

TOWN OF WALLKILL  
ZONING BOARD OF APPEALS

SEPTEMBER 8, 2008

PRESENT:

Mr. E. Johnson  
Ms S. Najac  
Ms M. Petelinz  
Ms E. Raffo, Chairperson  
Ms Sullivan  
Mr. S. Wilson

EXCUSED:

Mr. K. Dunn

MEETING OPENING:

Ms Raffo: I Move to accept the August 11, 2008 meeting minutes; Seconded (Wilson); All in favor; Motion carried.

Ms Raffo: I Move to table the acceptance of the July minutes to October.

The following Continuances, Reviews and Public Hearings were conducted and voted upon as noted.

**SIX MONTH EXTENSIONS:****Michael Palmucci**

Ms Raffo: We have received a letter from the applicant for a six month extension due to that their mother was seriously ill and passed away a few weeks ago and due to this personal crisis was unable to continue in a timely manner. The variances were granted on February 11, 2008.

Ms Raffo: I Move to grant a six month extension to Michael Palmucci for variances granted on February 11, 2008: 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 and subject to no further variances to be requested; Seconded (Wilson); All in favor; Motion carried.

**Carol Wilson**

Ms Raffo: Letter from Carol Wilson requesting a six month extension. The building inspector has not been to the site, and have paid for the permit but are awaiting the inspection.

Ms Raffo: I Move to grant a six month extension to Carol Wilson for variances granted on October 15, 2007: 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) and Designated R-1; Seconded (Wilson); All in favor; Motion carried.

**Leslie Rogers Newman**

Ms Raffo: They are requesting a six month extension of variances granted for a front yard for property located on M&M Road in R2.

Ms Raffo: I Move to grant a six month extension to Leslie Rogers Newman for variances granted on January 14, 2008:

**Brian Rivenburgh**

Ms Raffo: We have received a letter from the applicant for property 16-1-8 which was granted approval on February 2008. Since that time they are working with the department of health for the proposed septic system and are in the final stages and Rowley Development will apply for the building permit. 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; Seconded (Johnson); All in favor; Motion carried.

**Fairways Wallkill, LLC, C/O GDC**

Ms Raffo: The applicant has been issued several variances on an on-going project with a number of extensions granted and they are requesting this again and they are due to expire in October. They have stated they are continuing to develop with diligence.

Ms Raffo: I Move to grant a six month extension on all variances granted by the Town of Wallkill to expire on October 6, 2008; Seconded (Johnson); All in favor; Motion carried.

**Thomas J. Dembek**

Ms Raffo: Mr. Dembek is request an extension due to a delay with the water/sewer which was not started in the allotted time. The project is ready to be started.

Ms Raffo: I Move to grant a six month extension on variances granted on March 10, 2008: Reuest 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) and Designated R-1; Seconded (Johnson); All in favor; Motion carried.

## HEARING REVIEWS: (October 6, 2008)

Ms Raffo: Due to observance of the holiday in October, the regularly scheduled meeting will be held one week earlier: October 6, 2008.

**Liberty Commons** (Joseph Passalacqua)

Joseph Passalacula, Project Manager: Before you is what we are looking for to get a variance on the placement on the entrance sign to Liberty Commons. If you look at the papers, the Planning Board and Town Engineer approved placement on the approved plans. When I went to the Building Department we were denied because it is not 15 feet from the line. They (Planning Board) approved it for 9 feet from curb to property line.

Ms Raffo: Is this the only variance?

J. Passalacula: Yes. There is a private road and will be maintained by the two property owners closest to Goshen Turnpike as it is at this time. Pinto Road is 2 roads west of Rt 211 on Goshen Turnpike. It creates a little hardship as we can't advertise the property as it does sit back a ways off Goshen Turnpike.

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

Ms Raffo: I Move to hold a Public Hearing on October 6, 2008 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded (Johnson); All in favor; Motion carried.

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

**Michael P and Jennifer L. Walsh:**

D. Yanosh: Has existing house on Dosen Road and this is for a 20x42 addition off the left side of house. Need more room for children, dining room. The lot is pre-existing and pre-existing conditions and side yard from 20 to 14.1 feet.

Ms Raffo: I Move to hold a Public Hearing on October 6, 2008 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded (Sullivan); 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..

**Russell Wood** (S. Chander Vohra):

Russell Wood: This is for a 14 x 52 addition along with a deck on back of the house. The zoning changed since 2004 needs 3 acres from 2.1 and 200 ft road and has 159 ft of road frontage and from 50 to 35ft for the side yard. One floor for the addition. Nothing extending on the side.

Mr. Wilson: He has plenty on the side yard.

Ms Raffo: I Move to hold a Public Hearing on October 6, 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 **1000** feet of your property. You can obtain the list of names from the Town Tax Office. The notice of the Public Hearing will be in the Times Herald Record's Public Notice Section within the week. Take that notice, copy it and mail it to everyone on the list at least 10 days prior to your scheduled Public Hearing date. Mailings must be sent either by certified or registered mail. Bring your proof of mailings with you to your Public Hearing. The Public Hearing will not be opened without your proof of mailings.

**Andrew Ceder** (125 Lake Avenue Realty, LLC):

A. Cedar, owner of the property: Plan is for a fire apparatus museum on the property and it comes under commercial recreational with a high parking requirement. That's a high number of people and has low density. We can put 230 units in existing parking without destroying surrounding grasslands and it requires 660 and that would mean thousands (of people) and that is not practical that it is a museum.

Mr. Johnson: That is where the fire trucks are now?

Ms Raffo: This is an old warehouse building? Anything else going in there? Or, only fire trucks?

A. Leiter: No.

Mr. Wilson: Will you do maintenance in there?

