TOWN OF WAPPINGER
P.O. BOX 324 ~ 20 MIDDLEBUSH ROAD
WAPPINGERS FALLS, NY 12590

Zoning Board of Appeals
Office: 845.297.1373 ~ Fax: 845.297.4558
Zoning Enforcement Officer
Office: 845.297.6257
www.townofwappinger.us

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AUG 21 2020
BUILDING DEPARTMENT
TOWN OF WAPPINGER

Application for an Area Variance

Appeal # 20-7708 Dated: 8/20/20

TO THE ZONING BOARD OF APPEALS, TOWN OF WAPPINGER, NEW YORK:

I(We), ROGER M. EDDY residing at 109 CIDER MILL LOOP, WAPPINGERS FALLS, NY, 845-297-7799 (phone), hereby appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator, dated 8/14, 2020, and do hereby apply for an area variance(s).

Premises located at 109 CIDER MILL LOOP
Tax Grid # 6258-04-729138
Zoning District R20

1. **Record Owner of Property** ROGER M. EDDY, MARY E. EDDY
   Address 109 CIDER MILL LOOP
   Phone Number 845-297-7799
   Owner Consent: Dated: _____
   Signature: Roger M. Eddy
   Printed: ROGER M. EDDY

2. **Variance(s) Request:**

Variance No. 1
I(We) hereby apply to the Zoning Board of Appeals for a variance(s) of the following requirements of the Zoning Code.

SECTION 240-37
(Indicate Article, Section, Subsection and Paragraph)
Required: SIDE YARD (RIGHT) 20 FT
Applicant(s) can provide: 17.5 FT
Thus requesting: 2.5 FT
To allow: CONSTRUTION OF SUNROOM

Variance No. 2
I(We) hereby apply to the Zoning Board of Appeals for a variance(s) of the following requirements of the Zoning Code.

(Indicate Article, Section, Subsection and Paragraph)

Required:
Applicant(s) can provide:
Thus requesting:
To allow:

3. **Reason For Appeal** *(Please substantiate the request by answering the following questions in detail. Use extra sheet, if necessary):*

A. If your variance(s) is(are) granted, how will the character of the neighborhood or nearby properties change? Will any of those changes be negative? Please explain your answer in detail.

NO NEGATIVE CHARACTER CHANGES

B. Please explain why you need the variance(s). Is there any way to reach the same result without a variance(s)? Please be specific in your answer.

THE PROPERTY NARROWS GOING TO THE REAR. THE 12 FT DEPTH OF THE SUNROOM REDUCES THE SIDE TO THE PROPERTY LINE TO 17.5 FT

C. How big is the change from the standards set out in the zoning law? Is the requested area variance(s) substantial? If not, please explain, in detail, why it is not substantial.

THIS IS NOT A BIG CHANGE AS THE SAME PLACE SPACE IS NOW A PAVING BLOCK PATIO

D. If your variance(s) is(are) granted, will the physical environmental conditions in the neighborhood or district be impacted? Please explain, in detail, why or why not.

NO IMPACT

E. How did your need for an area variance(s) come about? Is your difficulty self-created? Please explain your answer in detail.

DISCOVERY THAT PLANS CREATE ALESS THAN MINIMUM DISTANCE TO PROPERTY LINE DURING PLANNING I WAS UNAWARE OF THE CLEARANCE REQUIRED OR THAT IT WOULD NOT BE ENOUGH

F. Is your property unique in the neighborhood that is needs this type of variance? Please explain your answer in detail.

LOT IS NARROW AND THE WIDTH DECREASES GOING TO THE REAR

4. **List of attachments** *(Check applicable information)*

(✓) Survey Dated 8/12/20, Last Revised _____ and Prepared by JONATHON N. MILLEN.

( ) Plot Plan Dated _____.

( ) Photos

( ) Drawings Dated _____.

( ) Letter of Communication which resulted in application to the ZBA. *(e.g., recommendation from the Planning Board/Zoning Denial)*
Letter from BARBARA ROBERTI, ZONING ADMIN Dated: 8/14/20
Letter from _____ Dated: _____

( ) Other *(please list)*: _____

5. **Signature and Verification**

Please be advised that no application can be deemed complete unless signed below.

