

MINUTES

**Town of Wappinger
Zoning Board of Appeals
April 11, 2023
Time: 7:00PM**

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

Summarized Minutes

Members:

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

Others Present:

Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

SUMMARY

Amended Public Hearing:

Karan Garewal	Variance granted
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Public Hearing:

Melissa Roe & Kevin White	Variance granted
Bryan Dufresne	Variances granted
Michael Simms	Adjourned to April 25, 2023
Bruce Greg	Variance granted
Raymond & Lucretia O'Dell	Variance granted

Discussion:

Elizabeth & Thomas Strianese	Public Hearing on April 25, 2023 Site visit on April 22, 2023
Christopher & Yasmine Slaughter	Public Hearing on April 25, 2023 Site visit on April 22, 2023
Brian & Cathy Holley	Site visit on April 22, 2023
Nicholas Sena	Public Hearing on April 25, 2023 Site visit on April 22, 2023
Luis Gutierrez	Public Hearing on May 9, 2023 Site visit on April 22, 2023

Mr. DellaCorte: Motion to accept the Minutes from March 28, 2023.
Mr. Shah: Second the Motion.
Vote: All present voted Aye.

Video of the April 11, 2023 Zoning Board of Appeals meeting:

<https://www.youtube.com/watch?v=4ygs2Ke9EUM&t=2177s>

Amended 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 Gooden – Engineer

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

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

Mr. Barr: Motion to grant the applicant the variance. The lot is unique and almost every phase on the house needed a variance. I would condition that the eve is cut back to the property line as discussed. The benefit cannot be achieved by any other means. There is no undesirable change to the neighborhood. The request is substantial. There is no physical adverse or environmental effect and it is self-created.

Mr. Lorenzini: Second the Motion.

Roll Call Vote:

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

Public Hearing:

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

Mr. Lorenzini: **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. Lorenzini: Second the Motion.

Vote: All present voted Aye.

Mr. Lorenzini: Motion to grant the applicant the variance. The requested variance will not create an undesirable change to the character of the neighborhood. There will be no substantial detriment to nearby properties. There really isn't any other feasible method because of the hill in the back and much better for them. The requested area variance is not substantial. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The alleged difficulty is not self-created.

Mr. DellaCorte: Second the Motion.

Roll Call Vote: Mr. DellaCorte YES

Mr. Lorenzini YES

Mr. Shah YES

Mr. Barr YES

Mr. Galotti YES

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**.

-Where **40 feet** to the rear property line is required, the applicant can provide **22.83 feet** for the legalization of a pre-existing non-conforming garage, thus requesting a variance of **17.17 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

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

Mr. Shah: Second the Motion.

Vote: All present voted Aye.

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

Mr. Barr: Second the Motion.

Vote: All present voted Aye.

Mr. Galotti: **Motion to grant the applicant the following variance:**
Variance 1. The benefit cannot be achieved by any other feasible means. It does not create an undesirable change to the neighborhood. The request is not substantial and it's minor in nature. The request will not have any physical adverse or environmental effects. The alleged difficulty is self-created.

Mr. Barr: Second the Motion.

Roll Call Vote: Mr. DellaCorte YES

Mr. Lorenzini YES

Mr. Shah YES

Mr. Barr YES

Mr. Galotti YES

Mr. Galotti: **Motion to grant the applicant the following variance:**
Variance 2. The benefit cannot be achieved by any other feasible means. It doesn't create any undesirable change to the neighborhood. The request is substantial but will not change my mind on the variance. The request will not have any physical or environmental effects. The alleged difficulty is not self-created.

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.: 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**.

-Where **20 feet** is required to the side property line, the applicant can provide **5 feet** for an existing shed, thus requesting a variance of **15 feet**.

-Where **40 feet** is required to the rear property line, the applicant can provide **11 feet** for an existing shed, thus requesting a variance of **29 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

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

Mr. DellaCorte: Second the Motion.

Vote: All present voted Aye.

Mr. Barr: **Motion to adjourn the Public Hearing to April 25, 2023.**

Mr. Shah: Second the Motion.

Vote: All present voted Aye.

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

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

Mr. DellaCorte: Second the Motion.

Vote: All present voted Aye.

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

Mr. DellaCorte: Second the Motion.

Vote: All present voted Aye.

Mr. DellaCorte: Motion to grant the applicant the variance. The requested variance will not produce an undesirable change to the neighborhood. There will be no substantial detriment created to nearby properties. There is no other feasible means for you to achieve the benefit you seek. The requested variance is not substantial. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood. The alleged difficulty is self-created.
CONDITION: Shed in the rear and oil tank to be removed.

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.: 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**.

