

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.: 22-7771Date: Nov. 10, 2022

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

I (We), Ronald A Wesner residing at 9 Sylvia dr
Wappingers NY 12590, (phone) 914 497 1137, hereby,
appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated 7-14-22, and do hereby apply for an area variance(s).

Premises located at: 9 Sylvia dr Wappingers NY 12590
Tax Grid No.: 6257-02-756777
Zoning District: R20

1. Record Owner of Property:

Ronald A Wesner
Address: 9 Sylvia dr Wappingers NY 12590
Phone Number: 914 497 1137
Owner Consent dated: 7-27-2022

Signature: [Signature]
Print Name: Ronald A Wesner

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: 40' to back of Property.Applicant(s) can provide: 20' to back of propertyThus requesting: 20'

To allow: Placement of Garage to allow proper access to front Driveway.
allows level property to get out of Car. House/existing Driveway is very steep
and unsafe to load and unload a vehicle in winter.

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: 600 Square Foot Footprint

Applicant(s) can provide: 900 Square Feet

Thus requesting: 300 Square Feet

To allow: proper room to store items to clean up back yard

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.

Back yard will be much cleaner with Garage storage available.

- 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.

Proper access to garage based on rear Distance of 26' to property line. Size increased to give sufficient space to clean up back yard of equipment landscaping/lawn maintenance.

- 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 only 3' bigger in each direction. Back yard does not border another house. Just a retention pond built by Toll Bros.

- 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. Can't be seen unless in my back yard. Most houses in my neighborhood have garages added on already.

Town of Wappinger Zoning Board of Appeals
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- E.** How did your need for an area variance(s) come about? Is your difficulty self-created?
Please explain your answer in detail.

Want to clean up back yard and repurpose. My pool collapsed when Toll Bros retention pond dumped out to Sylvia and 500 roads. So I want to put garage where pool was and install new pool in future after garage is done in a different spot.

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

Yes. I have no house behind my property. Just a retention pond installed by Toll Bros. This prevents any issues with a neighbor having garage 20 feet from property line. Plenty of room and not visible from Toll Bros.

4. List of attachments (Check applicable information)

- () Survey dated: _____, Last revised _____ and
Prepared by: _____.
- () 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: 7-14-22
- () 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: [Signature]
(Appellant)

DATED: 7-27-2022

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: 22-7771

Date: 11/10/22

Grid No.: 6257-02-756777

Zoning District: R20

Location of Project:

9 Sylvia dr Wappingers NY 12590

Name of Applicant:

Ronald A Wesner 914-497-1137
Print name and phone number

Description of

Project: install new garage

I Ronald A Wesner, 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.

7-27-2022
Date

[Signature]
Owner's Signature

914-497-1137
Owner's Telephone Number

Ronald A Wesner - Owner
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			
<div style="font-size: 1.2em; margin-left: 20px;">Garage</div> Name of Action or Project:			
Project Location (describe, and attach a location map): <div style="font-size: 1.2em; margin-left: 20px;">9 Sylvia dr Wappingers NY 12590</div>			
Brief Description of Proposed Action: <div style="font-size: 1.2em; margin-left: 20px;">install new garage left of house towards back yard</div>			
Name of Applicant or Sponsor: <div style="font-size: 1.2em; margin-left: 20px;">Ronald A Wesner</div>		Telephone: <div style="font-size: 1.2em; margin-left: 20px;">914-497-1137</div> E-Mail: <div style="font-size: 1.2em; margin-left: 20px;">Wesnerelectric@yahoo.com</div>	
Address: <div style="font-size: 1.2em; margin-left: 20px;">9 Sylvia dr</div>			
City/PO: <div style="font-size: 1.2em; margin-left: 20px;">Wappingers</div>		State: <div style="font-size: 1.2em; margin-left: 20px;">NY</div>	Zip Code: <div style="font-size: 1.2em; margin-left: 20px;">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"/>
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:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			<div style="text-align: right; margin-right: 20px;"> <div style="font-size: 1.2em;">.5</div> acres <div style="font-size: 1.2em;">900 sq feet</div> acres <div style="font-size: 1.2em;">.5</div> acres </div>
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Urban</div> <div style="width: 50%;"><input type="checkbox"/> Rural (non-agriculture)</div> <div style="width: 50%;"><input type="checkbox"/> Industrial</div> <div style="width: 50%;"><input type="checkbox"/> Commercial</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Residential (suburban)</div> <div style="width: 50%;"><input type="checkbox"/> Forest</div> <div style="width: 50%;"><input type="checkbox"/> Agriculture</div> <div style="width: 50%;"><input type="checkbox"/> Aquatic</div> <div style="width: 50%;"><input type="checkbox"/> Other(Specify):</div> <div style="width: 50%;"><input type="checkbox"/> Parkland</div> </div>			

