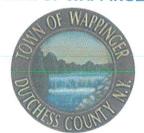
TOWN OF WAPPINGER





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.: 22-776/ Date: June 29 2022
TO THE ZONING BOARD OF APPEALS, TOWN OF WAPPINGER, NEW YORK:
1 (We), Farris I bracking & Jill Brodsky-Ibrahim residing at 20 Peter Drive
Whopingers Falls NY 12590 , (phone) 845-222-6398 , hereby,
appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated $\frac{9/28/20}{}$, and do hereby apply for an area variance(s).
Premises located at: 20 Peter Drive Wappingers Falls NY 12590 Tax Grid No.: 135689-6157-04-963227-0506 Zoning District: R40
1. Record Owner of Property: Farris Ibrahim & Jill Brodsky - Ibrahim Address: 20 Peter Drive uppingers Falls NY 12580 Phone Number: 845-222-6398 Owner Consent dated: 6/29/22 Signature: Print Name: Farris Ibrahim
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: 25 feet to side (right)
Applicant(s) can provide: 12 11 feet to side
Thus requesting: 12'1" feet
To allow: Installation of a 18' x 36' In-ground swimming pool

Appl	n of Wappinger Zoning Board of Appeals ication for an Area Variance eal No.:
Variance No. 2 I (We) hereby apply to the Zoning Board of Appeals requirements of the Zoning Code.	for a variance(s) of the following
(Indicate Article, Section, Subs	ection and Paragraph)
Required:	
Applicant(s) can provide:	
Thus requesting:	
To allow:	
3. Reason for Appeal (Please substantiate the reque detail. Use extra sheet, if necessary):	st by answering the following questions in
A. If your variance(s) is (are) granted, how neighborhood or nearby properties channegative? Please explain your answer	nge? Will any of those changes be in detail.
There would be no nea	ative change and the
There would be no neg neighbors would not be in	mageted
3	
B. Please explain why you need the varia the same result without a variance(s)?	nce(s). Is there any way to reach Please be specific in your answer.
After much research following	a previous reguest
After much research following this been determined that it is not possible	to move the seixlic system
or geothermal cails burned undergrand. There is we have altered the plan to significantly reduce the	no place else to put the pool and variance needed to align with the 18A's ask.
 C. How big is the change from the standar 	ds set out in the zoning law? Is the
requested area variance(s) substantial?	? If not, please explain in detail why
it is not substantial.	1)
The variance being requested is signif- application and is now aligned to previous the ZBA in prior discussions.	the required setback.
The variance being requested is signif	icantly reduced from the previous
application and is now aligned to previous	s precedents which had been a concern
D. If your variance(s) is (are) granted, will conditions in the neighborhood or district	
detail why or why not.	ot be impacted: Thease explain in
No they will not be inscribed	I based on the shape of
No they will not be impacted the neighbor's lot and position of	that home to impact is
0.1900 10 1	

Appeal No.:
E. How did your need for an area variance(s) come about? Is your difficulty self-created? Please explain your answer in detail.
It came about because the setbacks are more
then can be accommodented and no other postion of the yard
13 viable for motaling a in-ground pool
F. Is your property unique in the neighborhood that it needs this type of variance? Please explain your answer in detail.
Given the location of our septic system and soil type Obsed on
2022 engineer review and perc test) the septre system and field comed be
moved. Additionally our genthermal only cannot be moved, but one can build closer than project
4. List of attachments (Check applicable information)
() Survey dated: // //3/20/2, Last revisedand
Prepared by: Robert V. Oswald .
() Plot Plan dated: <u>6//5/2</u> ,
() Photos
() Drawings dated:
() Letter of Communication which resulted in application to the ZBA. (e.g., recommendation from the Planning Board/Zoning Denial) Letter from: Dated:
(x) Other (Please list): Letter from septic engineer stating inability to move system
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: DATED: 6/29/22
SIGNATURE: DATED:
(If more than one Appellant)

Town of Wappinger Zoning Board of Appeals Application for an Area Variance

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 NOT SELF-CREATED.
CC	() GRANTED () DENIED ONDITIONS / STIPULATIONS: The following conditions and/or stipulations were adopted the resolution of the Board as part of the action stated above:
()	FINDINGS & FACTS ATTACHED.
DA	ZONING BOARD OF APPEALS TOWN OF WAPPINGER, NEW YORK
	BY: (Chairman) PRINT:

