

MINUTES

**Town of Wappinger
Zoning Board of Appeals
March 28, 2023
Time: 7:00PM**

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

Summarized Minutes

Members:

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

Others Present:

Mr. Horan	Town Attorney
Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

SUMMARY

Adjourned Public Hearing:

Karan Garewal

Adjourned to April 11, 2023

Public Hearing:

Joseph & Dena White
Ketchamtown Land Development, LLC

Variance granted
Variances granted

Discussion:

Melissa Roe & Kevin White

Site Visit on April 8, 2023
Public Hearing on April 11, 2023

Bryan Dufresne

Site Visit on April 8, 2023
Public Hearing on April 11, 2023

Michael Simms

Site Visit on April 8, 2023
Public Hearing on April 11, 2023

Discussion Continues:

Bruce Greg

Site Visit on April 8, 2023
Public Hearing on April 11, 2023

Raymond & Lucretia O'Dell

Site Visit on April 8, 2023
Public Hearing on April 11, 2023

Alpine Commons Multi-family Workforce
Housing

Re-submit

Mr. Barr: Motion to accept the Minutes from February 14, 2023.

Mr. DellaCorte: Second the Motion.

Vote: All present voted Aye.

Video of the March 28, 2023 Zoning Board of Appeals Meeting:

<https://www.youtube.com/watch?v=gDCiHotoKB0&t=290s>

Adjourned Public Hearing:

Appeal No.: 23-7779 (Area Variance)

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

-Where **40 feet** to the side yard (left) property line is required, the applicant can provide **0.9 feet** for the legalization of a garage and bathroom on 1.40 acres, thus requesting a variance of **39.1 feet**.

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

Present: Nate Goodwin – Engineer

Mr. Shah: Motion to open the Adjourned Public Hearing.

Mr. DellaCorte: Second the Motion.

Vote: All present voted Aye.

Mr. Galotti: Motion to adjourn to April 11, 2023, republish and re-mail the legal notice.

Mr. DellaCorte: Second the Motion.

Vote: All present voted Aye.

Public Hearing:

Appeal No.: 22-7770 (Area Variance)

Joseph and Dena White: Seeking an area variance Sections 240-37 and 240-53 (B) (4) of District Regulations in an R40 Zoning District.

-Where an accessory apartment cannot exceed 35% or 1,000 sf. maximum, the applicant is proposing to add an accessory apartment addition of 1203 sf on 1.03 acres, thus requesting a variance of 203 sf.

The property is located at **63 Gold Road** and is identified as **Tax Grid No.: 6358-03-003388** in the Town of Wappinger.

Present: Brian Stokosa – Engineer
Joseph & Dena White – Applicants

Mr. Shah: 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: Motion to grant the applicants the variances. Based on the changes we just made, I don't think the benefit can be achieved by any other feasible means. There is no undesirable change to the neighborhood or detriment to surrounding properties. The request is substantial however, not enough for me to change my vote. The request will not have any adverse physical or environmental effects. The alleged difficulty is self-created.

CONDITION: Loft must be removed.

Mr. Shah: Second the Motion.

Roll Call Vote:

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

Appeal No.: 23-7780 (Area Variance)

Ketchamtown Land Development, LLC (Dylan Aguado), Garth Bosman & Kathleen

Patrick: Seeking an area variance Sections 240-37 and 240-20.B of District Regulations in an R40 Zoning District.

-Where **50 feet** wide flag lot access strip to street frontage is required, the applicants can provide a minimum of **36 feet** for a proposed subdivision and lot line re-alignment, thus requesting a variance of **14 feet**.

-Where **25 feet** to the side yard property line is required, the applicants can provide **3 feet** for a proposed subdivision and lot line re-alignment, thus requesting a variance of **22 feet**.

The property is located at **Ketchamtown Road and 86 Ketchamtown Road** and identified as **Tax Grid Nos.: 6157-03-070275 (34.40 acres) and 6157-03-150311 (2.00 acres)** in the Town of Wappinger.

Present: Ms. Fausner – Attorney
Mr. Bosman – Applicant

Mr. DellaCorte: **Motion to open the Public Hearing.**
Mr. Shah: 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: **Motion to grant the applicants the variances. I don't believe the benefit can be achieved by any other feasible means. This property has a substantial amount of history with it. It will not create an undesirable effect to the neighborhood. The variances are substantial however, not enough for me to change my decision. There will be no physical or environmental effects to the character of the neighborhood. The alleged difficulty is not self-created.**

Mr. Shah: Second the Motion.