A. Leiter: We have applied for maintenance of these in 16,000 sq/ft.

Mr. Barrett: We are taking away a quarter of it some and are not museum quality for public view yet – 32000 no access to public.

Ms Raffo: You are requesting a reduction in parking spaces from 660 to 230.

Mr. Johnson: At the open house in June there was ample parking.

Mr. Wilson: And handi cap parking?

A. Leiter: It meets what is required.

Mr. Barrett: We checked with ADA about that also.

Ms Raffo: I Move to hold a Public Hearing on October 6, 2008 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded (Johnson); 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.

CONTINUANCE:

Venda Properties:

Ms Raffo: We have received a request from the applicant, VENDA PROPERTIES, for a continuance to October 6, 2008 as they are awaiting correspondence from the water department.

Ms Raffo: I Move to continue the Public Hearing for VENDA PROPERTIES to October 6, 2008 at 7:30 pm or as soon thereafter as the matter can be heard; Second (Wilson); All in favor; Motion carried.

Ms Raffo: Is there anyone here from the Public here tonight for this hearing? If so, if so, we don't like bringing you back as it is an inconvenience to you. You care to call the Town Hall the week the meeting is being held they can tell you if it is being held or not.

PUBLIC HEARINGS:

Jada Development: Variance request:  
Address  
Section Block Lot  
Designated

Ms Raffo: For those not present, this matter was heard in 2006 and we should have an application for the new Public Hearing and we do not.

Alan Lipman, Esq., Fabricant, Lipman, Frishberg: I thought you had recovered the application from the old one.

Ms Raffo: It is simply a matter of filling out the paperwork and we can't open it without an application.

Alan Lipman, Esq.,: I misunderstood from the last time we talked. I thought you climbed on someone body's back and got it. The whole file is missing at this time?

Ms Raffo: We have moved the office and Town Hall since that time.

Alan Lipman, Esq.,: I don't have a copy of the application it was not prepared by my office and it was filled out by the applicant and I was on different waive length.

Ms Raffo: We need a piece of paper and we know from the minutes that we know what he needed.

Alan Lipman, Esq.,: Without that piece of paper we can't begin?

J. Owen, Esq.: You can open it; did you do the mailings?

Alan Lipman, Esq.,: Yes we did. Who gets these?

Ms Raffo: I Move to open the Public Hearing for Jada on Daly Road at 8:00 pm.

Alan Lipman, Esq.,: Ms Raffo and the Board, I had previously explained to you and Mr. Owen, that I do not intend to make a presentation at this hearing, instead was asked for the minutes conducted on 9/11 and one earlier meeting where there was no steno, be made part of the record. No reason to give you same evidence and testimony given to you 2 years ago.

J. Owen, Esq. : This is a different Board.

Alan Lipman, Esq.,: I'll give you an overview – the fact it is a different board does not change my view that I have to present it again. Unless it is with the town's file – there is a transcript done by this man (stenographer).

Ms Raffo: Brief overview for the Board, please.

Alan Lipman, Esq.,: Application for several area variances to use a parcel in the Town of Wallkill that is now zoned RA. In any case a property that is deficient in bulk or actual bulk short of 10,000 in requirement of 80,000 for 3 acres if soils formula is applied.

[Stenographer]: Speak up.

Alan Lipman, Esq.,: I'll ...Width 200 that provided is 180 ft, depth 300ft we have provided 215 ft, one side yard is met and a requirement for total is 100ft and we are providing 88 feet.

So there is a need for area, width, depth and total side yards. If you just give me a moment I will flip through these pages and get what ever else is relevant....I know I have the tax map section lot and block 64-1-19.1 on the tax maps in the Town of Wallkill. I believe it is fair to say you conducted a lengthy hearing on 9/11 at the conclusion of which reserved decision and subsequently denied the application. An Article 78 was commenced and produced a decision by the judge remitting it back to your Board for "further proceeding as you may deem necessary" and makings of findings.

If I have missed something specific I will be happy to do that but it tells you generally what the lot and need for the variance is about.

Ms Raffo: You are submitting the court steno...

Alan Lipman, Esq.,: I sent it to Mr. Owen, and I have this copy or will make copies.

Ms Raffo: If someone would make a copy I would be grateful. With that document I can ask the other members to review it.

J. Owen, Esq.,: You have no further presentation?

Alan Lipman, Esq.,: No – only to comments from the Public.

Mr. Johnson: Are you still proposing the engineered septic with the aerobic UV and pump station?

Alan Lipman, Esq.,: If that was what was proposed – yes.

Ms Raffo: Nothing has changed?

Alan Lipman, Esq.,: I would not be able to change the original application.

Ms Raffo: Any questions or comments from the Public? (yes)

Shawn Daly: I own on the hill and we have been here at every meeting since 2006 and have stated our position as it states in the meeting minutes and denied the variance. My concern is my

well is too close to system they are proposing and no there is no guarantee it will not leach down and contaminate my well. They are using an argument that the road will buffer it and water floods across and down on my piece and that is my stance.

Ms Raffo: Thank you Mr. Daly.

Ed Cuccio: 68 Daly Road (next to his) : To reiterate what Shawn (Daly) said, we had a lengthy meeting on 9/11 and to go over things – 1) one property was bought well over the time of the zoning change; 2) soil types are not conducive to that type of septic system. That is it – everything else is in the record and the fact in the record as you will read – the transaction were made in buying this well after the zoning change and should have been knowledgeable that it was difficult to build on 1 acre well after the zoning change.

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

Alan Lipman, Esq.,: I think we can finish this in 3 minutes I hope.

