TOWN OF WAPPINGER

RECEIVED
DEC 01 2023
Zoning Board of Appeals
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.: 23-7812 Date: Dec 1, 2023

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

I (We), Kayla Weise residing at 52 Helen Dr. Wappinger Falls, NY 12590, (phone) 845-489-0669, hereby, appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator, dated 11/27/2023, and do hereby apply for an area variance(s).

Premises located at: 52 Helen Dr. Wappinger Falls, NY 12590
Tax Grid No.: 135689-6158-02-786871-0000
Zoning District: R20

1. **Record Owner of Property**:
   Kayla Weise
   Address: 52 Helen Dr. Wappinger Falls, NY 12590
   Phone Number: 845-489-0669
   Owner Consent dated: Dec. 1, 2023 Signature: Kayla Weise
   Print Name: Kayla Weise

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.

Section 240-37
(Indicate Article, Section, Subsection and Paragraph)

Required: 20 feet to side yard property line
Applicant(s) can provide: 10.6'
Thus requesting: 9.4'
To allow: for the installation of an Inground Pool.

Town of Wappinger Zoning Board of Appeals
Application for an Area Variance
Appeal No.: 23-7812

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.

240-37
(Indicate Article, Section, Subsection and Paragraph)

Required: 40 feet to rear yard
Applicant(s) can provide: 9'.3'
Thus requesting: 30'.4'
To allow: for the installation of an inground pool

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.

it will NOT change character of the neighborhood
No negative changes

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.

Back yard is not large enough. No result can not be reached without variance.

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.

IG Pool Rear 30.7' Side 9.4'
Shed Rear 34.1' Side 14.8'
Area variance is not substantial, not requesting to go outside my own property.

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.

Physical environmental conditions of the neighborhood or district will not be impacted. It's within the boundaries of my property

Town of Wappinger Zoning Board of Appeals
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Variance No. 3
I (We) hereby apply to the Zoning Board of Appeals for a variance(s) of the following requirements of the Zoning Code.

240-37

(Indicate Article, Section, Subsection and Paragraph)

Required: 20 feet to side yard property line
Applicant(s) can provide: 5'.2'
Thus requesting: 14'.8'
To allow: for the construction of a shed

Variance No. 4
I (We) hereby apply to the Zoning Board of Appeals for a variance(s) of the following requirements of the Zoning Code.

240-37

(Indicate Article, Section, Subsection and Paragraph)

Required: 40 feet to rear property line
Applicant(s) can provide: 5'.9'
Thus requesting: 34'.1'
To allow: for the construction of a shed

Variance No. 5
I (We) hereby apply to the Zoning Board of Appeals for a variance(s) of the following requirements of the Zoning Code.

(Indicate Article, Section, Subsection and Paragraph)

Required:
Applicant(s) can provide:
Thus requesting:
To allow:

Variance No. 6
I (We) hereby apply to the Zoning Board of Appeals for a variance(s) of the following requirements of the Zoning Code.

(Indicate Article, Section, Subsection and Paragraph)

Required:
Applicant(s) can provide:
Thus requesting:
To allow:

Town of Wappinger Zoning Board of Appeals
Application for an Area Variance
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E. How did your need for an area variance(s) come about? Is your difficulty self-created? Please explain your answer in detail.

Backyard is not large enough to place IG Pool and shed without variance. Property has more front yard then backyard.

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

Property is not unique in the neighborhood and not different than what other properties have in the neighborhood.

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

(✓) Survey dated: May 13, 2021, Last revised October 31, 2023 and Prepared by: Burns Engineering Services, P.C.

(✓) Plot Plan dated: Nov 14, 2023 w/ application

( ) Photos

( ) Drawings dated: _____.

(✓) Letter of Communication which resulted in application to the ZBA. *(e.g., recommendation from the Planning Board/Zoning Denial)* Letter from: Barbara Roberti Dated: 11/27/23

( ) 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: Kaylah Weir (Appellant) DATED: 12/1/23

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: _____

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: 23-7812 **Date:** Dec 1, 2023

Grid No.: 6158-02-786871-0000 **Zoning District:** R20

Location of Project:

52 Helen Dr. Wappinger Falls, N.Y. 12590

Name of Applicant:

Kayla Weise 845-489-0669

Print name and phone number

Description of Project: Install shed and inground pool in backyard of property.

