

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.: 23-7793

Date: 4/17/23

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

I (We), Michelle Marie HEINE MANN residing at 1109-1111 Route 376  
Wappingers Falls, NY 12590, (phone) 845-452-5900, hereby,  
appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,  
dated 3/24/23 + 4/5/23, and do hereby apply for an area variance(s).

Premises located at: 1109-1111 Route 376, Wappingers Falls, NY 12590

Tax Grid No.: 6358-01-205670-0000 + 6358-01-219740-0000

Zoning District: R40

1. Record Owner of Property:

Michelle-Marie Heinemann

Address: 1111 Route 376, Wappingers Falls, NY 12590

Phone Number: (845) 452-5900 (V+V, LLP)

Owner Consent dated: 3/7/23

Signature: Sarah E. Ryan o/b/o  
Print Name: Sarah E. Ryan Heinemann

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.

§ 240-21(F)(1)

(Indicate Article, Section, Subsection and Paragraph)

Required: Maximum 4ft. fence height along street frontages

Applicant(s) can provide: 6ft. fence height along street frontages

Thus requesting: 2 ft. fence height variance along street frontages

To allow: 6 ft. fence installation along Route 376 + Dogwood Hill Rd.

cul-de-sac.

Town of Wappinger Zoning Board of Appeals  
Application for an Area Variance  
Appeal No.: \_\_\_\_\_

**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.

§ 240-30 (B)

(Indicate Article, Section, Subsection and Paragraph)

Required: No more than 2 accessory buildings

Applicant(s) can provide: owner has 6 accessory buildings (3 sheds, gazebo, garage, apt structure)

Thus requesting: variance for 4 accessory buildings

To allow: Legalization of all existing accessory buildings (6)

**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.

See Addendum

- 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.

See Addendum

- 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.

See Addendum

- 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.

See Addendum



Town of Wappinger Zoning Board of Appeals  
Application for an Area Variance  
Appeal No.: 23-7793

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

See Addendum

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

See Addendum

4. List of attachments (*Check applicable information*)

- (☒) Survey dated: February 19, 2023, Last revised \_\_\_\_\_ and  
Prepared by: John Decker, L.S.
- ( ) Plot Plan dated: \_\_\_\_\_
- ( ) Photos
- (☒) Drawings dated: 4/18/23 - Accessory Buildings
- (☒) Letter of Communication which resulted in application to the ZBA.  
(e.g., recommendation from the Planning Board/Zoning Denial)
- 2 Letters from: Barbara Roberti Dated: 3/24/23; 4/5/23
- ( ) 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: Sarah E Ryan - van de Water DATED: 4/18/23  
(Appellant) + Van De Water, LLP.

SIGNATURE: \_\_\_\_\_ DATED: \_\_\_\_\_  
(If more than one Appellant)

**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:** \_\_\_\_\_

## ADDENDUM TO HEINEMANN APPLICATION FOR AREA VARIANCES

### **A. If your variance is granted, how will the character of the neighborhood or nearby properties change? Will any of those changes be negative?**

FENCE §240-21(F)(1): The character of the neighborhood and nearby properties will not change. There is a partial, existing fence along the street frontage on Route 376. The requested variance will simply allow the extension and improvement of the 6-foot fence to span the length of the property at 111 Route 376 as well as the contiguous adjacent parcel which is also owned by the property owner.

The variance will allow for the installation of a fence with a uniform height of 6 feet around the property.

ACCESSORY BUILDINGS §240-30(B): The character of the neighborhood and nearby properties will not change. The subject property is large for the area, consisting of 25.2 acres, and the existing 6 accessory buildings (shed, pool cabana, large gazebo, small gazebo, detached garage with artist's studio, and apartment structure) are close to the main residence and meet all setback requirements.

### **B. Please explain why you need the variance. Is there any way to reach the same result without a variance?**

FENCE §240-21(F)(1): The 2-foot variance is needed to provide adequate privacy and security for the property and to prevent trespass. Additionally, the 6-foot fence height along the Dogwood Hill Rd. cul-de-sac would provide the applicant with screening to block the view of a neighboring residential property which has fallen into extreme disrepair. There is no other way to achieve the desired privacy, security and screening.

ACCESSORY BUILDINGS §240-30(B): The variance is needed to legalize the existing accessory buildings and to allow the reconstruction and conversion of the 3-apartment structure into a legal caretaker's cottage. Applicant is working with the Building Dep't to legalize all accessory buildings on the subject property. There is no other way to legalize the existing accessory buildings.

The apartment structure, which houses caretakers of the property, is proposed to be reconstructed as a Caretaker's Cottage in order to come into compliance with the Town Code and Building Code.

### **C. How big is the change from the standards set out in the zoning law? Is the requested variance substantial?**

FENCE §240-21(F)(1): The requested 2-foot variance is not substantial. Previously, the 6-foot fence could be installed as-of-right along road frontages. In May 2022, the Wappingers Zoning Code was amended to limit the height of fences along roadways to 4 feet to prevent the obstruction of site distances for drivers, bicyclists, and pedestrians.

Here, the portions fence which require variance will be installed parallel to Route 376 and at the end of the Dogwood Hill Road cul-de-sac. As such, no site distances will be affected by a 6-foot-tall fence.

ACCESSORY BUILDINGS §240-30(B): The variance would increase the number of permitted accessory buildings on the subject property from 2 to 6. This variance is not substantial when considered in relation to the size of the property and the fact that the structures have existed on site for years.

**D. If your variance is granted, will the physical environmental conditions in the neighborhood or the district be impacted?**

FENCE §240-21(F)(1): The physical environmental conditions of the neighborhood or district will not be impacted. The fence will simply border the property along Route 376 and at the end of the cul-de-sac on Dogwood Hill Road.

ACCESSORY BUILDINGS §240-30(B): The physical environmental conditions of the neighborhood or district will not be impacted should the variance be granted. The variance is requested to allow legalization of the existing accessory buildings, many of which were constructed over a decade ago.

**E. How did your need for an area variance come about? Is your difficulty self-created?**

FENCE §240-21(F)(1): The need for the area variance came about as a result of the property owner's experience with trespassers and the May 2022 change to the Wappingers Zoning Code limiting the height of fences along street frontages. Therefore, the difficulty is not self-created.

ACCESSORY BUILDINGS §240-30(B): The need for this variance came about as a result of a 2013 amendment to the Zoning Code which limited the number of accessory buildings in 1-Family Residential Districts to 2. Most of the accessory buildings, with the exception of the apartment structure, were constructed between 1993-2006, prior to the Zoning Code amendment. Applicant is working with the Town to convert the apartment structure into a code-compliant Caretaker's Cottage.

**F. Is your property unique in the neighborhood that it needs this type of variance?**

FENCE §240-21(F)(1): Yes, the property is unique to the neighborhood in that residence is surrounded by substantial woodland which can result in inadvertent trespass by hikers and other individuals.

ACCESSORY BUILDINGS §240-30(B): Yes, the property is unique to the neighborhood in that the property is significantly larger than most of the neighboring properties, is surrounded by substantial woodland, and is proposed to be screened by fencing around the entire perimeter.

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: 23-7793

Date: 3/6/23

Grid No.: 0358-01-205670-0000 and

Zoning District: R40

Location of Project: 0358-01-219740-0000

1109-111 Route 376, Wappingers Falls, NY 12590

Name of Applicant:

Van DeWater + Van DeWater, LLP (C/o Kyle Barnett, Esq.) (845) 452-5900  
Print name and phone number

Description of

Project: Application for area variance (§ 240-21(F)(1))  
to install 6 ft. fence along street frontages on  
Route 376 and Dogwood Hill Rd. cul-de-sac. Legalize 6  
existing accessory buildings. (§ 240-30(B))

I Michelle-Marie Heinemann, 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.

3/7/2023  
Date

  
Owner's Signature

917-6782830  
Owner's Telephone Number

Michelle-Marie Heinemann  
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 deed.