He said it is 5 feet from something – I am pretty sure what he meant is requirement 200 feet separation from well and septic and well is lower than septic. That is correct. The well is 205 feet away from septic and that is 5 feet he is referring to. 5 feet beyond the requirement. To respond to Mr. Cuccio – the record will confirm – the aerobic septic system received Orange County DOH in this particular application – don't believe the soils are not conducive to the utilization to the septic system or otherwise would not have been approved.

Ms Raffo: I Move to continue to October 6, 2008 before which time the applicant will submit a zoning application and copy of the maps that goes with the application; Seconded; All in favor; Motion carried.

Alan Lipman, Esq.,: I have a map that was Exhibit 20 on 9/11 and this is the plan although some of the dimensions of the map are now incorrect. The table is there (looked at map).

Ms Raffo: We need copies for these people with the application. We have to have something work with.

Mr. Wilson: You said the system in question was approved by OH DOH for specific use in the property?

Ms Sullivan: How long after zoning change did they buy this.

Alan Lipman, Esq.,: It was not simple purchase of vacant lot – a building permit had been issued for single family in fact when it was to be revoked there was stop work issue – permit never revoked – stop work was septic as building inspector were done on the wrong property on the farm property that surrounds that was adjusted for later and test passed – I am quite sure that what it was.

(Public): Shawn Daly: Since we are bringing up things from the past – original mistake on the application on soil types and do not know if that was sorted out – something to double check into. As far as it not being on the lot if it is over the line – it is not on the lot.

Ms Raffo: Hearing no one else, we will see you in October.

CURRIER & LAZIER: Request for a use variance in RA:  
1. for office, retail and restaurant.  
Property located on Schutt Road  
(77 – 2 – 4 and 5)  
Designated RA

Ms Raffo: This is a continuation from August 11, 2008 and Move to continue at 8:20 pm.

Eugene Courier: I am here today with Mr. Lazier, Andrew Hennesey, Engineer and potential buyer.

Ms Raffo: I have two pieces of correspondence:

1. Wallkill Farms Homeowners Assoc., Inc.  
25 August 2008

We have been informed that there is a request for a use variance for a piece of property on Schutt Rd. owned by Currier and Lazier which is at the present time zoned residential. Wallkill Farms Homeowners Association is responsible for property in close proximity to the property in question. The Wallkill Farms Homeowners Association would like to go on record as vehemently opposing any commercial use for this property. At the present time entering or existing our development onto Schutt Road can sometimes be a traffic nightmare. Any additional traffic would cause more headaches to the people in our community. We are a community of 277 homes which produces a large number of voting representatives. We ask that the Zoning Board research this request very carefully and make their decision based on the impact to the surrounding communities and residential properties.

We thank you for the time you spend in helping the Town of Wallkill and for your concerted efforts in coming to an acceptable decision which continues to keep our area under the residential umbrella!

Sincerely,

Board of Directors  
Wallkill Farms Homeowners Association

2. 4 September 2008

RE: Schutt Road Use Variance Application

First, let me thank you for all the hard work done by all the members of this board. I take particular interest in this application for a proposed change in use to a commercial use in an area that is completely residential.

By way of history, the current zone was adopted by the Town Board as part of a number of zone changes after the adoption of the comprehensive Master Plan. That Master Plan took several years and literally thousands and thousands of hours of volunteer work. The change to a residential zone made this lot between Avenues A and B consistent with the uses that surround it. On every contiguous parcel is a residential use. The zone as it is now is simply put, good planning.

If on the other hand, you accept the argument from the applicant that they are not able to derive the maximum profit from the parcel as a residential use and thus should be able to get a use variance, then we might as well say that we do not have zoning in this Town. Every zoning law is an attempt to find the best for the community. The best for this community is for that vacant lot to be developed consistent with the existing residential zone.

As you consider this application for a variance you need to consider whether there is a hardship, whether it is consistent with the neighborhood and whether there is community support. In each matter I would hold the answer is no. As to hardship I would point out that this is a vacant lot, fully able to support without a variance to residential building lots. The proposed use variance not only is inconsistent with the character of the parcels. Finally my voice of opposition is joined by many in the neighborhood who oppose this variance. I now at the meeting date in August I was with at least six others in my neighborhood, who with me oppose this variance. Our voices were not heard then because of a lack of a quorum. Thus I thank you for acknowledging this writing as part of your record and strongly encourage you to deny this use variance application.

Kevin Mulqueen, Town Council, Ward 3  
41 Silo Lane, Middletown, New York 10940

E. Currier: Is that a subdivision there?

Mr. Wilson: Yes.

Ms Raffo: Any thing else to add?

E. Courrier: We have owned it for 29 years and it was HC and when moved zoning it was moved 1 block and will cost us \$ 250,000 and if we sell it as a 2 family in that zoning and change lot to 2 residential which would cost additional \$350,000 – we can sell the lots for \$75,000 each or \$150,000. We will have lost \$150,000. If you allow variance in permitted use and sold in use add \$ 70,000. The \$150,000 is lost and we have owned it for 29 years and the Planning Board approved the building on that in 2002 as a 12,000 sq/ft building and we decided to not put our office there and had it for sale and then last year and a half changed the zoning and loss of \$250,000 to our company.

Ms Raffo: The plan for building is that the same you submitted in 2002?

Engineer: Yes. The plan is identical we may have worked on the parking plot. The drainage, etc is the same.

E. Currier: The application was approved by the Planning Board.

Ms Raffo: You did not build on it.

E. Currier: A 12500 sq/ft building was approved.

Mr. Lazier: There are 6 or 8 parcels changed back. I tried to get John (Ward) and try to see where they were and go forward as a group.

Ms Raffo: This could not be done as a group. The ZBA is case by case. If you have one and some one else they are considered on their own like someone with a deck.

