

TOWN OF WALLKILL
ZONING BOARD OF APPEALS

June 8, 2009

PRESENT:

Mr. E. Johnson
Ms S. Najac
Ms M. Petelinz
Ms E. Raffo
Mr. S. Wilson

J. Owen, Esq.

EXCUSED:

Mr. K. Dunn
Ms Sullivan

MEETING OPENING:

Mr. Wilson: The meeting was opened with the pledge to the flag, roll call and presentation of the May 18, 2009 Meeting Minutes.

The following correction was noted:

Pg 6 Mr. Wilson: .. front yard from 35ft to 14.8 ft

Ms Wilson: I Move to accept the May 18, 2009 as corrected; Seconded (Johnson); All in favor; Motion carried.

The following Application Reviews (July 13, 2009) and Public Hearings were conducted and voted upon as noted.

CORRESPONDENCE:

Six Month Extensions:

John M. Gesztesi:

Ms Raffo: We have received written correspondence from Mr. Gesztesi requesting an extension on his variances previously granted.

Ms Raffo: I Move to grant a six month extension on area variances granted on July 14, 2008, extended 1/12/2009 for the following: 1) side yard from 20ft to 10ft; 2) two side yards from 40ft to 20ft; 3) lot area from 10,000 sq/ft to 7,500 sq/ft; and 4) lot width from 100ft to 50ft, for the construction of a single family dwelling. Property located at 8 Fair Avenue (74-5-3) and Designated HC, and subject to the following: No further variances being made to the plans presented; Seconded; All in favor; Motion carried.

Ms Raffo: The six month extension is granted.

PUBLIC HEARINGS:

Antonio Spadafora: Request for an area/use variance (249-99):
1. area from 18,750 sq/ft to 12, 000 sq/ft
2. use as a 2 family dwelling
3. front yard from 35ft to 14.8 ft
4. side yard from 20ft to 3.7 ft
5. lot depth from 125ft to 120ft
Property located at 46 Belmont Avenue
(75-6-7)
Designated R-1.

Ms Raffo: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 7:41 pm.

Ms Raffo: I Move to open the Public Hearing at 7:42 pm; Seconded; All in favor; Motion carried..

James Clearwater, Land Surveyor: I am here with Mr. Spadafora.

The property is located on Belmont Avenue and enlarge existing single family house and change the structure to 2 family. Here for area variance. The property is in the R1 zone requiring a minimum 18,750 sq/ft and it only has 12,000 sq/ft; the existing house is too close to front and side yards so an area variance for the existing portions. The existing is within the setbacks. With any application there are 5 questions to be answered.

If undesirable change to the character of the neighborhood because of the of area variance – No, there are 3 other 2-family in immediate area (next door and diagonally across the street) and another would not change it from residential.

Can benefit be sought by other way – No, short of different lot.

If area variance is substantial – That is always subjective. The shortage of area itself 12,000 to required 18,000 is perhaps substantial. The front and side yard – Off the existing house and can't be changed.

If granted no variance are needed if application was not here but dimensions are existing.

If proposed, would the variance have adverse/physical change to the neighborhood – No, enlargement of the house some minor environmental impact but can be mitigated with construction methods and drainage.

Is it self-created – Very few applications that are not self-created, such that it is – it is.

Ms Raffo: You have addressed the area variance as far as I know and it is for a use variance.

James Clearwater: It is a special use permit with the Planning Board.

Mr. Wilson: A 2 family is a 'use variance'.

J Owen, Esq.: They sent you for what? You advertised it as use? You were sent here for the use as well. If not addressed, they will send you back here as well.

Ms Raffo: I wanted to explain that.

Ms Raffo: Any questions from the Board?

Mr. Wilson: Any special need for a 2 family other than a rental property?

James Clearwater: No.

J Owen, Esq.: Is it currently a 2 family?

James Clearwater: No. Three legal ones; there may be others that are not.

Ms Raffo: These lots are already small and even with a single family you have variances on front and side yards. To start putting 2 family with the new zone in the area is a problem.