# 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                          |                                               |                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------|-----------------------------------------------|-------------------------------------|
| <b>Name of Action or Project:</b><br>Heinemann Area Variance (Fence)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |                                                                          |                                               |                                     |
| <b>Project Location (describe, and attach a location map):</b><br>1109-1111 Route 376, Wappingers Falls, NY 12590                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |                                                                          |                                               |                                     |
| <b>Brief Description of Proposed Action:</b><br>Applicant seeks an area variance to permit the installation of a 6-foot fence along street frontages along Route 376 and at the end of a cul-de-sac along Dogwood Hill Road. All areas abutting roadways require 2ft variance to install 6ft fence. Fence install to be done by Mid-Hudson Fence Co. in phases. Phase A includes installation of 600 Linear Feet of fence abutting Dogwood Hill Rd. cul-de-sac. Total install for all phases will include 4335 Linear Feet of fence.<br><div style="color: blue; font-family: cursive;">                         Legalization of 6 existing accessory structures: detached garage, shed, pool cabana (shed), large gazebo, small gazebo, apartment structure → to be converted to caretaker's cottage.                     </div>                                                                              |  |                                                                          |                                               |                                     |
| <b>Name of Applicant or Sponsor:</b><br>Van DeWater & VanDeWater, LLP (Sarah E. Ryan, Esq.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  | <b>Telephone:</b> 845-452-5900<br><b>E-Mail:</b> sryan@vandewaterlaw.com |                                               |                                     |
| <b>Address:</b><br>85 Civic Center Plaza, Suite 101                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                                                          |                                               |                                     |
| <b>City/PO:</b><br>Poughkeepsie                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  | <b>State:</b><br>New York                                                | <b>Zip Code:</b><br>12601                     |                                     |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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<br><br><input checked="" type="checkbox"/> | YES<br><br><input type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency?<br>If Yes, list agency(s) name and permit or approval:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                                          | NO<br><br><input checked="" type="checkbox"/> | YES<br><br><input type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  | 25.2 acres                                                               |                                               |                                     |
| b. Total acreage to be physically disturbed?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  | 4335 <del>acres</del> linear ft.                                         |                                               |                                     |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  | 25.2 acres                                                               |                                               |                                     |
| 4. Check all land uses that occur on, are adjoining or near the proposed action:<br><div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input type="checkbox"/> Urban    <input type="checkbox"/> Rural (non-agriculture)                         </div> <div style="width: 50%;"> <input type="checkbox"/> Industrial    <input type="checkbox"/> Commercial                         </div> <div style="width: 50%;"> <input checked="" type="checkbox"/> Residential (suburban)                         </div> <div style="width: 50%;"> <input type="checkbox"/> Forest    <input type="checkbox"/> Agriculture                         </div> <div style="width: 50%;"> <input type="checkbox"/> Aquatic    <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 type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" 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:                                                                                                                                                                                                                                                                                          |                                     |                                     |                                     |
| N/A - fence                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>            | <input checked="" 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"/>            |                                     |
| N/A - fence                                                                                                                                                                                                                                                                                                                                                                          |                                     |                                     |                                     |
| 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"/>            |                                     |
| N/A - fence                                                                                                                                                                                                                                                                                                                                                                          |                                     |                                     |                                     |
| 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:<br><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><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<br><input checked="" type="checkbox"/> | YES<br><input type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan?                                                                                                                                                                                                                                                                                                                                                       | NO<br><input checked="" type="checkbox"/> | YES<br><input type="checkbox"/> |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,                                                                                                                                                                                                                                                                                                     | NO<br><input checked="" type="checkbox"/> | YES<br><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)?<br>If Yes, briefly describe:                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/>       | <input type="checkbox"/>        |
| <hr/> <hr/>                                                                                                                                                                                                                                                                                                                                                                                                       |                                           |                                 |
| 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)?<br>If Yes, explain the purpose and size of the impoundment:                                                                                                                                                                       | NO<br><input checked="" type="checkbox"/> | YES<br><input type="checkbox"/> |
| <hr/> <hr/>                                                                                                                                                                                                                                                                                                                                                                                                       |                                           |                                 |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe:                                                                                                                                                                                                                                                   | NO<br><input checked="" type="checkbox"/> | YES<br><input type="checkbox"/> |
| <hr/> <hr/>                                                                                                                                                                                                                                                                                                                                                                                                       |                                           |                                 |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe:                                                                                                                                                                                                                                                 | NO<br><input checked="" type="checkbox"/> | YES<br><input type="checkbox"/> |
| <hr/> <hr/>                                                                                                                                                                                                                                                                                                                                                                                                       |                                           |                                 |
| <b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b><br><br>Applicant/sponsor/name: <u>Van DeWater &amp; Van DeWater (Sarah E. Ryan, Esq.)</u> Date: <u>3/21/23</u><br>Signature: <u><i>Sarah E. Ryan</i></u> Title: <u>Attorney</u>                                                                                                                             |                                           |                                 |

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

To: Heinemann, Michelle  
1111 Route 376

SBL: 6358-01-205670-0000  
Date of this Notice: 03/24/2023  
Zone:  
Application: 42883

For property located at: 1109-1111 Route 376

Your application to:

**FENCE-EXTENDING AND INSTALL 6 FOOT FENCE ALONG ALL PROPERTY LINES INCLUDING ABUTTING ROADWAYS \*\*APPLICATION FOR VARIANCE ONLY\*\***

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

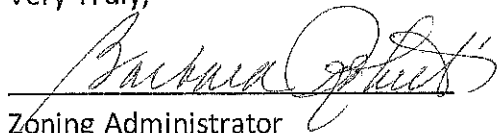
Where a fence can only be four feet in height in a front yard, the applicant is seeking a variance to erect a six feet high fence in the front yard.

---

|                    | REQUIRED: | WHAT YOU CAN PROVIDE: |
|--------------------|-----------|-----------------------|
| REAR YARD:         | _____ ft. | _____ 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](http://www.townofwappingerny.gov)

Very Truly,



Zoning Administrator  
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 **ZONE:** R40 **DATE:** 3/20/23  
☐ New Construction ☐ Commercial **APPL #:** 42883 **PERMIT #**  
☐ Renovation/Alteration ☐ Multiple Dwelling **GRID:** 6358-01-205670-0000 & 6358-01-219740-0000