Ms Raffo: Any questions from the Public? (yes)

Ann Muller: I was here in August at the Meeting reiterate it is residential area and don't know if you know the area – only commercial area are on East Main Street. One of the house built was built 3 years ago. They had the drive black topped recently. Rest of property are narrow and if do something commercial you'd have to have to get a lot of them to go commercial. It will change tenor of the neighborhood. Avenue C and Schutt Road – they were told the drive would be on Avenue C as they did not want drive on Schutt by the Planning Board. It will bring a lot more entrance/exit than in residential. For these reasons not in favor of it.

Ria Sanacore: The proposal is substantial and affects the zoning and where they propose the drive on Avenue A – there are a lot of children and dangerous and you'd have to put in sidewalks. The traffic coming in/out for international restaurant – if pizza parlor more traffic. It is undesirable to have commercial in middle of residential area. community center mentioned on earlier meeting – it is for meadow hills residence only – not a community center. It has adverse affect on the entire neighborhood.

John Filp: 261 Schutt Road and Ave. B: According the plans he said – driveways come across from my place and give the whole block would become very congested and quality of life just disappear and I have been there 32 years.

Ms Raffo: Question from the Board?

Mr. Lazier: I want to comment that the driveway the gentleman just mentioned – I don't think it is that way. Across the street tennis court and know people who have had weddings there who are not connected to Meadows Hill. So not an issue.

Mr. Wilson: It is privately owned.

Mr. Lazier: It happens to be my sister. There will be sidewalks all the way through.

Mr. Wilson: Driveway to Avenue B and on Schutt Road.

Engineer: Schutt Road – retail and other for office use.

Ms Raffo: Any questions or comments from the Board?

Ms Sullivan: This is in regard – the zoning was changed. The master plan review committee who was acknowledged by Mulqueen took several years and had meetings to address this. You asked if other owners have come before the group. During that time people came before the committee not just your property – I was on the committee and the proposals were not far off from what already existed. No one went in – commercial to residential – we tried to put the foot print what already existed but improve on that and strengthen it. My view on this is the changes made existed residential areas there – pieces of property and did not want to disturb the character of what already existed. You did have a chance to speak before the Town Board on the change and to come out now and say you were not treated fairly?

E. Courier: Were we notified?

Ms Sullivan: Yes, public notices were posted. You own quite a bit of property in the Town don't you?

Mr. Lazier: We had the approval from the PB.

E. Courier: The PB approved it 2002.

Mr. Sullivan: Did the moratorium affect that at all?

E. Couriter: No.

Ms Sullivan: No dramatic changes and time for everyone in the town to speak on their interests were and this is not the time to speak against the Master Plan and zoning in place.

Mr. Lazier: If approved why come in?

E. Currier: Approved in 2002 for commercial and assumed it was final.

Mr. Wilson: You got permits at that time for that?

E. Currier: No.

Ms Sullivan: You changed the plan on what you put on that property.

Mr. Lazier: The plan stayed and we purchased the Scali property and put our offices there. We thought it was approved for that.

Engineer: It has not changed.

Ms Sullivan: Dramatic change for the neighborhood.

Mr. Lazier: Commercial on East Main and from A to B then becomes more residential. On other end 80 family.

Engineer: Build same building across the way.

Ms Raffo: Yes.

Ms Raffo: Any other questions from the Board?

Ms Najac: How much did you paid for originally?

Mr. Lazier: Larger with house which we took down and had a permit for and it was shy of an acre and then adjacent piece in western direction that was smaller and about \$27,000 and \$5,000 or \$32,000 and have paid taxes.

E. Currier: The engineer was \$15,000, taxes \$22,000 and \$239,000 and if sub divide add another \$10,000 so \$350,000 into it now and have owned since 1979.

Mr. Wilson: Engineer \$13,000 you decided to walk away from this and changed plan – you decided to no build scrapping the \$13,000 you already spent. You planned to sell with approval. I am trying to understand. You went ahead to PB got approval and engineer 15k and decided to not go ahead – spent before you decided to go ahead. You decided to not go ahead. You spent the money hoping to develop and decided after approval to not go ahead.

E. Currier: We got approval.

Mr. Wilson: The value on the home was \$90,000, you took that down with Planning. What is the buy out cost?

E. Courier: We had a partner.

Mr. Wilson: Looking at the property you spent \$132,000 on this since you owned it. \$30,000 to purchase, \$22,000 on taxes, \$80,000 prior to 1979 – everything is voluntary – you did the changes before you decided to not go ahead.

Engineer: He put it on the market. He did not throw it away.

Mr. Wilson: Why not move ahead?

Mr. Lazier: The other piece came up. The buyer would not buy it if it were not commercial. He is here with me now.

Ms Najac: So what you are saying – how much if you sold for houses – \$75,000 a lot ?

Mr. Lazier: I have been in here half dozen times since zone change – tell me what R1 actually stands for, - I have asked Mr. Ward and Building Inspector. They can't tell me what it is.

Ms Raffo: There are specific guidelines in the code.

Ms Sullivan: Why not. That is an engineer's job.

Engineer: He can tell us there might be 2 lots.

Mr. Lazier: Come in for multi dwellings – 6 units. Something on that nature.

Ms Raffo: Specific uses. There may be special use permits under that designation the PB allows. There are different uses under different condition in each zone.

Mr. Lazier: Would be better off adjourning, I don't know.

Ms Raffo: We will hold the vote tonight.

Ms Raffo: I Move to close the Public Hearing at 8:45pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant a use variance on Schutt Road between Ave. A and Avenue B for commercial building in a residential area.; Seconded (Johnson).

