

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.: 25-7848

Date: 5/14/25

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

I (We), Bryan Dufresne residing at 127 Chelsea Rd
Wappingers NY 12590, (phone) 518 774 5345, hereby,
appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated 5/6/25, and do hereby apply for an area variance(s).

Premises located at: 127 Chelsea Rd Wappingers 12590 NY
Tax Grid No.: 0056-03-401483
Zoning District: R-20

1. Record Owner of Property:

Bryan Dufresne
Address: 127 Chelsea Rd Wappinger NY 12590
Phone Number: 518 774 5345
Owner Consent dated: 5/14/25
Signature: B. Dufresne
Print Name: Bryan Dufresne

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.

240-37

(Indicate Article, Section, Subsection and Paragraph)

Required: 6' Agricultural fence in front yard

Applicant(s) can provide: n/a

Thus requesting: n/a

To allow: Proper protection of fruit trees from deer.

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.

The proposed agricultural fence is minimalist. It will not impede sight lines. The fence will be built in a neat/organized way to meet/exceed the character of the neighborhood.

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.

There is no way to reach this result otherwise. The variance is needed to protect fruit trees from deer and to allow planting of other deer sensitive plants on the property.

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 request is not substantial. Zoning laws allow 6' fences in rear and side properties. This request is to increase the front yard fence height from 4' to 6'.

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.

The physical environmental condition of the neighborhood will improve - as this fence allows for more aesthetically pleasing, deer sensitive plants to be planted.

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

The difficulty is organic in nature. The concern is an intersection of wildlife vs. Agriculture.

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

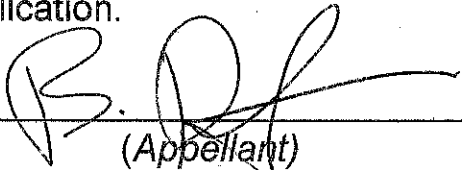
The property is unique in nature due to its presence of fruit trees. This variance is to protect the trees from deer.

4. List of attachments (Check applicable information)

- Survey dated: _____, Last revised _____ and Prepared by: _____.
- 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: Barbara Roberti Dated: 5-14-25
- 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: 
(Appellant)

DATED: 5/14/25

SIGNATURE: _____
(If more than one Appellant)

DATED: _____

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:

FINDINGS & FACTS ATTACHED.

DATED: _____

ZONING BOARD OF APPEALS
TOWN OF WAPPINGER, NEW YORK

BY: _____
(Chairman)

PRINT: _____

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: 25-7848 Date: 5/14/25
Grid No.: 6056-03-46/483 Zoning District: R-20

Location of Project:
127 Chelsea Rd Wappinger NY 12590

Name of Applicant: Bryan Dufresne 518 774 5345
Print name and phone number

Description of Project: Installation of 6' agricultural fence around property.

I Bryan Dufresne, 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.

5/14/25
Date

[Signature]
Owner's Signature

518 774 5345
Owner's Telephone Number

Bryan Dufresne
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.

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: 127 Chelsea Rd. Fence Installation			
Project Location (describe, and attach a location map): 127 Chelsea Rd Wappingers NY 12590			
Brief Description of Proposed Action: Installation of a 6' agricultural fence around property.			
Name of Applicant or Sponsor: Bryan Dufresne		Telephone: 518 774 5345	
Address: 127 Chelsea Rd Wappingers ^(RD)		E-Mail: Bryan. Mack. Dufresne@gmail.com	
City/PO: Wappingers		State: NY	Zip Code: 12590
1. Does the proposed action only involve the legislative adoption of a <u>plan</u> , 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 type="checkbox"/>
			YES <input checked="" 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?		0.5 acres	
b. Total acreage to be physically disturbed?		0.05 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.5 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	9. Does the proposed action meet or exceed the state energy code requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If the proposed action will exceed requirements, describe design features and technologies: _____ N/A _____		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If No, describe method for providing potable water: _____ N/A _____		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If No, describe method for providing wastewater treatment: _____ N/A _____		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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"/>	<input 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?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____				

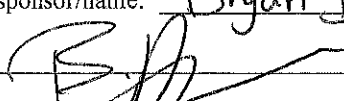
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

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: Bryan Dufresne Date: 5/14/25

