FILE COPY '

ZONING BOARD OF APPEALS APPLICATION Town of New Paltz

A	Applicant Name: Homeland Towers, LLC & Verizon Wireless
N	Mailing Address: 9 Harmony Street, Danbury, CT, 06810
	Telephone number: (203) 297-6345
	Email address: VLX@homelandtowers.us
P	roperty Location: 60 Jansen Road
· Ta	ax Map Designation: Section 86.4 Block 2 Lot 16
	Below is for interdepartmental use only
Date Received:	2/25/2020
Fee Paid:	
Date of Hearing	: 3/10/2020
Local File Num	ber: ZBA 20-50
	tions. Please be specific and attach all requested information. Type or
print clearly.	
Application for	
-	ion of Zoning Law or map
() Special Use	e Permit
() Area Varia	ince
(√) Use Variar	ice
() Appeal the	action of the Building Inspector or Zoning Enforcement Officer

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	e facility outside of the wire		-		
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1. State prior applications for same or similar relief, including application dates, actions taken, etc., if any:				
•				

Submissions:

The applicant (s) should submit with this application additional supporting materials including, but not limited to nine (9) copies of the following:

A sketch plan, plot plan or survey (accurately dimensioned and drawn to scale) showing all existing and/or proposed buildings, structures and other improvements together with a neighborhood land use map, and any other relevant materials which will assist the Zoning Board of Appeals to understand and to act upon the request.

FOR <u>AREA VARIANCES</u>: The applicant should be prepared to address the following considerations at the time of the meeting:

- a) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
- b) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance.
- c) Whether the requested area variance is substantial.
- d) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- e) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance.

FOR <u>USE VARIANCES</u>: The applicant should be prepared to address the following considerations at the time of the meeting:

- a) Under applicable zoning regulations the applicant is deprived of all economic use or benefit from the property in question, which deprivation must be established by competent financial evidence.
- b) That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood.
- c) That the requested use variance, if granted, will not alter the essential character of the neighborhood.
- d) That the alleged hardship has not been self-created.

A check or money order made payable to the "Town of New Paltz" must be received at the time of application.

Applicant Signature	Andrew Wildeling to the second se	
Owner (if different)		
		Action Taken
		Approved
		Denied
		Withdrawn
	Signed_	Chairperson

Dated _____

PROPERTY OWNER'S LETTER OF AUTHORIZATION APPLICATION FOR ZONING/APPROVAL

Raymond D. Schilke, III, the owner of the existing property located at 60 Jansen Road, New Paltz, NY 12561, does hereby appoint Homeland Towers LLC and its representatives, for the purpose of filing any applications necessary to ensure its ability to install a public utility communications facility at the aforementioned property. The owner is fully aware of the actions concerning the applications that are being made by Homeland Towers LLC.

Owner: Raymond D. Schilke, III
BY:
Name: Raymond D. Schilke III
Title: Owner

Sworn to before me this 16 day of October, 2019.

BRANDON J. CEPEDA
Notary Public, State of New York
Reg. 01 CE6374530
Qualified in Ulster County
Commission Expires April 30, 20

NOTARY PUBLIC

OWNER'S AFFIDAVIT

The understand states and declarates shat: RAY MONTO SCHI	LKE
1. I am the owner of property ("the Property") located at Street address: 60 JANSEN 1 Tax Map 8/P/1: 86.4/2/16	ROAD, NEW PALTZ
2. I have attached a copy of the deed giving me a fee title interest in the Prop	erry, which is recorded in the Office of the Ulster County Clerk at
3. I am making, or if I am not the applicant, have agreed and consented to all application to the Town of New Palis for land use approval(s) from the Town will, if ground, benefit the Property.	ow HOMELAND TOWERS to make, an
4. I have the legal right to make or authorize the making of said application.	
I. In this test along locarited so med belief, the eleterated made in this capital	effor not true and operate.
6. Thereby authorize VINCENT XAVIER application (5)	to but as my representative in all contains ingerting raid
7. I expressly grant permission to the Planning Board and its authorized repressive purpose of according inspections and becoming familiar with site conditions and becoming familiar with site conditions.	ons. I scknowledge and agree that I may revoke this grant of
8. I selemented on and composite the Time of New Peliz may incir substantial and the property or one or jointly and developing in repositive for the proposent or increased by the Time develop the residue of this application including all receives a later to the property of the composition of the residue o	f ell application fets, application review fees, and inspection fees
9. I acknowledge and agree that while the Town will endeave a fairs the perfor those fees, excels, or other expenses, in the event that they are not promit? applicant, and if they are not promit? It is the content of the content of the Code, and impose such costs upon the Property in the same assents at a Town	rate or entity who made the least opplication soled one the Treat policy. We aware its responsible fluing use not promptly pull by the statement of the least of the least one fluid the l
10 Hadron to A silver the did a decret of the appropriate of the	
Date: 1/31/19	
Applicant/Owner A	pplicant/Lwner
STATE OF NEW YORK)	
COUNT : OF OLDIER,	
Thy mond Schille , 20/9 before the mide dead a N	a measurement executed are same as mixing area (apacity, and that
by his/her/their signature on the instrument, the individual or the person upon b	chalf of which the includual acted, excepted the instances.
ROCCO J PUCINO	זיץ
Notary Public, State of New York Notary Public, State of New York Notary Public, State of New York Reg. C190.512528 Qualified in Uning 8.0	law York 1
Commissión Expires Decentil	er 19, 20 <u>2/</u>
2019SITEPLAN application version 3.0 2019.doc	Page 6 of 7