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

Mr. Wilson: Under the special circumstances for 2 family (multiple dwelling), there are other qualifications you may have problems qualifying for. To review them.

James Clearwater: What are you reading from?

Mr. Wilson: 249-22C-6 Multiple dwelling multiple uses.

James Clearwater: This is 2 not 3 which is multiple units.

Mr. Wilson: This is under Section IV.

Ms Raffo: The 'use variance' is more stringent than the area variance. You have to show that the hardship is unique and not applied to the rest of the neighborhood. In making this a 2 family is definitely an impact.

Mr. Johnson: Was it a rental in 1991 when you purchased it.

Mr. Spadafora: I spent a lot of money it looks like a box and want to make it look nice. At least I cover my expense.

Ms Raffo: I Move to close the Public Hearing at 7:54 pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following: 1) front yard from 35ft to 14.8ft; 2) side yard from 20ft to 3.7ft; 3) area from 18,750 sq/ft to 12,000 sq/ft; 4) lot depth from 125 to 120ft; and convert existing one-family dwelling to a 2 family dwelling; Seconded.

DISCUSSION:

Mr. Johnson: Honestly if it were just for an area variance because you need the addition for a single family and because of cars and traffic, it would be different. Use variance is difficult because anyone can come in and show it's unique to their case. Certainly it is self-created, environmental change - fairly substantial. Could benefits be achieved - rental since 1991 and that can continue. Undesirable - lot is already small which is why need a variance and then add another family with cars and kids would add to the congestion.

Ms Petelinz: You are asking for with this use variance 5 variances all together and it is substantial request.

Ms Najac: For the reasons previously, I would have to vote no.

Mr. Wilson: Getting a use variance you have to prove circumstances are unique and I don't think they are. It is self-created and would also have to vote no.

Ms Raffo: Reasons have been stated and it is substantial for a 2 family on a lot that size.

VOTE:

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

DECISION:

Ms Raffo: The variance is denied.

Scott Berry

Request for a variance of 249-3:
1. accessory building from 28ft x 28ft to 40ft x 40ft
For construction of a pole barn
Property located at 481 Prosperous Valley Road
(6-1-69)
Designated RA

Ms Raffo: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 7:57 pm.

Ms Raffo: I Move to open the Public Hearing at 7:58 pm; Seconded; All in favor; Motion carried.

Ms Raffo: Please present your application.

Mr. Berry: I want to put up a building that is larger to 40ft x 40ft from the allowed 28ft x 28ft.

Ms Raffo: What will you use it for?

Mr. Berry: My RV, farm tractor, and other equipment used to keep up my 27 acres.

Mr. Wilson: How many acres?

Mr. Berry: It is 26.9 acres.

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 8:00 pm.

Ms Raffo: I Move to grant the following accessory building variance from 28ft x 28ft to 40ft x 40ft; Seconded.

DISCUSSION: (None)

VOTE:

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

DECISION:

Ms Raffo: The variance is granted. Please see the Building Department. You have to begin building in 6 months and if you don't, you will need to notify the Town to request an extension or start over.

Roger Robinson: Request for a variance of 249-3 (accessory building):
1. From 28x28ft to 36ft x 28ft
Property located at 389 Stony Ford
(61-1-9)
Designated RA

Ms Raffo: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 8:02 pm.

Ms Raffo: I Move to open the Public Hearing at 8:03 pm; Seconded; All in favor; Motion carried.

Ms Raffo: Please present your application.

Mr. Robinson: I want to put up a 3 car garage to get vehicles out of the way.

Ms Raffo: What size will it go up to?

Mr. Robinson: From 28ft x 28ft to 28ft to 36ft.

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

Ms Raffo: Any questions or comments from the Board?

Mr. Wilson: How big is this on?

Mr. Robinson: It is 3.9 acres.

Mr. Wilson: Is the cottage still there?

Mr. Robinson: It is a pool house – yes it is.

Ms Raffo: There is a mobil home there too?

Mr. Robinson: Yes, it has been there for years.

Ms Raffo: Family living there?

Mr. Robinson: Yes.

Ms Petelinz: There is a pool?