**APPLICANT NAME:** Van DeWater & Van DeWater, LLP o/b/o Michelle-Marie Heinemann

**ADDRESS:** 85 Civic Center Plaza, Ste 101, Poughkeepsie, NY 12601

**TEL #:** 845-452-5900 **CELL:** **FAX #:** 845-452-5848 **E-MAIL:** eryl@vandewaterlaw.com

**NAME OWNER OF BUILDING/LAND:** Michelle-Marie Heinemann

**\*PROJECT SITE ADDRESS\*:** 1109-1111 Route 376

**MAILING ADDRESS:** 1111 Route 376, Wappingers Falls, NY 12590

**TEL #:** **CELL:** **FAX #:** **E-MAIL:** mmh@oldfashionedmom.org

**BUILDER/CONTRACTOR DOING WORK:**  
**COMPANY NAME:** Mid Hudson Fence Co.

**ADDRESS:** 5 Sprout Creek Court, Wappingers Falls, NY 12590

**TEL #:** 845-221-8700 **CELL:** **FAX #:** **E-MAIL:**

**DESIGN PROFESSIONAL NAME:**  
**TEL #:** **CELL:** **FAX #:** **E-MAIL:**

**APPLICATION FOR:** To extend and install 6 ft fence along all property lines, including those abutting roadways.

**SETBACKS:** **FRONT:** **REAR:** **L-SIDEYARD:** **R-SIDEYARD:**

**SIZE OF STRUCTURE:** 4335 Linear Feet

**ESTIMATED COST:** **TYPE OF USE:** Residential Fence

**NON-REFUNDABLE APPL. FEE:** **PAID ON:** **CHECK #** **RECEIPT #:**

**BALANCE DUE:** **PAID ON:** **CHECK #** **RECEIPT #:**

**APPROVALS:** \*No fee collected, permit not required. Paperwork collected for variance \*

**ZONING ADMINISTRATOR:** **FIRE INSPECTOR:**  
O Approved O Denied **Date:** 3.24.23 O Approved O Denied **Date:**

**Signature of Applicant:** **Signature of Building Inspector:**

**Signature of Applicant:** **Signature of Building Inspector:**

**Print Name or Company Name(if applicable):** Sarah E. Ryan - Van DeWater & Van DeWater, LLP.



# TOWN OF WAPPINGER PLOT PLAN

Building Permit # \_\_\_\_\_

Date 3/20/23

Address: 1109 -111 Route 376

Interior Corner Lot: *circle one*

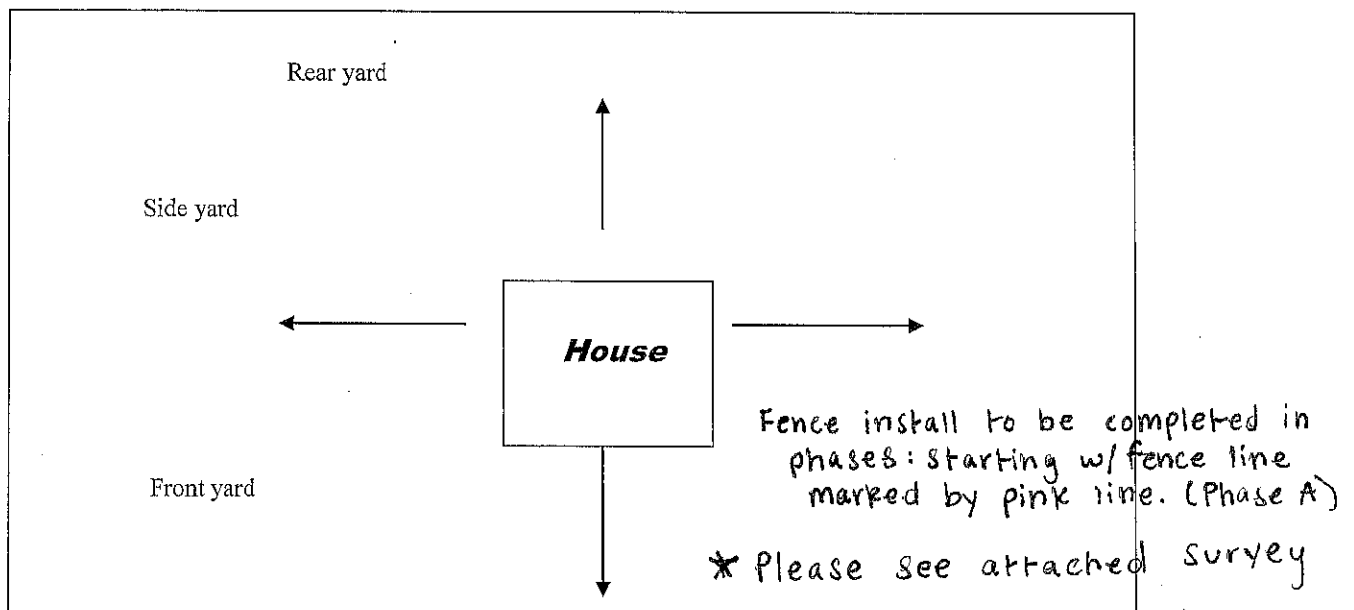
Owner of Land Michelle-Marie Heinemann

Zone: R40

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

1. House, pool, garage, porches, patios, tennis court, gazebos, sheds, decks

**STRUCTURE MUST MEET REQUIRED SETBACKS. PLEASE CONTACT OUR OFFICE TO FIND OUT HOW FAR YOU NEED TO BE FROM YOUR PROPERTY LINES.**



**INSTRUCTIONS:**

- Draw proposed location of structure on plot plan.
- Indicate location setbacks to both sides and rear property line (How far away is the structure from all property lines, measure in feet) Structure must meet setback requirements.

All measurements based on  
minimum setback of 12 ft from  
property line

**\*\*Please contact our office to verify your setback requirements. \*\***

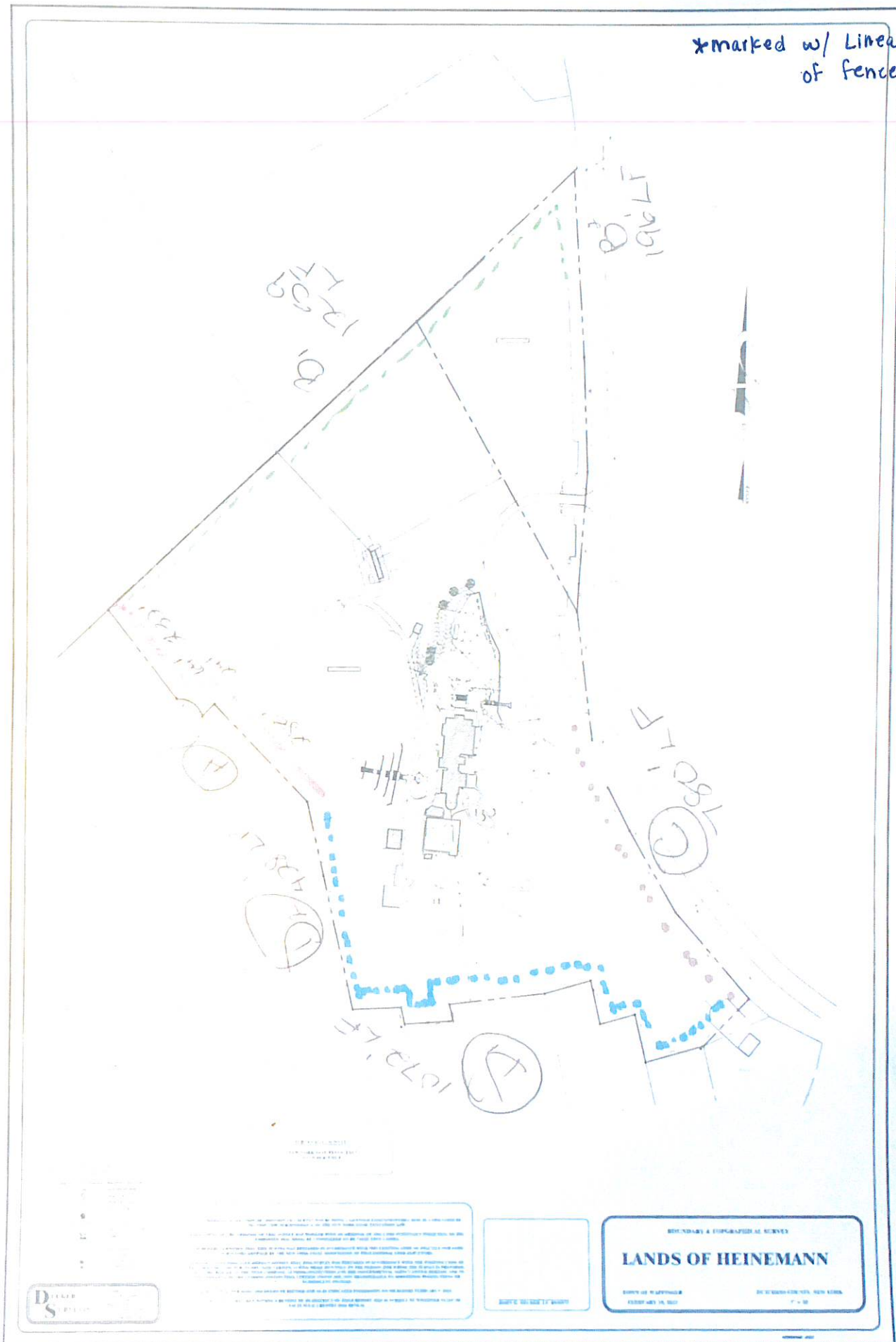
Sarah E Ryan - Van DeWater + Van DeWater  
Signature

Approved:/Rejected: \_\_\_\_\_

Date: \_\_\_\_\_

Zoning Administrator

\*marked w/ Linear feet  
of fence line







**LEGEND**

- EXISTING ROAD
- PROPOSED ROAD
- EXISTING WALL
- PROPOSED WALL
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING TREE
- PROPOSED TREE
- EXISTING SHED
- PROPOSED SHED
- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING POOL
- PROPOSED POOL
- EXISTING DRIVE
- PROPOSED DRIVE
- EXISTING UTILITY
- PROPOSED UTILITY
- EXISTING EASEMENT
- PROPOSED EASEMENT
- EXISTING SETBACK
- PROPOSED SETBACK
- EXISTING ZONING
- PROPOSED ZONING
- EXISTING DEED
- PROPOSED DEED
- EXISTING TITLE
- PROPOSED TITLE
- EXISTING MORTGAGE
- PROPOSED MORTGAGE
- EXISTING LIEN
- PROPOSED LIEN
- EXISTING ENCUMBRANCE
- PROPOSED ENCUMBRANCE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- EXISTING SETBACK
- PROPOSED SETBACK
- EXISTING ZONING
- PROPOSED ZONING
- EXISTING DEED
- PROPOSED DEED
- EXISTING TITLE
- PROPOSED TITLE
- EXISTING MORTGAGE
- PROPOSED MORTGAGE
- EXISTING LIEN
- PROPOSED LIEN
- EXISTING ENCUMBRANCE
- PROPOSED ENCUMBRANCE

**BOUNDARY & TOPOGRAPHICAL SURVEY**

**LANDS OF HEINEMANN**

TOWN OF WAPPINGER  
FEBRUARY 19, 2023

DUTCHESS COUNTY, NEW YORK  
1" = 50'

**DISCLAIMER**

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF AN INSURETY OF TITLE REPORT AND IN ACCORDANCE WITH THE STATE OF NEW YORK'S REQUIREMENTS FOR A SURVEYOR'S REPORT TO THE CLIENT.

JOHN H. DECKER, INC. #00072



[illegible]

JOHN H. DECKER LS #668571

BOUNDARY & TOPOGRAPHICAL SURVEY

# LANDS OF HEINEMANN

TOWN OF WAPPINGER      DUTCHESS COUNTY, NEW YORK

FEBRUARY 19, 1923      1" = 50'

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

To: Heinemann, Michelle  
1111 Route 376

SBL: 6358-01-205670-0000  
Date of this Notice: 04/05/2023  
Zone:  
Application: 42929

For property located at: 1109-1111 Route 376

Your application to:

**SHEDS - 3 SHEDS: 10x14, 18x24, & 14x8. ALL WITH NO ELECTRIC - LEGALIZATION - \*\*SHED MUST BE ON GRAVEL, CONCRETE SLAB OR PAVERS\*\* \*\*CALL INTO OUR OFFICE FOR FINAL INSPECTION BY TOWN BUILDING INSPECTOR\*\***

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

Where only two accessory structures are permitted on a parcel, the applicant has six accessory structures.  
3 sheds, one garage, gazebo, three-apartment structure.

