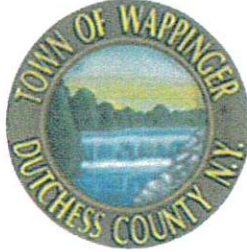


TOWN OF WAPPINGER



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.: 22-7753

Date: 4-11-2022

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

I (We), Kurt & Enca Rottenkolber residing at 4 Caroline Drive West  
Wappingers Falls, NY, (phone) 845-494-6432, hereby,

appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,  
dated 3-18-2022, and do hereby apply for an area variance(s).

Premises located at: 4 Caroline Drive West, Wappingers Falls, NY 12590

Tax Grid No.: 135689-6056-03-200438-0000

Zoning District: R20

1. Record Owner of Property:

Kurt & Enca Rottenkolber

Address: 4 Caroline Dr W, Wappingers Falls NY

Phone Number: 845-494-6432

Owner Consent dated: 4-11-2022

Signature: Kurt Rottenkolber  
Print Name: Kurt Rottenkolber

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: 600 sf in size, 20 ft high, 100 ft from ACOE wetland

Applicant(s) can provide: 1080 sf, 25 ft high, 70 ft from ACOE wetland

Thus requesting: a larger structure detached from the home

To allow: vehicle and storage of personal items

Town of Wappinger Zoning Board of Appeals

Application for an Area Variance

Appeal No.: 22-7753

**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.

The character of the neighborhood will be enhanced with a new and up to date structure. The changes will be positive as they will add value to our property, and in turn, the neighborhood.

- 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.

We need the variance because there is a 25' wide drainage easement that runs through our driveway and along side our home. This easement prohibits us from connecting our garage to our home.

- 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.

The biggest change is the size of the garage with the allowed size of 600 sf, it is 580 sf over. The remaining standards are close, the height is only 5 ft higher than standard and out of the 100 ft from wetlands, we satisfy 70.

- 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.

The physical environmental conditions will not be impacted. The garage is for the use of our family. It will allow us to better organize our property leaving our land cleaner and neater.

Town of Wappinger Zoning Board of Appeals

Application for an Area Variance

Appeal No.: 22-7753

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

Please explain your answer in detail.

Our difficulty is not self created. If there were no drainage  
easement our desire would be to attach the garage to the  
home.

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

Yes, our property is unique in the aspect that we have  
a drainage easement that prohibits us from adding an attached  
garage.

4. List of attachments (Check applicable information)

- (✓) Survey dated: Feb 21, 2022, Last revised \_\_\_\_\_ and  
Prepared by: NBS/D. Freeman
- (✓) Plot Plan dated: Feb 21, 2022 - Qty 8
- (✓) 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 Roberts Dated: 3-18-22
- (✓) Other (Please list): EA

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: Kurt Rottenkoller  
(Appellant)

DATED: 4-11-2022

SIGNATURE: Erica Rottenkoller  
(If more than one Appellant)

DATED: 4-11-2022

**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.

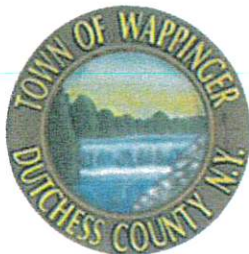
**DATED:** \_\_\_\_\_

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: 22-7753 Date: 4-11-2022  
Grid No.: 135689-6056-03-200438-0000 Zoning District: R20

Location of Project:

4 Caroline Drive West, Wappingers Falls, NY 12590

Name of Applicant:

Kurt & Enca Rottenkolber 845-494-6432  
Print name and phone number

Description of

Project: Detached 3 bay garage

I, Kurt Rottenkolber, 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.