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			
Farris Ibrahim & Jill Brodsky	- Ibrahim		
Name of Action or Project:		······································	
20 Peter Drive			
Project Location (describe, and attach a location map):			
Install 18'x 36' in-ground gunite sa	immine onl		
Brief Description of Proposed Action:	3	······································	
Name of Applicant or Sponsor:	Telephone: 845-222-6	~ ₹98	
Farris Ibrahim ! Dill Brodsky-Ibrahim	E-Mail: faccis. ibrahim		·(@M
A LL L		2	
20 Peter Dive			
City/PO:	State: Zip C	Code:	,
City/PO: Wappingers Falls	NY 12	590	
1. Does the proposed action only involve the legislative adoption of a plan, loca administrative rule, or regulation?	l law, ordinance,	NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the e	nvironmental resources that	1571	r1
may be affected in the municipality and proceed to Part 2. If no, continue to ques	tion 2.	\boxtimes	
2. Does the proposed action require a permit, approval or funding from any other	er government Agency?	NO	YES
If Yes, list agency(s) name and permit or approval:		X	П
3. a. Total acreage of the site of the proposed action?	acres	<u> </u>	
b. Total acreage to be physically disturbed?	acres		
c. Total acreage (project site and any contiguous properties) owned	3		
or controlled by the applicant or project sponsor?	acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:	/	· · · · · · · · · · · · · · · · · · ·	··· · · · · · · · · · · · · · · · · ·
	al 🛛 Residential (suburban)		
Forest Agriculture Aquatic Other(Spec	• ,		
	шу).		
Parkland			

5.	ls	the proposed action,	NO	YES	N/A
	a.	A permitted use under the zoning regulations?		X	
	b.	Consistent with the adopted comprehensive plan?			
6.	Is	the proposed action consistent with the predominant character of the existing built or natural landscape?	****	NO	YES
					Ø
7.		the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
lfY	es,	, identify:		Ø	
8.	a.	Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
	ь.	Are public transportation services available at or near the site of the proposed action?		M	
	c.			X	
9.		Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? oes the proposed action meet or exceed the state energy code requirements?		X	
		•		NO	YES
		proposed action will exceed requirements, describe design features and technologies:			X
10.	W	ill the proposed action connect to an existing public/private water supply?		NO	YES
		If No, describe method for providing potable water:		Ø	
11.	W	ill the proposed action connect to existing wastewater utilities?		NO	YES
		If No, describe method for providing wastewater treatment:		M	
12.	a.]	Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district		NO	YES
whi Cor	ch i nmi	is listed on the National or State Register of Historic Places, or that has been determined by the issioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the			
Stat	e K	egister of Historic Places?			
	aec	Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for ological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
13.		Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain ctlands or other waterbodies regulated by a federal, state or local agency?		NO IX	YES
	ь.	Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		X	
If Y	es,	identify the wetland or waterbody and extent of alterations in square feet or acres:		الديما	
			- 1		

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		
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
<u> </u>	X	
16. Is the project site located in the 100-year flood plan?	NO	YES
	Ø	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	\boxtimes	
a. Will storm water discharges flow to adjacent properties?	\boxtimes	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	M	
If Yes, briefly describe:	, 1	
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES
or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:		
p. p	X	П
	,—	·
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES
management facility? If Yes, describe:		
	XI	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste? If Yes, describe:	/	
	XI	
	<i>2</i>	لسا
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE MY KNOWLEDGE	ST OF	
Applicant/sponsor/name: Farris Ibrahim Date: 6/29/	122	·
Signature:		

Ag	ency Use Only [If applicable]
roject:	
Date:	

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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?	\boxtimes	
2.	Will the proposed action result in a change in the use or intensity of use of land?	Ø	
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?	Ø	
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?	X	
	b. public / private wastewater treatment utilities?	M	
8.	Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	Ø	
9.	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	Ø	
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?	Ø	

Agen	cy Use Only [If applicable]
Project:	
Date:	

Short Environmental Assessment Form Part 3 Determination of Significance

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 info that the proposed action may result in one or more pote environmental impact statement is required.	rmation and analysis above, and any supporting documentation, entially large or significant adverse impacts and an
	rmation and analysis above, and any supporting documentation, adverse environmental impacts.
Rainbow Pools	6/29/22
Name of Lead Agency	Date
Mike Tod	President
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)

Town of Wappinger

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

To: Ibrahim, Farris
20 Peter Dr

SBL: 6157-04-963227-0000

Date of this Notice: 07/28/2022

Zone:

Application: 42064

For property located at: 20 Peter Dr

Your application to:

INGROUND POOL - 18' X 36' INGROUND POOL **CALL 811 PRIOR TO EXCAVATION** **FOUR COPIES
OF FINAL AS BUILT REQUIRED TO CLOSE POOL AND GRADING PERMIT** **POOL ALARM ASTM F 2208
REQUIRED** **ALARM AFFIDAVIT REQUIRED** **FINAL INSPECTION BY CERTIFIED ELECTRICAL
INSPECTOR** **CALL INTO OUR OFFICE FOR FINAL INSPECTION BY TOWN BUILDING INSPECTOR** **MUST
HAVE TEMPORARY BARRIER INSTALLED IMMEDIATELY AFTER COMMENCEMENT OF CONSTRUCTION**
**PERMANENT BARRIER MUST BE INSTALLED WITHIN 90 DAYS OF COMMENCEMENT OR 90 DAYS OF
PERMIT ISSUANCE** **POOL NOT TO BE USED WITHOUT CERTIFICATE OF COMPLIANCE**

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

Where 25 ft. to the side property line is required, the applicant can provide 12'11" for a IG pool.