Mr. Robinson: It has been removed.

Ms Raffo: How long has the mobil home been there?

Ms Robinson: Since 1992.

Ms Raffo: I Move to close the Public Hearing at 8:04 pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following variance for a three-bay garage from 28ft x 28ft to 28ft x 36ft; Seconded.

DISCUSSION: (None)

VOTE:

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

DECISION:

Ms Raffo: The variance is granted. Please start work in 6 months or come in for an extension or you will have to come in and start the process over.

LITE BRITE SIGNS, INC. Request for a sign variance
1. Sign area from 21.9 ft to 51.7 sq/ft.
Property located at 470 Rt 211 East
(50 – 2 – 63)
Designated TC

Ms Raffo: The mailings were reviewed by the Board and filed for the Record. The Public Hearing Notice was read at 8:05 pm.

Ms Raffo: I Move to open the Public Hearing at 8:06 pm; Seconded; All in favor; Motion carried.

Ms Raffo: Tell us about your application.

Maria Rotundo: (handed out photos to the Board) I wanted you to see the trouble they are having with their sign. You see the grate there. There is the existing and the proposed signs. The grate is exclusive to the Men's Warehouse.

The square footage seems like more because of negative space created by the 2nd line. The square footage would come out to 42 if that was not there. It is a logo and has to look the same all over. Black letters on silver grate. I took photo of the neighbor because he has the same grate and actually less frontage. His sign is massive. It will not look out of place if it goes larger.

Ms Raffo: Are there any questions from the Public? (No)

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

Ms Raffo: I Move to close the Public Hearing at 8:10 pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following sign area variance from 21.9 sq/ft to 51.7 sq/ft; Seconded.

DISCUSSION: (None)

VOTE:

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

DECISION:

Ms Raffo: The variance is granted. Please start work in 6 months, if not, you need to come in to request an extension for the expiration or you will have to start the process over again.

NEW BUSINESS:

Ms Raffo: This will be my last meeting with the Zoning Board as I am moving from the Town of Wallkill. This Board has been a pleasure to work with and want to thank each and everyone for all you have done and thank you all very much.

HEARING REVIEWS: (July 13, 2009)

Martin E. Kuhl

Mr. Kuhl: Next door is also my business and there is an apartment house upstairs and I have 2 business units on the 1st floor. With the last KBI customer in there they grew out of the space, it had been commercial. I am in a commercial zone and also have 2 apartments upstairs approved years ago and been there since we re-did them. I would like to change the 2 apartments and have that availability. I have had it on the market 1.5 years for small businesses and in the Town we have a lot of buildings vacant. And only way to pay taxes is to maybe make it into 2 apartments. I have enough parking I think (28 spaces) between business and have nice piece of ground on adjacent side between my business and the business.. no problem with the tenants up stairs, trees, and a gazebo.

Ms Raffo: This is a use variance and difficult to approve simply because of what it is. You need to show the Board when you come in for your public hearing you can't make a living on the way it is. If you had that in black and white it is helpful. It is HC - should not have apartments there at all but you already do.

Mr. Kuhl: that was in the 50's house on top of existing business. And bring up what you are doing 70 to 100 units behind me not a 1000 feet away from me that is all coming. We have more acres coming in in the area. it was suppose to be a business park and you and the City of Middletown could not do it. Across the way is residential, behind me you people never came to me and I am only 1000 yards away and you put all that in there. Explain to you.

Ms Raffo: We will take a look at it and set a Public Hearing. The more information you can bring will be helpful.

Mr. Wilson: You will take out commercial and make it residential? How many?

Mr. Kuhl: Yes and there will be 4.

Mr. Wilson: That will be multiple dwelling then. Show reasons your property is unique.

Ms Petelinz: When did you acquire this?

Mr. Kuhl: 1982.

Mr. Kuhl: Yes. I will be represented by Sue Carroll as I will not be back from Europe for 2 days yet.

Ms Raffo: I Move to hold a Public Hearing for Martin E. Kuhl on July 13, 2009 at 7:30 pm or as soon thereafter as the matter can be heard for a 'Use Variance' to create 2 more apartments in the building where there are already 2 apartments; 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 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.