---

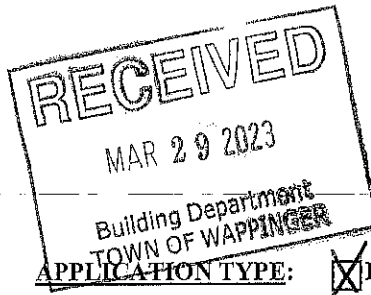
|                    | REQUIRED: | WHAT YOU CAN PROVIDE: |
|--------------------|-----------|-----------------------|
| REAR YARD:         | _____ ft. | _____ ft.             |
| SIDE YARD (LEFT):  | _____ ft. | _____ ft.             |
| SIDE YARD (RIGHT): | _____ ft. | _____ ft.             |
| FRONT 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](http://www.townofwappingerny.gov)

Very Truly,

  
\_\_\_\_\_  
Zoning Administrator  
Town of Wappinger

Sheds-3



**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:

R40

DATE:

3/31/2023

APPL #:

42929

PERMIT #

GRID:

6358-01-205670

**APPLICANT NAME:**

Michelle-Marie Heinemann

**ADDRESS:**

1111 Route 376, Wappingers Falls NY 12590

TEL #:

917-678-2830

CELL:

FAX #:

E-MAIL:

**NAME OWNER OF BUILDING/LAND:**

Michelle-Marie Heinemann

**\*PROJECT SITE ADDRESS\*:**

1111 Route 376, Wappingers Falls NY 12590

**MAILING ADDRESS:**

1111 Route 376, Wappingers Falls, NY 12590

TEL #:

917-678-2830

CELL:

FAX #:

E-MAIL:

**BUILDER/CONTRACTOR DOING WORK:**

**COMPANY NAME:**

Amish Sheds

**ADDRESS:**

5075 Lower Valley Rd. (Rte. 372) Atglen PA 19310

TEL #:

610-593-1700

CELL:

FAX #:

E-MAIL:

**DESIGN PROFESSIONAL NAME:**

TEL #:

CELL:

FAX #:

E-MAIL:

**APPLICATION FOR:**

Sheds-no electric.

10x14, 18x24, 14x8

**SETBACKS: FRONT:**

REAR:

L-SIDEYARD:

R-SIDEYARD:

**SIZE OF STRUCTURE:**

10x14, 18x24, 14x8

**ESTIMATED COST:**

\$5,000.00

**TYPE OF USE:**

Garden Shed

**NON-REFUNDABLE APPL. FEE:**

8150

PAID ON:

3/31/23

CHECK #

102

RECEIPT #:

2023-00518

Legitization

BALANCE DUE:

250

PAID ON:

3/31/23

CHECK #

102

RECEIPT #:

2023-00517

**APPROVALS:**

**ZONING ADMINISTRATOR:**

O Approved

O Denied

Date:

4-4-23

Michelle-Marie Heinemann

Signature of Applicant

Michelle-Marie Heinemann

Print Name or Company Name(if applicable)

**FIRE INSPECTOR:**

O Approved

O Denied

Date:

Signature of Building Inspector

# TOWN OF WAPPINGER PLOT PLAN

Building Permit # \_\_\_\_\_

Date 03/29/2023

Address: 1111 Route 376, Wappingers Falls

Interior/Corner Lot: *circle one*

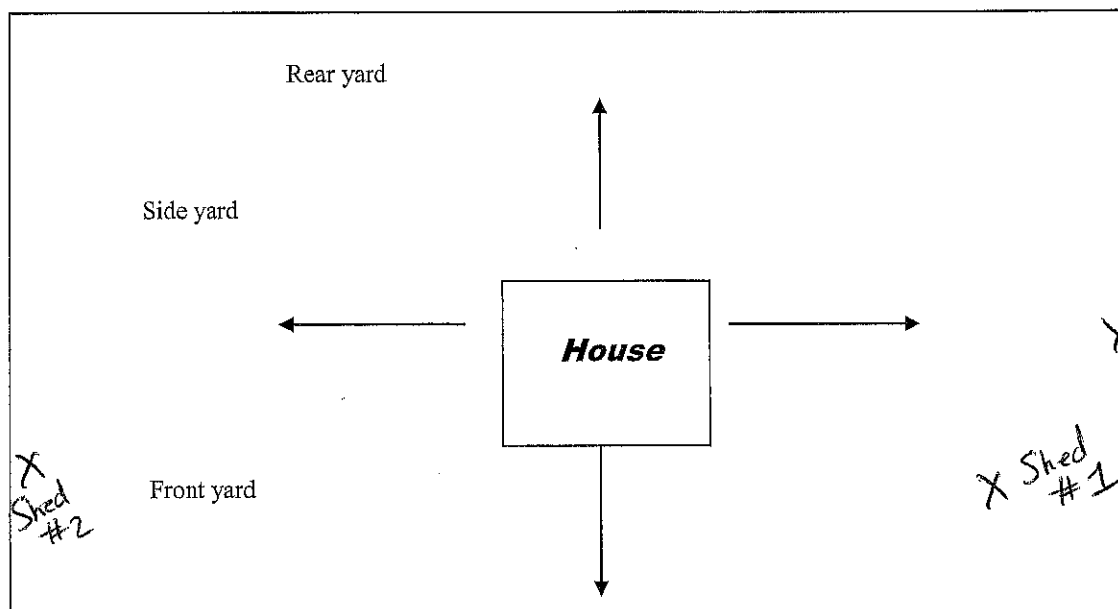
Owner of Land Michelle-Marie Heinemann NT 12590

Zone: R40

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

1. House,

**STRUCTURE MUST MEET REQUIRED SETBACKS. PLEASE CONTACT OUR OFFICE TO FIND OUT HOW FAR YOU NEED TO BE FROM YOUR PROPERTY LINES.**



## INSTRUCTIONS:

- Draw proposed location of structure on plot plan.
- Indicate location setbacks to both sides and rear property line (How far away is the structure from all property lines, measure in feet) Structure must meet setback requirements.

**\*\*Please contact our office to verify your setback requirements. \*\***

Michelle-Marie Heinemann  
Signature

Approved:/Rejected: \_\_\_\_\_

Date: \_\_\_\_\_

Zoning Administrator



NEW YORK SITE FILE: 6497  
- NAME OF A PERSON

ONLY CHIEFS OF THE TRIBES, OF THE SLEEVY NATIONS, AND THE CHIEFS OF THE LANDS, SHOULD BE INVITED TO THE MEETING.

NO INFORMATION WAS OBTAINED FROM THE COMPANY THAT THE COMPANY WAS PREPARED TO ACCOMMODATE OTHER INVESTORS OR TO  
 MAKE SUCH A CHANGE IN THE COMPANY'S POLICY. THE COMPANY STATED THAT THE COMPANY WAS NOT PREPARED TO MAKE SUCH A CHANGE IN  
 AND ON BEHALF OF THE COMPANY, LONDON INVESTMENT, AND THE GOVERNMENT OF THE UNITED STATES, AND TO  
 REPRESENTATIVES OF THE FEDERAL GOVERNMENT, CONSIDERATION WAS GIVEN TO THE COMPANY'S REQUEST TO ACCEPT INVESTORS ON  
 REPRESENTATION OF OTHERS.

THIS INSTRUMENT PREPARED THROUGH THE EFFORTS OF AN ASSOCIATE OF THE UNIVERSITY AND IN CONNECTION WITH THE STUDY OF FACTORS AFFECTING MENTAL HEALTH.

