

## MINUTES

**Town of Wappinger  
Zoning Board of Appeals  
September 26, 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:**

Tom Wood	Conflict Attorney
Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Zoning Board Secretary

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## **SUMMARY**

### **Public Hearing:**

Saeed Bhatti

Variance granted

Shoaib Naweed

Adjourned to October 10, 2023

### **Discussion:**

Allison Ketcham

Site Visit on October 7, 2023  
Public Hearing on October 10, 2023

Gasland Petroleum Route 9D – Hughsonville

Discussion continues on  
November 14, 2023

**Video of the September 26, 2023 Zoning Board of Appeals Meeting:**

**Part 1:**

<https://www.youtube.com/watch?v=XioMIEMqCTE&list=PLcJg2q5NIgkcilLKVhTsinwyp65fGoOM&index=57>

**Part 2:**

<https://www.youtube.com/watch?v=PD4bpUZ-Cco&list=PLcJg2q5NIgkcilLKVhTsinwyp65fGoOM&index=56>

**Part 3:**

<https://www.youtube.com/watch?v=nm52iKKAxOA&list=PLcJg2q5NIgkcilLKVhTsinwyp65fGoOM&index=58>

**Mr. DellaCorte:**

**Motion to accept the Minutes from September 12, 2023.**

Mr. Lorenzini:

Second the Motion.

Vote:

All present voted Aye.

**PUBLIC HEARING:**

**Appeal No.: 23-7802 (Area Variance)**

**Saeed Bhatti:** Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

**-Where fences in front yards can have a maximum height of 4 feet, the applicant is requesting a height of 6 feet, thus requesting a variance 2 feet to allow for a 6 foot fence in the front yard.**

The property is located at **367 Old Hopewell Road** on 0.93 acres and is identified as **Tax Grid No.: 6257-04-535380** in the Town of Wappinger.

Present:

Saeed Bhatti – Applicant

**Mr. DellaCorte:**

**Motion to open the Public Hearing.**

Mr. Lorenzini:

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 variance. This is a unique site and you are significantly below the road. The benefit cannot be achieved by any other feasible means. There is no undesirable change to the neighborhood. The requested variance is substantial. There is no adverse or environmental effects and the alleged difficulty is self-created. **CONDITION:** Should fence be removed to grade front yard, only a 4 feet fence would be allowed.

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.: 23-7803 (Area Variance)**

**Shoaib Naweed:** 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 **29.5 feet** for the construction of a 34' x 6' covered front porch, thus requesting a variance of **5.5 feet**.

The property is located at **21 Macintosh Lane** on 0.70 acres and is identified as

**Tax Grid No.: 6258-04-610023** in the Town of Wappinger.

Present: Shoaib Naweed – Applicant

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

Mr. Lorenzini: Second the Motion.

Vote: All present voted Aye.

**Mr. Barr:** Motion to adjourn the Public Hearing to **October 10, 2023.**

Mr. Galotti: Second the Motion.

Vote: All present voted Aye.

**DISCUSSION:**

**Appeal No.: 23-7804 (Area Variance)**

**Allison Ketcham:** 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 **18.4 feet** for the legalization of an existing 16' x 24' shed with attached 8' x 7' porch, thus requesting a variance of **31.6 feet**.

The property is located at **67 Smith Crossing Road** on 2.4 acres and is identified as

**Tax Grid No.: 6359-01-012591** in the Town of Wappinger.

Present: Allison Ketcham – Applicant

Site visit on October 7, 2023

Public Hearing on October 10, 2023

**Appeal No.: 21-7740 Gasland Petroleum Route 9D - Hughsonville:** To discuss the remand from Supreme Court, to revisit the ZBA's determination on "Convenient Items". The property is located at **2357-2365 Route 9D** in an HM Zoning District and is identified as **Tax Grid Nos. 6157-01-048643** in the Town of Wappinger.

Present: Ken Stenger – Attorney, Stenger, Diamond & Glass  
Mary Kate Ephraim – Attorney, Stenger, Diamond & Glass  
Michael Caruso – Attorney, Cuddy & Feder  
Karina Lupa – Attorney, Keane & Beane

**Mr. Galotti:** **Motion to go into Executive Session.**  
**Mr. Lorenzini:** Second the Motion.  
**Vote:** All present voted Aye.

**Mr. Shah:** **Motion to come out of Executive Session.**  
**Mr. Barr:** Second the Motion.  
**Vote:** All present voted Aye.

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

**Mr. Galotti:** **Motion to go into Executive Session for legal advice.**  
**Mr. DellaCorte:** Second the Motion.  
**Vote:** All present voted Aye.

**Mr. Galotti:** **Motion to come out of Executive Session.**  
**Mr. Lorenzini:** Second the Motion.  
**Vote:** All present voted Aye.

No action was taken in Executive Session.

**Mr. DellaCorte:**

Mr. Shah:

Vote:

**Motion to adjourn.**

Second the Motion.

All present voted Aye.

Respectfully Submitted,

Adjourned: 8:38 pm

Bea Ogunti

Secretary

Zoning Board of Appeals