

TOWN OF WALLKILL
ZONING BOARD OF APPEALS

November 9, 2009

PRESENT:

Mr. V. Biondollilo
Mr. E. Johnson
Ms S Najac (7:38P)
Ms M. Petelinz
Mr. Rotundo
Mr. S. Wilson, Chairperson

J. Owen, Esq.

EXCUSED:

Mr. K. Dunn (excused)

MEETING OPENING:

Correction: Page 1 Correction: Meeting date reads September 14, 2009
Should read October 19, 2009

Ms Wilson: I Move to accept the Minutes of the October 19, 2009 Meeting,
Seconded (Johnson); All in favor; Motion carried.

The following Public Hearings and Application Reviews (December 14, 2009) were conducted,
voted upon as noted and scheduled.

TOWN OF WALLKILL ZONING BOARD
NOVEMBER 9, 2009

CORRESPONDENCE:

Six Month Extensions:

No requests were received.

PUBLIC HEARINGS: (November 9, 2009)

Nicola Parrotta Request for a variance of 249-3 (accessory building)
1. from 28 ft x 28ft to 32 ft x 42 ft for a 3 car garage;
Property located at 727 California Avenue
(69-1-66)
Designated R-2.

Mr. Wilson: The mailings were reviewed by the Board and filed for the record. The Public Hearing Notice was read at 7:37 pm.

Mr. Wilson: I Move to open the Public Hearing at 7:38 pm; Seconded; All in favor; Motion carried.

Mr. Wilson: Please give us a description what the applicant wants want to do.

Wheldon Abt, Architect: He wants to build free-standing 3 car garage. His residence is 3,000 sq/ft on 8.5 acres on California Avenue. He needs it for cars and vehicles and a two car garage not big enough for him and large is more in the scale of the house.

Mr. Biondollilo: There was a pre-existing shed there – I could not get there as there was dog.

Mr. Abt: There is a pool in the back, a small shed behind the shed but as you look at the house from road - left of driveway it is open field. A pool in the back and a small building with pool equipment.

Mr. Wilson: What is the size of shed in back?

Mr. Abt: It is about 15ft by 20ft.

Mr. Wilson: This is for a one story garage correct?

Mr. Abt: That is correct.

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

Mr. Wilson: Any comments or 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 variance of (249-3) for an accessory building (garage) from 28 x 28ft to 32ft x 42ft; Second.

DISCUSISON

(None)

VOTE:

In favor (5) Johnson, Petelinz, Biondollilo, Rotundo, Wilson
Opposed (0)

DECISION:

Mr. Wilson: The variance is granted, pleAse see the Building Department. The variance is good for six months and if work has not been started please come back for an extension before that date.

HEARING REVIEWS: (December 14, 2009)

Sohan Lal

Mr. Fusco: Existing station on East main and Carpenter. The Planning Board (PB) gave approval and they built the station and went back subsequent to that for an additional drive off East Main. There are 2 existing signs there now and want another sign off the new entrance off East Main. It is smaller but exceed the requirements. The existing sign there is digital and has the 3 types of gas and the CITGO logo for gas they are selling. We are going before the PB on this and want to put a Subway in corner of the existing gas station and need two (2) 6x6 coolers and that will affect side yards from 20 feet to 24ft. The slab will come out 8 inches so side yard is needed for 8 feet to go to 12 feet. It is for a cooler and is not on the drawing and will have landscaping. And if granted will go back to the PB unless you want to see it now. It is for two variances: 1) sq/ft for sign; 2) side yard for the cooler.

Mr. Wilson: You have how many free standing now?

Mr. Fusco: One and one sign on the building. The one is digital with daily gas rate.

Mr. Wilson: Do you know allowable square footage?

Mr. Fusco: 33 feet and in this case 2 frontages at 66 feet so only 33 feet.

Mr. Johnson: The frontage is on Carpenter Avenue?

Mr. Fusco: It is about 500 feet.