Page 6 of 7



Instrument Number: 2003-00033221

As

Recorded On: October 29, 2003

D01 - Deed

Parties: SCHILKE RAYMOND D III

SCHILKE RAYMOND DIII

Billable Pages:

3

Recorded By: HUDSON VALLEY ABSTRACT

Num Of Pages:

3

Comment: NEW PALTZ TOWN

** Examined and Charged as Follows: **

D01 - Deed

34.00

RP5217

50.00 Tax Affidavit TP 584 5.00

Recording Charge:

89.00

Consideration

Amount

Amount RS#/CS#

0.00

Tax-Transfer

0.00 1986

Basic

Special Additional

0.00

Additional

0.00 Transfer

0.00

Tax Charge:

0.00

0.00

** THIS PAGE IS PART OF THE INSTRUMENT **

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Ulster County,

File Information:

Document Number: 2003-00033221

Record and Return To:

DISTASI MORIELLO & MURPHY PC

Receipt Number: 90675

PO BOX 915

Recorded Date/Time: October 29, 2003 02:34P

HIGHLAND NY 12528

Book-Vol/Pg: Bk-D VI-3759 Pg-286



This Indenture,

257887R . Two Thousand The

2714

day of

Estimen RAYMOND D. SCHILKE, III and APRILLE SAWTOLA-SCHILKE, husband and wife, residing at 48 So. Obioville Road, New Paltz, New York 12561

part ies

of the first part, and

RAYMOND D. SCHILKE, III, presently residing at 60 Jansen Road, New Paltz, New York 12561

Witnesseth that the parties

of the first part, in consideration of _____

Dollar (\$ 1.00---

lawful money of the United States, paid by the part ies of the second part, do party of the second part,

hereby grant and release unto the

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate in the Town of New Paltz, County of Ulster, State of New York, being more accurately bounded and described as follows:

BEGINNING at a point along the Southwesterly line of Jansen Road, said point being the Easterly most corner of the herein described parcel, said point also being the Northerly most corner of lands now or formerly Hallenbeck, Liber 1456, Page 709, running thence along said lands now or formerly Hallenbeck, South 40°-11'-05" West 364.00 feet, thence along lands now or formerly Tompkins, Liber 1409 Page 473, the following two (2) courses and distances:

- 1. South 41°-58'-05" West 364.00 feet;
- 2. South 55°-14'-27" East 240.00 feet;

thence along lands now or formerly Balantzian, Liber 1691 Page 86, South 39°-11'-53" West 857.93 feet; thence along lands now or formerly Matter, Liber 1527 Page 669, the following two (2) courses and distances:

- 1. North 49°-14'-07" West 572.12 feet;
- 2. North 49°-34'-27" West 355.29 feet;

thence along lands now or formerly Sarafian, Liber 1212 Page 40, the following three (3) courses and distances:

- 1. North 26°-50'-01" East 654,06 feet;
- 2. North 58°-09-59" West 531.30 feet;
- 3. North 37°-20'-01" East 1019.87 feet;

thence along the said Southwesterly line of Jansen Road the following six (6) courses and distances:

- 1. South 46°-01'-31" East 213.60 feet;
- 2. South 41°-54'-40" East 148.95 feet;
- 3. South 40°-24'-47" East 221.46 feet;
- 4. South 45°-19'-20" East 138.45 feet;
- 5. South 53°-34'-49" East 226.54 feet;

6. South 55°-14'-30" East 471.33 feet

to the point or place of beginning and containing 44.66 acres of land more or less as surveyed by Daniel P. Yanosh, L.L.S.

