

## MINUTES

**Town of Wappinger  
Zoning Board of Appeals  
March 8, 2022  
Time: 7:00PM**

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

Summarized Minutes

### **Members:**

Mr. Galotti	Chairman	Present
Mr. DellaCorte	Co-Chair	Present
Mr. Barr	Member	Present
Mr. Lorenzini	Member	Present
Mr. Shah	Member	Absent

### **Others Present:**

Mr. Horan	Town Attorney
Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

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## **SUMMARY**

### **Public Hearing:**

Tracy Schwind	Variance Granted
Locust Tree Residential Properties, LLC Landscape	Variances Granted with conditions
Daniel G. Coughlin	Variance Granted

### **Miscellaneous:**

Tarpon Towers II, LLC Wireless Telecommunications Facility	Special Meeting on March 15, 2022 Town Attorney authorized to prepare written Decision
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**Mr. Lorenzini:** Motion to accept the Minutes from February 22, 2022.  
**Mr. Barr:** Second the Motion.  
**Vote:** All present voted Aye.

**Video of the March 8, 2022 Zoning Board of Appeals Meeting:**

<https://www.youtube.com/watch?v=9wqG-14UnmM>

**Public Hearing:**

**Appeal No.: 22-7746 (Area Variance)**

**Tracy Schwind, Trustee:** Seeking an area variance Section 240-37 of District Regulations in an R-40 Zoning District.

-Where **50 feet** is required to the front yard property line, the applicant can provide **45 feet** for the legalization of an existing deck, thus requesting a variance of **5 feet**.

The property is located at **18 Brothers Road** and is identified as **Tax Grid No.: 6258-04-782421** in the Town of Wappinger.

**Present:** Tracy Schwind – Applicant

**Mr. Lorenzini:** Motion to open the Public Hearing.  
**Mr. DellaCorte:** Second the Motion.  
**Vote:** All present voted Aye.

**Mr. Lorenzini:** Motion to close the Public Hearing.  
**Mr. DellaCorte:** Second the Motion.  
**Vote:** All present voted Aye.

**Mr. Barr:** Motion to grant the applicant the variance. The benefit cannot be achieved by any other feasible means. It is not an undesirable change to the neighborhood and the change is not substantial. There is no physical or environmental effects and the alleged difficulty is self-created.

**Mr. DellaCorte:** Second the Motion.  
**Roll Call Vote:**  
Mr. DellaCorte YES  
Mr. Lorenzini YES  
Mr. Barr YES  
Mr. Galotti YES

**Appeal No.: 22-7747 (Area Variance)**

**Locust Tree Residential Properties, LLC Landscape Business:** Seeking an area variance Section 240-37 and 240-30 of District Regulations in an AI Zoning District.

-Where **50 feet** to the side property line is required, the applicant can provide **5.1 feet** for a pre-existing poly shed, thus requesting a variance of **44.9 feet**.

-Where **50 feet** to the rear yard property line is required, the applicant can provide **7.6 feet** for a pre-existing poly shed, thus requesting a variance of **42.4 feet**.

-Where **50 feet** to the rear property line is required, the applicant can provide **10 feet** to allow for three poly storage tanks to remain, thus requesting a variance of **40 feet**.

The property is located at **80 Airport Drive** and is identified as **Tax Grid No.: 6259-04-679493** in the Town of Wappinger. (Wojciekofsky)

Present: Troy Wojciekofsky – Applicant’s Engineer

**Mr. Lorenzini:**

**Motion to open the Public Hearing.**

Mr. Barr:

Second the Motion.

Vote:

All present voted Aye.

**Mr. Lorenzini:**

**Motion to close the Public Hearing.**

Mr. DellaCorte:

Second the Motion.

Vote:

All present voted Aye.

Mr. Galotti:

**Motion to grant the applicant the following variances:**

**Variance No. 1: Where 50 feet to the side property line is required, the applicant can provide 5.1 feet for a pre-existing poly shed, thus requesting a variance of 44.9 feet.**

**Variance No. 2: Where 50 feet to the rear yard property line is required, the applicant can provide 7.6 feet for a pre-existing poly shed, thus requesting a variance of 42.4 feet.**

**Variance No. 3: Where 50 feet to the rear property line is required, the applicant can provide 10 feet to allow for three poly storage tanks to remain, thus requesting a variance of 40 feet.**

**The benefits cannot be achieved by any other feasible means because you need the poly shed to protect your sand and you also need the tanks to treat your sand. It is existing so it’s not an undesirable change to the neighborhood. The request is substantial but not enough to sway my decision. The request will not have an adverse effect to the character of the neighborhood. The alleged difficulty is self-created.**

Mr. Lorenzini:

**CONDITION: Applicant to construct a 6 feet fence around the tanks extending to the retaining wall.**

Second the Motion.

