changed recently and requires 2 variances: area and lot width. The map at the work session needed the total lot size amended so we need the lot area and width on both lots.

Ms Sullivan: The area variance is on both? One of them you don't need.

Mr. Dillon: #1 got higher; #2 got smaller. Existing 3 lots and making 2.

Ms Sullivan: The application says 2 side yards 40 to 36ft.

Mr. Dillon: That is now more. We have 40.3 on the new lot

Ms Sullivan: Are you knocking down the existing?

Mr. Dillon: The old foundation was taken out.

Ms Guenste: 21 x 42?

Mr. Dillon: These will be larger than 50% of what is there.

Ms Guenste: We look if it is compatible.

Ms Raffo: It does not guarantee the PB will approve what you want to put in there and we will not give further variances beyond the foot print.

J Owen, Esq.: If you want a front porch on this - are you okay with 24 x 42 that you have or add on more to the structure where you would need to come back for extra 4 or 5 feet?

Mr. Dillon: I thought I showed minimum set back.

Ms Raffo: Okay, that is what it looks like.

Ms Guenste: 19 feet from the front.

Mr. Dillon: It lines up with others on the street.

Ms Guenste: It would still need a variance for that.

Mr. Dillon: The zoning allows you without a variance as close but come up to where existing homes are.

Ms Raffo: If you don't meet set backs you have to come for a variance.

Ms Guenste: Concept is they are lined up.

Ms Raffo: If it lines up...

Mr. Dillon: ...2 feet cantilevers.

Ms Guenste: Can we go with the variance with 19.5 feet or 20 feet from the road and other house is 19.3 or about the same? Can we make it 19.5 foot print starts on the road? He is saying they want to have... if this is the foot print he needs a variance.

Mr. Wilson: They can share the same front yard set back.

Mr. Dillon: It is on the map.

Mr. Wilson: Yes.

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

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

Ms Raffo: I Move to close the Public Hearing at 8:30pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following variances of 249-22 for Lots 38-12-6, 7, and 8:
1) side yard setback from 40 to 36.3ft; 2) Lot #1 area from 18,750 sq/ft to 9,715 sq/ft; 3) Lot 2 area from 18,750 sq/ft to 12,035sq/ft; 4) lot width from 100ft to 67ft to permit the combination of 3 existing lots into two, subject to the following: No further setback variances be requested on the new dwelling; Seconded.

DISCUSSION: (None)

VOTE:

In favor (aye) 6: Guenste, Sullivan, Johnson, Petelink, Wilson, Raffo

Opposed (nay) 0:

DECISION:

Ms Raffo: The variances are granted subject to the noted condition that no further setback variances be requested on the new dwelling.

CARL AND KATHY LANCELOT

Mr. Lancelot: I want to expand house to the side and back. I need my bedroom bigger so it is master bedroom with bath and to the side lower level family room and extension of dining room and the deck.

Mr. Wilson: The extension is 2 or 1 level?

Mr. Lancelot: The extension to the side is 2 levels lower is family room.

Ms Raffo: Any further questions?

Ms Guenste: The (house) number is where?

Mr. Lancelot: I'll put one on the mail box this week.

Ms Guenste: It is hard to find them when you are driving down the road when it is on the house.

Ms Raffo: I Move to hold a Public Hearing on May 14, 2007 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.

RARE BIRD OF MIDDLETOWN, INC.

David Bloodgood: I am a partner in Futon, and we want to replace sign over the store front – same or slightly smaller. We spoke to Walter Barrett and he sees it is 1.5 per linear foot. We have 40 feet of frontage and this allow 50 feet.

Ms Raffo: I don't see description on the font?

David Bloodgood: I gave them what they asked for. (showed what he has and what is being proposed). It is the larger representation.

Ms Raffo: You are replacing the sign and do not know if there was a variance issued for that existing oversized size that is there now.

David Bloodgood: We have a new product line similar to our Poughkeepsie store. We want you to know we have more than what the sign says before.

Ms Raffo: I need plans for 11 copies of the plans so we can get them to the building department.

David Bloodgood: Any thing else?

Ms Raffo: I move to hold a Public Hearing on May 14, 2007 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.

JEFFREY F. WEINER

Mr. Weiner: I was here in 1996 put in garage 28x28 garage and got a variance and Mr. Steenrod did not issue a certificate of occupancy. I put in a lean-to and need variance now for that. It has been there 11 years.

Ms Guenste: You are not alone.

Mr. Weiner: They were out there and could have told me about it but they came back and now we are here.

Ms Raffo: There is an existing 28x28ft garage with existing extension.