BEING the same premises conveyed in a deed, dated January 26, 2000, from Carol Barbara Tompkins to Raymond D. Schilke, III and Aprille Santola-Schilke, husband and wife, said deed recorded in the Ulster County Clerk's Office in Liber 3010 of Deeds at Page 0059.

HECKED

ENTERE

MARKIOFF

And the part les of the first part covenant that they have not done or suffered anything whereby the said premises have been incumbered in any way whatever.

And That, in Compliance with Sec. 13 of the Lien Law, the grantors will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Milineas Alberral, the parties of the first part have and seal s the day and year first above written. hereunto set their hands

In Presence of

State of New York County of VLSTER

October 0294, 2003 personally appeared

before me, the undersigned,

RAYMOND, D., SCHILKE, III personally known to me or proved to me on the basis of satisfactory evidence to be the individualist whose name(s) is taxe) subscribed to the within instrument and acknowledged to me that helsholthous executed the same in his hardisest capacity (ies), and that by his horthous signatures on the instrument, the individual(s) or the person upon behalf of which the individual(s) actor. executed the instrument.

State of New Hork County of ULSTER

2003

before me, the undersigned,

On Or 70052 personally appeared APRILLE SANTOLA-SCHILKE

personally known to me or proved to me on the basis of satisfactory evidence to be the individ-ual(s) whose name(s) is (axe) subscribed to the within instrument and acknowledged to me that basisher the executed the same indistributed capacity (tes), and that by his her this existing active (s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Bruce D. Biatchiy Notery Public, State of NY Qualified in Ulster County Commission Expires 1750/07 (Egrature and office of individual taking acknowledgment)

Covenant Against Grantor with Lien Covenant

and husband 2003 III D. SCHILKE, III SANTOLA-SCHILKE SCHILKE. Ė RAYMOND D. APRILLE S. and wife, RAYMOND

Record and Return to: DI STASI, HORIELLO AND MURPHY, P.O. BOX 915 Highland, New York 12528

TOWN OF NEW PALTZ SECTION 809 OF THE GENERAL MUNICIPAL LAW PROVIDES AS FOLLOWS:

- 1. The person, partnership or association (hereinafter the "Applicant") making an application, petition or request for a variance, zoning amendment, change of zoning, approval of a plat, exemption from a plat or official map, or any other municipal license, approval, or permit pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality, shall state the name, address and the nature and extent of the interest of (1) any state officer or (2) any officer or employee of such municipality, or of a municipality of which such municipality is a part, in to the extent it is known to the Applicant.
- 2. For the purpose of this section, an officer or employee shall be deemed to have an interest in the Applicant when he/she, his/her spouse, or his/her brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
 - a. is the Applicant, or
 - b. is an officer, director, partner or employee of the Applicant, or
- c. legally or beneficially owns or controls stock of a corporate Applicant or is a member of a partnership or association Applicant, or
- d. is a party to an agreement with such an Applicant, express or implied, whereby (he/she) may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
 - 3. A person who knowingly and intentionally violates this section is guilty of a misdemeanor.

In connection with the annexed application, petition, or request, the undersigned hereby states, pursuant to the provision of Section 809 of the General Municipal Law, the name, residence and the nature and extent of the interest of any state officer or employee of the Town/Village of New Paltz and/or the County of Ulster, in the person, partnership or association making the application, petition or request (the Applicant).

	[] None [] Names: Address: Ro	elationship or interest (financial or otherwise)
This disclosu request made by the u	re addendum statement is anne indersigned applicant to the fol	xed to and made a part of the petition, application and lowing Board of Officer or Political Subdivision of the
	Town/Village Board Zoning Board of Appeals Building Inspector	Planning Board Zoning Enforcement officer Other
Dated: 1/1/20		Applicant Signature
Sworn to before me the 7 day of January . 2	NOTARY PUBLIC	L. XAVIER
Notary Public - State	Qualified In V	IXA6136274 Vestchester County n Expires 01-09-2022

