

MINUTES

**Town of Wappinger
Zoning Board of Appeals
March 12, 2024
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. Denardo	Member	Present

Others Present:

Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

SUMMARY

Adjourned Public Hearing:

Pedro Pintado

Variance Nos. 2 & 5 – DENIED
Variance Nos. 1, 3 & 4 - GRANTED.

Public Hearing:

Dominick Quitoni

Variance GRANTED

Dara Gray (Estate)

Variance GRANTED.

Discussion:

Sam Kusnetz & Alana Jacoby

Site Visit on March 23, 2024
Public Hearing on March 26, 2024

Mr. Lorenzini: Motion to accept the Minutes from February 27, 2024.
Mr. Barr: Second the Motion.
Vote: All present voted Aye.

Video of the March 12, 2024 Zoning Board of Appeals Meeting:

https://www.youtube.com/watch?v=zjEus65Ay2I&list=PLcCjg2q5NIqkcilLKVhTsjn_wyp65fGoOM&index=64

Adjourned Public Hearing:

Appeal No.: 23-7810 (Area Variance)

Pedro Pintado: Seeking an area variance Section 240-37 of District Regulations in an R-80 Zoning District.

-Where no accessory structure is allowed over 800 sf. in a one acre zoning district, the applicant has added to a pre-existing barn, size (30' x 20.5'), with an additional 20.5' x 30' sf. addition, with a roof overhang close to the property line. The original barn was 621 sf., now the structure is 1242 sf, thus requesting a variance of 442 sf., to allow the 30' x 20.7' addition to remain. These measurements do not include the roof overhang on either side.

-Where 40 feet to the side yard (left) property line is required, the applicant can provide "0" feet for the overhang on the original barn structure, thus requesting a variance of 40 feet for a roof overhang on an existing barn to remain.

-Where 40 feet to the side yard (left) property line is required, the applicant can provide 7.5 feet for original barn structure, thus requesting a variance of 32.5 sf., to allow existing building built around 1970 to remain.

-Where 40 feet to the side yard (left) property line is required, the applicant can provide 6 feet, thus requesting a variance of 34 feet to allow for a new addition to remain.

-Where 40 feet to the side yard (left) property line is required, the applicant can provide 2 feet for the shed, thus requesting a variance of 38 feet to allow for a 4 feet overhang to remain.

The property is located at **136 Stonykill Road** on 1.00 acre and is identified as **Tax Grid No.: 6056-02-897684** in the Town of Wappinger.

Present: William Sattler – Applicant's Engineer
Pedro Pintado – Applicant

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

Mr. Galotti:

Mr. DellaCorte:

Vote:

Motion to close the Adjourned Public Hearing.

Second the Motion.

All present voted Aye.

Mr. DellaCorte:

Variance No. 1: Motion to grant the applicant the variance. The requested variance will not create an undesirable change to the neighborhood and will not produce a substantial detriment to nearby properties. There is no feasible means available to achieve the benefits other than to remove the sides. The requested variance is substantial, but due to the fact that it is in a location that is basically unseen from any other position. There is State owned land on one side where it sticks out the most. It will not have an adverse impact on the physical or environmental conditions. The alleged difficulty is self-created.

Mr. Lorenzini:

Roll Call Vote:

Second the Motion.

Mr. DellaCorte YES

Mr. Lorenzini YES

Mr. Barr NO

Mr. Denardo NO

Mr. Galotti YES

Mr. DellaCorte:

**Motion to deny the applicant the following variance:
Variance No. 2: Where 40 feet to the side yard (left) property line is required, the applicant can provide "0" feet for the overhang on the original barn structure, thus requesting a variance of 40 feet for a roof overhang on an existing barn to remain.**

Mr. Barr:

Roll Call Vote:

Second the Motion.

Mr. DellaCorte YES to deny

Mr. Lorenzini YES to deny

Mr. Barr YES to deny

Mr. Denardo YES to deny

Mr. Galotti YES to deny

Mr. DellaCorte: **Motion to grant the applicant the following variance:
Variance No. 3: Where 40 feet to the side yard (left)
property line is required, the applicant can provide
7.5 feet for original barn structure, thus requesting a
variance of 32.5 sf., to allow existing building built
around 1970 to remain.**

Mr. Lorenzini: Second the Motion.

Roll Call Vote:

Mr. DellaCorte	YES
Mr. Lorenzini	YES
Mr. Barr	YES
Mr. Denardo	YES
Mr. Galotti	YES

Mr. DellaCorte: **Motion to grant the applicant the following variance:
Variance No. 4: Where 40 feet to the side yard (left)
property line is required, the applicant can provide 6
feet, thus requesting a variance of 34 feet to allow
for a new addition to remain.**

Mr. Lorenzini: Second the Motion.