#### DISCUSSION:

Mr. Johnson: This is difficult and visiting the neighborhood a number of times and growing up there – it is residential on every side and commercial would not fit. The fact you can't get reasonable return with out the variance - you have \$132,000 laid out on it with a home on it when you purchased it regardless of the zoning – that applies to anyone. If I take a farm of 100 acres with 1 acre zoning that is now 2 you can still get money back on this. As pointed out the engineer set up as commercial and money you chose to put out and changed the game plan and I think you can still get a return. It will affect the neighborhood and it was self created – zoning does change. The 4 principals we have to use 3 of them you don't meet.

Ms Petelinz: I abstain.

Ms Sullivan: I vote no for same reasons I stated before it is lovely residential neighborhood and great that they can go just to East Main Street for that commercial exchange and zoned.

Ms Najac: I will vote no and it will change character of the neighborhood.

Mr. Wilson: As stated, you can obtain reasonable return – proof of more profitable return if variance is granted does not mean a hardship. It will make drastic change to neighborhood and is residential and I think you understand this.

Ms Raffo: Use variance is lot different than an area variance. For area variance strike balance of number of different things. Use has criteria must have each one met and unfortunately it does not meet at least 3: will change char of neighborhood; there is more traffic on Schutt Road with

driveway there; 2) reasonable return- are you going to make a great deal – probably not – real estate is real estate; 3) self-created and have to vote no.

VOTE:

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

DECISION:

Ms Raffo: The variance is denied.

E. Currier: I showed you people and don't understand what you don't we have \$350,000 invested and sell for \$150,000 that is \$150,000 loss no matter how you cut it. I don't know how many invest \$350,000 and get \$150,000 and feel it's not a loss.

Ms Raffo: We have voted.

Mr. Currier: I understand you voted. I don't understand.

Ms Raffo: If it were my business to develop in this area I would keep an eye on the Master Plan and what was going on with it.

PUBLIC HEARINGS:

Gary Houston: Request for a variance of 249-19-D(1):  
1) side yard set back from 35ft to 18ft  
Property located at 260 O’Haire Road  
(46-1-34)  
Designated RA.

Ms Raffo: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 8:55 pm.

Ms Raffo: I Move to open the Public Hearing at 8:56 pm.

Gary Houston, applicant and Anthony Meluso, Gardiner Engineering.

G. Houston: This is at 260 O’Haire Road – and want to put an extension to garage and it affects the side yard from 35 to 18ft. When you consider side yards and distance to neighbors does not seem to have impact at all.

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

Ms Raffo: He is adding a garage.

Mr. Wilson: On the property to the right, where is it?

G. Houston: Way up in back there is a tree line and can’t see it.

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

Ms Raffo: I Move to close the Public Hearing at 8:59 pm; Seconded (Wilson); All in favor; Motion carried.

Ms Raffo: I Move to grant a side yard setback from 35ft to 18ft; Seconded.

DISCUSSION: (None)

VOTE:

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

DECISION:

Ms Raffo: The variance is granted and valid for six months.

1051 Corp (Alex Saldana):

Request for a variance of 249-20:

1. side yard from 20ft to 12.6ft
2. second side yard from 20ft to 12.6ft
3. lot width from 100ft to 50ft
4. area from 18,750 sq/ft to 6250 sq/ft
5. 2 side yards from 40ft to 25ft

Property located on Ridgewood Avenue  
(76 – 2 – 4.1)  
Designated R-1

Ms Raffo: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 8:00pm.

Ms Raffo: I Move to open the Public Hearing at 8:01 pm.

A. Saldana: We bought the lots from auction and the lot is just there. We want to build a small house there and sell it. We looked at the neighborhood and see a lot of small houses. Just put what is around the neighborhood.

Mr. Wilson: You bought the one next door with the pre fab?

A. Saldana: Yes.

Ms Raffo: Any questions from the Public?

Allecia Schumerhorn, 170 Ridgewood Avenue: Might be the property next to mine. I am not quite sure what was said and could not hear you just want to know exactly what change on the property.

Ms Raffo: They have bought the 2 lots and one with pre-fab and other one that is empty that they want to refurbish.

Allecia Schumerhorn: They took the siding off.

A. Saldana: The old owners left last week and left a mess.

Allecia Schumerhorn: They left garbage I heard that 2 houses going in there.

Ms Raffo: Take care of the one where the problem is and one on the other lot.

Allecia Schumerhorn: I just build a house there and having another mobile home in the area bring down value of my property.

Ms Raffo: He is building a house. He is working on one.

Allecia Schumerhorn: Nothing on one.

Ms Raffo: On empty one – but a house.

Allecia Schumerhorn: Having a mobile home will bring down value of mine.

Mr. Wilson: Separate piece of property. He is here for empty piece of property. We have no jurisdiction of other.

Allecia Schumerhorn: The people are on vacation and want only 1 house on a lot and everyone has a home on each one. They told me to come here to say something if it was 2 separate living areas.

Ms Raffo: We are considering one lot ...

Allecia Schumerhorn: ... right now 2 lots.

Ms Raffo: He is here for the one with nothing on it.

Allecia Schumerhorn: Another establishment for someone to live on. We don't want that. We don't want crowding in the neighborhood.

Mr. Wilson: house and mobile home.

Allecia Schumerhorn: Neighbors said one whole lot it would be alright for dot the line for 2 properties one but not 2 properties with 2 homes.

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

Ms Raffo: Any comments or questions from the Board?

Ms Petelinz: Based on what I see here if you put 2 lots together you'd have no problems building a house if combined them and other question you purchased this 3 months ago and purchased 2 parcels knowing they did not meet the code.

A. Saldana: Yes.

Ms Petelinz: That is all I wanted to know.

Mr. Johnson: The house trailer there is in poor shape – you will have to take that out anyway and replace it?