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: <u>Its a garage,</u>	<input 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: <u>Garage</u>	<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: <u>Garage</u>	<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 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 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 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"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Ronald A. Wesner</u> Date: <u>7-27-2022</u>		
Signature: <u>[Signature]</u> Title: <u>Owner</u>		

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

To: Wesner, Ronald
9 Sylvia Dr

SBL: 6257-02-756777-0000
Date of this Notice: 07/14/2022
Zone:
Application: 41945

For property located at: 9 Sylvia Dr

Your application to:

**GARAGE - 30 X 30 2 CAR DETACHED GARAGE ON LEFT SIDE OF HOUSE IN REAR WITH ELECTRIC.
RELOCATE EXISTING 8 X 10 SHED WITH ELECTRIC NEXT TO GARAGE**

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


Where 40 feet to the rear property is required, the applicant can provide 20 feet.

Where an accessory structure cannot be larger than 600 SF, the applicant is proposing a garage of 900 sf

	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	<u>40</u> ft.	<u>20</u> 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

Very Truly,



Zoning Administrator
Town of Wappinger

RECEIVED

JUN 15 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
☐ New Construction ☐ Commercial
☐ Renovation/Alteration ☐ Multiple Dwelling

ZONE: R20 **DATE:** 6/29/2022
APPL #: 41945 **PERMIT #:** _____
GRID: 6257-02-756777

APPLICANT NAME: Ronald A Wesner - Wesner Electric LLC
ADDRESS: 9 Sylvia dr Wappingers NY 12590
TEL #: _____ **CELL:** 9144971137 **FAX #:** _____ **E-MAIL:** Wesnerelectric@yahoo.com

NAME OWNER OF BUILDING/LAND: _____
***PROJECT SITE ADDRESS*:** Same
MAILING ADDRESS: _____
TEL #: _____ **CELL:** _____ **FAX #:** _____ **E-MAIL:** _____

BUILDER/CONTRACTOR DOING WORK:
COMPANY NAME: _____
ADDRESS: Same
TEL #: _____ **CELL:** _____ **FAX #:** _____ **E-MAIL:** _____
DESIGN PROFESSIONAL NAME: _____
TEL #: _____ **CELL:** _____ **FAX #:** _____ **E-MAIL:** _____

APPLICATION FOR: building a 2 car detached garage back of house left side. Will have electric for lights/outlets. and relocate existing shed
30' x 30' = 900 SF

SETBACKS: FRONT: 160' REAR: 20' L-SIDEYARD: 20' R-SIDEYARD: 60'
SIZE OF STRUCTURE: 30' x 30'
ESTIMATED COST: \$25K **TYPE OF USE:** 2 car garage/storage

NON-REFUNDABLE APPL. FEE: 150- **PAID ON:** 6/29/22 **CHECK #:** 11659 **RECEIPT #:** 2022-01168
BALANCE DUE: _____ **PAID ON:** _____ **CHECK #:** _____ **RECEIPT #:** _____

APPROVALS:

ZONING ADMINISTRATOR:

☐ Approved ☒ Denied **Date:** 7-6-22

Brian White

[Signature]

