

MINUTES

**Town of Wappinger
Zoning Board of Appeals
October 9, 2018
Time: 7:00PM**

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

Summarized Minutes

Members:

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

Others Present:

Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

SUMMARY

Discussion:

Todd & Lori Mikus	Public Hearing on October 23, 2018 Site Visit on October 13, 2018
Richard & Jennifer Kozak	Public Hearing on October 23, 2018 Site Visit on October 13, 2018
Thomas Polchinski, Jr. & Dianna Cotter	Public Hearing on October 23, 2018 Site Visit on October 13, 2018

Mr. Galotti: **Motion to accept the Minutes as amended from September 25, 2018.**
Mr. Haas: Second the Motion.
Vote: All present voted Aye.

Discussion:

Appeal No. 18-7657 (Variance)

Todd & Lori Mikus: Seeking an area variance Section 240-37 of the District Regulations in an R40 Zoning District.

-Where **25 feet** to the side is required, the applicant can only provide **8 feet** for the installation of a 21 feet round above ground pool and deck, thus requesting a variance of **17 feet**.

The Property is located at **33 Vandewater Drive** and is identified as **Tax Grid No. 6259-04-774257** in the Town of Wappinger.

Mr. Prager: Hi there, you might want to get a little closer because we have a recorder here. Please state your name for the record.

Mr. Mikus: Todd Mikus I am here with my wife Lori Mikus.

Mr. Prager: Tell us a little bit of what you need.

Mr. Mikus: I assume you are going to see the property at some point.

Mr. Prager: We are going to do a site inspection.

Mr. Mikus: If you look at the plot plan you will see that the elevations of the house and the property are just one big hill. It slopes from Corbin Street all the way down to the bottom. It's the corner house at Corbin Street and Vandewater Drive.

Mr. Prager: I know what house that is.

Mr. Mikus: It's one big hill. The house is built into a hill and the only reasonable flat spot on the property where I can build a pool is about 60 feet from the house at the bottom of the hill under a tree. That's not going to work. The only reasonable place to put it is along the sideline between my house and the neighbor.

Mr. Mikus shows to the board where the proposed pool will be located on the survey map.

Mr. Prager: We will do a site inspection this Saturday. Tom, you say you cannot make this Saturday?

Mr. DellaCorte: I can't make this Saturday.

Mr. Prager: Are you around during the day. Will anybody be there? Is it okay if we went on the property?

Mr. Mikus: Absolutely. Even if there's nobody home. My little dog will bark at you from the deck.

Mr. Prager: I will schedule a site inspection this Saturday at 9:00am so I don't know if you are going to be around or not.

Mr. Mikus: I'll make sure that I am.

Mr. DellaCorte: Is it marked up?

Mr. Mikus: I can stake it out if it makes it easier for you.

Mr. Prager: Definitely mark where the deck and the pool will go on that side.

Mr. Mikus: No problem. I will mark that very clearly.

Mr. DellaCorte: This is for the deck and the pool? The decking you already have.

Mr. Mikus: Right. I am going to extend the current deck to wrap around the pool that way I can provide the proper railings. It meets all of the building code requirements.

Mr. Prager: Sounds good. Are there any other questions?

Mr. DellaCorte: Are you doing it yourself?

Mr. Mikus: I'm doing the deck myself but the pool install is being done by R&R and I think I provided their information with the building permit application. If not, I have them and can provide them at any time.

Mr. DellaCorte: I just wanted to know because I'll be coming on my own.

Mr. Mikus: Are you coming the same day?

Mr. DellaCorte: I don't know. It might not be.

Mr. Mikus: Will it be before Saturday so I know when to mark it.

Mr. DellaCorte: No, it won't be before Saturday.

Mr. Mikus: Okay so I'll make sure it's marked before Saturday.

Mr. Prager: We will set the public hearing for October 23rd.

Mr. Mikus: In the interim I have to notify the neighbors?

Mr. Prager: Yes, you will have some homework.

Mikus: Bea is going to give me homework?

Mr. Prager: Yes.

Mr. Mikus: Thank you folks.

Appeal No. 18-7658 (Variance)

Richard & Jennifer Kozak: Seeking an area variance Section 240-37 of the District Regulations in an R40 Zoning District.

-Where accessory structures must comply with all minimum yard setback requirements for buildings, but in no case shall they be permitted in the front yard, the applicant is requesting a variance for the legalization of a 12' x 14' storage shed in the front yard. The property is located at **20 Ketchamtown Road** and is identified as **Tax Grid No. 6157-03-012431** in the Town of Wappinger.

Mr. Prager: Hi there. Come on up. Please state your name for the record.

Mr. Kozak: Richard Kozak, 20 Ketchamtown Road. I am looking for a variance for a 12' x 14' shed and I am 3.5 acres off Ketchamtown Road. I have a big turnaround on my driveway in the middle of the woods. I'm surrounded by woods and I have a small backyard and there's a pool in the middle and there's nowhere else to put it. I thought this was the most practical place to put it and you won't even see it.

