

MINUTES

**Town of Wappinger
Zoning Board of Appeals
August 27, 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:

Maria Zavala

Adjourned to September 24, 2024

Public Hearing:

Robert Tedone
Cesar Barzallo
Doreen M. Spano

Variance granted
Variance denied
Variance granted

Discussion:

Ronald & Jeanne Paino

Site visit on September 7, 2024
Public Hearing on September 10, 2024

Dominic & Lucy DeSantis

Site visit on September 7, 2024
Public Hearing on September 10, 2024

Careta Phillips

No Show

Video of the August 27, 2024 Zoning Board of Appeals Meeting:

<https://www.youtube.com/watch?v=auosyXlvC4&list=PLcCiq2q5NIgkciLKVhTsinwyp65fGoOM&index=72>

Mr. Denardo: **Motion to accept the Minutes from July 23, 2024.**
Mr. Barr: Second the Motion.
Vote: All present voted Aye. Mr. Galotti was absent, therefore he did not vote.

Adjourned Public Hearing:

Appeal No.: 24-7825 (Area Variance)

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

-Where **25 feet** to the side yard (left) property line is required, the applicant can provide **12 feet** for the construction of a new single family home, thus requesting a variance of **13 feet**.

-Where **25 feet** to the side yard (right) property line is required, the applicant can provide **18 feet** for the construction of a new single family home, thus requesting a variance of **7 feet**.

-Where **50 feet** to the front yard property line is required, the applicant can provide **26 feet** for the construction of a new single family home, thus requesting a variance of **24 feet**. The property is located at **112 Stonykill Road** on 0.30 acres and is identified as **Tax Grid No.: 6056-02-873710** in the Town of Wappinger.

Present: Edgar Zavala – Applicant’s son

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

Mr. Galotti: **Motion to adjourn the Public Hearing to September 24, 2024.**
Mr. DellaCorte: Second the Motion.
Vote: All present voted Aye.

Public Hearing:

Appeal No.: 24-7826 (Area Variance)

Robert Tedone: Seeking an area variance Sections 240-37 and 240-53B9(a) of District Regulations in an R-20 Zoning District.

-Where no more than one entrance is allowed in the front of a one-family dwelling, the applicant is proposing a new (31' 6 x 30), 2 car garage with electric as an accessory apartment for his mother in an existing garage. The property is located at **51 Widmer Road** on 15.74 acres and is identified as **Tax Grid No.: 6158-02-827615** in the Town of Wappinger.

Present: Robert Tedone – Applicant

Mr. Lorenzini: Motion to open the Public Hearing.

Mr. Denardo: 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 applicant the variance. As I said and I think what you are proposing is architecturally appropriate. This is how accessory apartments should be done. The fact that you are off by 45 degrees should not stop you from having this improvement. The benefit cannot be achieved by any other feasible means. There is no undesirable change to the neighborhood. You are very remote out and no one will ever see this afterwards. The request is not substantial. There's no adverse, physical or environmental effects and the alleged difficulty is self-created.

CONDITION: One of the temporary sheds to be taken down now and the other prior to getting your CO.

Mr. Lorenzini: Second the Motion.

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

Appeal No.: 24-7827 (Area Variance)

Cesar Barzallo: Seeking an area variance Section 240-37 of District Regulations in an R-20 Zoning District.

-Where **35 feet** to the front yard property line is required, the applicant can provide **11.7 feet** for a new front porch to remain, thus requesting a variance of **23.3 feet**.

The property is located at **15 Spook Hill Road** on 1.032 acres and is identified as **Tax Grid No.: 6257-01-003924** in the Town of Wappinger.

Present: Edwin Rodrigueq – Applicant’s representative

Mr. Denardo: Motion to open the Public Hearing.

Mr. DellaCorte: 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. Galotti: Motion to deny the applicant the variance. Can you achieve the benefit you need, you probably can. Will it create an undesirable change to the neighborhood, no it will not. The request will not have an adverse or environmental effect to the neighborhood. The requested variance is quite substantial and the alleged difficulty is self-created.

NOTE: Based on the denial, the front porch needs to be removed.

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

Appeal No.: 24-7829 (Area Variance)

Doreen M. Spano: 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 **8 feet** for the legalization of an existing 10’ x 16’ shed, thus requesting a variance of **12 feet**.

The property is located at **11 Martin Drive** and is identified as **Tax Grid No.: 6258-02-981960** in the Town of Wappinger.

Present: Keith Fowler – Applicant’s representative

Mr. Lorenzini: **Motion to open the Public Hearing.**
Mr. Denardo: 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. Lorenzini: **Motion to grant the applicant the variance. The requested variance will not produce an undesirable change to the character of the neighborhood. There will be no substantial detriment created to nearby properties. There is no other feasible method at this time because the shed was dropped where the old shed was from what she was telling us about. The requested variance is somewhat substantial but because the shed is 5 square feet and over so it's not that bad. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The alleged difficulty is self-created but not enough to deny the variance.**

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.: 24-7830 (Area Variance)

Ronald & Jeanne Paino: Seeking an area variance Section 240-37 of District Regulations in an R-20/40 Zoning District.

-Where **50 feet** to the front yard property line is required, the applicant can provide **22 feet** for the construction of an 8' x 22' covered porch with two steps, thus requesting a variance of **28 feet**. The property is located at **20 Pleasant Lane** on .38 acres and is identified as **Tax Grid No.: 6157-01-422723** in the Town of Wappinger.

Present: Ronald & Jeanne Paino – Applicants

Site visit on September 7, 2024.
Public Hearing on September 9, 2024.

Appeal No.: 24-7831 (Area Variance)

Dominic & Lucy DeSantis: Seeking an area variance Sections 240-37 and 240-53 B (4) of District Regulations in an R-20 Zoning District.

-Where **20 feet** to the side yard (left) property line is required, the applicant can provide **16 feet** for the construction of a 25' x 36' accessory apartment over the garage, thus requesting a variance of **4 feet**.

-**Where no more than 35% of the gross floor area of said principal dwelling and in no event shall exceed 1,000 sf., of gross floor area. The applicant is proposing a 900 sf., (39%) accessory apartment. The house is 2300 sf., and 805 sf. would be 35%. Therefore, the applicant is requesting a variance 95 sf. or 4%.** The property is located at **8 MacIntosh Lane** on .38 acres and is identified as **Tax Grid No.: 6257-02-614932** in the Town of Wappinger.

Present: Alfred Cappelli, Jr. – Applicant’s Architect

Site visit on September 7, 2024.

Public Hearing September 10, 2024.

Appeal No.: 24-7832 (Area Variance)

Careta Phillips: Seeking an area variance Section 240-37 of District Regulations in an R-20 Zoning District.

-Where **20 feet** to the side yard (right) property line is required, the applicant can provide **12.6 feet** for the removal and replacement of an existing deck and porch with steps in the same footprint, thus requesting a variance of **7.4 feet**. The property is located at

1 Blackthorn Loop on .51 acres and is identified as **Tax Grid No.: 6258-03-110107** in the Town of Wappinger.

Applicant was a “no show”.

Mr. Denardo:

Mr. Barr:

Vote:

Motion to adjourn.

Second the Motion.

All present voted Aye.

Respectfully Submitted,

Adjourned: 8:10 pm

Bea Ogunti

Secretary

Zoning Board of Appeals