	REQUIRED:	WHAT YOU CAN PROVIDE:	
REAR YARD:	<u> </u>	tt.	
SIDE YARD (LEFT):	<u> </u>	the state of the s	
SIDE YARD (RIGHT):	25 ft.	2 December 10	
FRONT YARD:	ft	<u> </u>	
SIDE YARD (LEFT):	-	The start was an old birther an artist property and the start of the s	
SIDE YARD (RIGHT):	ft.	Security and advances and a security of the se	

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

RECEIVED

JUL 18 2022

Building,Department Town of Wappinger

TOWN OF WAPPINGER BUILDING DEPARTMENT
20 Middlebush Road, Wappingers Falls, N.Y. 12590
telephone: 845-297-6256 fax: 845-297-0579

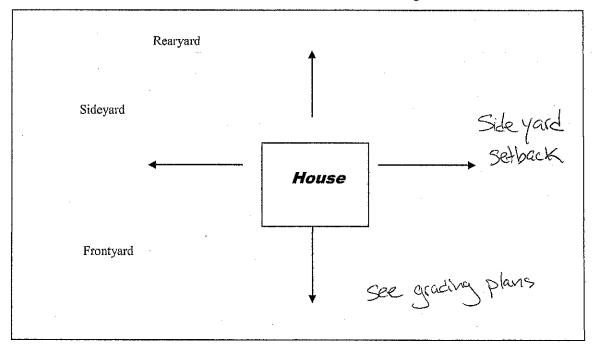
APPLICATION FOR BUILDING PERMIT

APPLICATION TYPE: Kesidential	ZONE: <u>240</u> DATE: <u>-6/29/22</u> 7/27/2000
O New Construction O Commercial	APPL#: 42004 PERMIT#
O Renovation/Alteration O Multiple Dwelling	GRID: 135689~6157~c4-963227-0000
APPLICANT NAME: Factis Ibrahim	
ADDRESS: 20 Peter Dive Uxppinge	15 Falls NY 12590
TEL#:CELL: \$45-232-6388 FA	IX#: E-MAIL: farris, ibrahim @gmail-com
NAME OWNER OF BUILDING/LAND: Fairi's S	-brokin & Jill Bodsky- Elbrahim
PROJECT SITE ADDRESS: 20 Peter Dive	Washingers Falls NY 12590
MAILING ADDRESS: 20 Peter Drive	1 140
TEL#:CELL: <u>845-222-6398</u> FA	IX#: E-MAIL: farris.ibrahim@guail.com
BUILDER/CONTRACTOR DOING WORK: COMPANY NAME: Rainb ADDRESS: 1867 Look 52 Fisher	ow Pools
ADDRESS: 1867 Lowle 52 Fisher	:/(
TEL#: CELL: FA	
DESIGN PROFESSIONAL NAME:	
TEL #: CELL: FA	X #: E-MAIL:
APPLICATION FOR: installation of a	a 18'x 36' in-ground aunite
Sw mampy Dool	J
SETBACKS: FRONT: 132° REAR: 372° 1	L-SIDEYARD: 86.81 R-SIDEYARD: 12.51 /2'11" #
SIZE OF STRUCTURE:	
ESTIMATED COST: 73,410 TY	PE OF USE: residential swimming pool
20- 1	ides 102 spor Miles
non-refundable appl. fee: 350 paid on: 7/2	•
BALANCE DUE:PAID ON:	CHECK #RECEIPT #:
APPROVALS:	
ZONING ADMINISTRATOR:	FIRE INSPECTOR:
O Approved Denied Date: 728,22	O Approved O Denied Date:
- Yunda Abuth)	
Signature of Applicant	Signature of Building Inspector

TOWN OF WAPPINGER PLOT PLAN

Building Permit #	Date6/29/22
Address: 20 Peter Drive	Interior/Corner Lot: circle one
Owner of Land Facis Florahim	Zone:₹40
LIST ALL EXISTING STRUCTURES ON PRO	OPERTY : (ie: Pool, shed, decks, detached garage)
l. <u>House,</u>	· •

STRUCTURE MUST MEET REQUIRED SETBACKS FROM PROPERTY LINES. CHECK WITH OFFICE TO DETERMINE SETBACK REQUIREMENTS



Draw proposed structure on plot plan.

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

Signature

Approved: Rejected:

Jarbara Koheld)

Date: 7-28-22

0/00/--

Zoning Administrator