Mr. Wilson: Frontage on East Main?

Mr. Fusco: It is approximately 250 feet.

Mr. Wilson: How many sq/ft are you up to now?

Mr. Fusco: 224 sq/ft and like to add an additional 78 with sign 15 feet from East Main Street and the sign on the lower corner and Subway beneath that (see drawing layout).

Mr. Wilson: You'll have prices?

Mr. Fusco: Yes.

Mr. Wilson: You are going through landscape with the PB?

Mr. Fusco: If approved here, then go to PB and met with Mr. McGoey today and will have work session after this and we have added lighting along driveway and are changes to existing site plan.

Mr. Wilson: The total is?

Mr. Fusco: 33ft and 224ft they are 2 sided signs.

Mr. Wilson: And you have 224?

Mr. Wilson: The existing 2 sided sign is 215?

Mr. Wilson: Yes. Variance for an additional free standing sign (additional 78 sq/ft) and side yard

J. Owen, Esq.: Is there a variance on that now?

Mr. Fusco: I just came into the project.

Mr. Johnson: Do you know when it was originally done?

Mr. Fusco: About a year ago.

Mr. Wilson: I will speak with the Town Engineer about the sign.

Mr. Wilson: Sign for additional 78 sq/ft and side yard from

Mr. Biondollilo: No sign variance when the original application was made?

Mr. Fusco: No.

Mr. Wilson: 1) side yard 20 ft to 12ft; 2) additional 78 sq/ft of free-standing signage.

Mr. Wilson: I Move to hold a Public Hearing on December 14, 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.

JERRY AND GINA CARDONA

Joseph Haller, Surveyor: I'm here for the applicants who are here this evening.

Mr. Haller: They own 14 acres on Mt Joy Road and want to sub divide into 2 – 7 acre parcels and have small dwelling on it and would like to build a second small building. They move in to the new and father or grandfather into the new. We need about 280 feet. The Planning Board was not sure if one or two variances were needed.

Mr. Johnson: You have 200feet at the building lot?

Mr. Haller: I kept the width and frontage on existing and then created 200 feet on the new one and there is a narrow area that is about 80 feet and it widens up.

Mr. Wilson: Any reason it was not evened out?

Mr. Haller: We can split it up the middle. We don't have a problem doing it that well. It's 140 feet at the road and it does flare out. They might get the width.

Mr. Johnson: 200 on one and 80 on the other it would be less of a variance if down the middle.

Mr. Wilson: That would be less severe. This way it is 60 on each. It's up to you how you want to present it and modify it at the public hearing.

Mr. Haller: If you want a more even split that is easily accomplished. If it stays this it is only width and front on the one lot. We are not in love with that. You will have 4 variances if it goes up the middle.

Mr. Wilson: I would like to see – take it as it appears and you can give us the square footage if down the middle. We will go

Mr. Johnson: What is the date you acquired this? It is not on the application.

Mr. Cardona: About 6 years ago.

Mr. Wilson: Are you living there now?

Mr. Cardona: Yes.

Mr. Haller: It is their plan to have him stay with them until the other is done.

Mr. Wilson: we need 11 copies up-dated at least 10 days before the meeting.

Mr. Wilson: I Move to hold a Public Hearing on December 14, 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 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.

LITE BRITE SIGNS, INC.

Maria Rotundo: Representing Safe Light – like sign on back of building and the code does not allow for rear of the building.

Mr. Wilson: The zone?

Ms Rotundo: TC.

Mr. Wilson: Do you know what is allowed?

Ms Rotundo: 114 feet and I am allowed 240 ft.

Mr. Wilson: The proposed is going to be what?

Ms Rotundo: 177.3 ft.

Mr. Wilson: This is over by 41 feet and sign on the rear of the building.

Ms Rotundo: They are allowed more because no pylon as the landlord will not put it on. It is 1.25.

Mr. Wilson: Bring the numbers for the next meeting. The sign is smaller or larger than what is there?