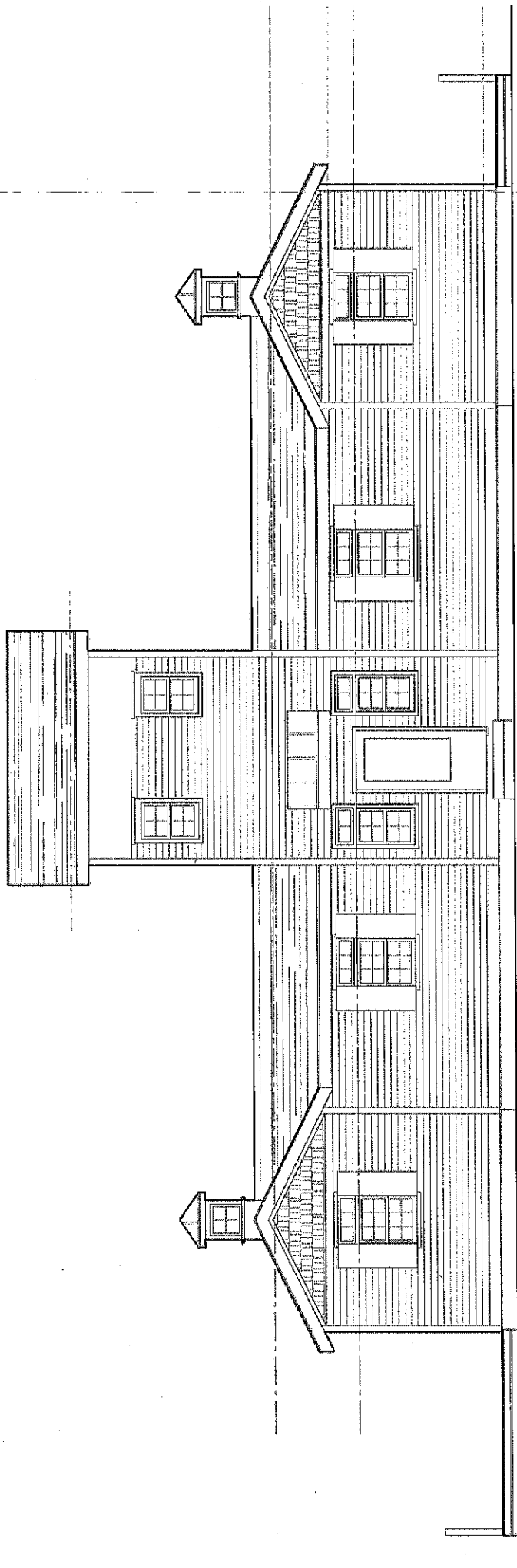
LANDS OF HENEMANN

TOWNS OF WASHINGTON

DUTCHESS COUNTY, NEW YORK

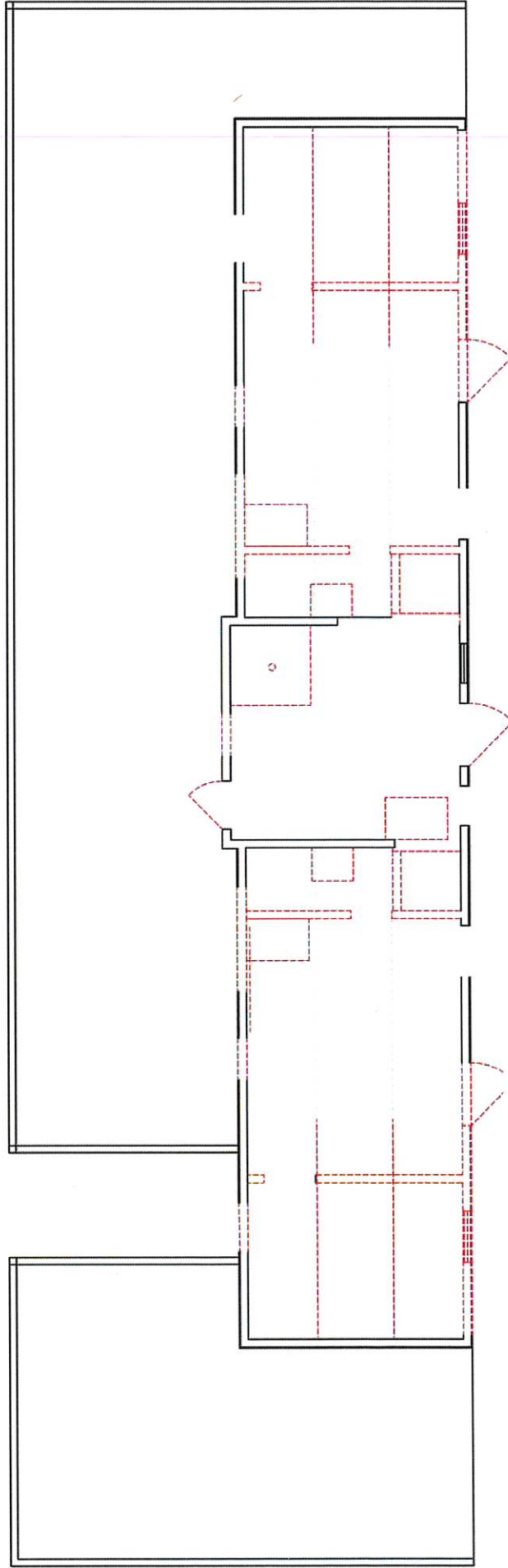
1<sup>st</sup> 2<sup>nd</sup>

FEBRUARY 24, 2023 - PROPOSED PG01



1 FRONT ELEVATION

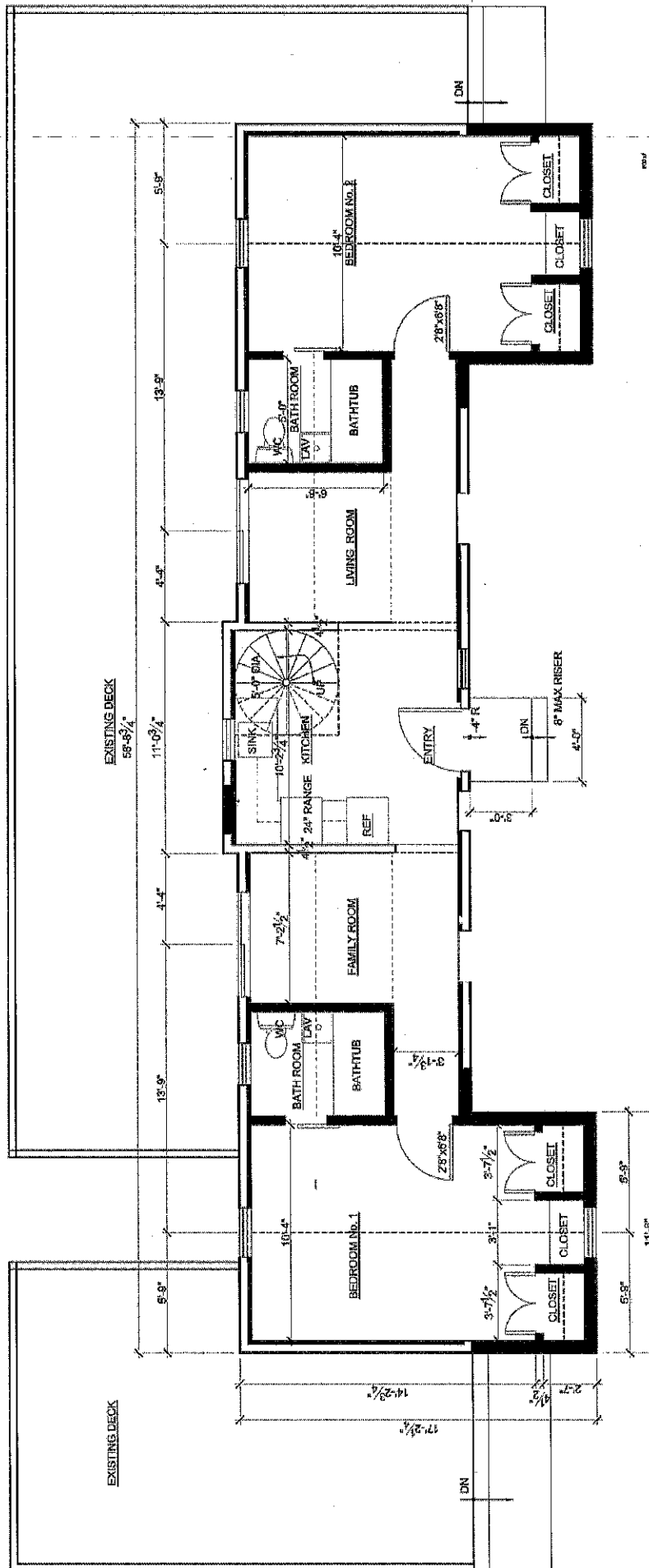
SCALE: 1/4" = 1'-0"



**DEMOLITION FLOOR PLAN**

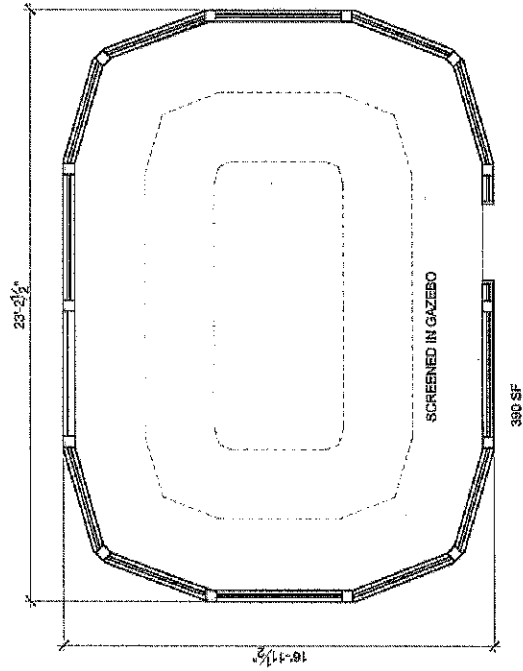
SCALE: 1/4" = 1'-0"