Roll Call Vote: Mr. DellaCorte NO
Mr. Shah YES
Mr. Barr YES
Mr. Galotti YES

Discussion:

Appeal No.: 23-7781 (Area Variance)

Melissa Roe and Kevin White: At the request of owners, Melissa Roe and Kevin White (Stear Subdivision, Lot 3) who are seeking an area variance Section 240-20 of District Regulations in an R-40 Zoning District.

-Whereas Section 240-20, access to a lot shall be over existing frontage of a street or highway, the applicant proposes access from rear of property over a paper road.

The property is located on **Forest View and Pine Ridge Drive** and is identified as **Tax Grid No.: 6256-02-800965** in the Town of Wappinger. This property is known as Stear Subdivision, Lot 3.

Present: Melissa Roe & Kevin White – Applicants

Site Visit on April 8, 2023

Public Hearing on April 11, 2023

Appeal No.: 23-7782 (Area Variance)

Bryan Dufresne: 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 **38.58 feet** for the construction of a new house on 0.58 acres, thus requesting a variance of **1.42 feet**.

The property is located at **127 Chelsea Road** and is identified as **Tax Grid No.: 6056-03-461483** in the Town of Wappinger.

Present: Bryan Dufresne – Applicant

Site Visit on April 8, 2023

Public Hearing on April 11, 2023

Appeal No.: 23-7783 (Area Variance)

Michael Simms: Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where **35 feet** to the front yard property line is required, the applicant can provide **26 feet** for a 19 x 20 bedroom addition, with exterior stairs on 0.51 acre, thus requesting a variance of **9 feet**.

The property is located at **30 Kent Road** and is identified as **Tax Grid No.: 6258-03-310026** in the Town of Wappinger.

Present: Michael Simms – Applicant

Site Visit on April 8, 2023

Public Hearing on April 11, 2023

Appeal No.: 23-7784 (Area Variance)

Bruce Greg: Seeking an area variance Sections 240-37 of District Regulations in an R40 Zoning District.

-Where no accessory structure over 1,000 sf. is allowed on 3 acres, the applicant is looking to legalize an existing addition to their pole barn which is now 1,600 sf, on 3.05 acres, thus requesting a variance of 600 sf.

The property is located at **67 Ketchamtown Road** and is identified as **Tax Grid No.: 6157-03-183429** in the Town of Wappinger.

Present: Bruce Greg – Applicant

Site Visit on April 8, 2023
Public Hearing on April 11, 2023

Appeal No.: 23-7785 (Area Variance)

Raymond & Lucretia O'Dell: Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where 35 feet to the front yard property line is required, the applicant can provide **20 feet** for an existing pool and to allow for pool and deck to remain, thus requesting a variance of **15 feet**.

-Where 35 feet to the front yard property line is required, the applicant can provide **20 feet** for the legalization of an existing shed with CO from 2005, thus requesting a variance of **15 feet**.

The property is located at **21 Edgehill Drive** and is identified as **Tax Grid No.: 6258-04-889097** in the Town of Wappinger.

Present: Raymond & Lucretia O'Dell – Applicants
Site Visit on April 8, 2023
Public Hearing on April 11, 2023

Appeal No.: 22-7772 (Area Variance)

Alpine Commons Multi-family Workforce Housing: Seeking an area variance Sections 240-37 and 240-81.7 of District Regulations in an SC Zoning District.

-Where a maximum of 93 dwelling units is allowed, the applicant is proposing **144 dwelling units**, thus requesting a variance for an increase in the density for Mixed Uses to allow for **51 additional dwelling units** to be constructed.

-Where 2.5 stories or 35 feet maximum building height is allowed, the applicant is requesting an increase to **3.5 stories or 50 feet building height**, thus requesting a variance of 1 story and/or **15 feet building height**.

-Where 282 parking spaces is required for **144 dwelling units**, the applicant is requesting a decrease in required parking spaces to **238 parking spaces**, thus requesting a variance of **44 less parking spaces**.

The property is located at **1404 Route 9** and is identified as **Tax Grid No.: 6157-02-707773** in the Town of Wappinger (Lead Agency: January 31, 2023)

Present: Neil Alexander – Attorney
Brian Denarto – Dakota Partners

Applicant to re-submit

Mr. DellaCorte:

Mr. Shah:

Vote:

Motion to adjourn.

Second the Motion.

All present voted Aye.

Respectfully Submitted,

Adjourned: 9:35 pm

Bea Ogunti

Secretary

Zoning Board of Appeals