

TOWN OF WAPPINGER



PLANNING BOARD & ZONING BOARD OF APPEALS

20 MIDDLEBUSH ROAD
WAPPINGERS FALLS, NY 12590
PH: 845-297-6256
Fax: 845-297-0579

Application for an Area Variance

Appeal No.: 21-7744

Date: 1/18/22

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

I (We), Ariel Lappin / Daniel Rencricca residing at 17 Cayuga DR
Wappingers Falls NY 12590, (phone) 347 986 8592, hereby,
appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated 12/6/21, and do hereby apply for an area variance(s).

Premises located at: 17 Cayuga DR. Wappingers Falls NY 12590

Tax Grid No.: 135689 615104 546490

Zoning District: R-10

1. Record Owner of Property:

Ariel Lappin / Daniel Rencricca
Address: 17 Cayuga DR.
Phone Number: 347 986 8592
Owner Consent dated: _____

Signature: [Signature]
Print Name: Ariel Lappin

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.

240-37

(Indicate Article, Section, Subsection and Paragraph)

Required: 10 ft Rear

Applicant(s) can provide: 6 ft

Thus requesting: 4 ft

To allow: for a 10 x 6 shed to Remain

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.

Will not

- 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.

Shed is 4ft too close to property line, purchased property with same shed.

- 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.

4ft too close to property line

- 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

Town of Wappinger Zoning Board of Appeals
Application for an Area Variance
Appeal No.: 21-7744

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

Sale of property

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

No

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

- () Survey dated: _____, Last revised _____ and
Prepared by: _____.
- () 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 Dated: 12/6/21
- () 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: _____

(Appellant)

DATED: 1-18/22

SIGNATURE: Jan Ker

(If more than one Appellant)

DATED: 1-18/22

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** 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 the 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



PLANNING BOARD & ZONING BOARD OF APPEALS

20 MIDDLEBUSH ROAD
WAPPINGERS FALLS, NY 12590
PH: 845-297-6256
Fax: 845-297-0579

Owner Consent Form

Project No: 21-7744

Date: 1/18/22

Grid No.: 6157-04-546490

Zoning District: R-10

Location of Project:

17 Cayuga DR. Wappingers Falls NY 12590

Name of Applicant:

Ariel Lappin / Daniel Rencricca
Print name and phone number 347 986 8592

Description of

Project: AS built shed

I [Signature], 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.

1-18-22
Date

[Signature]
Owner's Signature

347-986-8592
Owner's Telephone Number

Ariel Lappin / owner
Print Name and Title***

*** 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.

Short Environmental Assessment Form

Part 1 - Project Information

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			
Name of Action or Project: <i>Ariel Lappin / Daniel Rencorica</i>			
Project Location (describe, and attach a location map): <i>17 Cayuga Dr. Wapp. NY 12590</i>			
Brief Description of Proposed Action: <i>10' x 6' shed to remain</i>			
Email: <i>Ariel.Lappin@gmail.com</i>			
Name of Applicant or Sponsor: <i>Ariel Lappin / Daniel Rencorica</i>		Telephone: <i>347-986-8592</i>	
Address: <i>17 Cayuga Dr.</i>		E-Mail:	
City/PO: <i>Wappinger Falls</i>		State: <i>NY</i>	Zip Code: <i>12590</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
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?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Ariel Caplan</u> Date: <u>1/15/20</u>		
Signature: <u>Ariel Caplan</u> Title: <u>owner</u>		

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

Ariel Lappin
Daniel Rencricca
To: ~~Denny Jr, Kevin~~
17 Cayuga Dr

SBL: 6157-04-546490-0000
Date of this Notice: 12/07/2021
Zone: *R-10*
Application: 41229

For property located at: 17 Cayuga Dr

Your application to:

EXISTING 33' X 11' DECK WITH NO STAIRS AND 10' X 6' SHED WITH NO ELECTRIC


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

Where 10 feet to the rear property line is required, the applicant can provide 6 feet to the rear property line.

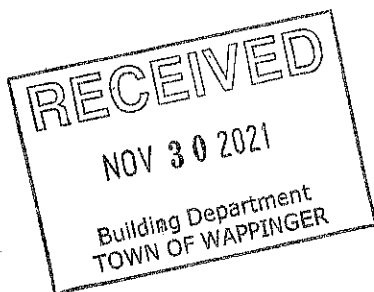
	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	<u>10</u> ft.	<u>6</u> ft. <i>for shed only</i>
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.
FRONT YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.