OWNER'S AFFIDAVIT

The undersigned	states e	ind dec	lare(s) that:
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1. I am the owner of property ("the Prop Street address: 60 Janese Tax Map S/B/L: 66.4-	erty") located at en Road, New Paltz 2-16
2. I have attached a copy of the deed giv Book 3759 Page 286	ing me a fee title interest in the Property, which is recorded in the Office of the Ulster County Clerk at
3. I am making, or if I am not the application to the Town of New Paltz for will, if granted, benefit the Property.	ant, have agreed and consented to allow to make, an land use approval(s) from the Town of New Paltz Planning Board and/or Zoning Board of Appeals that
4. I have the legal right to make or autho	rize the making of said application.
5. To the best of my knowledge and believe	ef, the statements made in that application are true and correct.
6. I hereby authorize application(s).	to act as my representative in all matters regarding said
the purpose of conducting inspections and permission in writing, but that such revoc	nning Board and its authorized representatives to enter upon the Property, at all reasonable times, for decoming familiar with site conditions. I acknowledge and agree that I may revoke this grant of ation will constitute an immediate withdrawal of my land use applications and no further action will be submitted to, and accepted by, the Town Building Department
and the property owner are jointly and ser	n of New Paitz may incur substantial costs in review of any land use application, and that the applicant verally responsible for the payment of all application fees, application review fees, and inspection fees of this application, including all reasonable engineering, legal and consultant review fees and related and proper review of this application, including environmental review fees.
for those fees, costs, or other expenses, in	Town will endeavor to have the person or entity who made the land application reimburse the Town the event that they are not promptly paid, the owner is responsible if they are not promptly paid by the id by the owner, the Town Board may determine that the fees, costs, or other expenses paid by the Town sed shall be assessed, levied and collected as provided in Article VIII of Chapter 127 of the Town operty in the same manner as a Town tax.
10. Under penalty of perjury I/we declare	that I/we have examined this affidavit and that it is true and correct.
Date: 1/1/20	
	and the state of t
	Applicant/Owner Applicant/Owner
STATE OF NEW YORK) Wescense (1883) COUNTY OF ULSTER)	
T 3	
whose name is subscribed to the within in	before me, the undersigned, a Notary Public in and for said State, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual strument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that at, the individual or the person upon behalf of which the individual acted, executed the instrument.
2/ - 11/	VINCENT L. XAVIER
1010	NOTARY PUBLIC-STATE OF NEW YORK
Notary Public, State of New York	No. 01XA6136274
	Qualified in Westchester County My Commission Expires 01-09-2022

TOWN OF NEW PALTZ SECTION 809 OF THE GENERAL MUNICIPAL LAW PROVIDES AS FOLLOWS:

- 1. The person, parinership or association (hereinafter the "Applicant") making an application, petition or request for a variance, zoning amendment, change of zoning, approval of a plat, exemption from a plat or official map, or any other municipal license, approval, or permit pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality, shall state the name, address and the nature and extent of the interest of (1) any state officer or (2) any officer or employee of such municipality, or of a municipality of which such municipality is a part, in to the extent it is known to the Applicant.
- 2. For the purpose of this section, an officer or employee shall be deemed to have an interest in the Applicant when he/she, his/her spouse, or his/her brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
 - is the Applicant, or
 - 6. is an officer, director, partner or employee of the Applicant, or
- legally or beneficially owns or controls stock of a corporate Applicant or is a member of a partnership or association Applicant, or
- d. Is a party to an agreement with such an Applicant, express or implied, whereby (he/she) may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
 - 3. A person who knowingly and intentionally violates this section is guilty of a misdementor.

In connection with the annexed application, petition, or request, the undersigned hereby states, pursuant to the provision of Section 809 of the General Municipal Law, the name, residence and the nature and extent of the interest of any state officer or employee of the Town/Village of New Paliz and/or the County of Ulster, in

the person, partnership or association making the ap	oplication, petition or request (the Applicant),
None None Names: Address; R	elationship or interest (financial or otherwise)
This disclosure addendum statement is anne request made by the undersigned applicant to the fol Municipality:	exed to and made a part of the petition, application and llowing Board of Officer or Political Subdivision of the
Town/Village Board Zoning Board of Appeals Building Inspector	Planning Board Zoning Enforcement officer Other
Dated: 1/10/20	Kally Porman
Sworn to before me this 18th day of January, 2030.	KAREN THERESA PAUL
Varen Theresa Paul Notary Public - State of New York	Notary Public State of New York Qualified for Commission in Monroe County
TNDOCKWORMINONCULETTBRN 459266, WFD	Notary Public State of New York Qualified for Commission in Monroe County Commission Expiration Date: 10/15/2023 Registration Number: 01PAG399211

