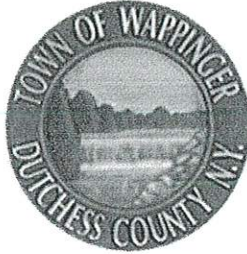


TOWN OF WAPPINGER



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.: 22-7763

Date: 9/15/22

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

I (We), Stephen J. Mazzei Jr Thee residing at 12 Grandview Ln
16 Wendy Rd, (phone) 914 474 8679, hereby,
appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated 9/15/2022, and do hereby apply for an area variance(s).

Premises located at: 16 Wendy Rd Wappingers Falls NY 12590
Tax Grid No.: 6258-01-065735-0000
Zoning District: _____

1. Record Owner of Property:

Gerardine Mazzei Irrevocable Trust Stephen J. Mazzei Jr Thee
Address: 12 Grandview Ln New Paltz NY 12561
Phone Number: 914 474-8679
Owner Consent dated: 9/15/22

Signature: [Signature]
Print Name: Stephen J. Mazzei Jr Thee

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: no accessory structure in front yard

Applicant(s) can provide: allow a pool with deck in front yard

Thus requesting: a variance for a front yard

To allow: for an 18'x33' pool with deck

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.

240-37

(Indicate Article, Section, Subsection and Paragraph)

Required: 35 feet
Applicant(s) can provide: 3.9 feet
Thus requesting: 31.1 feet
To allow: 18' x 33' oval above ground pool with deck

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.

Existing Pool since 1989 (no changes will be made)
unless fence removal is required,

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.

Pool has existed since 1989, Selling home, buyer condition
of sale is existing pool

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.

Not Substantial, pool is entirely in boundaries of lot,

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, Along with other pools in neighborhood that have
already received variance upon change of ownership, this pool has
been here, and a similar pool at same location since 1971
since 1989

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

Appeal No.: 22-7763

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

Inherited home from parents who lived there since built in 1965
Pool professionally installed by NAMCO, but no permit was
sought at that time

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

Yes, Corner lot with no provision for pool anywhere
else on property, due to lot lines or topography

4. List of attachments (Check applicable information)

- ☒ Survey dated: 9/4/2022, Last revised _____ and
Prepared by: Brenden Johnson.
- ☐ 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: 9/15/2022
- ☐ 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: 9/15/2022

SIGNATURE: _____
(If more than one Appellant)

DATED: _____

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: 22-7763

Date: 9/15/22

Grid No.: 6258-01-06535

Zoning District: R-20

Location of Project:

16 Wendy Rd Wappingers Falls NY 12590

Name of Applicant:

Stephen J Mazzei, Jr (914) 474-8679

Print name and phone number

Description of

Project: existing pool,

I, Stephen J. Mazzei Jr, 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.

Date: 9/15/2022

[Signature]
Owner's Signature

914 474-8679
Owner's Telephone Number

Stephen J Mazzei Jr Trustee
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 dead.

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 | | | |
| Approval for existing Pool | | | |
| Name of Action or Project: | | | |
| 16 Wendy Rd Wappingers Falls NY (see survey) | | | |
| Project Location (describe, and attach a location map): | | | |
| Brief Description of Proposed Action: variance requested to keep pool in current location | | | |
| Name of Applicant or Sponsor: | | Telephone: | |
| Stephen J. Mazzei Jr Trustee | | 914 474-8679 | |
| Address: | | E-Mail: | |
| 12 Grandview Ln | | smazzei@HVC.RR.com | |
| City/PO: | | State: | Zip Code: |
| New Paltz | | NY | 12561 |
| 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 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 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 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 checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input 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 |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a. Will storm water discharges flow to adjacent properties? | <input 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 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>Stephen J. Mazzei, Jr. Trustee</u> Date: <u>9/15/22</u> | | |
| Signature: <u>[Signature]</u> Title: <u>Trustee</u> | | |

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

To: Mazzei, Stephen
16 Wendy Rd

SBL: 6258-01-065735-0000
Date of this Notice: 09/15/2022

Zone:

Application: 42267

For property located at: 16 Wendy Rd

Your application to:

POOL & DECK - REPLACING ABOVEGROUND 18' X 33' OVAL POOL WITH ATTACHED FACTORY DECKING IN SAME LOCATION. TOTAL SIZE: 21' X 40' **CALL 811 PRIOR TO EXCAVATION **NEED ELECTRICAL INSPECTION BY TOWN APPROVED ELECTRICAL INSPECTOR** **POOL ALARM MUST MEET ASTM F 2208 REQUIREMENTS** **CALL INTO OUR OFFICE FOR FINAL INSPECTION BY TOWN BUILDING INSPECTOR** **POOL NOT TO BE USED WITHOUT CERTIFICATE OF COMPLIANCE****

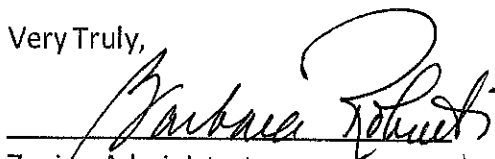
is denied for the following deficiency under Section **240-37** of the Zoning Laws of the Town of Wappinger.

- 1) Where no accessory structures are permitted in a front yard, the applicant has a pool with deck in their front yard.
2) Where a minimum 35 ft. setback from a front yard property line is required in an R-20 zoning district, the deck to the above ground pool is 3.9 feet from the front yard property line.
(There is also a fence installed on town property.)

| | REQUIRED: | WHAT YOU CAN PROVIDE: |
|--------------------|---------------|-----------------------|
| REAR YARD: | _____ ft. | _____ ft. |
| SIDE YARD (LEFT): | _____ ft. | _____ ft. |
| SIDE YARD (RIGHT): | _____ ft. | _____ ft. |
| FRONT YARD: | <u>35</u> ft. | <u>3.9</u> 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

RECEIVED

AUG 26 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: ☒ Residential ☐ Commercial
☐ New Construction ☐ Multiple Dwelling
☐ Renovation/Alteration
ZONE: R20
APPL #: 42267
DATE: 9/15/2022
PERMIT #
GRID: 6258-01-065735-0000

APPLICANT NAME: Stephen J. Mazzei
ADDRESS: 12 Grandview Ln New Paltz NY 12561
TEL #: 914 474-8679 CELL: 914 474 8679 FAX #: 845-345-8263 E-MAIL: smazzei@HVC.RR.com

NAME OWNER OF BUILDING/LAND: Geraldine Mazzei Trust Stephen Mazzei Trust
PROJECT SITE ADDRESS: 16 Wendy Rd Wappingers Falls NY 12590
MAILING ADDRESS:
TEL #: CELL: 914-474-8679 FAX #: 845-345-8263 E-MAIL: smazzei@HVC.RR.com

BUILDER/CONTRACTOR DOING WORK:

COMPANY NAME:

ADDRESS:

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

DESIGN PROFESSIONAL NAME:

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

APPLICATION FOR: Above Ground Swimming Pool Esther Williams aluminum
oval 18'x33' with Attached Factory Decking Model T1570 Replacing Pool
built in 1971 (same location)

Fence installed on town - TBR

SETBACKS: FRONT: 16 ft REAR: 30+ ft L-SIDEYARD: 11 ft R-SIDEYARD:

SIZE OF STRUCTURE: Pool 18'x33' total w/deck 21'x40'

ESTIMATED COST: TYPE OF USE: Residential Pool Private use

NON-REFUNDABLE APPL. FEE: 150- PAID ON: 9/15/22 CHECK # 512 RECEIPT #: 2022-01754
Legalization BALANCE DUE: 250- PAID ON: 9/15/22 CHECK # 512 RECEIPT #: 2022-01753

APPROVALS:

ZONING ADMINISTRATOR:

☐ Approved ☒ Denied Date: 9.15.22

Signature of Applicant

Signature of Applicant

Signature of Applicant

PLEASE SIGN HERE



FIRE INSPECTOR:

☐ Approved ☐ Denied Date:

Signature of Building Inspector

Signature of Building Inspector

Signature of Building Inspector

Signature of Building Inspector

TOWN OF WAPPINGER PLOT PLAN

Building Permit # _____

Date 9.15.22

Address: 16 Wendy Rd

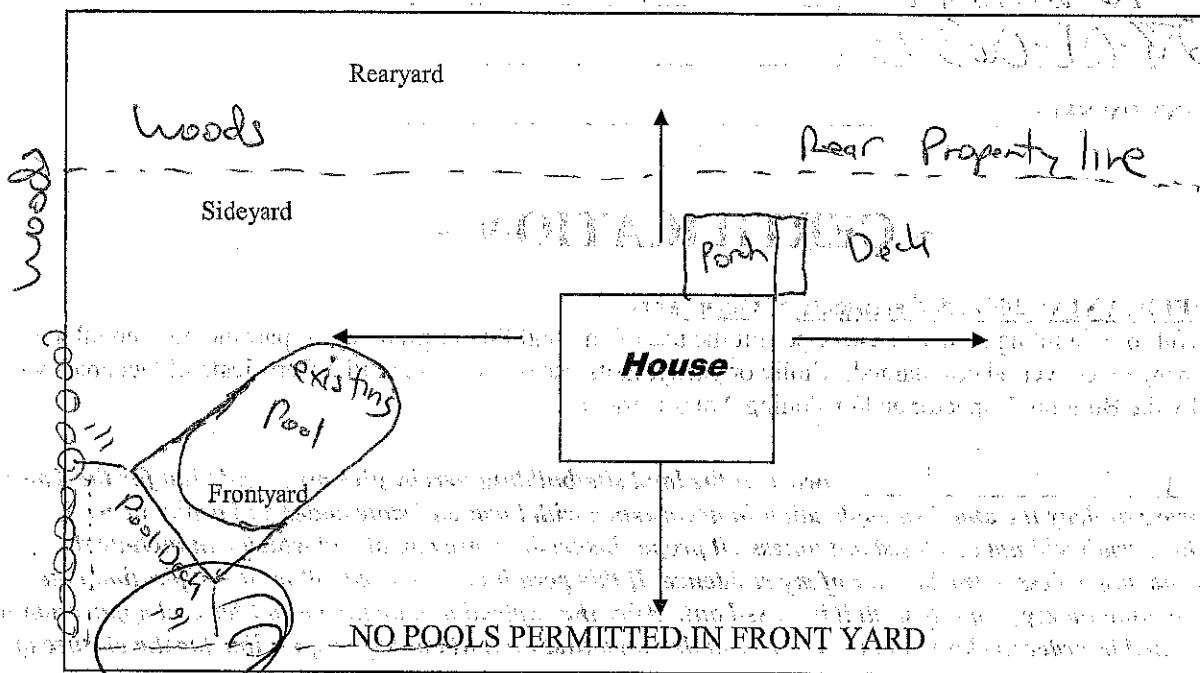
Interior/Corner Lot: circle one

Owner of Land Geraldine Mazzei Trust

Zone: R20

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

1. House, Shed, Pool, Porch/deck Attached



REQUIRED:

- Draw proposed structure on plot plan.
- Indicate Location Setbacks to both sides and rear property line (measurement in feet)

Geraldine Mazzei
SIGNATURE REQUIRED

Approved: (Rejected)

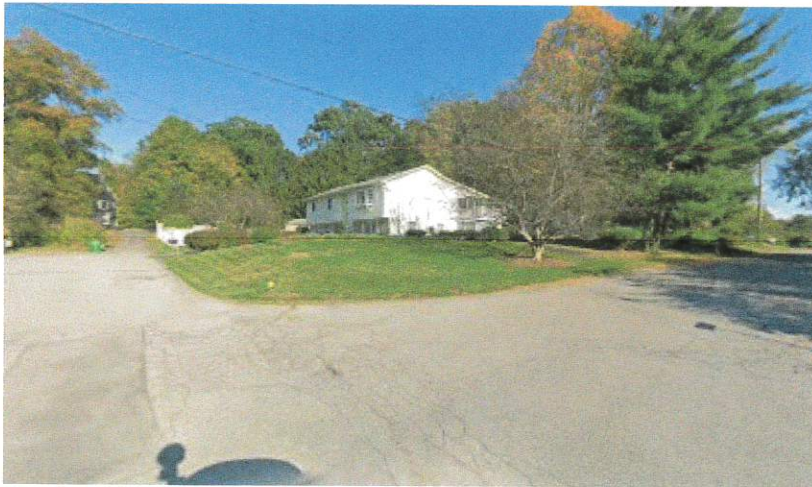
[Signature]
Zoning Administrator

Date: 9.15.22





Imagery ©2022 Maxar Technologies, New York GIS, Map data ©2022 50 ft



16 Wendy Rd

Building



Directions



Save



Nearby



Send to
phone



Share



16 Wendy Rd, Wappingers Falls, NY 12590

Photos