You have the right to appeal this decision to the Zoning Board of Appeals within 60 days of the date of this letter. This Zoning Board of Appeals meets the second and fourth Tuesday of the month. The area variance 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 or on our website at www.townofwappingerny.gov

Very Truly,



Zoning Administrator
Town of Wappinger



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: ☐ Residential
☐ New Construction ☐ Commercial
☐ Renovation/Alteration ☐ Multiple Dwelling

ZONE: R10 DATE: 12/2/2021
APPL #: 46229 PERMIT # _____
GRID: 6157-04-546490

APPLICANT NAME: Patricia Caridi Ariel Lappin & Daniel Rencicco

ADDRESS: 190 Oswego Rd Pleasant Valley NY 12579

TEL #: 845 416-5775 CELL: _____ FAX #: _____ E-MAIL: Pat.Caridi@gmail.com

NAME OWNER OF BUILDING/LAND:

PROJECT SITE ADDRESS: 17 Cayuga Dr. Wappingers 12590

MAILING ADDRESS: Same

TEL #: 845 242 1141 CELL: Same FAX #: _____ E-MAIL: ME Denny 12590@yahoo.com

BUILDER/CONTRACTOR DOING WORK:

COMPANY NAME: Already Done

ADDRESS: _____

TEL #: _____ CELL: _____ FAX #: _____ E-MAIL: _____

DESIGN PROFESSIONAL NAME:

TEL #: _____ CELL: _____ FAX #: _____ E-MAIL: _____

APPLICATION FOR: Deck + Shed - bto rear

Deck - 33'x11' - NO Stairs

Shed - 10'x6' - NO electric

* Existing *

SETBACKS: FRONT: _____ REAR: _____ L-SIDEYARD: _____ R-SIDEYARD: _____

SIZE OF STRUCTURE: Deck 33'x11'

ESTIMATED COST: 2,000 TYPE OF USE: Wood

NON-REFUNDABLE APPL. FEE: 150 PAID ON: 12/2/21 CHECK # 0099 RECEIPT #: 2001-25058
Legalization BALANCE DUE: 250 PAID ON: 12/2/21 CHECK # 0099 RECEIPT #: 2001-25057

APPROVALS:

ZONING ADMINISTRATOR:
☐ Approved ☒ Denied Date: 12-2-21

[Signature]
Signature of Applicant

FIRE INSPECTOR:

☐ Approved ☐ Denied Date: _____

Signature of Building Inspector

TOWN OF WAPPINGER

PLOT PLAN

Building Permit # _____

Date

11/30/21

Address:

17 Cayuga Ave

Interior/Corner Lot: circle one

Owner of Land

Kevin Penny

Zone:

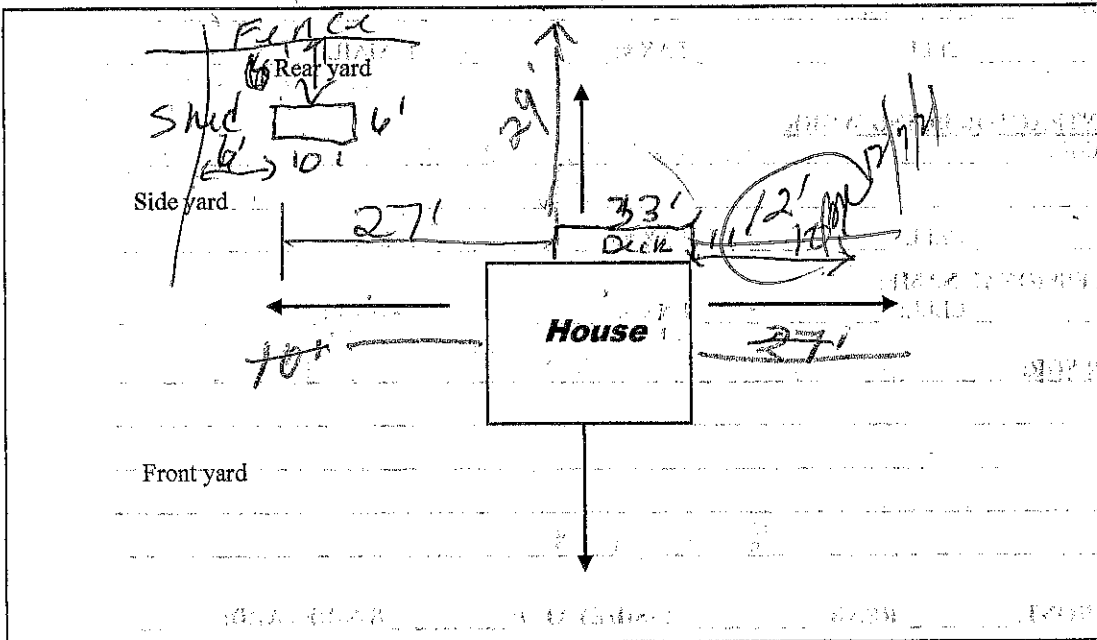
R10

Ariel Lappin & Daniel Rencricca

LIST ALL EXISTING STRUCTURES ON PROPERTY: (ie: Pool, shed, decks, detached garage)