A

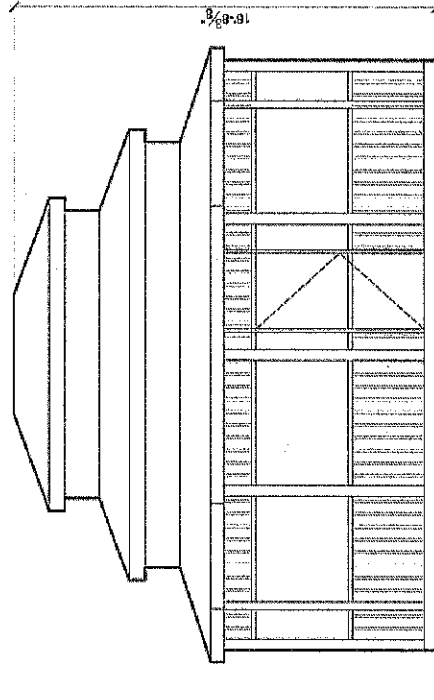


**B PROPOSED FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

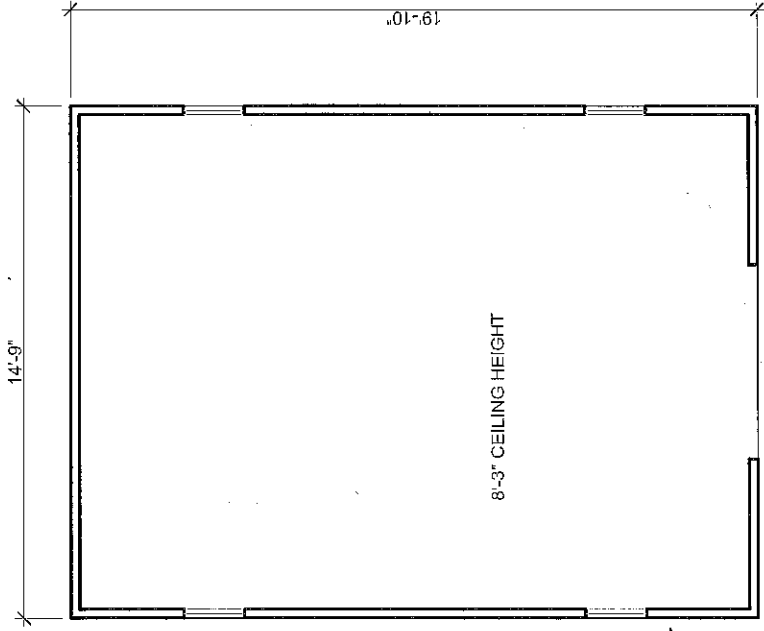




**C** GAZEBO PLAN  
SCALE: 1/4" = 1'-0"

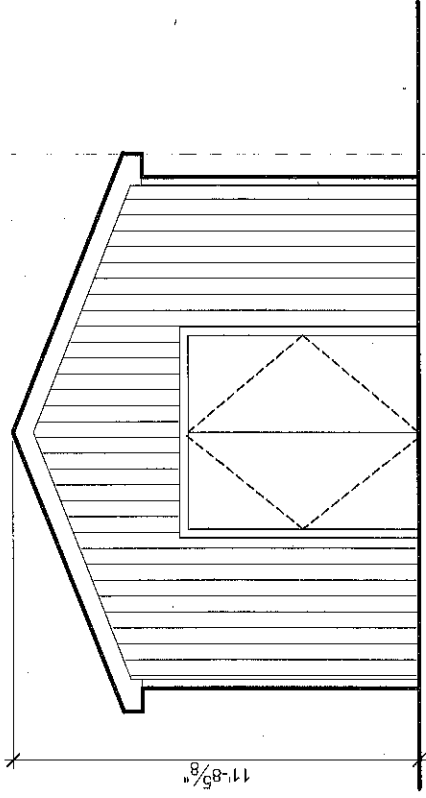


**5** FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



**A** FLOOR PLAN  
SCALE: 3/16" = 1'-0"

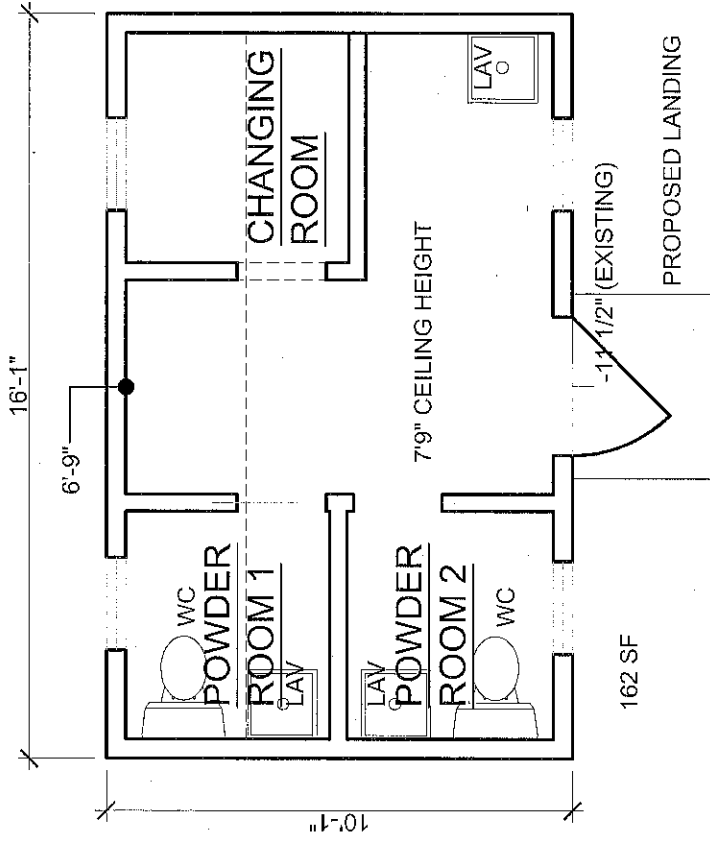
# SHED



**1** FRONT ELEVATION  
SCALE: 3/16" = 1'-0"



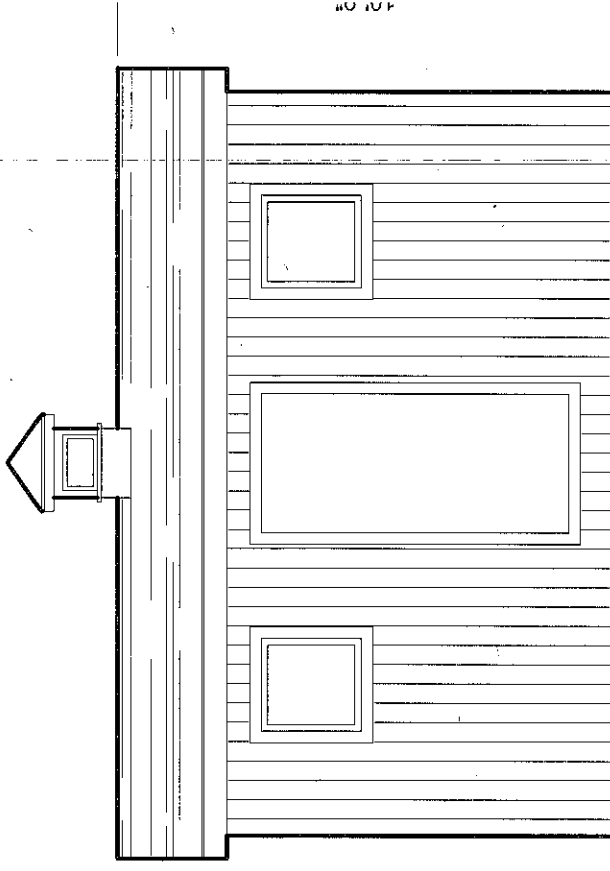
**2** SIDE ELEVATION  
SCALE: 3/16" = 1'-0"



## B FLOOR PLAN

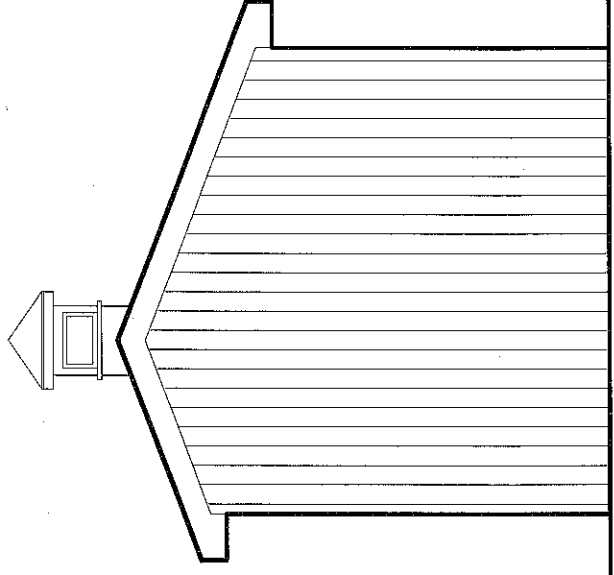
SCALE: 1/4" = 1'-0"