Roll Call Vote:

Mr. DellaCorte	YES
Mr. Lorenzini	YES
Mr. Barr	NO to deny
Mr. Denardo	YES
Mr. Galotti	YES

Mr. DellaCorte: **Motion to deny the applicant the following variance:
Variance No. 5: Where 40 feet to the side yard (left)
property line is required, the applicant can provide 2
feet for the shed, thus requesting a variance of 38
feet to allow for a 4 feet overhang to remain.**

Mr. Lorenzini: Second the Motion.

Roll Call Vote:

Mr. DellaCorte	YES to deny
Mr. Lorenzini	YES to deny
Mr. Barr	YES to deny
Mr. Denardo	YES to deny
Mr. Galotti	YES to deny

CONDITION:

1. Remove all overhangs on the side of the property line.
2. Remove all rubbish off the property. To be inspected in 30 days.
3. Eliminate one of the curb cuts.

Public Hearing:

Appeal No.: 24-7814 (Area Variance)

Dominick Quitoni: Seeking an area variance Section 240-37 of District Regulations in an R-40 Zoning District.

-Where **25 feet** to the side yard property line is required, the applicant can provide **15'8"** for a new addition, thus requesting a variance of **9'4"**.

The property is located at **39 Vandewater Drive** on .88 acres and is identified as **Tax Grid No.: 6259-04-796275** in the Town of Wappinger.

Present: Michael Berta – Applicant's Engineer

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

Mr. Denardo: Second the Motion.

Vote: All present voted Aye.

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

Mr. Denardo: Second the Motion.

Vote: All present voted Aye.

Mr. Galotti: **Motion to grant the applicant the variance. I don't believe the benefit can be achieved by any other feasible means. It is not going to create any undesirable change to the neighborhood or nearby properties. The request is somewhat substantial, however not enough for me to deny the application. There will be no adverse effects on the neighborhood and the alleged difficulty is self-created.**

Mr. DellaCorte: Second the Motion.

Roll Call Vote: Mr. DellaCorte YES

Mr. Lorenzini YES

Mr. Barr NO

Mr. Denardo YES

Mr. Galotti YES

Appeal No.: 24-7815 (Area Variance)

Dara Gray (Estate): Seeking an area variance Section 240-37 of District Regulations in an R-20 Zoning District.

-Where **40 feet** to the rear yard property line is required, the applicant can provide **22.6 feet** for the legalization of a 9.1' x 22.2' shed, thus requesting a variance of **17.4 feet**.

The property is located at **811 Wheeler Hill Road** on 0.80 acre and is identified as **Tax Grid No.: 6057-04-681095** in the Town of Wappinger.

Present: Marcy Wagman – Applicant's representative

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

Mr. Lorenzini: Second the Motion.

Vote: All present voted Aye.

PUBLIC COMMENTS:

Salvatore Vitti
38 Old State Road
Wappingers Falls, NY 12590

Mr. Barr: **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. The benefit could essentially be achieved but I think it will be undue hardship. There is no undesirable change to the neighborhood. The request is substantial. There are no adverse, physical or environmental effects and the requested variance is self-created.**
CONDITION: If the shed is ever replaced, it will have to meet the current zoning regulations.

Mr. Denardo: Second the Motion.

Roll Call Vote:

Mr. DellaCorte	YES
Mr. Lorenzini	YES
Mr. Barr	YES
Mr. Denardo	YES
Mr. Galotti	YES

Discussion:

Appeal No.: 24-7816 (Area Variance)

Sam Kusnetz and Alana Jacoby: Seeking an area variance Section 240-37 of District Regulations in an R-10 Zoning District.

-Where **25 feet** to the front yard property line is required, the applicant can provide **7' 6 ¼"** for a 575 sf., addition to include two (2) office spaces, lounge and bathroom, thus requesting a variance of **17' 5 ¾"**.

The property is located at **10 Liberty Street** on 0.30 acre and is identified as **Tax Grid No.: 6056-09-014563** in the Town of Wappinger.

Present: Justin Kacur – Applicant's Architect

Site Visit on March 23, 2024

Public Hearing on March 26, 2024

Mr. Lorenzini:

Mr. Denardo:

Vote:

Motion to adjourn.

Second the Motion.

All present voted Aye.

Adjourned: 8:00 pm

Respectfully Submitted,
Bea Ogunti
Secretary
Zoning Board of Appeals