Mr. DellaCorte YES

Mr. Lorenzini YES

Mr. Barr NO

Mr. Galotti YES

**Appeal No.: 22-7748 (Area Variance)**

**Daniel G. Coughlin**: Seeking an area variance Section 240-37 of District Regulations in an R-10 Zoning District.

-Where **12 feet** is required to the side yard property line, the applicant can provide **9.35 feet** for the addition of a 24' garage and accessory apartment, thus requesting a variance of **2.65 feet**.

The property is located at **18 Spring Street** and is identified as **Tax Grid No.: 5956-12-975522** in the Town of Wappinger.

Present:

Anthony Tomaselli – Applicant's son-in-law

**Mr. Lorenzini:**

**Motion to open the Public Hearing.**

Mr. Barr:

Second the Motion.

Vote:

All present voted Aye.

**ABUTTING NEIGHBOR WHO SPOKE:**

Ms. Emily Ellison, 8 Spring Street, Wappingers Falls, NY

**Mr. Lorenzini:**

**Motion to close the Public Hearing.**

Mr. Barr:

Second the Motion.

Vote:

All present voted Aye.

**Mr. DellaCorte:**

**Motion to grant the applicant the variance. The requested change will not create an undesirable change to the neighborhood. There will be no substantial detriment to nearby properties and most likely will improve the neighborhood. With the size of the property and the way it is shaped, I don't think there's another feasible method to achieve what you are trying to pursue to do with your property. This variance is not substantial at all. We are just looking at the side yard variance and it is very small. The alleged difficulty is self-created.**

Mr. Lorenzini:

Second the Motion.

Mr. DellaCorte YES

Mr. Lorenzini YES

Mr. Barr YES

Mr. Galotti YES

**Miscellaneous:**

**Appeal No. 19-7689 (Commercial Variance)**

**Tarpon Towers II, LLC Wireless Telecommunications Facility:** Seeking an area variance Section 240-81G(4)(c)(2) of the District Regulations in an R40/80 Zoning District.

-Where no tower can be located closer than **750 feet** on a horizontal plane to an existing dwelling unit, the applicant can provide **678 feet** to **106 Caroline Drive East, Tax Grid No. 6056-03-261413. Thus requesting a variance of 72 ft.**

-Where no tower can be located closer than **750 feet** on a horizontal plane to an existing dwelling unit, the applicant can provide **558 feet** to **108 Caroline Drive East, Tax Grid No. 6056-03-259396. Thus requesting a variance of 192 ft.**

-Where no tower can be located closer than **750 feet** on a horizontal plane to an existing dwelling unit, the applicant can provide **732 feet** to **107 Caroline Drive East, Tax Grid No. 6056-03-238390. Thus requesting a variance of 18 ft.**

-Where no tower can be located closer than **750 feet** on a horizontal plane to an existing dwelling unit, the applicant can provide **585 feet** to **114 Caroline Drive East, Tax Grid No. 6056-03-250363. Thus requesting a variance of 165 ft.**

-Where no tower can be located closer than **750 feet** on a horizontal plane to an existing dwelling unit, the applicant can provide **550 feet** to **110 Caroline Drive East, Tax Grid No. 6056-03-255378. Thus requesting a variance of 200 ft.**

-Where no tower can be located closer than **750 feet** on a horizontal plane to an existing dwelling unit, the applicant can provide **649 feet** to **116 Caroline Drive East, Tax Grid No. 6056-03-242352. Thus requesting a variance of 101 ft.**

The property is located at **110 Chelsea Road** and is identified by **Tax Grid No. 6056-03-339420.**

<b>Mr. Galotti:</b>	<b>Motion to schedule a Special Meeting on March 15, 2022.</b>
Mr. Barr:	Second the Motion.
Vote:	All present voted Aye.

<b>Mr. Galotti:</b>	<b>Motion to authorize the Town Attorney to provide a written Decision.</b>
Mr. DellaCorte:	Second the Motion.
Vote:	All present voted Aye.

<b>Mr. Lorenzini:</b>	<b>Motion to go into Executive Session for attorney/client discussion at 7:47pm.</b>
Mr. DellaCorte:	Second the Motion.
Vote:	All present voted Aye.

<b>Mr. DellaCorte:</b>	<b>Motion to come out of Executive Session at 7:54pm.</b>
Mr. Lorenzini:	Second the Motion.
Vote:	All present voted Aye.

Mr. Horan:	No votes or decisions were made while in Executive Session.
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**Mr. DellaCorte:**  
Mr. Lorenzini:  
Vote:

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

Adjourned: 7:55 pm

Respectfully Submitted,  
Bea Ogunti  
Secretary  
Zoning Board of Appeals