

MINUTES

**Town of Wappinger
Zoning Board of Appeals
October 22, 2024
Time: 7:00PM**

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

Summarized Minutes

Members:

Mr. Lorenzini	Chairman	Absent
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	Variances granted
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Public Hearing:

Christopher Lauren Hernandez	Variance granted
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Video of the October 22, 2024 Zoning Board of Appeals Meeting:

<https://www.youtube.com/watch?v=lsc1ix3RWBw>

Mr. DellaCorte:	Motion to accept the Minutes from October 8, 2024.
Mr. Denardo:	Second the Motion.
Vote:	All present voted Aye.

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 **21 feet** for the construction of a new single family home, thus requesting a variance of **29 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 representative

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

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

Mr. Barr:	Motion to grant the applicant the variances. It is a unique site condition and you really cannot shift the house too far from where you are showing it. You will be in a rock cliff or you would be falling over a rock cliff or too far back where the site is tapering and you would have issues. The benefit cannot be achieved by any other means. It is not an undesirable change to the neighborhood. If anything, it is a desirable change. The request is substantial and
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again, I think there are site conditions that are leading to that. There is no adverse, physical or environmental effects. The house is essentially in the same location where it previously was. There are no new portions of the site that is being regraded to accommodate this house or older plantings being cutdown. Therefore, I see no environmental issues and the alleged difficulty is self-created.

CONDITION: Shed at the rear of the property to remain through construction and will be removed prior to CO.

Mr. DellaCorte:

Second the Motion.

Roll Call Vote:

Mr. DellaCorte YES

Mr. Denardo YES

Mr. Barr YES

Public Hearing:

Appeal No.: 24-7833 (Area Variance)

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

-Where **50 feet** to the rear yard property line is required, the applicant can provide **15 feet** for the construction of a 12' x 18' shed, thus requesting a variance of **35 feet**. The property is located at **106 Peter Drive** on 0.91 acres and is identified as **Tax Grid No.: 6257-03-058281** in the Town of Wappinger.

Present:

Christopher & Lauren Hernandez – Applicants

Mr. DellaCorte:

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. Denardo:

Motion to grant the applicant the variance. Whether the benefit can be achieved by any other feasible means, it probably could but it would be more visible. You probably be better of where you are putting it. Is it a detriment to nearby properties, I don't think so. Whether the request is substantial, it is but there's no other place to put it. Whether the request will have adverse physical environmental effects, no. Whether the alleged difficulty is self-created, yes and no actually. This decision is based on the fact that it is a corner lot which restricts the

homeowner with setbacks for a typical lot. You have a lot of typography because of the hill and it is a heavily wooded area which limits you.

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

Miscellaneous:

Vote on 2025 ZBA meeting dates

Vote tabled for next ZBA meeting.

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

Respectfully Submitted,

Adjourned: 7:17pm

Bea Ogunti
Secretary
Zoning Board of Appeals