

**MINUTES**

**Town of Wappinger  
Zoning Board of Appeals  
November 29, 2016  
Time: 7:00PM**

**Town Hall  
20 Middlebush Road  
Wappinger Falls, NY**

Summarized Minutes

**Members:**

Mr. Prager	Chairman	Present
Mr. Casella	Member	Present
Mr. Johnston	Member	Present
Mr. Galotti	Member	Absent
Mr. Travis	Member	Present

**Others Present:**

Mrs. Roberti    Zoning Administrator  
Mrs. Ogunti    Secretary

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**SUMMARY**

**Public Hearing:**

Steven & Jennifer Monaco	Variance granted
Toll Brothers, Inc. (Lot 129)	Variance granted
Jay & Susan Feller	Variance granted

**Discussion:**

Kelly Daniel	Public Hearing on December 13, 2016
33 Middlebush Road	Resubmit on December 13, 2016

**Mr. Casella:** **Motion to accept the Minutes of November 15, 2016.**  
**Mr. Johnston:** Second the Motion.  
**Vote:** All present voted Aye.

**Public Hearing:**

**Appeal No. 16-7601 (Variance)**

**Steven & Jennifer Monaco:** Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where **40 feet** to the rear yard property line is required, the applicant can only provide **15 feet** for the construction of a **14' x 26.5'** deck, thus requesting a variance of **25 feet**. The property is located at **64 Kent Road** and is identified as **Tax Grid No. 6258-03-493027** in the Town of Wappinger.

**Mr. Prager:** Bea, are all of the mailings in order?

**Mrs. Ogunti:** Yes, they are.

**Mr. Johnston:** **Motion to open the Public Hearing.**

**Mr. Travis:** Second the Motion.  
**Vote:** All present voted Aye.

**Mr. Prager:** Please come up and state your name for the record.

**Mr. Monaco:** Steven Monaco, 64 Kent Road in Wappingers.

**Mr. Prager:** We had a discussion a couple of weeks ago and a site inspection of the property. If you could for the record tell us what you need and why you need the variance.

**Mr. Monaco:** I had a deck a 12' x 12' deck previously that was collapsing so I took that down and now I'm looking to put a 14' x 26.5 deck.

**Mr. Prager:** I can see by the survey that the deck is not going to go any closer to the property line than the house actually is.

**Mr. Johnston:** Is the deck going to follow the concourse of your house?

**Mr. Monaco:** Correct.

**Mr. Casella:** How are the stairs going to be built?

**Mr. Monaco:** The stairs is going to go past that window.

Mr. Prager: They will be more or less parallel to that. Is there anyone in the audience who would like to speak for or against this variance?

**Mr. Johnston:** **Motion to close the Public Hearing.**  
Mr. Casella: Second the Motion.  
Vote: All present voted Aye.

**Mr. Johnston:** **Motion to grant the applicant the variance. It is not substantial and it is not an undesirable change to the neighborhood. I don't believe it will have any adverse effects to the environment.**

Mr. Casella: Second the Motion.  
Roll Call Vote: Mr. Casella YES  
Mr. Johnston YES  
Mr. Travis YES  
Mr. Prager YES

**Appeal No. 16-7602 (Variance)**

**Toll Brothers, Inc. (Lot 129)**: Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **30 feet** to the front yard property line is required, the applicant can only provide **28.96 feet** for the construction of a new single family residence (1949 sf.), 2 bedrooms, family room, dining room, study, 2 baths, unfinished basement, 2 car attached garage, central air, rear open deck (144 sf.), front covered porch (40 sf.), thus requesting a variance of **1.04 feet**.

The property is located at **27 Farmington Road** and is identified as **Tax Grid No. 6257-02-708803** in the Town of Wappinger.

Mr. Prager: Bea, are the mailings in order?

Mrs. Ogunti: Yes, they are.

**Mr. Casella:** **Motion to open the Public Hearing.**  
Mr. Johnston: Second the Motion.  
Vote: All present voted Aye.

Mr. Prager: Good evening. Please state your name and tell us what you need and why you need this variance.

Mr. Stacy: Brian Stacey.

Mr. Prager: What's your involvement with Toll Brothers?

Mr. Stacy: I am a project manager for the site.

Mr. Prager: Please tell us a little bit about why this happened?

Mr. Stacy: We have the front left of a house with two corners and the contractor did not take into account when he got the two corners in the front. So here we are.

Mr. Prager: Are there any questions?

Mr. Casella: Motion to close the Public Hearing.

Mr. Johnston: Second the Motion.

Roll Call Vote: Mr. Casella YES  
Mr. Johnston YES  
Mr. Travis YES  
Mr. Prager YES

**Mr. Casella: Motion to grant the applicant the variance. The benefit cannot be achieved by any other feasible means and only 1 foot. It's not an undesirable change at all and it is not substantial. It is not going to have any physical or environmental effects to the area.**

Mr. Johnston: Second the Motion.

Roll Call Vote: Mr. Casella YES  
Mr. Johnston YES  
Mr. Travis YES  
Mr. Prager YES

**Appeal No. 16-7604 (Variance)**

**Jay & Susan Feller**: Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where **20 feet** to the side yard property line is required, the applicant can only provide **11.7 feet** for the construction of a **12 feet** wide carport, thus requesting a variance of **8.3 feet**.

-Where **75 feet** to the front yard property line on a county road is required, the applicant can only provide **50.1 feet** for the construction of a **12 feet** wide carport, thus requesting a variance of **24.9 feet**.

The property is located at **127 New Hackensack Road** and is identified as **Tax Grid No. 6158-02-822774** in the Town of Wappinger.

Mr. Prager: Bea, are the mailings in order?

Mrs. Ogunti: Yes, they are.

**Mr. Johnston:** **Motion to open the Public Hearing.**  
**Mr. Casella:** Second the Motion.  
**Vote:** All present voted Aye.

**Discussion:**

**Appeal No. 16-7603 (Variance)**

**Kelly Daniel:** Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where **40 feet** to the rear yard property line is required, the applicant can only provide **5 feet** for the construction of a **12' x 20'** garage, thus requesting a variance of **35 feet**.

-Where **20 feet** to the right yard property line is required, the applicant can only provide **5 feet** for the construction of a **12' x 20'** garage, thus requesting a variance of **15 feet**.

The property is located at **89 Old Hopewell Road** and is identified as **Tax Grid No. 6157-01-118594** in the Town of Wappinger.

**Appeal No. 16-7598 (Use Variance)**

**33 Middlebush Road:** Seeking use variance Section 240-37 of District Regulations in an R20/40 Zoning District.

-The applicant intends to utilize the existing 6,600 sf. commercial structure as a contractor's storage facility with accessory offices on 1.75 acres in a Residential Zoning District. The applicant intends to combine the two lots into one to extinguish the property line between parcels. The property was originally purchased with the building on it to renovate and use as a church. The building has been in existence since the 1950s.

The property is located at **33 Middlebush Road** and is identified as **Tax Grid Nos. 6157-01-414840 (.88 acres) and 6157-01-396837 (.87 acres)** in the Town of Wappinger.

Respectfully Submitted,

Adjourned: 7:50 pm

Bea Ogunti  
Secretary  
Zoning Board of Appeals