I Kayla Weise, 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.

Dec. 1, 2023
Date

Kayla Weise
Owner's Signature

845-489-0669
Owner's Telephone Number

Kayla Weise - Owner
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 dead.

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

Name of Action or Project:
52 Helen Dr

Project Location (describe, and attach a location map):
52 Helen Dr. Wappingers Falls, NY 12590

Brief Description of Proposed Action:
install In ground pool and shed on property.

Name of Applicant or Sponsor:	Telephone: 845-489-0669
Kayla Weise	E-Mail: kay71490@gmail.com

Address:
52 Helen Dr.

City/PO:	State:	Zip Code:
Wappingers Falls	NY	12590

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? 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.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Building Permit	☐	☑

3. a. Total acreage of the site of the proposed action? 0.36 acres
   b. Total acreage to be physically disturbed? 0.09 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.36 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☑	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☑	☐

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☑

	NO	YES
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?	☑	☐
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?	☐	☑

	NO	YES
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?	☐	☑
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☑	☐
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:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
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? Pied-billed Grebe, Indiana Bat	☐	✓
16. Is the project site located in the 100-year flood plan?	✓	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	✓	☐
a. Will storm water discharges flow to adjacent properties?	✓	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	✓	☐
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)? If Yes, explain the purpose and size of the impoundment:	✓	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	✓	☐
20.Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	✓	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

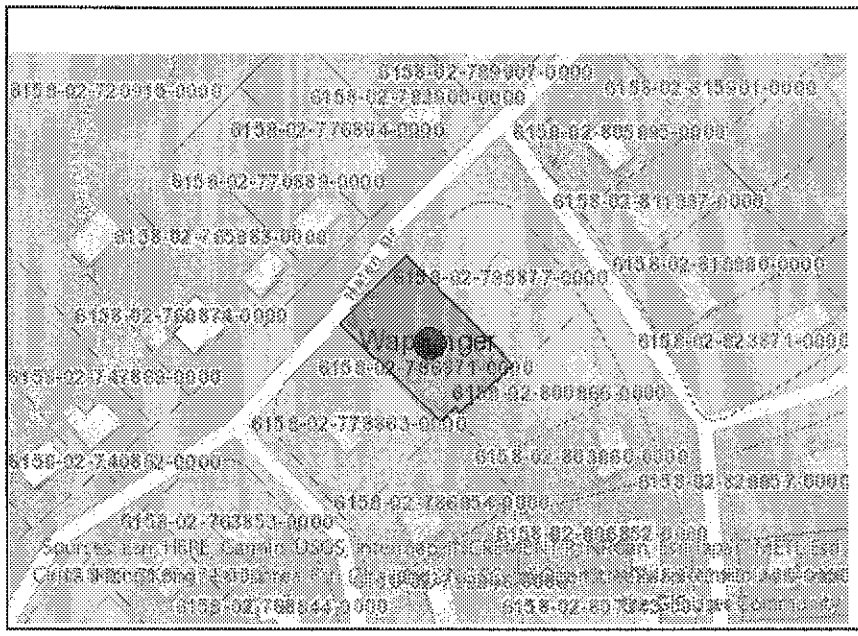
Applicant/sponsor/name: Kayla Weise Date: Dec 1, 2023

