

MINUTES

**Town of Wappinger
Zoning Board of Appeals
July 10, 2018
Time: 7:00PM**

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

Summarized Minutes

Members:

Mr. Prager	Chairman	Present
Mr. Casella	Co-Chair	Absent
Tom DellaCorte	Member	Present
Mr. Bob Haas	Member	Present
Mr. Galotti	Member	Present

Others Present:

Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

SUMMARY

Discussion:

Patricia Campbell

Public Hearing deferred to a future date pending further information from the Zoning Administrator.

Mr. DellaCorte: **Motion to accept the Minutes from June 26, 2018.**
Mr. Haas: Second the Motion.
Vote: All present voted Aye.

Discussion:

Appeal No. 18-7647 (Area Variance)

Patricia Campbell: Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where **20,000 square feet** is required, the applicant can only provide **16,963 square feet** for the creation of a new lot, thus requesting a variance of **3,037 square feet**.

The property is located at **114 New Hamburg Road** and is identified as **Tax Grid No. 6057-02-996645** in the Town of Wappinger.

Mr. Prager: Good evening.

Mr. Lynch: Good evening, Dennis Lynch from M.A. Day Engineering for the applicant. We were before the board last month at that time we were asking for a 2 feet variance for the proposed lot is 39,908 square feet. At that meeting Jim Horan brought up that New Hamburg is still a turnpike of 66 feet as opposed to 50 feet right-of-way that's typically shown. We were able to revise the plans to take this area out of the equation so we are providing 20,000 square feet for the proposed lot and now the 16,963 square feet for the proposed lot.

Mr. Prager: Is that the new map?

Mr. Lynch: Yes, and you don't have a copy of this which I can bring it to Town Hall this week.

Mrs. Roberti: Dennis, doesn't the original lot have to be the one that holds on to the square footage?

Mr. Lynch: Typically we try to do that but because of this whole right-of-way, this lot would have to get a lot smaller since we have this flag lot over here it will take a lot more space.

Mrs. Roberti: I will have to look because I don't have the subdivision regulations with me but when you are subdividing I think the original house has to have everything conforming to create the second lot. You can't get what you need on Lot 2?

- Mr. Haas: Won't it reverse the numbers?
- Mr. Lynch: Yes it would reverse the numbers but the way this lot is configured with the 50 feet going back it makes it a very odd shaped lot
- Mr. Lynch: We would have to take the smaller lot to make it a fairly reasonable lot. It will just make this lot a lot smaller since we have this flag lot come here.
- Mrs. Roberti: Can it still get all the setbacks?
- Mr. Lynch: It would probably be tight. We would probably need two more variances at least.
- Conversation continues.
- Mr. Prager: So what are we getting the variance for then?
- Mr. Lynch: It would be the square footage.
- Mr. Prager: So it would be for Lot 1 instead of Lot 2.
- Mr. Lynch: This lot is the smaller one so I think we have to get more setbacks to the side. I'm not aware of the code but I know we tried to keep it with the original lot. In this case it would be better if we keep it with the proposed lot.
- Mr. Haas: What's the square footage on that lot?
- Mr. Lynch: Right now 16,963 square feet.
- Mr. Haas: Almost 20%.
- Mr. Lynch: That's because almost 3,000 square feet was taken from the lot because it's considered the right-of-way. If this was the lot line here it would only be the 2 square feet.
- Mr. Prager: Is there a building on Lot 1?
- Mr. Lynch: Correct.
- Mrs. Roberti: I read that somewhere but right now I cannot find it. I can look this up if we have to and they can submit new plans and we can look at them between that.
- Mr. Prager: So they are going to make new plans and you are going to look up the information?
- Mrs. Roberti: Yes.

Mr. Prager: I will now entertain a motion to defer the public hearing until we get some more information.

Mr. DellaCorte: Motion to defer the Public Hearing to a future date pending further information from the zoning administrator.

Mr. Haas: Second the Motion.

Vote: All present voted Aye.

Mr. Prager: Mrs. Roberti, what information will you be checking?

Mrs. Roberti: I'm going to check to make sure he can reduce the original lot and take the variance on the first lot. It's always been to get a second lot you keep everything on the first lot because if you couldn't keep the first lot you wouldn't be able to subdivide.

Mr. Lynch: If we had to do that we would have to move this whole thing over or be very close to the setback.

Mrs. Roberti: Right. If I'm correct and I could be wrong you are going to have to.

Mr. Lynch: Would it be better to have one variance on the original one as opposed to two?

Mrs. Roberti: That's why I want to look it up because if it's the code you may not have a choice. If it's something that's up to interpretation and you can ask for the different variances. At this point I would like clarification on that. I really thought you reduced the lot you were trying to create. I will verify that tomorrow with David Stolman and Jim Horan.

Mr. Haas: It is also a very large variance on an R20 lot. It's 15% of the lot size.

Mr. Lynch: It is.

Mr. Prager: Bea, so you don't get confused we are just postponing the public hearing to a future date. Mrs. Roberti will check with Mr. Horan and Mr. Stolman.

Mrs. Roberti: I will try to get some information by Thursday and I will copy everyone on it.

Mr. Galotti:
Mr. Haas:
Vote:

Motion to adjourn.
Second the Motion.
All present voted Aye.

Respectfully Submitted,

Adjourned: 7:13 pm

Bea Ogunti
Secretary
Zoning Board of Appeals