Frank Stritmater

Ms Raffo: Tell us briefly what you want to do?

Mr. Stritmater: I had a subdivision in 1988 for 3 lots into 2 and zoning has changed now. I need zoning change for a 48 footer on the lot. I need 2 side yard variances.

Ms Raffo: The proposed is 48ft to 30ft?

Mr. Stritmater: Yes.

Ms Raffo: The lot next door is vacant?

Mr. Stritmater: The 36 is built and sold with old variance in '88.

Ms Raffo: You are asking to go on the front yard 35ft to 25ft, is there any reason it has to sit 25 feet from the road?

Mr. Stritmater: I can kick it back to 35ft.

Ms Raffo: If 35 feet you don't need a front yard setback variance.

Ms Raffo: If the variance is granted, there will be no other variances – can't put deck on front – you can on the back – this is all it can be.

Mr. Stritmater: I am building it myself actually to sell.

Ms Raffo: I Move to hold a Public Hearing for an area variance for: 1) side yard 20 to 13.5 ft; side yard from 20 to 13.5ft; 2 side yards from 40 to 27ft; 18,750 to 9,000, lot width from 100ft to 75ft; 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 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.

HANLEY SIGN CO.

Ms Raffo: This is Crystal Run Health Care.

Mr. Wilson: We need what you have and what is needed.

Chris Seymour: It is 225 and got variance 300 feet. The 4 existing signs – they want to move 2 to center of building that are now on left hand side of the building. The front has white fascia and what them there. On the 2 other sides face Rt 84 and Crystal Run Road – increase sign to match the one across the street on the building. 24” go to 33” tall letters.

Mr. Wilson: What are you allowed and asking for?

Chris Seymour: On the building from 225 to 376.

Ms Raffo: To make things easier, to vote on this they will need to know what allowed, where and what you are asking for. Make a list: front side, allowable, asking for; rear of building, and same for both sides.

Chris Seymour: The front and back are being centered from left edge.

Ms Raffo: Variance for 2 signs and to move the 2 signs. When the building inspector goes out it should be explicit. Send it to us as soon as possible.

Mr. Wilson: We gave you 300ft in February.

Mr. Wilson: We need a map with the square footage of building and signage on the buildings across the street.

Chris Seymour: There is one more wall sign out by the red light (brick wall) 3 foot stone wall – that needs to be included.

Ms Raffo: We can amend the application when you come in for exact size if needed.

Ms Raffo: I Move to hold a Public Hearing for sign variance for the front, back and both sides of the building on July 13, 2009 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 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.

CROTTY ROAD, LLC:

Paul Savad, Esq.: You have a complete narrative on this building in 1970 and used continuously for manufacture warehouse and the CO for 228,000 sq/ft, main is approximately 205. Based on the photos and the architect he has 35ft ceilings and 20 loading docks. It is right near Tetz Concrete. The zoning ordinance changed in 2001 which made this use non-conforming. We came – at that time there was a tenant siac – now is Homeland Security and the Red Cross. Homeland Security went right across the hall and got lease approved. They are doing what it was zoned to do when they moved in. The Planning Board sent them to the ZBA and they have been there since 1995 and the COs are for manufacture / warehouse. Is this an interpretation as pre-existing non-conforming use. We went to the PB with another tenant architectural enhancements, they said to go to Zoning Board to clarify what it is. It is manufacturing building – the question is, do you need CO search from the title company. Lease from homeland security, have the architect to testify the only way is way it is being use.

Ms Raffo: Homeland Security rents this?

Paul Savad, Esq.: 50,600 sq/ft or so. There are 4 buildings – main is 405,000 sq/ft.

Ms Raffo: The Red Cross is in there and rest empty?

Paul Savad, Esq.: We have tenant interested so we can pay more than 100k in taxes. I have square footage and leases.

Ms Raffo: We can put it on for a Public Hearing.

Paul Savad, Esq.: Is this for interpretation or use variance based on various sections cited? Mr. McGoey said to go for use.