Signature: Kayla Weise Title: Owner

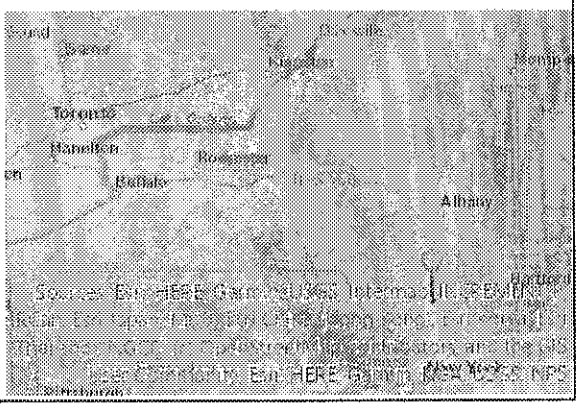
PRINT FORM

EAF Mapper Summary Report

Friday, December 1, 2023 10:14 AM

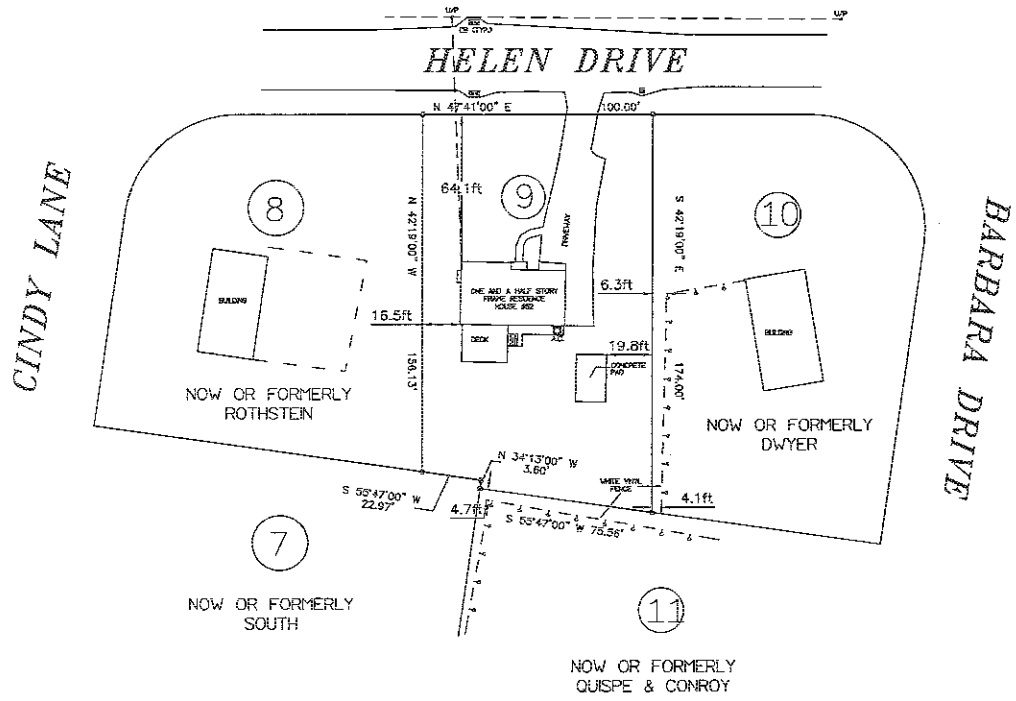


Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Pied-billed Grebe, Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

AREA=
16597.4 SQ. FT.
0.38 ACRES



Notes:

1. Map referrence: Filed Map #2936, Dutchess County, NY
   Titled : "QUIET ACRES"
2. Subject to any easements and/or rights of way that an accurate up to date abstract of title may show.
3. Survey as per record deed, existing monumentation, recorded and unrecorded maps.

The location of any subsurface easements, right of ways, encroachments and/or improvements, if any exist, are not certified or shown hereon.	
Any alterations or additions to this survey is a violation of Section 7209 of the New York State Education Law, except as per Section 7209 Sub-division 2.	
All certifications hereon are valid for this map and copies thereof only if said map or copies bear the inked or embossed seal of the surveyor where signature appears hereon.	
John J. Post Jr., Land Surveyor P.O. Box 827, Stone Ridge, N.Y.	

I hereby certify that the survey shown hereon is based on an actual field survey completed on May 9, 2022 and that this map was completed on May 13, 2022

Certified only to:

Kayla Weiss
Peggy Gallagher

By: John J. Post Jr., Land Surveyor, State Lic. no. 50643

SURVEY OF

52 HELEN DRIVE

SITUATE IN THE

TOWN OF WAPPINGER
DUTCHESS COUNTY, NEW YORK

SCALE: 1in=40ft May 13, 2021

Town of Wappinger

20 Middlebush Rd.
Wappingers Falls, NY 12590
(845) 297-6256

To: Weise, Kayla
96 Wilkes St
,

SBL: 6158-02-786871-0000
Date of this Notice: 11/27/2023
Zone:
Application: 43793

