

MINUTES

**Town of Wappinger
Zoning Board of Appeals
November 26, 2019
Time: 7:00PM**

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

Summarized Minutes

Members:

Mr. Casella	Chairman	Absent
Mr. DellaCorte	Member	Present
Mr. Galotti	Member	Present
Mr. Haas	Member	Present
Mr. Shah	Member	Present

Others Present:

Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

SUMMARY

Public Hearing:

Janet Marie Wilson	Variance granted
Edward Collins	Variances granted
Fred Thomas	Variance granted
Anthony & Danielle Jennette	Variances denied

Miscellaneous:

2020 ZBA Meeting Dates	Approved
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Video of the November 26, 2019 Zoning Board of Appeals Meeting:

<https://www.youtube.com/watch?v=SxPXsLh5h6U>

Mr. Haas: **Motion to accept the Minutes from November 12, 2019.**
Mr. DellaCorte: Second the Motion.
Vote: All present voted Aye.

Public Hearing:

Appeal No. 19-7693 (Variance)

Janet Marie Wilson: Seeking an area variance Section 240-37 of the District Regulations in an R80 Zoning District.

-Where **40 feet** is required to the side yard, the applicant can provide **37'6"** for the construction of an 8' x 13' enclosed porch, thus requesting a variance of **2'6"**.

The property is located at **384 Cedar Hill Road** and is identified as **Tax Grid No.: 6256-01-271816** in the Town of Wappinger.

Present: Glenn LaDue – Applicant’s Representative.

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

Mrs. Ogunti: Yes, they are.

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

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

Mr. DellaCorte: **Motion to grant the applicant the variance. The requested variance will not create an undesirable in the character of the neighborhood. There is no substantial detriment that will be created to nearby properties. There is no other feasible means to achieve the results or benefit you are seeking other than the variance. The requested variance is not substantial and proposed variance will not have an adverse effect or impact on the physical or environmental conditions to the neighborhood. The allege difficulty is not self-created.**

Mr. Shah: Second the Motion.
Roll Call Vote: Mr. Shah YES
Mr. DellaCorte YES
Mr. Haas YES
Mr. Galotti YES

Appeal No. 19-7691 (Variance)

Edward Collins: Seeking an area variance Section 240-37 of the District Regulations in an R40/80 Zoning District.

-Where **50 feet** is required to the rear yard, the applicant can provide **2 feet** for the legalization of a garage, thus requesting a variance of **48 feet**.

-Where **40 feet** is required to the side yard, the applicant can provide **4.6 feet** for the legalization of a garage, thus requesting a variance of **35.4 feet**.

-Where **40 feet** is required to the side yard, the applicant can provide **38.6 feet** for the legalization of a sunroom, thus requesting a variance of **1.4 feet**.

-Where **50 feet** is required to the front yard, the applicant can provide **25.1 feet** for the legalization of a three season room, thus requesting a variance of **24.9 feet**.

The property is located at **2 Hamilton Road** and is identified as **Tax Grid No.: 6157-01-032872** in the Town of Wappinger.

Present: Edward Collins – Applicant

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

Mrs. Ogunti: Yes, they are.

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

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

Mr. Haas: **Motion to grant the applicant the variances. The benefit cannot be achieved by any other feasible means. There is no undesirable change to the neighborhood. I don't believe the request is substantial and this will not have any environmental or physical effects. The alleged difficulty is not self-created.**

Mr. DellaCorte: Second the Motion.
Roll Call Vote:

Mr. Shah	YES
Mr. DellaCorte	YES
Mr. Haas	YES
Mr. Galotti	YES

Appeal No. 19-7692 (Variance)

Fred Thomas: Seeking an area variance Section 240-57-A (i) (a) of the District Regulations in an R20/40 Zoning District.

-Where **50 percent** of house footprint of **2,034 square feet** % 2 = **1,017 square feet** is required, the applicant can provide 2 arrays totaling **1,252.78 square feet** for the installation of ground solar array, thus requesting a variance of **235.78 square feet**. The property is located at **197 Riverview Drive** and is identified as **Tax Grid No. 6256-02-772840** in the Town of Wappinger.

Present: Bob Hamill – Applicant's Representative

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

Mrs. Ogunti: Yes, they are.

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

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

Mr. DellaCorte: Motion to grant the applicant the variance. I don't believe this will produce an undesirable change in the character of the neighborhood. There will be no substantial detriment to nearby properties. There is no other feasible means available to pursue the objective. The requested variance is not substantial and it will not have an adverse effect or impact on the physical or environmental conditions to the neighborhood or district. The allege difficulty is self-created.

Mr. Haas: Second the Motion.
Roll Call Vote: Mr. Shah YES
Mr. DellaCorte YES
Mr. Haas YES
Mr. Galotti YES

Appeal No. 19-7690 (Variance)

Anthony & Danielle Jennette: Seeking an area variance Sections 240-37 and 240-30B of District Regulations in an R40 Zoning District.

-Where no more than two accessory buildings shall be permitted in any 1-family residential district. No such accessory building shall have a footprint greater than 600 square feet nor a height in excess of 20 feet. The applicant is proposing a 24' x 36' feet 3-car garage (864 sf.), thus requesting a variance of 264 square feet.

-Where no more than two accessory buildings shall be permitted in any 1-family residential district. No such accessory building shall have a footprint greater than 600 square feet nor a height in excess of 20 feet. The applicant can provide 22 feet in height for the construction of a 3-car garage, thus requesting a variance for 2 feet.

-Where **50 feet** is required to the front yard, the applicant can provide **32 feet** for the construction of a 3-car garage, thus requesting a variance of **18 feet**.

-Where no accessory structure is permitted in the front yard, the applicant is requesting a variance to allow for the construction of a 3-car garage in the front yard.

The property is located at **29 Vandewater Drive** and is identified as **Tax Grid No.: 6259-04-757238** in the Town of Wappinger.

Present: Anthony Jennette – Applicant

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

Mrs. Ogunti: Yes, they are.

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

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

Mr. Haas: **Motion to deny the applicant the variances. Some of the benefits can be achieved by other means. It will be an undesirable change in the character of the neighborhood and the request is very substantial. It will have adverse physical effects on the neighborhood and the difficulty is self-created.**

Mr. Shah: Second the Motion.
Roll Call Vote: Mr. Shah YES TO DENY
Mr. DellaCorte YES TO DENY
Mr. Haas YES TO DENY
Mr. Galotti YES TO DENY

Miscellaneous:

2020 ZBA Meeting Dates

Mr. DellaCorte: **Motion to approve the 2020 ZBA Meeting Dates.**
Mr. Shah: Second the Motion.
Vote: All present voted Aye.

Mr. DellaCorte: **Motion to adjourn.**
Mr. Haas: Second the Motion.
Vote: All present voted Aye.

Respectfully Submitted,

Adjourned: 7:49 pm

Bea Ogunti
Secretary
Zoning Board of Appeals