4-11-2022  
Date

(845) 494-6432  
Owner's Telephone Number

Kurt Rottenkolber  
Owner's Signature

Kurt Rottenkolber  
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.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: <div style="font-family: cursive; font-size: 1.2em;">Detached Garage</div>			
Project Location (describe, and attach a location map): <div style="font-family: cursive; font-size: 1.2em;">4 Caroline Drive West, Wappingers Falls</div>			
Brief Description of Proposed Action: <div style="font-family: cursive; font-size: 1.2em;">Detached 3 bay garage</div>			
Name of Applicant or Sponsor: <div style="font-family: cursive; font-size: 1.2em;">Kurt Rottenkolber</div>		Telephone: 845 - 494 - 6432 E-Mail: erica.rottenkolber@hotmail.com	
Address: <div style="font-family: cursive; font-size: 1.2em;">4 Caroline Drive West</div>			
City/PO: <div style="font-family: cursive; font-size: 1.2em;">Wappingers Falls</div>		State: <div style="font-family: cursive; font-size: 1.2em;">NY</div>	Zip Code: <div style="font-family: cursive; font-size: 1.2em;">12590</div>
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.		NO <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		.90 acres	
b. Total acreage to be physically disturbed?		.20 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.90 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 checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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: <u>Wetland</u> <u>itself is not disturbed, the structure would encroach</u> <u>on the wetland buffer by 30'. It will be 70'</u> <u>from the wetland.</u>			

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 checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" 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
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)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
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"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>Kurt Rottenkolber</u> Date: <u>4-11-2022</u> Signature: <u>Kurt Rottenkolber</u> Title: _____		



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

To: Rottenkolber, Kurt  
4 Caroline Dr W

SBL: 6056-03-200438-0000  
Date of this Notice: 03/18/2022

Zone:  
Application: 41559

For property located at: 4 Caroline Dr W

Your application to:

**CONSTRUCT 30' X 36' DETACHED GARAGE WITH ELECTRIC \*\*NEED INSPECTION BY TOWN BUILDING INSPECTOR\*\***

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

Where no accessory structure can be over 600 sf in size, the applicant is looking to build a garage of 1080 sf.

Where no accessory structure can be over 20 feet high, the applicant is looking to build a garage at approximately 25 feet high at the medium of the roof.

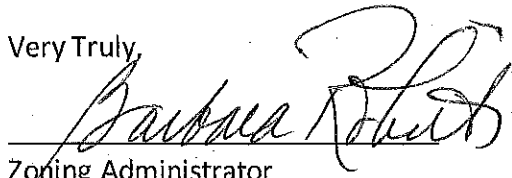
Per the town wetland code, any new structures need to be 100 feet from any wetland for a wetland buffer. The applicant is proposing a garage 70 feet from an ACOE wetland.

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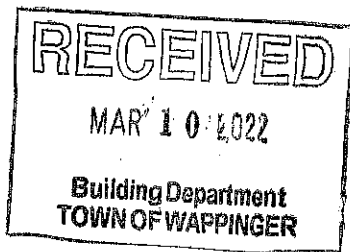
	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.
FRONT YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.

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](http://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:** R20 **DATE:** 10/20/21