-Where no structures are permitted in the front yard, the applicant has a pool, deck and shed, thus requesting a variance to allow for the structures to remain.

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

Present: Lucretia O'Dell – Applicant

Mr. Lorenzini:	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. Lorenzini:	Second the Motion.
Vote:	All present voted Aye.

Mr. Barr: Motion to grant the applicant the variances. It's a unique property maybe the most unique with three front yards. You really have no choice but to have structures in your front yard. The benefit cannot be achieved by any other feasible means. There is no undesirable change to the neighborhood. It is well screened and I think people will think that all of the structures are in the back yard. The request is essentially substantial. There is no adverse or physical or environmental effects. The alleged difficulty is self-created.

Mr. Shah: Second the Motion.

Roll Call Vote:

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

Discussion:

Appeal No.: 23-7786 (Area Variance)

Elizabeth & Thomas Strianese: Seeking an area variance Section 240-37 of District Regulations in an R40/80 Zoning District.

-Where no accessory structure can be over 1200 sf. on 5 acres or more, the applicant is proposing a 1536 sf. (32' x 48') garage, thus requesting a variance of 336 sf.

-Where no more than two accessory structures are permitted on one building lot, the applicant currently has 2 structures, thus requesting a variance to allow the structures to remain.

The property is located at **785 Wheeler Hill Road** on 24.60 acres and is identified as **Tax Grid No.: 6057-04-698179** in the town of Wappinger.

Present: Elizabeth & Thomas Strianese – Applicants

Site visit on April 22, 2023

Public Hearing on April 25, 2023

Appeal No.: 23-7787 (Area Variance)

Christopher & Yasmine Slaughter: Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where no more than two accessory structures are permitted on a residential lot, the applicant has a total of 4 accessory structures, thus requesting a variance to allow the gazebo, shed, artist studio and garage to remain.

The playhouse is to be removed.

The property is located at **180 Widmer Road** on 59.30 acres and is identified as **Tax Grid No.: 6258-01-325728** in the Town of Wappinger.

Present: Christopher & Yasmine Slaughter – Applicants

Site visit on April 22, 2023

Public Hearing on April 25, 2023

Appeal No.: 23-7788 (Area Variance)

Brian & Cathy Holley: Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where **20 feet** to the side yard property line is required, the applicant can provide **8.6'** for the legalization of a three season room, thus requesting a variance of **11.4'**.

-Where **20 feet** to the side yard property line is required, the applicant provide **8.6'** for the legalization of a covered screened deck.

-Where **20 feet** to the side yard property line is required, the applicant can provide **9.4'** for the legalization of an open deck, thus requesting a variance of **10.6'**.

The property is located at **16 Applesauce Lane** on 0.35 acres and is identified as **Tax Grid No.: 6258-04-701001** in the Town of Wappinger.

Site visit on April 22, 2023

Further discussion on April 25, 2023

Appeal No.: 23-7789 (Area Variance)

Nicholas Sena: Seeking an area variance Section 240-37 of District Regulations in an R10 Zoning District.

-Where only a four foot high fence is allowed in a front yard, the applicant would like to erect a 6 foot high fence for privacy, thus requesting a variance to allow a 6 foot fence along the side/front yard on Old Hopewell Road.

The property is located at **1 Cayuga Drive** on 0.23 acres and is identified as **Tax Grid No.: 6157-02-543551** in the Town of Wappinger.

Present:

Site visit on April 22, 2023

Public Hearing on April 25, 2023

Appeal No.: 23-7790 (Area Variance)

Luis Gutierrez: Seeking an area variance Section 240-37 of District Regulations in an HB Zoning District.

-Where **50 feet** to the front yard property line is required, the applicant can provide **9 feet** for the construction of a covered landing with 3 steps, thus requesting a variance of **41 feet**.

-Where **50 feet** to the front yard property line is required, the applicant can provide

25 feet for a ½ story pre-existing non-conforming house, thus requesting a variance to allow for a full second floor for bedrooms.

-Where **30 feet** to the rear yard property line is required, the applicant can provide **10 feet**, thus requesting a variance of **20 feet** for the construction of a 12 x 14 shed. The property is located at **715 Sergeant Palmateer Way** on 0.58 acres and is identified as **Tax Grid No.: 6157-02-562852** in the Town of Wappinger.

Present: Luis Gutierrez – Applicant

Site visit on April 22, 2023
Public Hearing on May 9, 2023

Mr. DellaCorte:

Mr. Lorenzini:

Vote:

Motion to adjourn.

Second the Motion.

All present voted Aye.

Respectfully Submitted,

Adjourned: 8:30 pm

Bea Ogunti
Secretary
Zoning Board of Appeals