Ms Raffo: An interpretation to allow existing...

Paul Savad, Esq.: pre-existing non conforming use as designed. It has never been vacated at all.

Ms Raffo: Use?

Paul Savad, Esq.: It can't ...if you look at your ordinance light manufacturer or change from one substance to another. If there is any restrictions on light you could have problems.

Ms Raffo: We need to look at all of them and what each is. You can request a use variance.

Paul Savad, Esq: If manufacturing as it was defined before the change it is fine, if categorized, you will not fill it up with light manufacturing. You can rent reasonable rate because it has been there for ever.

Ms Raffo: We will all take a look at it.

Mr. Wilson: You have owned this since 2006.

Paul Savad, Esq.: Yes, it has never been empty. I think it has to be empty for a year or more.

Ms Raffo: We have to look at this.

Ms Raffo: I Move to hold a Public Hearing for CROTTY RD, LLC. Interpretation of the zoning code and use variance on July 13, 2009 at 7:30 pm or as soon thereafter as the matter can be heard.

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 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.

William / Nancy Keller

Mr. Keller: We would like to put in pool for our children. Where I thought was the front was the house – it turns out where we want to put the pool – one is doors to house is to the front and on the side and no exits out back. Where we want to put it we have 2 nice windows and can monitor the kids. It will take some leveling and easy for the kids to go out the front but ends up to front of front plane.

Ms Raffo: Is this all you need?

Mr. Keller: It is also closer on the side from 40ft to 30ft.

Ms Raffo: Any sort of structure in front of the house variance?

Mr. Wilson: We need a map of the area with adjacent property owners listed.

Mr. Keller: On the side it is 15 acres and a 25foot access to the road – really no one around us.

Ms Petelinz: This is Reinhardt Road – shows front door and you want pool facing Reinhardt Road.

Mr. Keller: Yes.

Ms Petelinz: Can you move it back?

Ms Keller: More difficult to see, if you back it up it will be in the way and there is a tree that will overhang the pool. Putting it here I can stand right at the window and see out. What if we want to put on a deck in the future?

Ms Raffo: You can bring in a drawing but you will need to go to the planning board at that time.

Ms Raffo: I Move to hold a Public Hearing for following variances: 1) side yard from 40 to 30ft; 2) area 3 acres to 2 acres; 3) structure to be located in front of the house line; 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 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.

John L. Bartow (Living Trust) & Arthur W. Bartow (Living Trust)

Mr. Bartow: We want to replace the existing pool with another one. The one that was there leaked water on me and had the pool people there OC Pool, and not recommend another liner because of the hole in the frame around the pool and so therefore I talked to the wife and I want not anxious to put it back and she wants it. Originally 15 x 25 and not 15 x 26.

Ms Raffo: This is your residence?

Mr. Bartow: Yes.

Ms Raffo: Do you have variance for original pool?

Mr. Bartow: Yes I went through this back in 1985.

Ms Najac: What is the problem with the shed?

Mr. Bartow: I mentioned the fact the out building had been replaced and was told I had better include it. It is 10 x 12 feet. It went back on the same foundation.

Mr. Wilson: How far off property line now?

Mr. Bartow: It is 5 feet in the back. It is an older neighborhood. This is for the shed on the back of the property. The original pool has a cross brace from pool down to ground and planning replacing it with then went to see I can get pool to go there. Now I end up with pool with straight braces on the side – next year you can't get pool with side braces, therefore the side is actually 12 foot.

Ms Raffo: I Move to hold a Public Hearing on July 13 2009 at 7:30 pm or as soon thereafter as the matter can be heard for a 1) side yard variances from 20ft to 9ft; 2) side yard for pool shed from 20ft to 14ft; 3) same structure rear yard 30ft to 5ft; 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 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.

MEETING CLOSE:

Ms Raffo: There being no further items to be presented, I Move to close the Public Hearing at 8:59 pm; Seconded; All in favor; Motion carried.