Ms Rotundo: Larger – existing is 114 and this is 177 ft. to identify – the trucks come behind building for deliveries and identify the space and will be illuminated (on a timer) so they shut off. They also want the additional sign on the rear of the building.

Ms Petelinz: If illuminated does this mean you get a lot of night delivery?

Ms Rotundo: Don't know their delivery schedule and are very busy. I can find out for you.

Mr. Wilson: I Move to hold a Public Hearing on December 14, 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.

PRESIDENT CONTAINER, INC.

Michel Bluestein, Esq.: They manufacturer of corrugated boxes and they want to move from Moonachie and Penn and Toni bought the warehouse and they want a sub division to bring 270 new jobs in manufacturing sector. Have special use permit and we are here as part of manufacturing process and need to build a silo to house the cornstarch for the glue that makes the corrugated box stay together. The existing is 34+ feet and the limit in the zone is 35 feet. It should have been corrected because there is Revere who has a stackof 100 feet in the air. They want 50 foot silo which will connect to the plant with pipes.

Mr. Biondollilo: There are railroad track behind it.

Michael Bluestein, Esq.: We have not purchased the building yet but hope to do so in January and retrofit and be running by end of next year.

Mr. Wilson: What is the address?

M. Bluestein, Esq.: It is 290 Ballard Road. We had the engineer with the Planning Board last week. The only tracks go along the building.

M. Bluestein, Esq.: I don't know. You basically heat the glue and it's done.

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

Mr. Wilson: I Move to hold a Public Hearing on December 14, 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 8:19 pm; Seconded (Johnson); All in favor; Motion carried.

TSB:jcd

TOWN OF WALLKILL ZONING BOARD OF APPEAL

DECISION SHEET

NOVEMBER 9, 2009

Nicola Parrotta

Request for a variance of 249-3 (accessory building)
1. from 28 ft x 28ft to 32 ft x 42 ft for a 3 car garage;
Property located at 727 California Avenue
(69-1-66)
Designated R-2.

DECISION: Variance 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 14th day of December, 2009, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Sohan Lal, 31 Ebert Road, Middletown, New York 10940 for a variance of 249-26-D (signage) for the property of Sohan Lal, 28 Carpenter Avenue, Middletown, New York. Property (74-9-2) located at 28 Carpenter Avenue, Middletown, New York and Designated HC.

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

Stanley Wilson
Zoning Board of Appeals

TOWN OF WALLKILL
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing of the Zoning Board of Appeals of the Town of Wallkill, Orange County, New York will be held at the Town Hall, 99 Tower Drive – Building A, Middletown, New York on the 14th day of December, 2009, at 7:30 pm or as soon thereafter as the matter can be heard on the application of:

Jerry and Gina Cardona, 290 Mt. Joy Road, Middletown, New York 10941 for a variance of 249-19(D) (width and frontage) for the property of Jerry and Gina Cardona, 290 Mt. Joy Road, Middletown, New York. Property (60-1-118) located at 290 Mt. Joy Road, Middletown, New York and Designated RA.

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

Stanley Wilson
Zoning Board of Appeals

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ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

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Lite Brite Signs, Inc. 51 Montgomery Street, Middletown, New York 10940 for a variance of 249-11 (signage) for the property of Frassetto Companies, LLC, Two Parkway and Route 17 South – Upper Saddle River, New Jersey, 07458. Property (40-1-71) located at 45 Turner Drive, Middletown, New York, Designated TC.

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

Stanley Wilson
Zoning Board of Appeals

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ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

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President Container, Inc, 200 West Commercial Avenue, Moonachie, New Jersey 07074 for a variance of 249-77 (D) (height) for the property of Ballard Road Holdings, LLC, 10 Parsonage Road – Suite 300, Edison, New Jersey 08837. Property (60-1-120) located at 290 Ballard Road, Middletown, New York and Designated ENT-L.

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

Stanley Wilson
Zoning Board of Appeals

