

MINUTES

**Town of Wappinger
Zoning Board of Appeals
October 25, 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

Public Hearing:

Stephen J. Mazzei	Variances granted
Licari Subdivision	Variances granted
Samuel V. Dawson	Variance granted

Discussion:

Peter J. Pavone	Site visit on November 5, 2022 Public Hearing on November 9, 2022
Jason & Mary Gordon	Site visit on November 5, 2022 Public Hearing on November 9, 2022
Hudson Valley Office Furniture	Site visit on November 5, 2022 Public Hearing on November 9, 2022

Video of the October 25, 2022 Zoning Board of Appeals Meeting:

https://www.youtube.com/watch?v=dCJf_9rHUog

Mr. Shah:	Motion to accept the Minutes from October 11, 2022.
Mr. Barr:	Second the Motion.
Vote:	All present voted Aye.

Public Hearing:

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:	Stephen J. Mazzei – Applicant
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Mr. DellaCorte:	Motion to open the Public Hearing.
Mr. Barr:	Second the Motion.
Vote:	All present voted Aye.

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

Mr. Galotti:

Variance No.1: Motion to grant the applicant the variance. The benefit cannot be achieved by any other feasible means. There is no undesirable change to the neighborhood. The requested variance is not substantial. There is no physical or environmental conditions in the neighborhood. The requested variance is self-created but that in and of itself is not enough for me to deny.

Mr. Shah:

Second the Motion.

Roll Call Vote:

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

Mr. Galotti:

Variance No.2: Motion to grant the applicant the variance. The benefit cannot be achieved by any other feasible means. There is no undesirable change to the neighborhood. The requested variance is not substantial. There is no physical or environmental conditions in the neighborhood. The requested variance is self-created.

CONDITION: Fence has to be removed and put on your property. Steps to be removed from Town's property. If the pool was ever to be removed and replaced with a pool or any other structure it would need to meet the setbacks at that time.

Mr. Shah:

Second the Motion.

Roll Call Vote:

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

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**.

-Where 125' lot width is required, the applicant can provide 89' for the lot width, thus requesting a variance of 36'. 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

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

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

Mr. Galotti: **Variance No. 1: Motion to grant the applicant the variance. The benefit cannot be achieved by any other feasible means. The applicant has demonstrated that it is not feasible to provide public water and sewer to the property. There is no undesirable change to the neighborhood. The requested variance is not substantial. There is no physical or environmental conditions in the neighborhood. The requested variance is self-created, however not enough for me to change my decision.**

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

Mr. Galotti: **Variance No.2: Motion to grant the applicant the variance. The benefit cannot be achieved by any other feasible means. There is no undesirable change to the neighborhood. The requested variance is not substantial. There is no physical or environmental conditions in the neighborhood. The requested variance is self-created, however, not enough to change my decision.**

Mr. Lorenzini: Second the Motion.

Roll Call Vote:

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

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

Mr. Lorenzini: **Motion to open the Public Hearing.**

Mr. Shah: Second the Motion.

Vote: All present voted Aye.

Mr. Galotti: **Motion to adjourn the Public Hearing to December 13, 2022.**

Mr. Shah: Second the Motion.

Vote: All present voted Aye.

Discussion:

Appeal No.: 22-7766 (Area Variance)

Peter J. Pavone: Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where **40 feet** to the rear yard property line is required, the applicant can provide **7 feet** for the legalization of a 12' x 16' gazebo, thus requesting a variance of **33 feet**.

-Where **20 feet** to the side (right) property line is required, the applicant can provide **8 feet** for the legalization of a 12' x 16' gazebo, thus requesting a variance of **12 feet**.

The property is located at **8 Reggie Drive** and is identified as **Tax Grid No.: 6257-01-115679** in the Town of Wappinger.

Present: Peter J. Pavone – Applicant

Site visit on November 5, 2022

Public Hearing on November 9, 2022

Appeal No.: 22-7767 (Area Variance)

Jason & Mary Gordon: Seeking an area variance Section 240-37 of District Regulations in an R40/80 Zoning District.

-Where no more than two accessory structures shall be permitted in any 1-Family Residential District. The applicant has six accessory structures, thus requesting a variance to allow for an 8' x 10' shed, 10' x 36' shed, 12' x 40' shed row barn and 12' diameter gazebo to remain.

The property is located at **98-116 Dusty Trail** and is identified as **Tax Grid No.: 6057-04-744305** in the Town of Wappinger.

Present: Jason Gordon – Applicant

Site visit on November 5, 2022

Public Hearing on November 9, 2022

Appeal No.: 22-7768 (Area Variance)

Hudson Valley Office Furniture: Seeking an area variance Section 240-29 (F1) and 240-29 (F1) (D) of District Regulations in an SC Zoning District.

-Where no more than one wall sign per business is permitted, the applicant can provide two wall signs, thus requesting a variance to allow for a second wall sign.

-Where no more than 100 square feet of wall sign is permitted, the applicant is seeking a total of 204 square feet of signage, thus requesting a variance of 104 square feet.

The property is located at **1404 Route 9** and is identified as **Tax Grid No.: 6157-02-707773** in the Town of Wappinger.

Present;

Nancy Forrest – Applicant

Site visit on November 5, 2022

Public Hearing on November 9, 2022

Mr. Shah:

Motion to adjourn.

Galotti:

Second the Motion.

Vote:

All present voted Aye.

Respectfully Submitted,

Adjourned: 8:39pm

Bea Ogunti
Secretary
Zoning Board of Appeals