A. Saldana: Yes.

Ms Raffo: Any other questions? (no)

Ms Raffo: I took a look at this 2 lots and one can combine them, all the lots on that street are pretty much the same size as 50 foot lots and to force you to combine the 2 lots would be asking for house that does not fit in that neighborhood. I don't have any problem with this.

Mr. Wilson: I pass by here and nice job with the pre-fab lot?

A. Saldana: 100 x 125ft.

Mr. Wilson: The same as here. The lot next is just as large as that one there. The one next door.

Mr. Johnson: That was one lot?

A. Saldana: Yes. The problem with it is there are 3 addresses. You have the pre fab and then the trailer. That is 164 has trailer.

Ms Raffo: You bought 3?

A. Saldana: I was the contractor on that. There is an existing trailer. Here is the original survey (looked at it) this is the one with the prefab, the trailer and her property. These are the 2 lots were are talking about. It looks terrible and the city had to come turn the water off.

Mr. Wilson: Do you have a tax map?

A. Saldana: This is what we want to put up. (showed them). Small house. No garage – paved driveway. There will be 2 residents – the one we are refurbishing and this and have 2 lots.

Allecia Schumerhorn: One lot is 50 and other is 50 so they are not combining the 2 lots and putting mobile home and house on one lot and every one in the nh has 100 by 125 and have one family residences they would have to get variances and don't care about that I'll have to 2 bad people and every house is 100 x 125 and put two environments on one property – that equal one and look strange in the neighborhood. Whatever else should not be done.

Ms Raffo: I need a tax map.

A. Saldana: This is – if it will make her happy – it is half way down anyway.

Mr. Wilson: Options – you said you want to take it down.

A. Saldana: We can refurbish it to not look like a trailer and can make it look like the Taj. We can make it 2500 sq/ft with a 2 car garage will fit. We bought both combined \$55,000. We would basically add to this. We have to put French drain in back as there is a block wall as I understand it. And also on 2 sides to get water away from the middle of the property. Turn the house sideways.

Ms Raffo: What is needed if joined.

J Owen, Esq.: You can see if you need any variances.

A. Saldana: We have to just remove the lot line and put 2500 sq/ft 30x40 or 30 x 48 with 2 car garage in the front area and that's it.

Ms Raffo: You have to go to the Planning Board – you need a lot line change.

Mr. Johnson: That is a minor thing.

Ms Raffo: You can't put one house straddling 2 lots.

Ms Raffo: I Move to continue the Public Hearing to November 10; Seconded; All in favor; Motion carried.

Denise Triola  
(Carlos & Carmen Fajardo):

Request for a variance of 249-20-D  
1) rear / side yard setback  
For a three-season enclosure 12x10ft on concrete  
slab.  
Property located at 120 Patio Road  
(28 – 1 – 60)  
Designated R-2

Ms Raffo: Applicant or representatives are not present.

Kevin R. Ten Kate: Request for a use variance to permit 2 vans for commercial use on the property  
Property located at 59 Alton Road, Circleville NY  
(8 – 8 – 8.2)  
Designated R2.

Ms Raffo: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 9:24 pm.

Ms Raffo: I Move to open the Public Hearing on 9:25 pm.

K. Ten Kate: The PB sent me here and I want to try to get a place to store vehicles. No work is being done in the residence – it is minor mobile repair. I need letter from the Town so I can get my certificate.

Ms Raffo: Dent removal type of mobile service. He has 2 vans he wants to keep at his home and only reason he is here. The state requires he needs the certificate and needs a use variance. It is a big hardship if I have to go someplace to store the vans.

Mr. Wilson: Any equipment in the house?

K. Ten Kate: No, complete in the van. No work done at the residence.

Mr. Wilson: Can that be a stipulation?

Ms Najac: Any signage?

K. Ten Kate: Only on the van; not on the property at all. The repair certificate like you see at a repair shop has to be on the van not on the building.

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

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

Ms Raffo: I Move to close the Public Hearing at 9:29pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following use variance to allow applicant to keep 2 vans for commercial use subject to there being no signage except that on the van and that no work be performed at the property; Seconded (Sullivan).

DISCUSSION: (None)

VOTE:

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

DECISION:

Ms Raffo: The variance is granted subject to the conditions noted.

Brenda Potts: Request for a variance of 249-20-1 (side yard)  
1. side yard from 20ft to 2.5ft  
For an 18ft x 24ft addition  
Property located at 28 Crane Road  
(87 – 1 – 160)  
Designated R2

Ms Raffo: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 9:31 pm.

Ms Raffo: I Move to open the Public Hearing at 9:32 pm.

Mr. Potts: We are adding garage as well as 2 rooms and bathroom above.

Ms Raffo: Side yard from 20ft to 2 feet.

Mr. Wilson: Going down to 2 feet from 20 feet.

Ms Raffo: The request is from 20 ft to 2.5 ft.

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

Ms Raffo: Any questions from the Board?

Mr. You will put on garage with bedroom up stairs?

Mr. Potts: Bedroom with sitting area and bathroom.

Mr. Wilson: 2 stories.

Mr. Johnson: What is black stuff in back?

Mr. Potts: It is the deck and pool in back.

Ms Najac: There is a wood stockade fence.

Mr. Potts: 2 vinyl panels that will come down and no more stockade fence.

Mr. Johnson: Have you looked at going back versus to the side.

Ms Potts: To keep in the look of the house – continue on.

Mr. Wilson: One roof line and down the side.

Ms Potts: Yes.

Ms Petelinz: Do you have neighbors near by?

Ms Potts: They are all in favor of it.

Mr. Johnson: How far from the line?

Mr. Wilson: 20 feet.

Ms Petelinz: You have a plan with builder do you?

Ms Potts: Yes.