## POOL CABANA



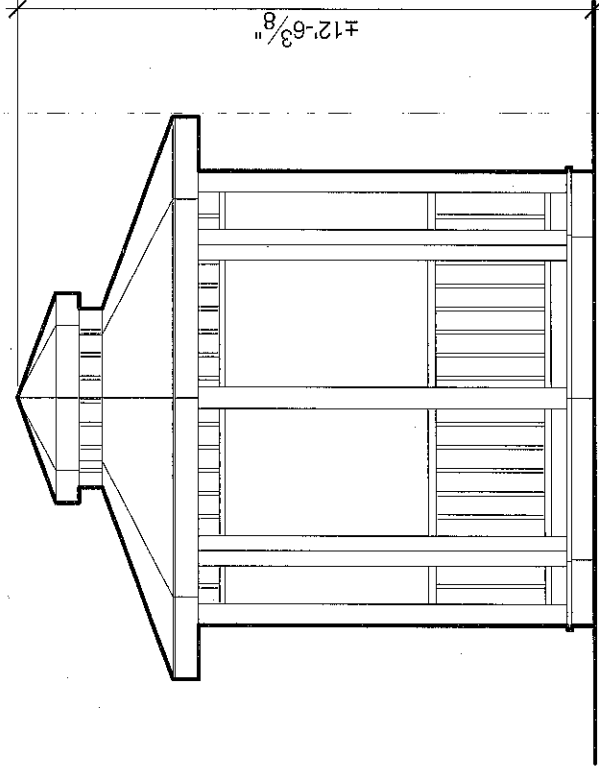
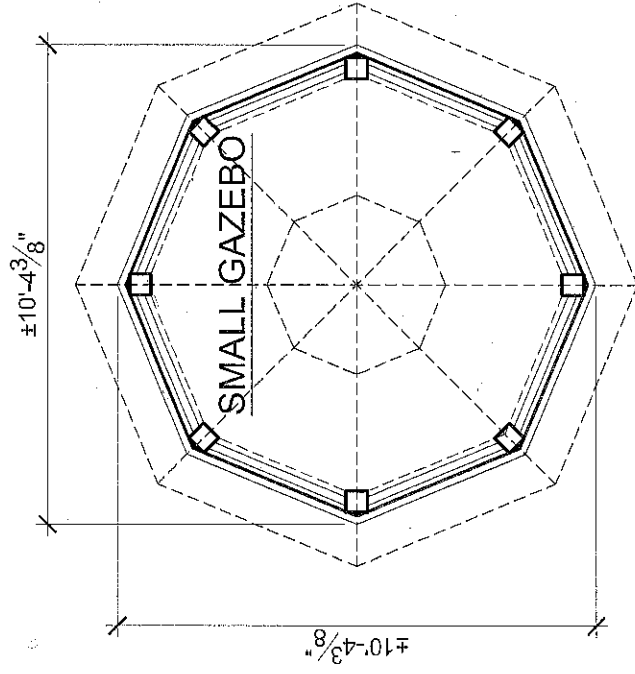
## 3 FRONT ELEVATION

SCALE: 1/4" = 1'-0"



## 4 SIDE ELEVATION

SCALE: 1/4" = 1'-0"



FLOOR PLAN

SCALE: 1/4" = 1'-0"

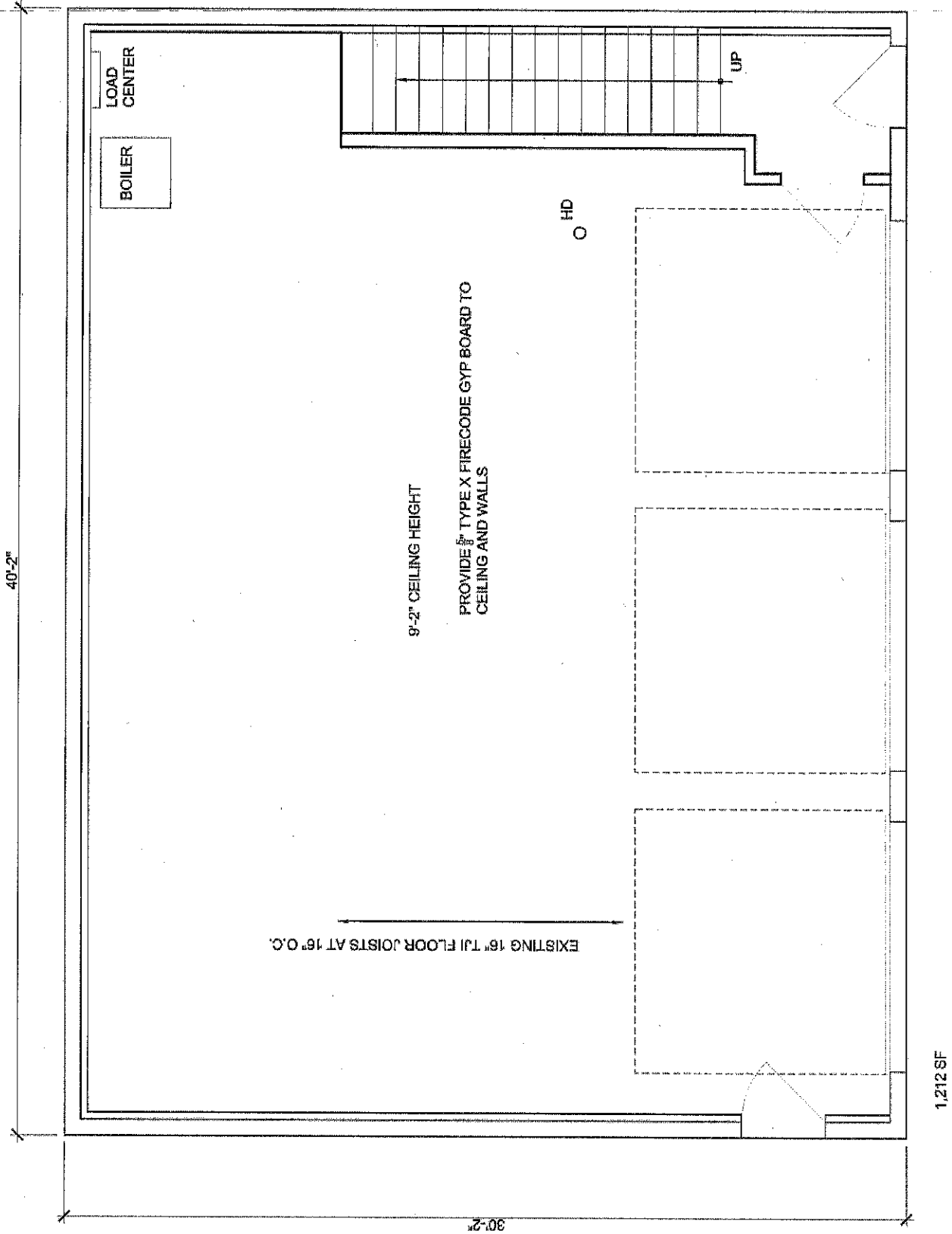
D

ELEVATION

SCALE: 1/4" = 1'-0"