**APPL #:** 41559 **PERMIT #** \_\_\_\_\_

**GRID:** 135689-6056-03-200438-0000

**APPLICANT NAME:** DBS Remodel

**ADDRESS:** 488 Freedom Plains Rd, Poughkeepsie, NY 12603

**TEL #:** 485-8343 **CELL:** \_\_\_\_\_ **FAX #:** \_\_\_\_\_ **E-MAIL:** ayla@dbsremodel.ca

**NAME OWNER OF BUILDING/LAND:** Erica and Kurt RottenKolber

**\*PROJECT SITE ADDRESS\*:** 4 Caroline Drive West

**MAILING ADDRESS:** 4 Caroline Drive West Wappingers Falls, 12590

**TEL #:** 845-831-4194 **CELL:** \_\_\_\_\_ **FAX #:** \_\_\_\_\_ **E-MAIL:** erica.rottenkolber@hotmail.com

**BUILDER/CONTRACTOR DOING WORK:**

**COMPANY NAME:** DBS Remodel

**ADDRESS:** 488 Freedom Plains Rd, Poughkeepsie, NY 12603

**TEL #:** 485-8343 **CELL:** \_\_\_\_\_ **FAX #:** \_\_\_\_\_ **E-MAIL:** ayla@dbsremodel.com

**DESIGN PROFESSIONAL NAME:** Dave Freeman

**TEL #:** 845-463-4279 **CELL:** \_\_\_\_\_ **FAX #:** \_\_\_\_\_ **E-MAIL:** david@dfarcht.ca

**APPLICATION FOR:** Detached Garage w/electric

25' to med. of roof  
1080SF

**SETBACKS:** FRONT: \_\_\_\_\_ REAR: \_\_\_\_\_ L-SIDEYARD: \_\_\_\_\_ R-SIDEYARD: \_\_\_\_\_

**SIZE OF STRUCTURE:** 30'-0" X 36'-0"

**ESTIMATED COST:** \$175,000 (+/-) **TYPE OF USE:** residential garage

**NON-REFUNDABLE APPL. FEE:** 150 **PAID ON:** 3/18/22 **CHECK #** 10033 **RECEIPT #:** 2022-00435

**BALANCE DUE:** \_\_\_\_\_ **PAID ON:** \_\_\_\_\_ **CHECK #** \_\_\_\_\_ **RECEIPT #:** \_\_\_\_\_

**APPROVALS:****ZONING ADMINISTRATOR:**

☐ Approved ☒ Denied **Date:** 3-18-22

Sabrina Roberts

**FIRE INSPECTOR:**

☐ Approved ☐ Denied **Date:** \_\_\_\_\_

Ayala Altman  
Signature of Applicant on behalf of  
DBS Remodel

\_\_\_\_\_  
Signature of Building Inspector

# TOWN OF WAPPINGER PLOT PLAN

Building Permit # \_\_\_\_\_

Date \_\_\_\_\_

Address: 4 Caroline Dr. West

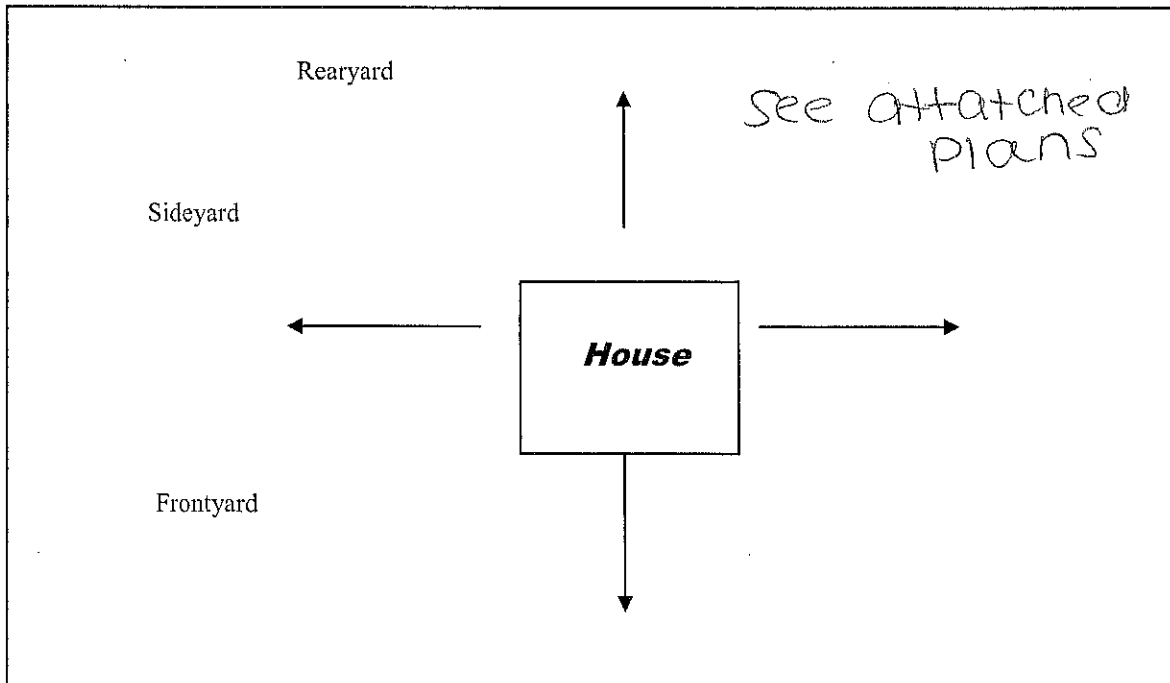
Interior/Corner Lot: *circle one*

Owner of Land Rottenkolber

Zone: R20

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

I. House,



Draw proposed structure on plot plan.

Indicate Location Setbacks to both sides and rear property line  
measurement of structure you are applying for.

Aylacattmann on behalf  
Signature of DBS Remodel

Approved: / Rejected:

Barbara G. Smith  
Zoning Administrator

Date: 3.18.22