

MINUTES

**Town of Wappinger
Zoning Board of Appeals
April 9, 2024
Time: 7:00PM**

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

Summarized Minutes

Members:

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

Others Present:

Mrs. Subrize	Zoning Administrator
Mrs. Ogunti	Secretary

SUMMARY

Public Hearing:

Christopher & Nicole Sawicki	Variance granted
Kayla & Christopher Morales	Variance granted
DC Sports Renovation	Variance granted

Discussion:

Old State Road (561-563) Gabe Vega	Public Hearing on April 23, 2024 Site Visit on April 20, 2024
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Caitlin & Jesse Shellock	Public Hearing on April 23, 2024 Site Visit on April 20, 2024
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Mr. DellaCorte: Motion to accept the Minutes from March 26, 2024.
Mr. Denardo: Second the Motion.
Vote: All present voted Aye.

Video of the April 9, 2024 Zoning Board of Appeals meeting:

<https://www.youtube.com/watch?v=LefvrQeNPL0&list=PLcCiq2q5NlqkciILKVhTsjnwyp65fGoOM&index=66>

Public Hearing:

Appeal No.: 24-7817 (Area Variance)

Christopher & Nicole Sawicki: Seeking an area variance Section 240-37 of District Regulations in an R-20 Zoning District.

-Where **20 feet** to the side (left) yard property line is required, the applicant can provide **14.5 feet** for the construction of a 4.5 x 4.5 deck with stairs, thus requesting a variance of 5.5 feet.

The property is located at **105 Edgehill Drive** on .52 acres and is identified as **Tax Grid No.: 6358-03-141136** in the Town of Wappinger.

Present: Christopher & Nicole Sawicki – Applicants

Mr. DellaCorte: 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. Denardo: Second the Motion.
Vote: All present voted Aye.

Mr. Barr: Motion to grant the applicants the variance. It is not really a deck. It is more of a stair landing and it is replacing an existing structure with a similar size. It is not going to be noticeable to most people and I understand why you are trying to do it. The benefit cannot be achieved by any other feasible means. There is no undesirable change and it's essentially what is there now. The request is not substantial and there is no adverse, physical or environmental effects. The alleged difficulty is self-created.

Mr. DellaCorte: Second the Motion.

Roll Call Vote:

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

Appeal No.: 24-7818 (Area Variance)

Kayla & Christopher Morales: Seeking an area variance Section 240-37 of District Regulations in an R-40 Zoning District.

-Where **25 feet** to the side (left) yard property line is required, the applicant can provide **13' 9"** for the construction of an 8 x 15 pool deck with stairs on the left side of the property, thus requesting a variance of **11' 3"**.

The property is located at **23 Dose Road** on .51 acres and is identified as **Tax Grid No.: 6358-03-011336** in the Town of Wappinger.

Present: Christopher Morales – Applicant

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

Mr. Denardo: **Motion to close the Public Hearing.**
Mr. Barr: 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 will not create an undesirable change to the neighborhood. The request is somewhat substantial but not enough for me to deny it. There will not be any adverse effects to the character of the neighborhood. The alleged difficulty is self-created but not enough for me to deny. You have a unique property and sometimes when we have these issues that come to the board, we have to take that into account. Whether it's a property or encumbrance.**

Mr. DellaCorte: Second the Motion.

Roll Call Vote: Mr. DellaCorte YES
Mr. Barr YES
Mr. Denardo YES
Mr. Galotti YES

Appeal No.: 24-7819 (Area Variance)

DC Sports Renovation: Seeking an area variance Section 240-37 of District Regulations in an HD Zoning District.

-Where **75 feet** from the front property line on a county or state road is required, the applicant can provide **15 feet** for the construction of a ropes/aerial course, thus requesting a variance of 60 feet.

The property is located at **1630 Route 9** on 2.95 acres and is identified as **Tax Grid No.: 6158-04-551329** in the Town of Wappinger.

Present: Raymond Vanvoorhis – Applicant’s Architect
Dan Pizzareli – Applicant

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

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

Mr. DellaCorte: **Motion to grant the applicant the variance. The requested variance although quite substantial on paper is re-existing. You’ve had that variance for quite awhile and was granted when the pool and tub was created. It will not produce an undesirable change in the neighborhood, I believe. There will be no substantial detriment to the nearby properties. One side is a storage site and the other is a tanning salon. There’s really nothing there except across from Route 9 which is a hustle bustle anyway. Looking at the site, I don’t see another feasible means for you to be able to do this. I think it’s actually a good idea because you are sitting inside the tub and you are losing 4 feet of your height. That is probably the best way to do it. The requested variance is substantial. I don’t think it will have an adverse effect to the neighborhood. The alleged difficulty is self-created.**

Mr. Denardo: Second the Motion.
Roll Call Vote: Mr. DellaCorte YES
Mr. Barr YES
Mr. Denardo YES
Mr. Galotti YES

MEMORANDUM TO THE PLANNING BOARD:

The ZBA authorized the secretary to send a memo to the Planning Board as follows:

That they consider the planting of 3 to 4 non-matured trees of screening from the property across the street and along Route 9.

Planning Board attorney look into a Hold Harmless agreement in the event someone were to get hurt on the property using that apparatus, the Town would not be liable.

Discussion:

Appeal No.: 24-7820 (Area Variance)

Old State Road (561-563) – Gabe Vega: Seeking an area variance Section 240-37 and 240-81.7 (B) of District Regulations in an HB Zoning District.

-Where a minimum of 25% is required, the applicant can provide 13% of commercial office space, thus requesting a variance of 12%. The property is located at **561-563 Old Road** on 1.78 acres and is identified as **Tax Grid No.: 6157-02-580777** in the Town of Wappinger.

Present: Brian Stokosa – Applicant’s Engineer
Gabe Vega – Applicant

Public Hearing on April 23, 2024.
Site visit on April 20, 2024.

Appeal No.: 24-7821 (Area Variance)

Caitlin & Jesse Shellock: Seeking an area variance Section 240-37 and 240-20 (B) of District Regulations in an R-20 Zoning District.

-Where 50 feet to the front yard property line is required, the applicant can provide **15 feet** to create a flagpole lot for **30 Easter Road** to access **Circle Drive**, thus requesting a variance of **35 feet**. The property is located at **30 Easter Road** on 1.0 acre and is identified as **Tax Grid No.: 6056-01-216765** in the Town of Wappinger.

Present: Caitlin & Jesse Shellock – Applicants
Frederick Romig – Applicants’ Attorney

Public Hearing on April 23, 2024.
Site visit on April 20, 2024.

Mr. Denardo:

Mr. Barr:

Vote:

Motion to adjourn.

Second the Motion.

All present voted Aye.

Respectfully Submitted,

Adjourned: 7:45 pm

Bea Ogunti
Secretary
Zoning Board of Appeals