Mr. DellaCorte: So it's already there?

Mr. Kozak: Unfortunately, it is still there. I am in the process of legalizing it. I also got a permit and I am at the variance stage of it. It was installed in February of 2018. I got the deck installed and I was getting ready to install the pool and they said you need to open up a permit on this.

Mr. Prager: Is it like a premade shed?

Mr. Kozak: It is a premade shed. It matches the siding and shuttles of my existing house.

Mr. DellaCorte: Where did you buy it?

Mr. Kozak: Lancaster, Pennsylvania. I submitted pictures with my variance application.

Mr. Haas: So the variance says it's in the front yard. Is that the only variance in the front yard and it's 300 feet from the road?

Mr. Kozak: Yes.

Mr. DellaCorte: It's movable?

Mr. Kozak: Yes because it's sitting on 2' x 6' quarter inch gravel. It's not a permanent structure. It's a couple of hundred feet from the road and my property.

Mr. Prager: We will schedule a public hearing for the next meeting which is October 23rd and a site inspection on Saturday after the first inspection that morning. Maybe not, so let's go to Gold Road first then Vandewater second.

Mr. Kozak: I will try to be there. I coach my son's football team and we are usually at practice early Saturday morning.

Mr. Prager: The shed is there so we will see it.

Mr. DellaCorte: Again, the same thing with me as the other gentleman.

Mr. Kozak: Okay. Feel free anytime you want the property is open so come and look at everything.

Mr. DellaCorte: I'm in Chelsea.

Mr. Kozak: Okay, that's close. I actually don't have any pets so you don't have to worry about that.

Mr. Prager: Bea has some paperwork for you.

Mr. Kozak: Okay.

Appeal No. 18-7659 (Variance)

Thomas Polchinski, Jr. and Dianna Cotter: Seeking an area variance Section 240-37 of the District Regulations in an R40 Zoning District.

-Where **50 feet** to the front is required, the applicant can only provide **43 feet** for the construction of a 30' x 8' front porch with stoop, thus requesting a variance of **7 feet**. The Property is located at **21 Gold Road** and is identified as **Tax Grid No. 6258-02-883503** in the Town of Wappinger.

Mr. Prager: Hi there. Please state your name for the record.

Mr. Polchinski: Thomas Polchinski, Jr., 21 Gold Road.

Mr. Prager: Tell us a little bit about why you need this.

Mr. Polchinski: We are replacing our front steps. Right now it is starting to deteriorate so we decided we want to do a wood porch in the front. My current steps would probably be 3 feet from where it will be now. The steps won't exceed past my current concrete walk that I have and it will still be landing right on the walk. There is an existing little porch but it's non-existing and the steps are narrow anyway. We just want to widen it a little bit.

Mr. Casella: Any of your neighbors have similar structure?

Mr. Polchinski: A couple of people on Brothers Road do and a few people on Gold Road but not many.

Mr. Casella: Okay, are you going to have a roof over it?

Mr. Polchinski: I have an existing overhang but it is not going to be supported. Pretty much just my roof and it will just be a standalone deck.

Mr. DellaCorte: Are you building it yourself?

Mr. Polchinski: Yes.

- Mr. DellaCorte: Do you have a plan of how it is going to look?
- Mr. Polchinski: No, I've done it before. I'm from Yonkers and I've done it on my parent's house. I have an idea of what I'm going to do.
- Mr. Prager: Do you have a drawing of it?
- Mr. Polchinski: Not an aerial drawing but this is what it's going to look like. It's not expensive.
- Mr. Polchinski demonstrates from the drawing what the porch will look like.
- Mr. Casella: Could you have it marked up so we can see what you are talking about.
- Mr. Prager: Bea, do you have a copy of this drawing by any chance?
- Mrs. Ogunti: Which one?
- Mrs. Roberti: It should be in the building file.
- Mr. Polchinski: As you can see my house is already at 49 feet going forward.
- Mr. DellaCorte: So you are not going to extend past the house?
- Mr. Polchinski: It's going to go a little past the house.
- Ms. Cotter: It's going to go 3 feet.
- Mr. Prager: Are you going to be there on Saturday?
- Mr. Polchinski: I'll be home. I am going to have my footings staked out.
- Mr. Galotti: We just need the footprint.
- Mr. Haas: I'm a little confused. Isn't the front setback 35 feet?
- Mrs. Roberti: No, different zones have different setbacks. It's just 50 feet.
- Mr. Haas: I hate to say this but is it a front yard variance?
- Mrs. Roberti: No, it's attached to a house.

Mr. Haas: Okay.

Mr. Prager: We will make the public hearing for October 23rd and the site inspection for Saturday.

Ms. Cotter: Do you want to have either of our cell phones?

Mr. DellaCorte: Yes.

Ms. Cotter: Thank you so much.

Mr. Casella: **Motion to adjourn.**
Mr. Galotti: Second the Motion.
Vote: All present voted Aye.

Respectfully Submitted,

Adjourned: 7:21 pm

Bea Ogunti
Secretary
Zoning Board of Appeals