

AGENDA as of May 2, 2023

Town of Wappinger Zoning Board of Appeals
MEETING DATE: May 9, 2023
TIME: 7:00 PM

Town Hall
20 Middlebush Road
Wappinger Falls, NY

Roll Call

Acceptance of the Minutes from April 25, 2023

Adjourned Public Hearing:

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.

Public Hearing:

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.

Public Hearing Continues:

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.

Appeal No.: 23-7793 (Area Variance)

Michelle Marie Heinemann: Seeking an area variance Sections 240-37 and 240-21 (F) (1) of District Regulations in an R40 Zoning District.

-Where only two accessory structures are permitted on a parcel, the applicant has six accessory structures, thus requesting a variance to allow for the 2 sheds, one garage, 2 gazebo, three-apartment structure to remain.

-Where a fence can only be four feet in height in a front yard, the applicant is requesting to erect a 6 foot fence, thus requesting a variance to allow a 6 foot fence in the front yard.

The property is located at **1109-1111 Route 376** on a total of 25.2 acres and is identified as **Tax Grid Nos.: 6358-01-205670 (21.4 acres) and 6358-01-219740 (3.8 acres)** in the Town of Wappinger.

Discussion:

Appeal No.: 23-7791 (Area Variance)

Cesar A. Barzallo: Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where fences in front yards can have a maximum height of 4 feet, the applicant is requesting a height of 6 feet along two streets, thus requesting a variance to allow a 6 foot fence along Roberts Road and Spook Hill Road.

The property is located at **15 Spook Hill Road** on 1.03 acres and is identified as **Tax Grid No.: 6257-01-003924** in the Town of Wappinger.

Town of Wappinger Zoning Board of Appeals
May 9, 2023
Page 3

Appeal No.: 23-7792 (Area Variance)

Brian A. Riguzzi: Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **25 feet** to the side (left) property line is required, the applicant can provide **6.5 feet** for the legalization of a 12' x 14' wood shed, thus requesting a variance of **18.5 feet**.

The property is located at **9 Larissa Lane** on 1.1 acres and is identified as **Tax Grid No.: 6358-03-246464** in the Town of Wappinger.

Appeal No.: 23-7794 (Area Variance)

Enrique & Erika Penafiel: Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **25 feet** to the side (right) yard property line is required, the applicant can provide **7 feet** for the installation of an 18' above ground pool, thus requesting a variance of **18 feet**.

The property is located at **96 Robinson Lane** and is identified as **Tax Grid No.: 6459-03-058412** in the Town of Wappinger.

Appeal No.: 23-7795 (Area Variance)

Jay & Dana VanBenschoten: Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **50 feet** to the rear yard property line is required, the applicant can provide **10 feet** for the legalization of a (352 sf.) shed with overhang, thus request a variance of **40 feet**.

The property is located at **92 Hackensack Heights Road** on 2.2 acres and is identified as **Tax Grid No.: 6259-02-732509** in the Town of Wappinger.

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)