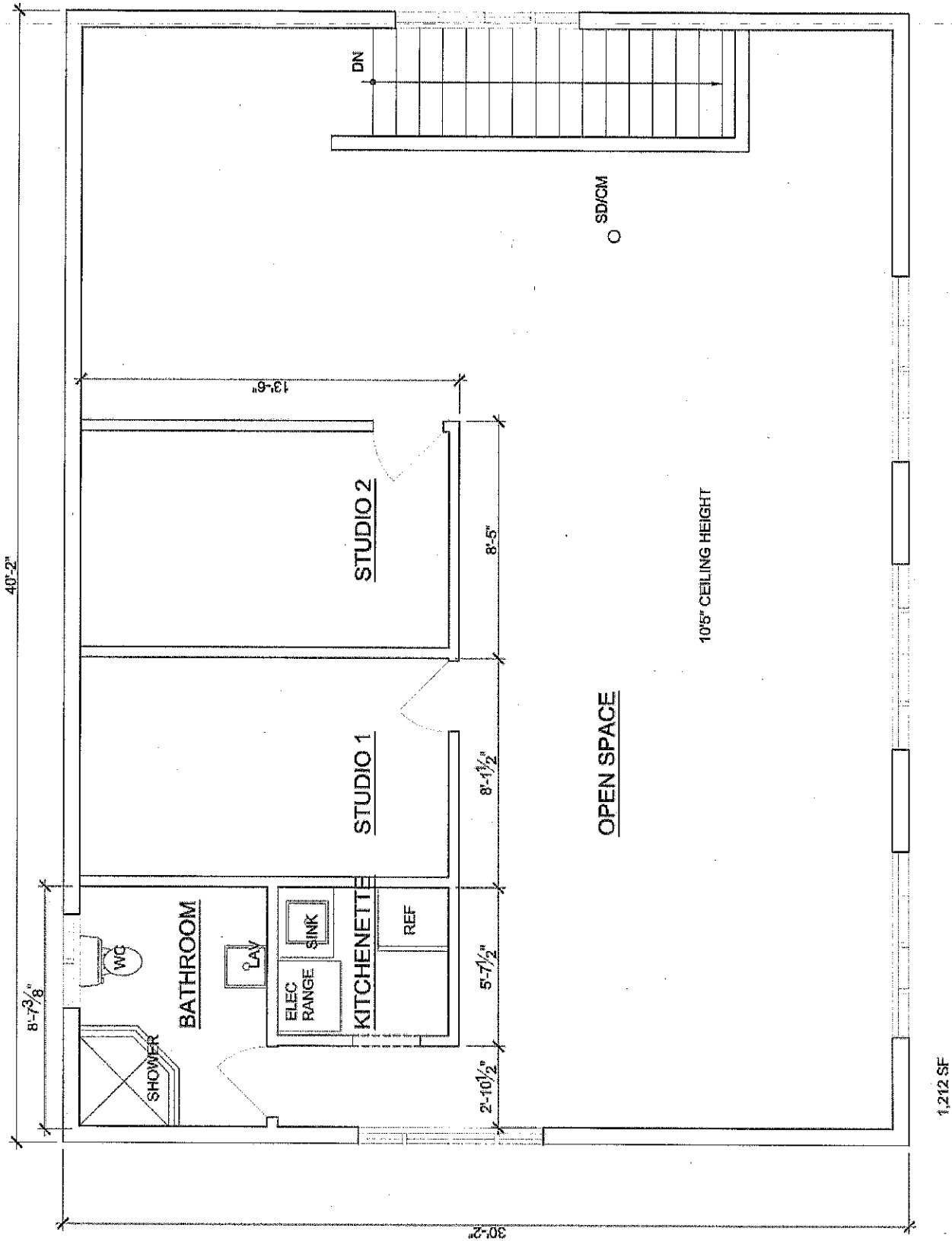
10

SMALL GAZEBO



**D** GARAGE FLOOR PLAN  
SCALE: 1/4" = 1'-0"

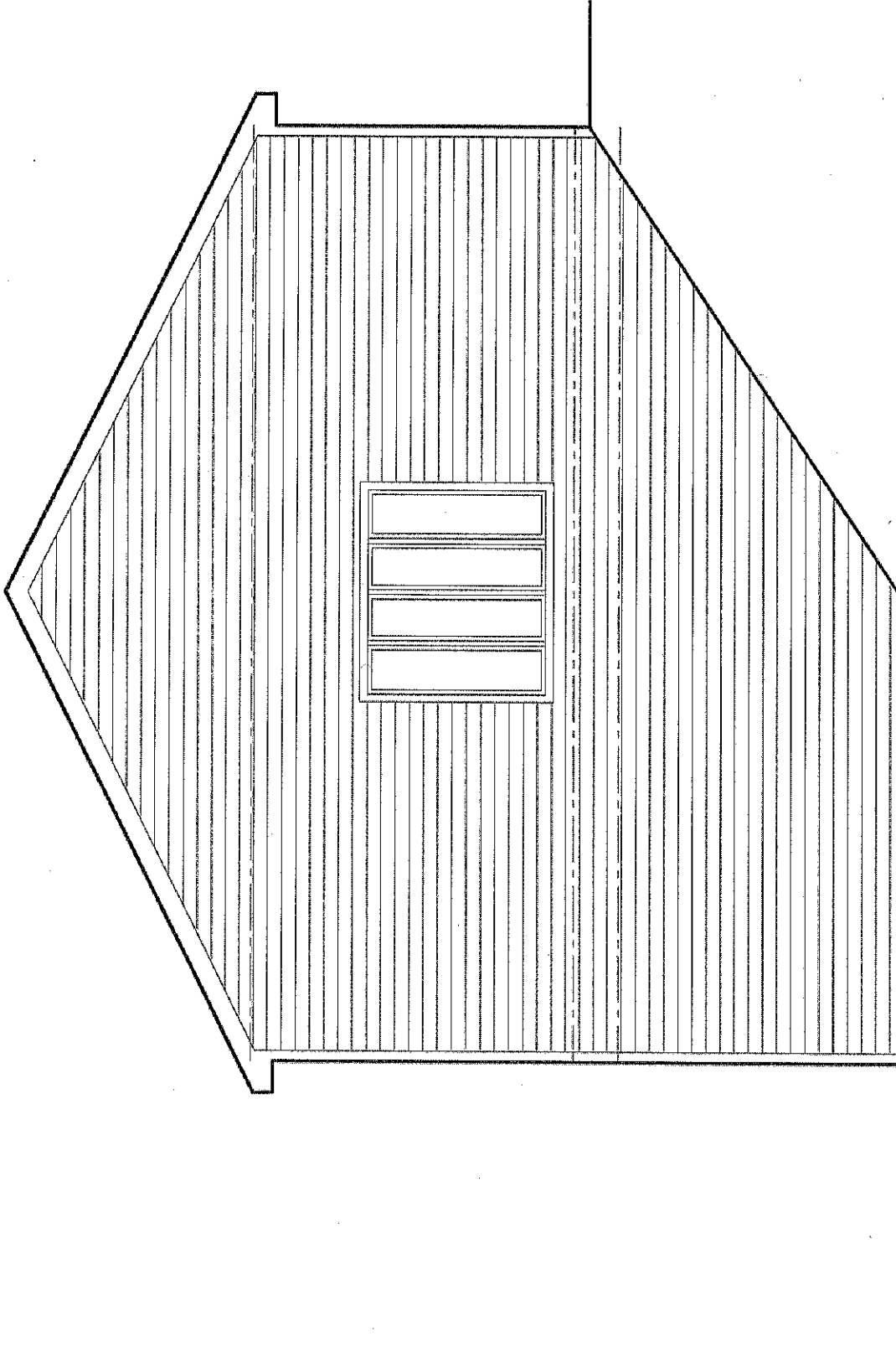




# STUDIO (SECOND) FLOOR PLAN

SCALE: 1/4" = 1'-0"

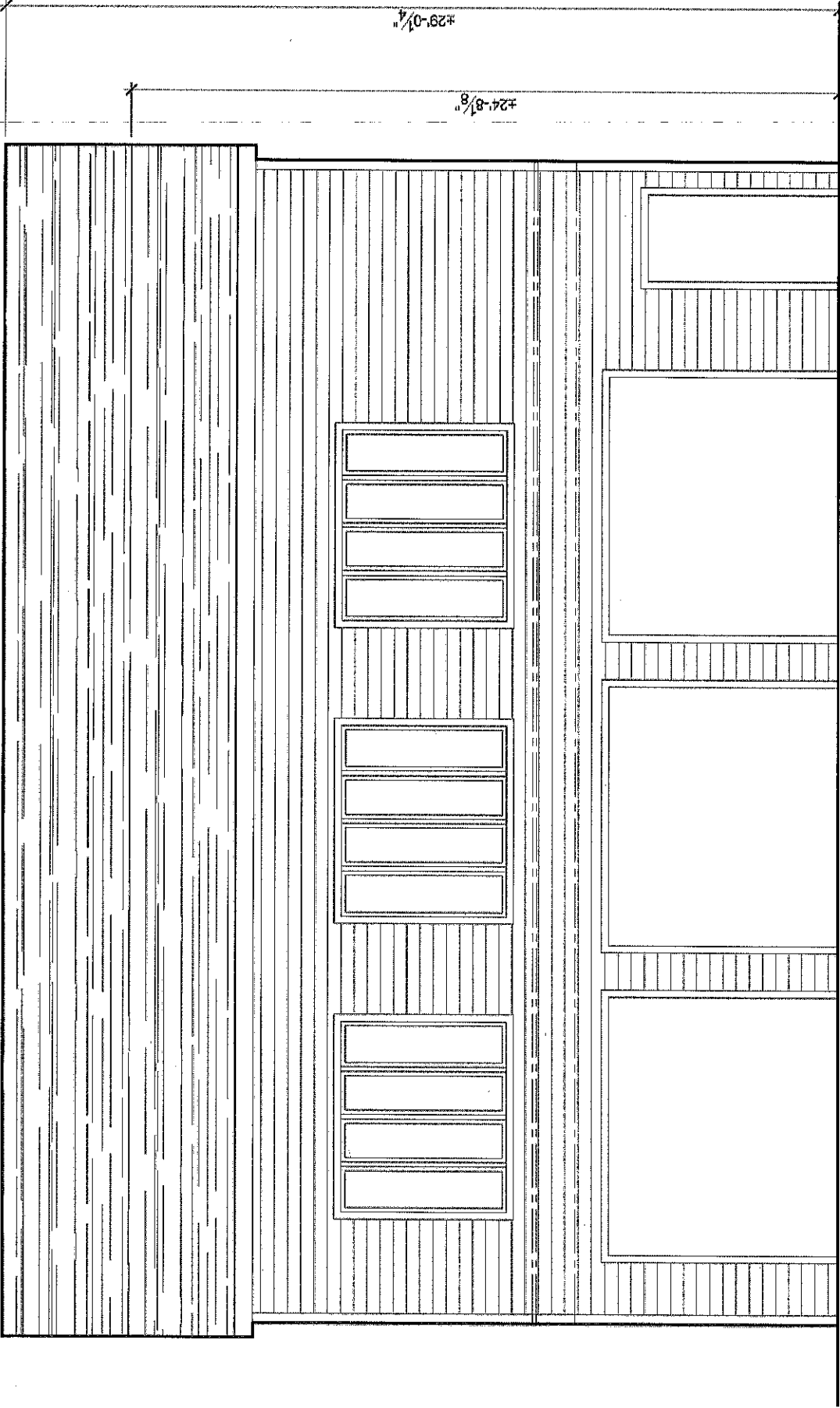
E



**SIDE ELEVATION**

7

SCALE: 1/4" = 1'-0"



# FRONT ELEVATION

6

SCALE: 1/4" = 1'-0"