

MINUTES

**Town of Wappinger
Zoning Board of Appeals
November 9, 2022
Time: 7:00PM**

**Town Hall
20 Middlebush Road
Wappinger Falls, NY**

Summarized Minutes

Members:

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| Mr. Galotti | Chairman | Present |
| Mr. DellaCorte | Co-Chair | Present |
| Mr. Barr | Member | Present |
| Mr. Lorenzini | Member | Absent |
| Mr. Shah | Member | Absent |

Others Present:

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| Mrs. Roberti | Zoning Administrator |
| Mrs. Ogunti | Secretary |

SUMMARY

Public Hearing:

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| Peter J. Pavone | Public Hearing adjourned to November 22, 2022 |
| Jason & Mary Gordon | Variances granted |
| Hudson Valley Office Furniture | Variances granted |
| George Schmitt | Site visit on November 5, 2022 Public Hearing on November 22, 2022 |
| Neil Ryan Blaser | Moved to November 22, 2022 |

Video of the November 9, 2022 Zoning Board of Appeals Meeting:

<https://www.youtube.com/watch?v=05uP7pXi8kc&list=PLcCjg2q5NlgkcilLKVhTsinwyp65fGoOM&index=45>

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| Mr. Barr: | Motion to accept the Minutes from October 25, 2022. |
| Mr. DellaCorte: | Second the Motion. |
| Vote: | All present voted Aye. |

Public Hearing:

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.

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

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| Mr. Barr: | Motion to adjourn the Public Hearing to November 22, 2022. |
| Mr. DellaCorte: | Second the Motion. |
| Vote: | All present voted Aye. |

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.

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| Present: | Jason Gordon – Applicant |
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Mr. DellaCorte: **Motion to open the Public Hearing.**
Mr. Barr: Second the Motion.
Vote: All present voted Aye.

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

Mr. Barr: **Motion to grant the applicant the variances. Due to the size of the property, it seems appropriate to have the number of structures. It's used as amateur and not a commercial horse farm so we understand why it is the way it does. The benefit cannot be achieved by other means. It's not an undesirable change to the neighborhood. There is no physical or environmental effect. The requested variance is substantial. The alleged difficulty is self-created.**
Mr. DellaCorte: Second the Motion.
Roll Call Vote:
Mr. DellaCorte YES
Mr. Barr YES
Mr. Galotti YES

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.

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

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

Mr. DellaCorte: Motion to grant the applicant the variances. The requested variances will not create an undesirable change to the neighborhood. There will be no substantial detriment to nearby properties. There are other feasible means but this is not an unfeasible means either. The requested variance is not substantial in my opinion. The signs are within the correct size visually. This will not have an adverse effect or impact on the physical or environmental condition on the neighborhood. The alleged difficulty is self-created.

Mr. Barr: Second the Motion.

Roll Call Vote: Mr. DellaCorte YES

Mr. Barr YES

Mr. Galotti YES

Discussion:

Appeal No.: 22-7769 (Area Variance)

George Schmitt: 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 **28.6 feet** for the installation of an in-ground pool, thus requesting a variance of **11.4 feet**.

-Where **20 feet** to the side (left) yard property line is required, the applicant can provide **13.1 feet** for the installation of an in-ground pool, thus requesting a variance of **6.9 feet**.

The property is located at **27 Hilltop Drive** and is identified as **Tax Grid No.: 6258-04-930064** in the Town of Wappinger.

Present: George Schmitt – Applicant

Site visit on November 5, 2022

Public Hearing on November 22, 2022

Appeal No.: 21-7738 (Area Variance)

Neil Ryan Blaser: Seeking an area variance Sections 240-30 and 240-37 of District Regulations in an R40/80 Zoning District.

-Where **no more than two accessory buildings shall be permitted in any 1-Family Residence District, the applicant is proposing three accessory buildings.**

-Where **no accessory building shall have a footprint greater than 600 square feet nor a height in excess of 20 feet. The applicant is proposing to construct a 3200 sf. pole barn with 12' lean to with heat and electric for storage of tractor and farm equipment. This pole barn would be 40' x 80' sf, therefore the applicant is seeking a 2600 sf. variance.**

The property is located at **41 Diddell Road** and is identified as **Tax Grid No.: 6359-03-274312** in the Town of Wappinger.

Move to November 22, 2022

Mr. Barr:
Mr. DellaCorte:
Vote:

Motion to adjourn.
Second the Motion.
All present voted Aye.

Respectfully Submitted,

Adjourned: 7:27 pm

Bea Ogunti
Secretary
Zoning Board of Appeals