

MINUTES

**Town of Wappinger
Zoning Board of Appeals
October 11, 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	Present

Others Present:

Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

SUMMARY

Adjourned Public Hearing:

Karan Garewal	Variance No. 1 through 7 approved Variance No. 8 denied
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Farris Ibrahim & Jill Brodsky-Ibrahim	Variance approved
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Discussion:

Stephen J. Mazzei	Site Visit on October 22, 2022 Public Hearing on October 25, 2022
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Licari Subdivision	Site Visit on October 22, 2022 Public Hearing on October 25, 2022
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Samuel V. Dawson	Site Visit on October 22, 2022 Public Hearing on October 25, 2022
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Video of the October 11, 2022, 2022 Zoning Board of Appeals Meeting:

<https://www.youtube.com/watch?v=M9rgefkiGDA&list=PLcJg2q5NlgkcilLKVhTsjnwyp65fGoOM&index=44&t=544s>

Mr. DellaCorte: **Motion to accept the Minutes from September 11, 2022.**
Mr. Lorenzini: Second the Motion.
Vote: All present voted Aye.

Adjourned Public Hearing:

Appeal No.: 22-7758 (Area Variance)

Karan Garewal: Seeking an area variance Section 240-37 of District Regulations in an R80 Zoning District.

Present: Nathaniel Gooden – Applicant’s Engineer

Mr. Shah: **Motion to open the Adjourned Public Hearing.**
Mr. Barr: Second the Motion.
Vote: All present voted Aye.

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

1. -Where **10 feet** to the side yard property line is required, the applicant can provide **8.2 feet** for the legalization of an existing 10 x 14 sf. shed, thus requesting a variance of **1.8 feet**.

Mr. Galotti: **Variance No.: 1 Motion to grant the applicant the variance. The benefit cannot be achieved by any other means and it will not propose an undesirable effect to the neighborhood. The request is not substantial and will not have any environmental effect to the neighborhood. However, the alleged difficulty is self-created.**

Mr. Lorenzini: Second the Motion.
Roll Call Vote:
Mr. DellaCorte YES to approve
Mr. Lorenzini YES to approve
Mr. Shah YES to approve
Mr. Barr YES to approve
Mr. Galotti YES to approve

2. -Where **40 feet** to the side yard (right) property line is required, the applicant can provide **15.2 feet** for the legalization of a front bedroom addition, thus requesting a variance of **24.8 feet**.

Mr. Galotti: **Variance No.: 2 Motion to grant the applicant the variance. The benefit cannot be achieved by any other means and it will not propose an undesirable effect to the neighborhood. The request is not substantial and will not have any environmental effect to the neighborhood. However, the alleged difficulty is self-created.**

Mr. Lorenzini: Second the Motion.

Roll Call Vote:

Mr. DellaCorte	YES to approve
Mr. Lorenzini	YES to approve
Mr. Shah	YES to approve
Mr. Barr	YES to approve
Mr. Galotti	YES to approve

3. -Where **40 feet** to the side yard (left) property line is required, the applicant can provide **30 feet** for the legalization of a front bedroom addition, thus requesting a variance of **10 feet**.

Mr. Galotti: **Variance No.: 3 Motion to grant the applicant the variance. The benefit cannot be achieved by any other means and it will not propose an undesirable effect to the neighborhood. The request is not substantial and will not have any environmental effect to the neighborhood. However, the alleged difficulty is self-created.**

Mr. Lorenzini: Second the Motion.

Roll Call Vote:

Mr. DellaCorte	YES to approve
Mr. Lorenzini	YES to approve
Mr. Shah	YES to approve
Mr. Barr	YES to approve
Mr. Galotti	YES to approve

4. -Where **40 feet** to the side yard (right) property line is required, the applicant can provide **25 feet** for the legalization of a rear kitchen addition, thus requesting a variance of **15 feet**.

Mr. Galotti: **Variance No.: 4 Motion to grant the applicant the variance. The benefit cannot be achieved by any other means and it will not propose an undesirable effect to the neighborhood. The request is not substantial and will not have any environmental**

effect to the neighborhood. However, the alleged difficulty is self-created.

Mr. Lorenzini:
Roll Call Vote:

Second the Motion.
Mr. DellaCorte YES to approve
Mr. Lorenzini YES to approve
Mr. Shah YES to approve
Mr. Barr YES to approve
Mr. Galotti YES to approve

5. -Where **40 feet** to the side yard (left) property line is required, the applicant can provide **12 feet** for the legalization of a rear kitchen addition, thus requesting a variance of **28 feet**.

Mr. Galotti:

Variance No.: 5 Motion to grant the applicant the variance. The benefit cannot be achieved by any other means and it will not propose an undesirable effect to the neighborhood. The request is not substantial and will not have any environmental effect to the neighborhood. However, the alleged difficulty is self-created.

Mr. Lorenzini:
Roll Call Vote:

Second the Motion.
Mr. DellaCorte YES to approve
Mr. Lorenzini YES to approve
Mr. Shah YES to approve
Mr. Barr YES to approve
Mr. Galotti YES to approve

6. -Where **40 feet** to the side (right) property line is required, the applicant can provide **27 feet** for the legalization of a rear deck addition, thus requesting a variance of **13 feet**.

Mr. Galotti:

Variance No.: 6 Motion to grant the applicant the variance. The benefit cannot be achieved by any other means and it will not propose an undesirable effect to the neighborhood. The request is not substantial and will not have any environmental effect to the neighborhood. However, the alleged difficulty is self-created.