TSB:jcd

Publication on June 10, 11, or 12

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 13th day of July, 2009, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Martin E. Kuhl, 18 Cortland Place, Middletown, New York 10940 for a variance of 249-22 (use) for the property of Martin E. Kuhl, 18 Cortland Place, Middletown, New York 10940. Property (36-2-40.1) located at 512/514 Highland Avenue Extension, Middletown, New York 10940 and designated ENT.

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

E. Raffo
Zoning Board of Appeals

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ZONING BOARD OF APPEALS
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Frank Stritmater, 36 Belmont Avenue, Middletown, New York, 10940 for variance of 249-22(D) (area) for the property of Frank Stritmater, 36 Belmont Avenue, Middletown, New York 10940. Property (75-6-4.2) located at 30 Belmont Avenue, Middletown, Middletown New York and Designated R-1.

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

E. Raffo
Zoning Board of Appeals

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Hanley Sign Company, 26 Sicker Road, Latham, New York 12110 for sign variances for the property of CRH Realty II, LLC, 155 Crystal Run Road, Middletown, New York. Property (60-1-52.22) located at 95 Crystal Run Road, Middletown New York and Designated O/R.

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

E. Raffo
Zoning Board of Appeals

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CROTTY ROAD, LLC, 135 Crotty Road, Middletown, New York 10940 for an interpretation on the property of CROTTY ROAD, LLC, 135 Crotty Road, Middletown, New York 10940. Property (60-1-2.12) located at 135 Crotty Road, Middletown, New York and designated O/R.

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

E. Raffo
Zoning Board of Appeals

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William and Nancy Keller, 201 Reinhardt Road, Middletown, New York 10940 for a variance of 249-19(D) (area) for the property of William and Nancy Keller, 201 Reinhardt Road, Middletown, New York 10940. Property (62-1-33) located at 201 Reinhardt Road, Middletown, New York 10940 and designated RA.

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

E. Raffo
Zoning Board of Appeals

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Joan L. Bartow, Living Trust and Arthur W. Bartow, Living Trust, 15 Woodlawn Avenue, Middletown, New York 10940 for a variance of 249-22 (area) for the property of Joan L. Bartow, Living Trust and Arthur W. Bartow, Living Trust, 15 Woodlawn Avenue, Middletown, New York 10940. Property 74-2-6.1) located at 15 Woodlawn Avenue, Middletown, New York 10940 and designated R-1.

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

E. Raffo
Zoning Board of Appeals

TOWN OF WALL ZONING BOARD OF APPEAL

DECISION SHEET

JUNE 8, 2009

Antonio Spadafora:

Request for an area/use variance (249-99):

1. area from 18,750 sq/ft to 12,000 sq/ft
2. use as a 2 family dwelling
3. front yard from 35ft to 14.8 ft
4. side yard from 20ft to 3.7 ft
5. lot depth from 125ft to 120ft

Property located at 46 Belmont Avenue
(75-6-7)

Designated R-1.

DECISION: Variances denied

Scott Berry

Request for a variance of 249-3:

1. accessory building from 28ft x 28ft to 40ft x 40ft

For construction of a pole barn

Property located at 481 Prosperous Valley Road
(6-1-69)

Designated RA

DECISION: Variance granted

Roger Robinson

Request for a variance of 249-3 (accessory building):

1. From 28x28ft to 36ft x 28ft

Property located at 389 Stony Ford
(61-1-9)

Designated RA

DECISION: Variance granted

LITE BRITE SIGNS, INC.

Request for a sign variance

1. Sign area from 21.9 ft to 51.7 sq/ft.

Property located at 470 Route 211 East
(50 - 2 - 63)

Designated TC

DECISION: Variance granted

SIX MONTH EXTENSION:

John M. Gesztesi:

Request for a six month extension on area variance granted July 14, 2008, extended 1/12/2009:

1. side yard from 20ft to 10ft
2. 2 side yards from 40ft to 20ft
3. lot area from 10,000 sq/ft to 7,500 sq/ft
4. lot width from 100ft to 50ft

Construction of a single family dwelling

Property located at 8 Fair Avenue

(74-5-3)

Designated HC

Previously granted subject to;

No further variances being made to the plans presented

DECISION: Six month extension granted