Signature of Applicant

FIRE INSPECTOR:

☐ Approved ☐ Denied **Date:** _____

Signature of Building Inspector

TOWN OF WAPPINGER PLOT PLAN

Building Permit # _____

Date 6-15-2022

Address: 9 Sylvia Dr Wappingers NY

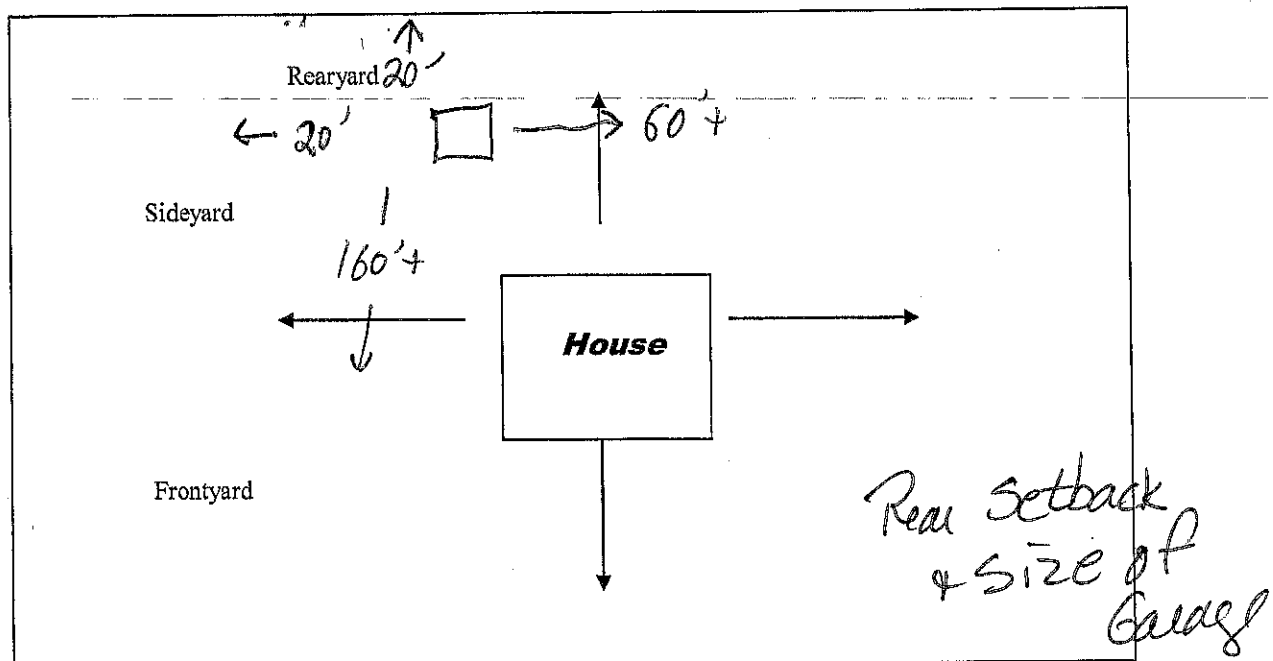
Interior/Corner Lot: circle one

Owner of Land Ronald A Wesner

Zone: R20

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

1. House, See attached survey and plans for garage.



REQUIRED:

- Show proposed location of the unit on plot plan.
- Indicate how far the unit will be from the house and how far it will be from the property lines. (unit cannot be installed in front of house)

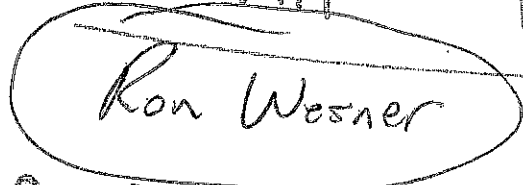
[Signature]
SIGNATURE REQUIRED

Approved: / Rejected: [Signature]

Zoning Administrator

Date: 7.6.22

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ST 87 - FIFTH MAN #211