The applicant hereby states that all information given is accurate as of the date of application.

SIGNATURE Roger M. Eddy (Appellant) DATED: 8/20/20

SIGNATURE _____ DATED: _____
(If more than one Appellant)

FOR OFFICE USE ONLY

1. THE REQUESTED VARIANCE(S) ( ) **WILL** / ( ) **WILL NOT** PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD.

2. ( ) **YES** / ( ) **NO**, SUBSTANTIAL DETRIMENT WILL BE CREATED TO NEARBY PROPERTIES.

3. THERE ( ) **IS (ARE)** / ( ) **IS (ARE) NO OTHER** FEASIBLE METHODS AVAILABLE FOR YOU TO PURSUE TO ACHIEVE THE BENEFIT YOU SEEK OTHER THAN THE REQUESTED VARIANCE(S).

4 THE REQUESTED AREA VARIANCE(S) ( ) **IS (ARE)** / ( ) **IS (ARE) NOT** SUBSTANTIAL.

5. THE PROPOSED VARIANCE(S) ( ) **WILL** / ( ) **WILL NOT** HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT.

6. THE ALLEGED DIFFICULTY ( ) **IS** / ( ) **IS NOT SELF**-CREATED.

CONCLUSION: THEREFORE, IT WAS DETERMINED THE REQUESTED VARIANCE IS ( ) **GRANTED** ( ) **DENIED.**

CONDITIONS/STIPULATIONS: The following conditions and/or stipulations were adopted by resolution of the Board as part of the action stated above:

( ) FINDINGS & FACTS ATTACHED.

DATED: _____

ZONING BOARD OF APPEALS
TOWN OF WAPPINGER, NEW YORK

BY: _____
(Chairman)

PRINT: _____

Town of Wappinger
20 Middlebush Road
Wappingers Falls, NY 12590

Planning Department
Office: 845.297.1373 ~ Fax: 845.297-0579
www.broberti@townofwappinger.us

Owner Consent Form

To be filed when the applicant is not the building or property owner

Project # 20-7708 Date: 8/24/20

Grid # 6258-04-729138 Zoning District: R20

Location of project: 109 CIDER MILL LOOP

Name of Applicant: ROGER M. EDDY 845-297-7799
Print name and phone number

Description of project: ADD 3 SEASON SUNROOM

I ROGER M. EDDY, owner of the above land/site/building hereby give permission for the Town of Wappinger to approve or deny the above application in accordance with local and state codes and ordinances.

8/24/20
Date

Roger M. Eddy
Owner's Signature

845 297 7799
Owner's Telephone No.

ROGER M. EDDY
Print Name and Title ***

109 CIDER MILL LOOP
Owner's Address

***If this is a Corporation or LLC please provide documentation of authority to sign.

If this is a subdivision application, please provide a copy of the deed.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Sunroom

Name of Action or Project:
Sunroom

Project Location (describe, and attach a location map):
See Map

Brief Description of Proposed Action:
3 Season Sunroom on Footed Foundation

Name of Applicant or Sponsor:	Telephone: 845 297-7799
ROGER M. EDDY	E-Mail: RMEDDY@OPTONLINE.NET

Address:
109 CIDER MILL LOOP

City/PO:	State:	Zip Code:
WAPPINGERS FALLS	NY	12590

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☑	☐

3.a. Total acreage of the site of the proposed action? about 1/3 acres
b. Total acreage to be physically disturbed? NONE acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? SAME acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☑	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☑	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☑	☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☑	☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☑	☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☑	☐	
b. Is the proposed action located in an archeological sensitive area?	☑	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☑	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☑	☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☑ NO ☐ YES	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☑ NO ☐ YES		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: ROGER M. EDDY Date: 8/20/24

Signature: Roger M. Eddy

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☑	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☑	☐
3. Will the proposed action impair the character or quality of the existing community?	☑	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☑	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☑	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☑	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☑	☐
b. public / private wastewater treatment utilities?	☑	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☑	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☑	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