Mr. Lorenzini:
Roll Call Vote:

Second the Motion.
Mr. DellaCorte YES to approve
Mr. Lorenzini YES to approve
Mr. Shah YES to approve
Mr. Barr YES to approve
Mr. Galotti YES to approve

7. -Where **40 feet** to the side (left) property line is required, the applicant can provide **17 feet** for the legalization of a rear deck addition, thus requesting a variance of **23 feet**.

Mr. Galotti:

Variance No.: 7 Motion to grant the applicant the variance. The benefit cannot be achieved by any other means and it will not propose an undesirable effect to the neighborhood. The request is not substantial and will not have any environmental effect to the neighborhood. However, the alleged difficulty is self-created.

Mr. Lorenzini:

Second the Motion.

Roll Call Vote:

Mr. DellaCorte	YES to approve
Mr. Lorenzini	YES to approve
Mr. Shah	NO to deny
Mr. Barr	YES to approve
Mr. Galotti	YES to approve

8. -Where **40 feet** is required to the side (left) property line, the applicant can provide **0 feet**, for the garage, thus requesting a variance of **40 feet**.

The property is located at **12 Schlichter Road** and is identified as **Tax Grid No.: 6156-02-986957** in the Town of Wappinger.

Mr. Galotti:

Variance No.: 8 Motion to deny the applicant the variance. It is too great and as a board member to entertain. However, we would entertain a variance from the applicant that would similar to or equal to kitchen which was Variance No. 5. We would entertain that if the applicant would come before the board at a future date for that type of a variance. To be clear, I am denying this variance as written.

Mr. Lorenzini:

Second the Motion.

Roll Call Vote:

Mr. DellaCorte	NO to deny
Mr. Lorenzini	NO to deny
Mr. Shah	NO to deny
Mr. Barr	NO to deny
Mr. Galotti	NO to deny

Public Hearing:

Appeal No.: 22-7761 (Area Variance)

Farris Ibrahim & Jill Brodsky-Ibrahim: Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **25 feet** to the side (right) yard property line is required, the applicant can provide **12' 11"** for the installation of an 18' x 36' in-ground pool, thus requesting a variance of **12' 1"**.

The property is located at **20 Peter Drive** and is identified as **Tax Grid No.: 6157-04-963227** in the Town of Wappinger.

Present: Farris Ibrahim & Jill Brodsky-Ibrahim – Applicants

Mr. DellaCorte:

Mr. Lorenzini:

Vote:

Motion to open the Public Hearing.

Second the Motion.

All present voted Aye.

Mr. DellaCorte:

Mr. Lorenzini:

Vote:

Motion to close the Public Hearing.

Second the Motion.

All Present voted Aye.

Mr. DellaCorte:

Motion to grant the Applicant the variance. The requested variance will not produce an undesirable change in the character of the neighborhood. There is no substantial detriment to nearby properties. There is no other feasible means available to achieve the benefit you seek. The requested variance is substantial but it will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The alleged difficulty is self-created.

Mr. Lorenzini: Second the Motion.

Roll Call Vote:

Mr. DellaCorte YES

Mr. Lorenzini YES

Mr. Shah YES

Mr. Barr YES

Mr. Galotti YES

Discussion:

Appeal No.: 22-7763 (Variance)

Stephen J. Mazzei: Seeking an area variance Section 240-37 of the District Regulations in an R20 Zoning District.

-Where **no accessory structure is permitted in the front yard, the applicant is seeking a variance to allow for an 18' x 33' above ground oval pool with deck to be placed in their front yard.**

-Where **35 feet** to the front yard party line is required, the applicant can provide **3.9 feet** for the installation of an 18' x 33' above ground oval pool with deck, thus requesting a variance of **31.1 feet**.

The property is located at **16 Wendy Road** and is identified as **Tax Grid No. 6258-01-065735** in the Town of Wappinger.

Present: Edward L. Freer – Applicant's Attorney

Site visit on October 22, 2022

Public Hearing on October 25, 2022

Appeal No.: 22-7764 (Variance)

Licari Subdivision: Seeking an area variance Section 240-37 of the District Regulations in an R20/40 Zoning District.

-Where **40,000 square feet** is required, the applicant can provide **30,696 square feet** for the construction of a single family residence on 1.64 acres, thus requesting a variance of **9,304 square feet**. The property is located at **39 Middlebush Road** and is identified as **Tax Grid No.: 6157-01-458871** in the Town of Wappinger.

Present: Al Roberts – Applicant's Attorney
Kiel Lawrence – Applicant

Site visit on October 22, 2022

Public Hearing on October 25, 2022

Appeal No.: 22-7765 (Variance)

Samuel V. Dawson: Seeking an area variance Section 240-37 of the District Regulations in an R15 Zoning District.

-Where **30 feet** to the rear property line is required, the applicant can provide **8 feet** for the legalization of a freestanding 20' x 20' deck, thus requesting a variance of **22 feet**.

The property is located at **8 Kretch Circle** and is identified as **Tax Grid No.: 6156-01-482749** in the Town of Wappinger.

Present: Samuel V. Dawson – Applicant

Site visit on October 22, 2022

Public Hearing on October 25, 2022

Mr. Shah:

Mr. Barr:

Vote:

Motion to adjourn.

Second the Motion.

All present voted Aye.

Respectfully Submitted,

Adjourned: 8:34pm

Bea Ogunti

Secretary

Zoning Board of Appeals