

AGENDA amended on May 28, 2019

Town of Wappinger Zoning Board of Appeals
MEETING DATE: May 28, 2019
TIME: 7:00 PM

Town Hall
20 Middlebush Road
Wappinger Falls, NY

Acceptance of the Minutes from April 9, 2019

Adjourned Public Hearing:

Appeal No. 19-7670 (Variance)

NERP Holding Tractor Supply Company & Retail Store: Seeking an area variance Sections 240-96(F) and 240-97(B) of the District Regulations in an HB Zoning District.

-Where it is required that undeveloped parking area be maintained as additional landscaped area, the applicant can provide banked parking area to be asphalt, thus requesting a variance of landscaping requirement to allow undeveloped parking area to be used as fenced outdoor display area.

-Where **128 parking spaces** are required, the applicant can provide **77 parking spaces**, thus requesting a reduction of spaces under 240-96(F) to allow for a reduction of **51 spaces**.

The property is located on **Route 9** and is identified as **Tax Grid No. 6157-04-539374** in the Town of Wappinger.

Public Hearing:

Appeal No. 19-7669 (Variance)

Louis & Debra Camacho: Seeking an area variance Section 240-37 of the District Regulations in an R20 Zoning District.

-Where **20 feet** is required to the side property line, the applicant can provide **17' 4" feet** for the construction of a 26' x 26' garage, thus requesting a variance of **2' 8" 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 is proposing a 26' x 26' feet garage (676 sf.), thus requesting a variance of 76 square feet.

-Where **75 feet** is required from a County Road, the applicant can provide **67' 0" feet** for the construction of a 26' x 26' garage, thus requesting a variance of **8' 0" feet**.

-Where **75 feet** is required from a County Road, the applicant can provide **53' 4" feet** for the construction of a front porch on an existing house, thus requesting a variance of **21' 8" feet**.

The property is located at **49 Myers Corners Road** and is identified as **Tax Grid No. 6157-02-884982** in the Town of Wappinger.

Discussion:

Appeal No. 19-7675 (Variance)

Joan D. Sanford: Seeking an area variance Section 240-30B of the District Regulations in an R40 Zoning District.

-Where **no more than two accessory structures shall be permitted in any 1-Family Residence District. The applicant has three (3 existing) structures and is proposing to allow for the construction of a new 10'x16' shed, thus requesting a variance to allow all four (4) structures to remain.**

The property is located at **131 Ketchamtown Road** and is identified as **Tax Grid No. 6157-03-294263** in the Town of Wappinger.

Appeal No. 19-7674 (Variance)

Claudia Levesque & Joseph Shaffer: Seeking an area variance Section 240-37 of the District Regulations in an R40 Zoning District.

-Where **No accessory structure is permitted in the front yard, the applicant is seeking a variance to allow for an 18' above ground pool and deck to be placed in their front yard.**

The property is located at **188 Osborne Hill Road** and is identified as **Tax Grid No. 6156-01-418560** in the Town of Wappinger.

Appeal No. 19-7676 (Variance)

Nicole & Travis Clarke: Seeking an area variance Section 240-37 of the District Regulations in an R20 Zoning District.

-Where **35 feet** is required to the front lot line, the applicant can provide **30 feet**, thus requesting a variance of **5 feet** for the construction of an 8' x 5' front porch.

The property is located at **47 Robert Lane** and is identified as **Tax Grid No. 6158-04-920143** in the Town of Wappinger.

Appeal No. 19-7677 (Variance)

Kevin & Lynne Anstee: Seeking an area variance Section 240-37 of the District Regulations in the R20/40 Zoning District.

-Where **10 feet** to the side property line is required, the applicant can provide **4 feet**, thus requesting a variance of **6 feet** for the legalization of an existing shed.

The property is located at **7 Heather Court** and is identified as **Tax Grid No. 6256-02-605769** in the Town of Wappinger.

Appeal No. 19-7679 (Variance)

Donald F. Ross: Seeking an area variance Section 240-37 of the District Regulations in the R20 Zoning District.

-Where **20 feet** to the side yard property line is required, the applicant can provide **14.7 feet**, thus requesting a variance of **5.3 feet** for two (2) existing decks.

-Where **20 feet** to the side yard property line is required, the applicant can provide **17 feet**, thus requesting a variance of **3 feet** for a new 10' x 24' deck.

The property is located at **50 Top O Hill Road** and is identified as **Tax Grid No. 6359-03-004014** in the Town of Wappinger.

Appeal No. 19-7672 (Interpretation)

E & C Espicoz Properties:

Seeking an Interpretation of Section 240-107(B) of the District Zoning Regulations in an R20 Zoning District. The applicant is seeking an interpretation of the Zoning Board of Appeals decision of a Use Variance dated December 27, 2017 M & C of Dutchess, Inc., Application No. 18-7637 for the ability to expand the present approved use under the Use Variance received for the site on December 27, 2017. This Use Variance was granted to utilize the existing 2,500 sf. commercial structure built in 1950 as a contractor's shop and storage in a Residential Zoning District with no anticipated change to the site.

The property is located at **20 MacFarland Road** and is identified as **Tax Grid No. 6157-04-720271** in the Town of Wappinger. (Badey & Watson)

Appeal No. 19-7678 (Variance)

Red Cedar Arborist & Landscapers, Inc.: Seeking an area variance Section 240-37 and 240-30B of the District Regulations in the HB Zoning District.

-Where **75 feet** to a State or County Road is required, the applicant can provide **42 feet**, thus requesting a variance of **33 feet** for an existing barn and new arbor.

-Where **no accessory building height in excess of 20 feet, the applicant can provide 25 feet height (existing), thus requesting a variance of 5 feet to legalize existing height on non-conforming barn.**

-Where **20 feet** to the side yard property line is required, the applicant can provide **8 feet**, thus requesting a variance of **12 feet** to allow building on right side of the property.

The property is located at **185 New Hackensack Road** and is identified as **Tax Grid No. 6158-02-999951** in the Town of Wappinger.