Town of Wappinger
20 Middlebush Rd.
Wappingers Falls, NY 12590
(845) 297-6256

To: Eddy, Roger M
Eddy, Mary E
109 Cider Mill Loop

SBL: 6258-04-729138
Date of This Notice: 8/14/2020
Zone: R20
Application #: 39588

For Property Located at: 109 Cider Mill Loop

Your application to:

12 X 18 THREE SEASON SUN ROOM

is denied for the following deficiency under Section 240-37 of the Zoning Laws of the Town of Wappinger

Where 20 feet to the side property line is required, the applicant can only provide 17.5 feet to the side property line to build a sunroom.

- "Accessory Structures must comply with all minimum yard setback requirements for buildings, but i case shall they be permitted in the front yard."
- Does NOT MEET dimensional requirement for Zone.
- "This zoning district has a front yard requirement of seventy-five feet (75') from a state or County road."
- As per code Section 240-26, which states: " The use of tents, trailers and mobile homes for permanent dwelling purposes shall not be permitted in any district except as permitted and regulate in Section 240-51, Mobile home park, of this chapter..."

	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	20 ft.	17.5 ft.
FRONT YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.

You have the right to appeal this decision to the Zoning Board of Appeals within 60 days of the date of th letter. The Zoning Board of Appeals meets the second and fourth Tuesday of the month. The area varia appeal will require at least two meetings, one for discussion and one for a Public Hearing. The required forms can be obtained at this office.

Very truly,

Barbara Roberti
Zoning Administrator
Town of Wappinger

Kristy

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AUG 13 2020
BUILDING DEPARTMENT
TOWN OF WAPPINGER

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TOWN OF WAPPINGER BUILDING DEPARTMENT

20 Middlebush Road, Wappingers Falls, N.Y. 12590
telephone: 845-297-6256 fax: 845-297-0579

APPLICATION FOR BUILDING PERMIT

APPLICATION TYPE: O Residential
O New Construction O Commercial
O Renovation/Alteration O Multiple Dwelling

ZONE: RD DATE: 8/13/2020
APPL #: 31588 PERMIT #:
GRID: 6258-04-729138

APPLICANT NAME: Roger + Mary Eddy
ADDRESS: 109 Cider Mill Loop Wappingers Falls, NY 12590
TEL #: 845-297-7799 CELL: 845-625-3920 FAX #: E-MAIL:

NAME OWNER OF BUILDING/LAND: Roger + Mary Eddy ~~J.T.H. Corp. DBA Under The Sun Exposures~~
PROJECT SITE ADDRESS: 109 Cider Mills Loop
MAILING ADDRESS: Wappingers Falls, NY 12590
TEL #: 845-297-7799 CELL: 845-625-3920 FAX #: E-MAIL:

BUILDER/CONTRACTOR DOING WORK:
COMPANY NAME: J.T.H. Corp. Inc. DBA Under The Sun Exposures
ADDRESS: 166 Overlook Rd. Apt Poughkeepsie NY 12603
TEL #: 914-490-1695 CELL: 845-505-7628 FAX #: E-MAIL:
DESIGN PROFESSIONAL NAME: Richard Ively
TEL #: CELL: 845-222-7225 FAX #: E-MAIL:

APPLICATION FOR: 3 Season Sun Room - 12x18

SETBACKS: FRONT: 50+ REAR: 50+ L-SIDEYARD: 20+ R-SIDEYARD: ~~20+~~ 17.5'
SIZE OF STRUCTURE: 12x18
ESTIMATED COST: 35,000 **TYPE OF USE:** 3 Season Sunroom

NON-REFUNDABLE APPL. FEE: 150 PAID ON: 8/14/2020 CHECK # 84465 RECEIPT #: 20-
BALANCE DUE: PAID ON: CHECK # RECEIPT #:

APPROVALS:
ZONING ADMINISTRATOR:
O Approved ● Denied Date: 8.14.20
Barbara Blair

Roger M. Eddy
Signature of Applicant

FIRE INSPECTOR:
O Approved O Denied Date:

Signature of Building Inspector