Signature:  Title: Owner

Town of Wappinger
20 Middlebush Rd.
Wappingers Falls, NY 12590
(845) 297-6256

To: Dufresne, Bryan
131 Chelsea Rd

SBL: 6056-03-461483-0000
Date of this Notice: 05/14/2025
Zone:
Application: 45490

For property located at: 127 Chelsea Rd

Your application to:

FENCE FENCE INSTALLATION, AGRICULTURAL STYLE FENCING STANDING APPROXIMATELY 6' -8' TALL AROUND THE PROPERTY AS SHOWN ON SURVEY.

is denied for the following deficiency under Section **240-37** of the Zoning Laws of the Town of Wappinger.

Where no fence over 4 feet high is allowed in a front yard, the applicant is seeking to erect an 6 foot high fence in his front yard.

	REQUIRE D:	WHAT YOU CAN PROVIDE:
REAR YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.
FRONT YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.

You have the right to appeal this decision to the Zoning Board of Appeals within 60 days of the date of this letter. This Zoning Board of Appeals meets the second and fourth Tuesday of the month. The area variance appeal will require at least two meetings, one for discussion and one for a Public Hearing. The required forms can be obtained at this office or on our website at www.townofwappingerny.gov

Very Truly,



Zoning Administrator
Town of Wappinger

RECEIVED
MAY 01 2025
Building Department
TOWN OF WAPPINGER

TOWN OF WAPPINGER BUILDING DEPARTMENT

20 Middlebush Road, Wappingers Falls, N.Y. 12590

telephone: 845-297-6256 fax: 845-297-0579

APPLICATION FOR BUILDING PERMIT

APPLICATION TYPE: Residential Commercial Multiple Dwelling
 New Construction
 Renovation/Alteration
ZONE: B20 **DATE:** 5/1/25
APPL #: 45490 **PERMIT #:** _____
GRID: 6056-03-461483

APPLICANT NAME: Bryan Dufresne
ADDRESS: 127 Chelsea Rd Wappinger NY 12590
TEL#: X **CELL:** 518 774 5345 **FAX #:** X **E-MAIL:** Bryan.Mack.Dufresne@gmail.com

NAME OWNER OF BUILDING/LAND: Bryan Dufresne
***PROJECT SITE ADDRESS*:** 127 Chelsea Rd Wappinger 12590
MAILING ADDRESS: "
TEL#: X **CELL:** " **FAX #:** X **E-MAIL:** "

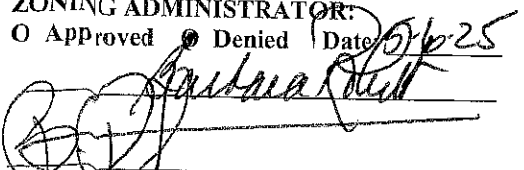
BUILDER/CONTRACTOR DOING WORK:
COMPANY NAME: Same as above
ADDRESS: _____
TEL#: _____ **CELL:** _____ **FAX #:** _____ **E-MAIL:** _____

DESIGN PROFESSIONAL NAME:
TEL#: X **CELL:** X **FAX #:** X **E-MAIL:** X

APPLICATION FOR: Fence installation. Agricultural style fencing standing aprx 6'-8' tall around the property as shown on included survey. The property owner has installed fruit trees on property to which deer regularly consume. This fence is of like-kind to those found at orchards for keeping deer off of fruit trees.

SETBACKS: FRONT: _____ REAR: _____ L-SIDEYARD: _____ R-SIDEYARD: _____
SIZE OF STRUCTURE: 650 LF of fencing
ESTIMATED COST: 3,000 \$ **TYPE OF USE:** _____

NON-REFUNDABLE APPL. FEE: - **PAID ON:** - **CHECK #:** - **RECEIPT #:** No fee, for variance only
BALANCE DUE: _____ **PAID ON:** _____ **CHECK #:** _____ **RECEIPT #:** _____

APPROVALS:
ZONING ADMINISTRATOR:
 Approved Denied **Date:** 5/1/25


Signature of Applicant
Bryan Dufresne

Print Name or Company Name(if applicable)

FIRE INSPECTOR:
 Approved Denied **Date:** _____

Signature of Building Inspector