For property located at: 52 Helen Dr

Your application to:

INGROUND POOL / SHED - INSTALLATION OF 16x40 FREE FORM INGROUND POOL WITH PROPANE SOURCED POOL HEATER AND 10x16 SHED WITH NO ELECTRIC **WORK SHOULD NOT BEGIN UNTIL INSPECTIONS ARE COORDINATED WITH BUILDING DEPARTMENT **CALL 811 PRIOR TO EXCAVATION** **SHED MUST BE ON GRAVEL, CONCRETE SLAB OR PAVERS** **FOUR COPIES OF FINAL AS BUILT REQUIRED TO CLOSE POOL AND GRADING PERMIT** **POOL ALARM ASTM F 2208 REQUIRED** **ALARM AFFIDAVIT REQUIRED** **FINAL INSPECTION BY CERTIFIED ELECTRICAL INSPECTOR** **CALL INTO OUR OFFICE FOR FINAL INSPECTION BY TOWN BUILDING INSPECTOR** **MUST HAVE TEMPORARY BARRIER INSTALLED IMMEDIATELY AFTER COMMENCEMENT OF CONSTRUCTION** **PERMANENT BARRIER MUST BE INSTALLED WITHIN 90 DAYS OF COMMENCEMENT OR 90 DAYS OF PERMIT ISSUANCE** **POOL NOT TO BE USED WITHOUT CERTIFICATE OF COMPLIANCE****

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

IG POOL:

Where 20 feet to the side yard is required, the applicant can provide 10.6'.
Where 40 feet to the rear yard is required, the applicant can provide 9'.3'.

SHED:

Where 20 feet to the side yard is required, the applicant can provide 5.2'.
Where 40 feet to the rear yard is required, the applicant can provide 5.9'.

	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	40 ft.	9.3 ft. – Pool
		5.9 ft. – Shed
SIDE YARD (LEFT):	20 ft.	5.2 ft. Shed
SIDE YARD (RIGHT):	20 ft.	10.6' ft. 16 Pool
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

Very Truly,

Zoning Administrator
Town of Wappinger

RECEIVED
NOV 14 2023
Building Department
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 ☐ Commercial ☐ Multiple Dwelling
☐ New Construction
☐ Renovation/Alteration

ZONE: R20 **DATE:** 11/21/2023
APPL #: 43793 **PERMIT #** _____
GRID: 6158-02-786871

APPLICANT NAME: Kayla Weise
ADDRESS: 52 Helen Drive Wappingers Falls, NY 12590
TEL #: _____ CELL: 845.489-0669 FAX #: _____ E-MAIL: 15kay71490@gmail.com

NAME OWNER OF BUILDING/LAND: Kayla Weise
PROJECT SITE ADDRESS: 52 Helen Drive
MAILING ADDRESS: 52 Helen Drive Wappingers Falls, NY 12590
TEL #: _____ CELL 845-481-0669 FAX #: _____ E-MAIL: 15kay71490@gmail.com

BUILDER/CONTRACTOR DOING WORK:
COMPANY NAME: TWC Landscaping LLC
ADDRESS: 326 Lake Rd New Windsor, NY 12553
TEL #: _____ CELL: 845-475-6301 FAX #: _____ E-MAIL: TWCLandscapingNY@gmail.com

DESIGN PROFESSIONAL NAME:
TEL #: 845-475-6301 CELL: _____ FAX #: _____ E-MAIL: _____

APPLICATION FOR: - Inground pool 16 x 40 free form. 10'6"S / 9'3" Rear
Fence w/ self closing and self latching gate
- 10' x 16' shed - no electric 5.2'S / 5'9" Rear
- propane sourced pool heater.