OWNER'S APPIDAVIT

The undersigned states and doclare(a) that:	and the second s
1. I am the exercise of property ("the Property") located at Sirect address: (cD Jewisen Roll) Tax Map 9/13/L: Ste 14-2-116	Tour of New Paltz
2. There aliashed a copy of the dead giving me a fee title into	erost in the Property, which is recorded in the Office of the Uister County Clork at
3. I am making, or if I am not the applicant, have agreed and application to the Town of New Paltz for land use approval(s) will, if granted, beneat the Property.	consented to allow Sny Art Sny Art on the Town of New Palls Planning Board and/or Zoning Board of Appeals th
4. I have the legal right to make or authorize the making of so	ıld application.
5. To the best of my knowledge and bullof, the statements ma	de in that application are true and correct,
6. I horeby nuthorize <u>Snyder + Snyde</u>	Lo not as my representative in all matters regarding said
the balling of contineing inspections and decoming tability (authorized representatives to enter upon the Property, at all reasonable times, for with alte conditions. I tecknowledge and agree that I may revoke this grant of an immediate withdrawal of my land use applications and no further action will be septed by, the Town Building Deputment.
THE THE PROPERTY OWNER BY SOME THE SECRETARY CONTINUES IN	nour substantial costs in review of any land use application, and that the applicant r the payment of all application fees, application review fees, and inspection fees studing all reasonable engineering, legal and consultant review fees and related this application, including environmental review fees.
applicant, and if they are not promptly poid by the owner, the	to have the person or entity who made the land application reimburse the Town to not promptly paid, the owner is responsible if they are not promptly paid by the Cown Board may deformine that the fees, costs, or after expenses paid by the Town leyicd and collected as provided in Article VIII of Chapter 127 of the Town uner as a Town ins.
10. Under penalty of porjury i/we declare that I/we have exami	ined this affidevit and that it is true and correct.
Date: 1 18 20	
Ap)	Rathy Brown diploant/Owner
STATE OF NEW YORK) MORROE COUNTY OF ULBITERY	
On January 0, 2029 before me, the unknown karthy fomfonto personally known whose name is subscribed to the within instrument and acknowled by his/her/their signature on the instrument, the individual or the	ndersigned, a Notary Public in and for said State, personally appeared to me or proved to me on the basis of satisfactory evidence to be the individual edged to me that he she/hey executed the same in his/her/their capacity, and that a person upon behalf of which the individual acted, executed the instrument.
Varen Theresa Paul	KAREN THERESA PAUL
Notary Public, State of New York	Notary Public State of New York
	Qualified for commission in Monroe County
2019SITEPLAN application version 3.0 2019.doc	Commission Expiration Date: 10/15/2023 Page 6 077
	Registration Number: 01PAG399211

STATE OF NEW YORK • DEPARTMENT OF STATE NOTARY PUBLIC IDENTIFICATION CARD

County

MONR

01F46399211

Property of the Control of the Contr 10/15/2019

PAUL KAREN THERESA

This is to certify that the bearer is a duly swom and commissioned Notary Public for the term shown as a constitutional officer of the State of New York.

A BELLO County Clerk.

ROBSANA ROSADO

Secretary of State

TOWN OF NEW PALTZ SECTION 809 OF THE GENERAL MUNICIPAL LAW PROVIDES AS FOLLOWS:

- 1. The person, partnership or association (hereinafter the "Applicant") making an application, petition or request for a variance, zoning amendment, change of zoning, approval of a plat, exemption from a plat or official map, or any other municipal license, approval, or permit pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality, shall state the name, address and the nature and extent of the interest of (1) any state officer or (2) any officer or employee of such municipality, or of a municipality of which such municipality is a part, in to the extent it is known to the Applicant.
- 2. For the purpose of this section, an officer or employee shall be deemed to have an interest in the Applicant when he/she, his/her spouse, or his/her brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
 - a. is the Applicant, or
 - b. is an officer, director, partner or employee of the Applicant, or
- c. legally or beneficially owns or controls stock of a corporate Applicant or is a member of a partnership or association Applicant, or
- d. is a party to an agreement with such an Applicant, express or implied, whereby (he/she) may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
 - 3. A person who knowingly and intentionally violates this section is guilty of a misdemeanor.

In connection with the annexed application, petition, or request, the undersigned hereby states, pursuant to the provision of Section 809 of the General Municipal Law, the name, residence and the nature and extent of the interest of any state officer or employee of the Town/Village of New Paltz and/or the County of Ulster, in the person, partnership or association making the application, petition or request (the Applicant).

[]	None Names: Address: Relationship or interest (financial or otherwise)

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board of Officer or Political Subdivision of the Municipality.

[] Town/Village Board
[≤] Zoning Board of Appeals
[] Building Inspector

Dated:

1/8/2010

Planning Board

Zoning Enforcement officer

Applicant Signature

Sworn to before me this

8 day of JANUARY, 2020

Notary Public - State of New

ALBERT TORQUATO
Notary Public, State of New York
Reg. No. 01706095989
Qualified in Ulster County

Commission Expires July 21, 20 23