Mr. Weiner: Extension was closed in.

Ms Raffo: They will give you the Co after you get variance for lean to.

Ms Raffo: I Move to hold a Public Hearing on May 14, 2007 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.

MEETING CLOSE:

Ms Raffo: There being no further matters to be presented before this Board, I Move to close the Zoning Board meeting at 8:47 pm; Seconded; All in favor; Motion carried.

TSB:jcd

TOWN OF WALLKILL ZONING BOARD OF APPEAL

DECISION SHEET

APRIL 9, 2007

CROSS VIEW REALTY, LLC.

Request for a variance of 249-24.2

1. waiver of cul-de-sac

Property located on Scotchtown Collabar Road

SEC 19 BL 1 LOT 10

Designated RA.

CONTINUE to May 14, 2007

SEBAEDIM & SEYDIJA PARLAPANOV

Request for a variance of 249-12(F)

1. parking reduction for eating establishment from 40 to 33 spaces

2. landscape buffer reduction side yards.

For a bakery/coffee shop in addition to hair salon.

Property located at 795-99 Rt 211 East

SEC 43 BL 2 LOT(2) 22.11 and 22.121

Designated HC.

CONTINUE to May 14, 2007

Eugene and Maria Baltera

Request for a variance of 249-22-D:

1. lot area from 18,750 sq/ft to 13,889 sq/ft

2. lot depth from 125ft to 106ft

For a lot line change for proposed dwelling

Property located at Schutt Road and Avenue "C"

(77-4-8 and 9); Designated R1.

DECISION: Variances granted subject to the following:

No further variances will be granted on setbacks on the new construction.

James Worden

Nicholas and Lori Scarano

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

1. lot area from 18,750 sq/ft to 15, 625 sq/ft

To increase area on 76-7-19.1 to 9,375 sq/ft.

Property located at 161 Ridgewood Avenue

(76-7-19.2); Designated R-1.

DECISION: Variance granted.

Stanley Wilson

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

1. rear yard set back from 30ft to 28ft;
2. side yard set back from 20ft to 8ft

For extension of an existing deck.

Property located at 24 Evans Court
(76-8-24); Designated R-1.

DECISION: Variance granted

Ray Smith

(Stanley and Dorothy Starr)

Request for a variance of 249-22 for lots 38-12-6, 7 & 8:

1. side yard set back from 40 to 36.3 ft.
2. Lot #1 area from 18,750 sq/ft to 9,715 sq/ft
3. Lot #2 area from 18,750 sq/ft to 12,035 sq/ft
4. Lot width from 100ft to 67ft.

To permit combination of three (3) existing lots into two
(2).

Property located at Watkins Avenue
(38-12-6, 7 and 8); Designated R-1.

DECISION: Variances granted subject to the following:
No further set back variances will be
requested on the new dwelling.

SIX MONTH EXTENSIONS:

TAC ASSOC.

(Joseph Brown):

Originally granted on 5/8/2006, extended 10/16/2006 for: 1) area from 2 acres to 50,806 sq/ft; 2) width from 200ft to 145ft; 3) side yard from 40ft to 35ft; 4) 2 side yards from 100ft to 85ft; property located on Top Notch Road (32-2-42).

Six month extension granted.

Thomas J and

Kathryn Staples:

Request for a second six month extension to variances originally granted 8/8/2005 to 1/9/2006 and from 6/2006 to 1/10/2007 for variance of 249-22-D (side/rear yard setbacks): 1) side yard from 15ft to 12ft; 2) side yard from 15 to 14ft; 3) rear yard from 30ft to 11ft; for construction of a deck at property located at Eight Clark Street (52-4-6); Designated R-1.

Six month extension granted.

EXTENSION (Cont'd.)

GEORGE MARTIN: Request for a variance of 249-8-A(5) granted 10/16/2006: 1) allow accessory building closer to the front lot line than the principal building. Property located at 127 York Road (Sec 3 BL 2 LOT 13); Designated R-A

Six month extension granted.

PAUL &

SANDRA DOOLITTLE Request for a variance of 249-3 (accessory building) granted 10/16/2006: 1) from 28x28ft to 28x30ft; Property located at 29 Murray Road (SEC 62 BL 1 LOT 30.3); Designated RA.

Six month extension granted.

BERLIN, LLC.

(NY Land, LLC.)

Request for a variances: 249-12(d)(7): side yard from 10ft to 2.45ft; 249-12 (Parking spaces) from 44 to 31 spaces. Property located on East Main Street (SEC 50 BL 2 LOT 14.11); Designated HC.

Six month extension granted