SETBACKS: FRONT: _____ REAR: _____ L-SIDEYARD: _____ R-SIDEYARD: _____
SIZE OF STRUCTURE: 16 x 40
ESTIMATED COST: 40,000 **TYPE OF USE:** Residential

NON-REFUNDABLE APPL. FEE: 250- PAID ON: 11/21/23 CHECK # 497 RECEIPT #: 2023-02267
BALANCE DUE: _____ PAID ON: _____ CHECK # _____ RECEIPT #: _____

APPROVALS:
ZONING ADMINISTRATOR:
○ Approved ● Denied Date: 11-27-23
Barbara Fiedler
Signature of Applicant

FIRE INSPECTOR:
O Approved O Denied Date: _____
_____
Signature of Building Inspector

Kayla Weise (owner)
Print Name or Company Name(if applicable)

TOWN OF WAPPINGER
PLOT PLAN

Building Permit #_____ Date 11/14/2023

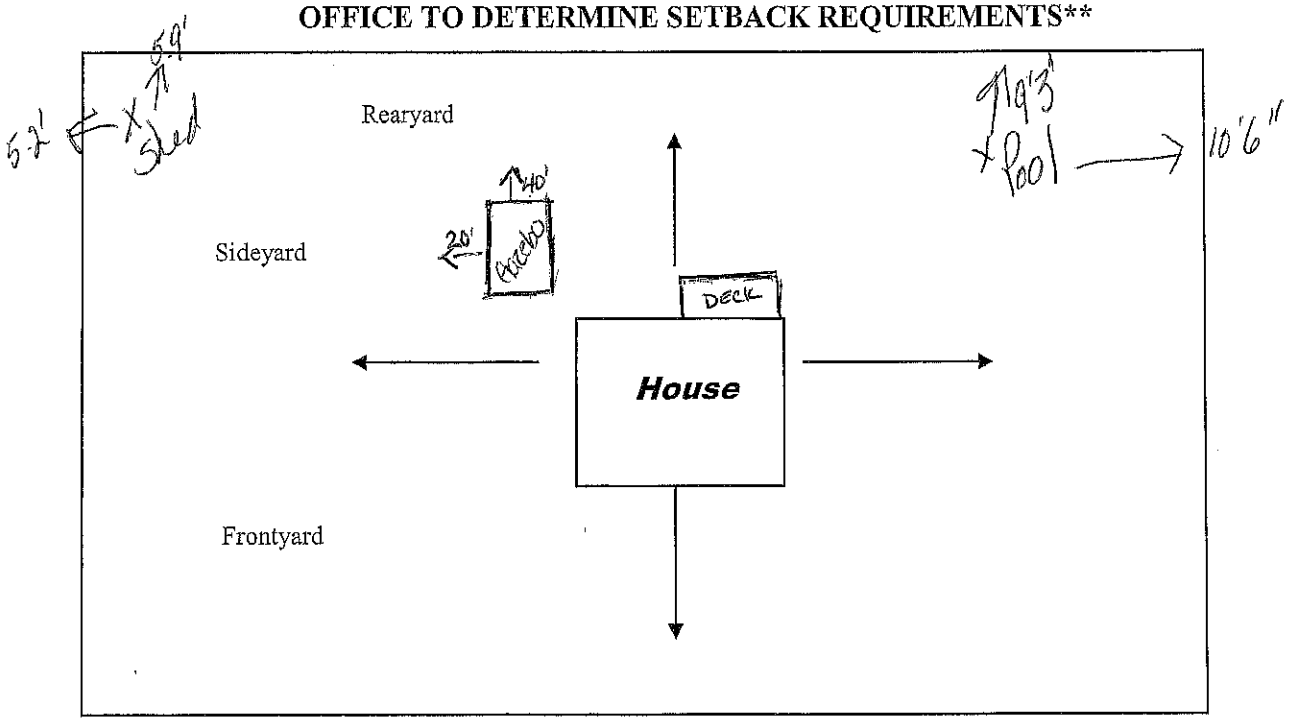
Address: 52 Helen Dr Interior/Corner Lot: *circle one*

Owner of Land Kayla Weise Zone: R20

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

1. House, Deck, Concrete pad w/ Gazebo

STRUCTURE MUST MEET REQUIRED SETBACKS FROM PROPERTY LINES. CHECK WITH OFFICE TO DETERMINE SETBACK REQUIREMENTS



Draw proposed structure on plot plan.
Indicate Location Setbacks to both sides and rear property line measurement of structure you are applying for.

Kayla Weise
Signature

Approved:/Rejected: Barbara Pleti Date: 11/27/23
Zoning Administrator