

TOWN OF WALLKILL
ZONING BOARD OF APPEALS

October 19, 2009

PRESENT:

Mr. K. Dunn
Ms S. Najac
Ms M. Petelinz
Mr. S. Wilson, Chairperson

J. Owen, Esq.

EXCUSED:

Mr. V. Biondollilo (excused)
Mr. E. Johnson (excused)

MEETING OPENING:

Ms Wilson: I Move to accept the Minutes of the September 14, 2009 Meeting, Seconded (Petelinz); All in favor; Motion carried.

The following Public Hearings and Application Reviews (November 9, 2009) were conducted, voted upon as noted and scheduled.

CORRESPONDENCE:

Six Month Extensions:

Walter Murach

Mr. Wilson: We have received a request for a six month extension for area variances granted to build a house at 863 Howells Road. It was previously approved on 9/08 and extended on 4/12/09.

Mr. Wilson: I Move to grant a six month extension to variance granted on 9/08 and extended on 4/12/09: Request for a variance of 249-190-D(1): 1) area variance from 3.0 acres to 2.32 acres; 2) lot depth from 300 ft to 233 ft; Property located at 363 Howells Road (32-1-30); Subject to no further changes (including decks) to the current setbacks. Designated RA; Seconded (Dunn); All in favor; Motion carried.

PUBLIC HEARINGS: (October 19, 2009)

Paul & Mary Norton

Request for a variance of 249-22(D):
1. side yard from 20ft to 17ft
For construction of a 12 x 16 ft deck.
Property located at 82 Rockwell Avenue
(39-3-5)
Designated R-1

Mr. Wilson: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 7:39 pm.

Mr. Wilson: I Move to open the Public Hearing at 7:40 pm; Seconded; All in favor; Motion carried.

Mr. Wilson: Please give us a description what you want to do

Mr. Norton: It is for a 12 x 16 deck on the back of the house and it is 17 feet and should be 20 feet.

Mr. Wilson: Is that the same one from last meeting?

Mr. Norton: Yes.

Mr. Wilson: The deck lines are the same as the house and have no problem with it all.

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

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

Mr. Wilson: I Move to close the Public Hearing at 7:42 pm; Seconded; All in favor; Motion carried.

Mr. Wilson: I Move to grant the following side yard variance from 20ft to 17ft; Seconded.

DISCUSSION: (None)

VOTE:

In favor (aye) 4 Petelinz, Najac, Dunn, Wilson
Opposed (nay) 0

DECISION:

Mr. Wilson: The variance is granted. You have 6 months to start work if you have not started by that time, come in before that time and request an extension.

Stanley P. Allen

Request for a variance of 249-8(a)5
Accessory building in front of the primary
dwelling:
Property located at Three Allen Lane
Bloomingburg, NY 12721
(3-1-7.4)
Designated ENT-L

Mr. Wilson: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 8:13 pm.

Mr. Wilson: I Move to open the Public Hearing at 8:15 pm; Seconded; All in favor; Motion carried.

Mr. Yanosh: This is for the shed in the front yard. He has a piece of property with a bi-level and cleared a place for his camper and needs a place for his ATV, tractor, and stuff and did not know the front yard variance was needed and that it had be behind the front of the house. He is on County 76 and along a private road – Allen Lane. Variance is to leave it there in the front yard or allow the fact it is on County 76 and Allen Lane is the side yard.

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

Mr. Yanosh: It was PID before and had variance to put the house there too.

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

Mr. Wilson: I Move to close the Public Hearing at 8:18 pm; Seconded; All in favor; Motion carried.

Mr. Wilson: I Move to grant the following variance of 249 for an accessory building closer to front yard line than the principal building; Seconded.

DISCUSSION: (None)

VOTE:

In favor (aye) 4 Dunn, Najac, Petelinz, Wilson
Opposed (nay) 0

DECISION:

Mr. Wilson The variance is granted. Please see the building department.

HEARING REVIEWS: (November 9, 2009)

Nicola Parrota :

Mr. Abt: This is the owner of the property (Nicola Parrota). He wants to build a garage. His house is 3,000 sq/ft on 8.531 acres of land on California Avenue. He has a 3 car garage and has 6 children so he wants a 3 car garage here (drawing) and asking for variance to build 32 x 42 ft garage.

Mr. Wilson: You will store just cars in there?

Mr. Parrota: Yes.

Ms Petelinz: The total if approved is equivalent to 6 car garage.

Mr. Abt: There are 3 spaces under the house and free standing is 3 car garage.

Mr. Wilson: You will keep the 3 car garage in the house? Will you run a business out of this?

Mr. Parrota: Yes and no.

Ms Najac: A one-story building?

Mr. Parrota: Yes.

Mr. Abt: Here is a photo of the driveway of the house and you can see there are a lot of vehicles there. This is the present 3 car garage. He keeps the house very nice.

Mr. Wilson: If approved it will coincide with the house visually?

Mr. Abt: The house is brick and the garage is not brick but the roof and shading will work with the house.

Mr. Wilson: You have to go that big – 32 x 42ft?

Mr. Apt: To get good size 3 car garage, I think so. This is for an oversized accessory building from 28 x 28ft to 32 x 42ft.

Mr. Wilson: I Move to hold a Public Hearing on November 9, 2009 at 7:30 pm or as soon thereafter as the matter can be heard; Seconded; All in favor; Motion carried.

Mr. Wilson: 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:

Mr. Wilson: There being no further items to be presented to the Board, I Move to close the Meeting at 8:21 pm; Seconded (Najac); All in favor; Motion carried.

TSB:jcd

TOWN OF WALL ZONING BOARD OF APPEAL

DECISION SHEET

OCTOBER 19, 2009

Paul and Mary Norton

Request for a variance of 249-22(D)
1. side yard variance from 20ft to 17ft
For construction of a deck
Property located at 82 Rockwell Avenue
(39-3-5)
Designated R-1

DECISION: Variance granted

Stanley P. Allen

Request for a variance of 249-3 (accessory):
Garage placed closer to the front yard line than the
principal building
Property located at Three Allen Lane
(3-1-7.4)
Designated ENT-L

DECISION: Variance granted

SIX MONTH 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 300 ft to 233 ft.

Property located at 363 Howells Road
(32-1-30)

Designated RA

Subject to no further changes (including decks) to
the current set backs.

Six month extension granted.

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 9th day of November, 2009, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Nicola Parrotta, 727 California Avenue, Middletown, New York 10940 for a variance of 249-3 (accessory building) for the property of Nicola Parrotta, 727 California Avenue, Middletown, New York. Property (69-1-66) located at 727 California Avenue, Middletown, New York and R-2.

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

Stanley Wilson
Zoning Board of Appeals