Ms Petelinz: I see a stockade fence?

Mr. Potts: It is not there now chain link.

Ms Petelinz: Existing fence there now and you want to keep that?

Mrs. Potts: Yes. There is a chain link fence and does not go all the way down. No fence between us and the neighbor.

Ms Sullivan: You have talked to your neighbor about this?

Ms Potts: We sent out the mailings and the one on 26 are for it. The neighbors are our age and into the home improvement.

Mr. Wilson: Thank you.

Mr. Johnson: 12 foot door on the garage?

Mr. Potts: I think it is 14 feet.

Ms Petelinz: Any other way to achieve without going to within 2 feet of the line.

Mr. Potts: The other side of the house.

Ms Potts: Drainage, knocking down trees, sewer is right there.

Ms Raffo: I Move to close the Public Hearing at 9:40pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following side yard variance from 20ft to 2.5 feet for a 18x24 addition; Seconded.

DISCUSSION:

Mr. Wilson: I think this is an improvement and the houses are pretty tight anyway.

Mr. Johnson: I feel the 2.5ft is too tight to build to the property line but only because the neighborhood did not have any issues.

Ms Petelinz: I do have some concerns but vote yes with reservations.

VOTE:

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

Opposed (nay): 0

DECISION:

Ms Raffo: The variance is granted, and is good for six months. If you have not started work by that time, come in before then and request an extension.

Walter Murach:

Request for a variance of 249-190-D(1):  
1. area variance from 3.0 acres to 2.32 acres  
2. lot depth from 300ft to 233 ft  
Property located at 363 Howells Road  
(32 – 1 – 30)  
Designated RA

Ms Raffo: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 9:44 pm.

Ms Raffo: I Move to open the Public Hearing at 9:45 pm.

Mr. Murach: This is for a deck variance from 300 feet and lot depth 300 to 233ft and acre from 3 acres to 2.3.

Ms Raffo: How long have you owned this?

Mr. Murach: About a year and a half.

Ms Raffo: Any comments or questions from the Public?

Wayne Kovasa, 379 Howells Road (behind/east side): This has shallow road frontage and east side is very wet. My engineer said nothing could be done there. My well is there and I am pretty concerned. If I could have used the lot I would have purchased it.

Ms Raffo: He has not come to us for any variance regarding septic only on size of the lot.

Mr. Murach: There was a trailer with water and septic.

Ms Raffo: In order to do new construction ...

Mr. Johnson: He has perk tests on the map and have septic design and existing well already there. It has been engineered in 2006.

Mr. Kovasa: Does it show my well? (showed him on the map). Would that change the dwelling setbacks?

Mr. Wilson: The well is within the setbacks.

Mr. Kovasa: Where would his well be?

Mr. Johnson: Existing well is in front – follow the dotted lines.

Mr. Kovasa: That is severely down hill.

Mr. Johnson: When it's downhill it is 200 feet separation and well within that.

Mr. Wilson: The building department would not have allowed him to put the building there if not right.

Mr. Kovasa: The town engineer told me it would not work – I built mine in 2003.

Ms Raffo: If it looks like everything is within code.

Mr. Kovasa: How many sq/ft is the dwelling?

Mr. Murach: For a 4 bedroom – I'm just trying to get variance so I can sell the lot.

Ms Raffo: No plan on the house?

Mr. Murach: No.

Mr. Kovasa: It is a very wet area you all just should look at it.

Mr. Johnson: Did you have ground water within 4 feet and according to the test results they did not have it.

Mr. Kovasa: That is why the other owners did not rebuild.

Mr. Johnson: Where they did the deep holes were done.

Ms Raffo: Any questions from the Public?

Paul Schultz (Public): Where did they do the perk? (Johnson showed him).

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

Ms Raffo: We will vote on the variance and granted with stipulation that there will be no further changes including decks with current setbacks.

Ms Raffo: Move to close the Public Hearing at 9:53pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following: 1) area variance from 3.0 acres to 2.32 acres; 2) lot depth from 300ft to 233 ft subject there being no further changes (including decks) to current setbacks; Seconded.

#### DISCUSSION:

Mr. Johnson: I do have reservation on a smaller lot purchased after the zoning change with it now a non-conforming lot and you have demonstrated it can be an approved building lot. Any building will stay in the coded setbacks.

VOTE:

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

DECISION:

Ms Raffo: The variances are granted subject to there being no additional variances requested to include decks. The variance is good for six months after which time you have not started you will need to request an extension prior to their expiring or start over.

Eugene & Carol McGowan: Request for a variance of 249-22(D)(1):  
 1. side yard from 20ft to 16ft  
 2. side yard from 20ft to 13ft  
 3. lot area from 18,750 sq/ft to 14,102 sq/ft  
 4. width/lot frontage from 100ft to 80ft  
 Property located at 10 Carl Place  
 (38 – 9 – 2)  
 Designated R1

Ms Raffo: I Move to open the Public Hearing at 9:57 pm.

Ms Raffo: What are you seeking?

Ms McGowan: Side yard 20 to 16ft; Side yard 18ft to 14ft; Area 18750 to 13600 sq/ft; Lot frontage 100 to 80ft. The goal for the construction is to replace aged mobile home and add value to the neighborhood.

Ms Raffo: Replace the trailer which is in bad shape with a small house which would stay basically same square footage. P

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

Ms McGowan: The neighbors are happy we are getting rid of the trailer.

Ms Raffo: Any questions from the Board?

Mr. Wilson: No further setbacks.

Ms Raffo: Does the buyer understand that?

Ms McGowan: Yes.

Ms Raffo: I Move to close the Public Hearing at 10:00pm; Seconded; All in favor; Motion carried.