1. House,

STRUCTURE MUST MEET REQUIRED SETBACKS. PLEASE CONTACT OUR OFFICE TO FIND OUT HOW FAR YOU NEED TO BE FROM YOUR PROPERTY LINES.



Draw proposed structure on plot plan.

Indicate Location Setbacks to both sides and rear property line.

This is to show exactly where the structure is going to be placed on the property and how far away from the property lines it will be. **MUST MEET REQUIRED SETBACKS.**

K Penny

Signature

Approved:/Rejected.

Zoning Administrator

Date:

12/30/21

for shed only

21-1, Adu. 78393

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S
ACTS (INDIVIDUAL OR CORPORATION)**

FORM 8002 (short version), FORM 8007 (long version)

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND
PURCHASER BEFORE SIGNING.

THIS INDENTURE, made 12/22, 2021,

BETWEEN KEVIN E. DENNY JR., of 726 Parkside Village Drive, Clayton, North Carolina 27520,
party of the first part,

and

DANIEL L. RENCRICCA of 20 Herczeg Drive, Wappingers Falls, New York 12590, party of the
second part, *and Ariel Lappin, as joint tenants with rights*

of survivorship

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents
(\$10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and
release unto the party of the second part, the heirs or successors and assigns of the party of the second
part forever,

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART THEREOF

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any
streets and roads abutting the above-described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in
and to said premises;

BEING and intended to be the same premises conveyed to the grantor herein by DEED dated
01/13/2010, and recorded on 01/21/2010, in Document No. 02-2010-335 in the Dutchess
County Clerk's Office.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the
heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, covenants that the party of the first part has not done or suffered
anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that
the party of the first part will receive the consideration for this conveyance and will hold the right to
receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the
improvement and will apply the same first to the payment of the cost of the improvement before using
any part of the total of the same for any other purpose.

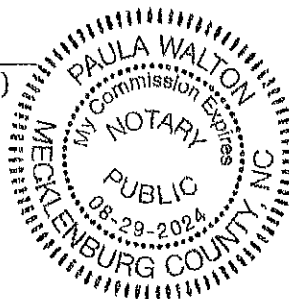
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

KEVIN E. DENNY JR

STATE OF NORTH CAROLINA)
COUNTY OF Rockingham) ss.:
)

On the 14th day of December the year 2021, before me, the undersigned, personally appeared KEVIN E. DENNY JR., personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgment)



Schedule A Description

Title Number 21-NRA-DU-78393

Page 1

ALL that certain plot, piece or parcel of land lying and being in the Town of Wappinger, County of Dutchess and State of New York, being designated as Lot No. 9, in Block A on a certain map entitled, Revised Map of Indian Ridge, Town of Wappinger, Dutchess County, New York", M. Chazen, PE & LS and filed in the Office of the Dutchess County Clerk on July 16, 1959 as Filed Map No. 2872, being bounded and described as follows:

BEGINNING at a point on the easterly side of Cayuga Drive where it is intersected by the division line between Lots 8 and 9 in Block A on said map; running thence South 81 degrees 49' East along said division line 100 feet to the westerly side of land now or formerly of Liccioni; running thence South 8 degrees 11' West along said westerly side of lands now or formerly of Liccioni 75 feet to the northerly side of Lot 10 in Block A; running thence North 81 degrees 49' West along the North side of Lot 10 in Block A, 100 feet to the easterly side of Cayuga Drive; running thence North 8 degrees 11' East along the easterly side of Cayuga Drive 75 feet to the point or place of beginning.

DEED

Title No. 21RG-X3808

**DENNY JR.
To
RENCRICCA**

**Section 6157
Block 04
Lot 546490
County or Town DUTCHESS
Street Address 17 CAYUGA DRIVE,
WAPPINGERS FALLS, NEW YORK
12590**

Return By Mail To:

**Romig Law Office
8 Barrister's Row, Suite 1
Wappingers Falls, New York 12590**

Reserve This Space For Use Of Recording Office

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