

PLANNING BOARD SECRETARY
Bea Ogunti - Ext. 122

ZONING ADMINISTRATOR
Barbara Roberti - Ext. 128

ZONING BOARD of APPEALS
Peter Galotti, Chairman
David Barr
Tom DellaCorte
Donald Denardo
John Lorenzini

TOWN OF WAPPINGER



PLANNING BOARD
ZONING BOARD OF APPEALS

20 MIDDLEBUSH ROAD
WAPPINGERS FALLS, NY 12590
PH: 845-297-6256
Fax: 845-297-0579

TOWN SUPERVISOR
Joseph D. Cavaccini

TOWN BOARD
William H. Beale
Angela Bettina
Al Casella
Christopher Phillips

PLANNING BOARD
Bruce Flower, Chairman
Richard Barth
Paul Freno
James Glorioso
Robert Meehan
Markos Peratikos
Thomas Truss. Jr.

May 2, 2024

To: Joseph Paoloni
Town Clerk

From: Bea Ogunti, Secretary
Town of Wappinger Zoning Board of Appeals

Re: Sherlock Decision
Appeal No. 24-7821

Attached you will find the original Application/Decision & Order for Caitlin & Jesse Sherlock, 30 Easter Road, Wappingers Falls, NY 12590, Tax Grid No.: 6056-01-216765. I would appreciate it if you would file these documents.

Attachments

cc: Caitlin & Jesse Sherlock
Planning Board
Town File
Building File

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.: 24-7821

Date: 4-4-24

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

I (We), Carlin J. Shellock, Jesse J. Shellock residing at 12 lake drive Wappingers Falls NY 12590, (phone) 845-863-5496, hereby, appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator, dated _____, and do hereby apply for an area variance(s).

Premises located at: 30 Easter rd Wappingers Falls NY 12590
Tax Grid No.: 6056-01-216765
Zoning District: R-20

1. Record Owner of Property:

Vanessa Buggs
Address: 30 Easter rd Wappingers Falls NY 12590
Phone Number: 845-629-7849
Owner Consent dated: 03-28-2024
Signature: Vanessa Buggs
Print Name: Vanessa Buggs

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.

240-20(B) Access and required street frontage 240-37
(Indicate Article, Section, Subsection and Paragraph)

Required: 50 ft from the front

Applicant(s) can provide: 15 ft

Thus requesting: 35 ft

To allow: driveway to 30 Easter rd (landlock from town road) Circle drive

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.

(Indicate Article, Section, Subsection and Paragraph)

Required: _____

Applicant(s) can provide: _____

Thus requesting: _____

To allow: _____

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.

By gaining access to 30 Easter rd from circle drive, this will allow us to remove an abandon structure that has been a blight on the neighborhood for many years.

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.

30 Easter rd is currently landlocked without access to a town rd. In order to obtain a building permit there must be direct access to town rd.

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.

The variance may appear large percentage wise but impact on the neighborhood is minimal

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.

No the R20 zoning in the neighborhood currently already has private driveways connecting to Easter rd from circle drive, this is keeping with existing conditions in the neighborhood allowing an abandon property be cleaned up.

E. How did your need for an area variance(s) come about? Is your difficulty self-created?
Please explain your answer in detail.

The town of Wappinger code enforcement office
expressed that an easement to access 30 Easter rd would not
suffice and that direct access through a lot line adjustment
would allow for a building permit to be granted.

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

Does not have direct access from town road.
(land locked)

4. List of attachments (Check applicable information)

- Survey dated: April 3rd, 2024, Last revised April 3rd 2024 and
Prepared by: Robert Oswald, L.L.S.
- Plot Plan dated: _____
- Photos
- Drawings dated: _____
- Letter of Communication which resulted in application to the ZBA.
(e.g., recommendation from the Planning Board/Zoning Denial)
Letter from: _____ Dated: _____
- 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: Caitlin Shellock
(Appellant)

DATED: 04-03-2024

SIGNATURE: Jane Shellock
(If more than one Appellant)

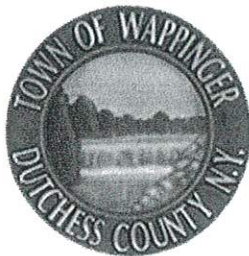
DATED: 04-03-2024

RECEIVED

APR 04 2024

Zoning Board of Appeals
Town of Wappinger

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: 24-7821

Date: 4-4-24

Grid No.: 6056-01-216765

Zoning District: R-20

Location of Project:

30 Easter Road / 10 Circle drive Wappinger Falls NY 12590

Name of Applicant:

Caitlin J. Shellock, Jesse J. Shellock

Print name and phone number

Description of

Project: Create a flagpole lot for 30 Easter Road to have access to Town road Circle drive

I Vanessa Buggs, 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.

march 28th, 2024

Date

Vanessa Buggs
Owner's Signature

845-629-7849

Owner's Telephone Number

Vanessa Buggs
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.

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: 24-7821

Date: 4-4-24

Grid No.: 6056-01-216765

Zoning District: R20

Location of Project:

10 Circle drive / 30 Easter Road Wappinger Falls NY 12590

Name of Applicant: Caitlin J. Shellock

Print name and phone number

Description of

Project: Create a flagpole lot for 30 Easter rd. to access circle drive for purposes of being in compliance with Town of Wappinger code.

I Walter Chudkosky, 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.

3/21/2024
Date

Walter Chudkosky
Owner's Signature

914-475-1109
Owner's Telephone Number

Walter Chudkosky
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 deed.

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:


The ZBA voted to grant the following variance:

Where 50 feet to the front yard property line is required, the applicant could provide 15 feet to create a flagpole lot for 30 Easter Road to access Circle Drive, a variance of 35 feet was **GRANTED**.

() **FINDINGS & FACTS ATTACHED.**

DATED: 4-23-24

ZONING BOARD OF APPEALS
TOWN OF WAPPINGER, NEW YORK

BY: 
(Chairman)

PRINT: ETM [Signature]

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: 30 Easter rd / 10 circle dr lot line realignment			
Project Location (describe, and attach a location map): 30 Easter rd / 10 circle dr town of Wappinger			
Brief Description of Proposed Action: 15 ft ft wide flagpole lot to connect 30 Easter rd to circle drive. A driveway will be constructed to allow for access between 30 Easter rd to a town rd, Circle drive Via lot realignment			
Name of Applicant or Sponsor: Caitlin J. Shellock, Jesse J. Shellock		Telephone: 845-863-5490	
		E-Mail: cjsheehan226@yahoo.com	
Address: 12 lake drive			
City/PO: Wappinger Falls		State: NY	Zip Code: 12590
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.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
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:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		473 ft acres	
b. Total acreage to be physically disturbed?		473 ft acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.61 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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: _____	<input checked="" type="checkbox"/>	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?	<input checked="" type="checkbox"/>	NO	YES
	<input checked="" type="checkbox"/>		<input type="checkbox"/>
	<input checked="" type="checkbox"/>		<input type="checkbox"/>
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: N/A	<input checked="" type="checkbox"/>	NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>no, septic</u>	<input checked="" type="checkbox"/>	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?	<input checked="" type="checkbox"/>	NO	YES
	<input checked="" type="checkbox"/>		<input type="checkbox"/>
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: _____	<input checked="" type="checkbox"/>	NO	YES
	<input checked="" type="checkbox"/>		<input type="checkbox"/>

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

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?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
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: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Applicant/sponsor/name: Caitlin J. Shellock Date: 04-03-2024
Signature: Caitlin J. Shellock Title: _____