Ms Raffo: I Move to grant the following variances: 1) side yard from 20ft to 16ft; 2) side yard from 20ft to 13ft; 3) area from 18,750 sq/ft to 14,102 sq/ft; 4) width/road frontage from 100ft to 80ft. subject to no further variances being requested; Seconded (Johnson).

DISCUSSION: (none)

VOTE:

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

DECISION:

Ms Raffo: The variances are granted subject to no further variances being granted on the property. It is good for six months. If you have not started work in that time, request an extension or you will have to start the process over again.

Greenwood Realty Co.:

Request for a variance of 249-20(D)(1):  
Area, lot width and frontage  
Property located at 582 and 588 Silver Lake  
Scotchtown Road  
(81 – 2 – 1.1 ) (81 – 2 – 1.2)  
Designated R-2.

Dan Yanosh: He sent out the notices and I have not reached him yesterday or today.

Ms Raffo: I can't open the public hearing without them.

Dan Yanosh: I was hoping he would show up or someone would represent him.

Ms Raffo: To the Public, if you are here for Greenwood Realty they do not have their mailings and it will be postponed for October 6, 2008. You will be placed first on the Agenda and if anyone who is here that can't be here next month you can submit your comments in writing.

Ms Raffo: This will need to be republished at the applicant's expense and put on the agenda for review in October.

MEETING CLOSE:

Ms Raffo: There being no further items to be presented to this Board, I Move to close the Meeting at 10:10pm; Seconded (Wilson); All in favor; Motion carried.

TSB:jcd

DECISION SHEET  
SEPTEMBER 8, 2008

Venda Properties: Request for a use variance (mine, sand and gravel)  
Property located on Goshen Turnpike  
(60 – 1 – 68.13)  
Designated OR

Continue to October 6, 2008

Jada Development: Variance request:  
Address  
Section Block Lot  
Designated

Continue to October 6, 2008 subject to receipt of requested information and documentation.

Currier & Lazier: Request for a use variance in RA:  
1. for office, retail and restaurant.  
Property located on Schutt Road  
(77 – 2 – 4 and 5)  
Designated RA

DECISION: Variance denied

Gary Houston: Request for a variance of 249-19-D(1):  
1) side yard set back from 35ft to 18ft  
Property located at 260 O’Haire Road  
(46-1-34)  
Designated RA

DECISION: Variance granted

1051 Corp (Alex Saldana): Request for a variance of 249-20:  
1. side yard from 20ft to 12.6ft  
2. second side yard from 20ft to 12.6ft  
3. lot width from 100ft to 50ft  
4. area from 18,750 sq/ft to 6250 sq/ft  
5. 2 side yards from 40ft to 25ft  
Property located on Ridgewood Avenue  
(76 – 2 – 4.1)  
Designated R-1

Continue to November 10, 2008

Denise Triola  
(Carlos & Carmen Fajardo):

Request for a variance of 249-20-D  
1) rear / side yard setback  
For a three-season enclosure 12x10ft on concrete slab.  
Property located at 120 Patio Road  
(28 – 1 – 60)  
Designated R-2

Applicant nor representative were not present

Kevin R. Ten Kate:

Request for a use variance to permit 2 vans for commercial  
use on property  
Property located at 59 Alton Road  
(8 – 8 – 8.2)  
Designated R2.

DECISION: Variance granted subject to:

- 1) no signage except that on the van,
- 2) no work be performed at the property

Brenda Potts:

Request for a variance of 249-20-1 (side yard)  
1. side yard from 20ft to 2.5ft  
Property located at 28 Crane Road  
(87 – 1 – 160)  
Designated R2

DECISION: Variance granted

Walter Murach:

Request for a variance of 249-190-D(1):  
1. area variance from 3.0 acres to 2.32 acres;  
2. lot depth from 300ft to 233 ft  
Property located at 363 Howells Road  
(32 – 1 – 30)  
Designated RA

DECISION: Variances granted subject to:

No further changes (including decks) to current setbacks

Eugene & Carol McGowan:

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

1. side yard from 20ft to 16ft
2. side yard from 20ft to 13ft
3. lot area from 18,750 sq/ft to 14,102 sq/ft
4. width/lot frontage from 100ft to 80ft

Property located at 10 Carl Place

(38 – 9 – 2)

Designated R1

DECISION: Variances granted subject to:

No further changes to the current setbacks

Greenwood Realty Co.:

Request for a variance of 249-20(D)(1)

Area, lot width and frontage

Property located at 582 and 588 Silver Lake Scotchtown Road

(81 – 2 – 1.1 ) (81 – 2 – 1.2)

Designated R-2.

Rescheduled for Public Hearing on October 6, 2008

SIX MONTH EXTENSIONS:

Michael Palmucci (2/11/08)

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

DECISION: Six month extension granted

Carol Wilson (10/15/07)

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: Variances granted

DECISION: Six month extension granted

Leslie Rogers Newman (1/14/08)

Request for a variance of 249-20(12)(1):

- 1) front yard from 150ft to 100ft  
on an existing non-conforming lot
- Property located on M&M Road  
(14-1-11)

Designated R-2

Decision: Variance granted subject to,  
No further variances be granted on this lot an  
building setbacks

DECISION: Six month extension granted

Brian Rivenburgh (3/10/08)

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

Decision: Variances granted

DECISION: Six month extensions granted

Fairways Wallkill, LLC,  
C/O GDC  
(Formerly MDG Development)

Request for a six month extension on all variances granted  
by the Town of Wallkill and extended on March 10, 2008,  
to October 6, 2008.

Decision: Six month extension granted

Thomas J. Dembek (3/10/08)

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 Schutt Road  
(73-1-3)

Designated R-1.

Decision: Variances granted

Decision: Six month extension granted