

CHRISTA VERANO
AND
SUSIE HANSEN

CODE ENFORCEMENT CLERKS

We are usually the first people you will encounter when reaching out to our office. We welcome anybody to come to us to see what we have on file for a property that is preparing to be sold.

How to request information from our files:

FOIL Requests

(Freedom of Information Law Request)

It is a written request to obtain records from a local government agency. You can find our form online or in the office.

Our files will have any records of building permits issued or existing violations. You will want to compare what we have on file to what the property has.

Example: If there is a new AC unit and we don't have a permit, it is probably a violation.

(Just because there are no violations on file, does not mean that no violations exist)

Where to Start

[Click Here](#) To Search Our Public Records Database Before Submitting Request
 Forms Can Be Submitted via Email to lmconologue@townofwappingerny.gov or
robinson@townofwappingerny.gov or in person/via mail to 20 Middlebush Rd Wappingers Falls, NY 12590

FOR INTERNAL USE ONLY

Received by: Joseph P. Paoloni
 Lori McConologue
 Grace Robinson

Date Received: ___/___/___
 FOIL Ser. #: _____

TOWN OF WAPPINGER
 Application for Public Access to Records
FOIL REQUEST



DEPARTMENT:

ASSESSOR
 ACCOUNTING
 CODE ENFORCEMENT
 HIGHWAY
 RECEIVER OF TAXES
 RECREATION
 SUPERVISOR
 TOWN CLERK
 WATER/SEWER
 DOG CONTROL OFFICER
 TOWN ENGINEER
 TOWN ATTORNEY

FOR DEPARTMENT USE ONLY

Date Received by Dept: ___/___/___
 Department Head approval: _____
 (init)

Date Applicant Contacted: ___/___/___

Date FOIL fulfilled or denied: ___/___/___

Closed by: _____

Date: ___/___/___

Notes: _____

Amount Due: _____ Pages for a total of \$ _____

Name: _____ check here if you are
 Address: _____ requesting that the records
 be mailed to this address.

Agency or firm: _____

Telephone #: () _____ - _____ FAX #: () _____ - _____

Email address: _____

SPECIFIC DESCRIPTION OF RECORD:

FORMAT OF RECORD (if available)

I request to be notified when I can come to inspect the record(s) described above
 I request copies of the records described above and agree to pay the cost of such records in accordance with the fee schedule on the back of this application
 I request that the records be sent via e-mail to the address listed above
 I request that the records be faxed to the number listed above

Usually ordered by title companies, lawyers or other agents. Can also be requested by owners

These searches include in depth review of our files and a physical inspection of the exterior of the property.

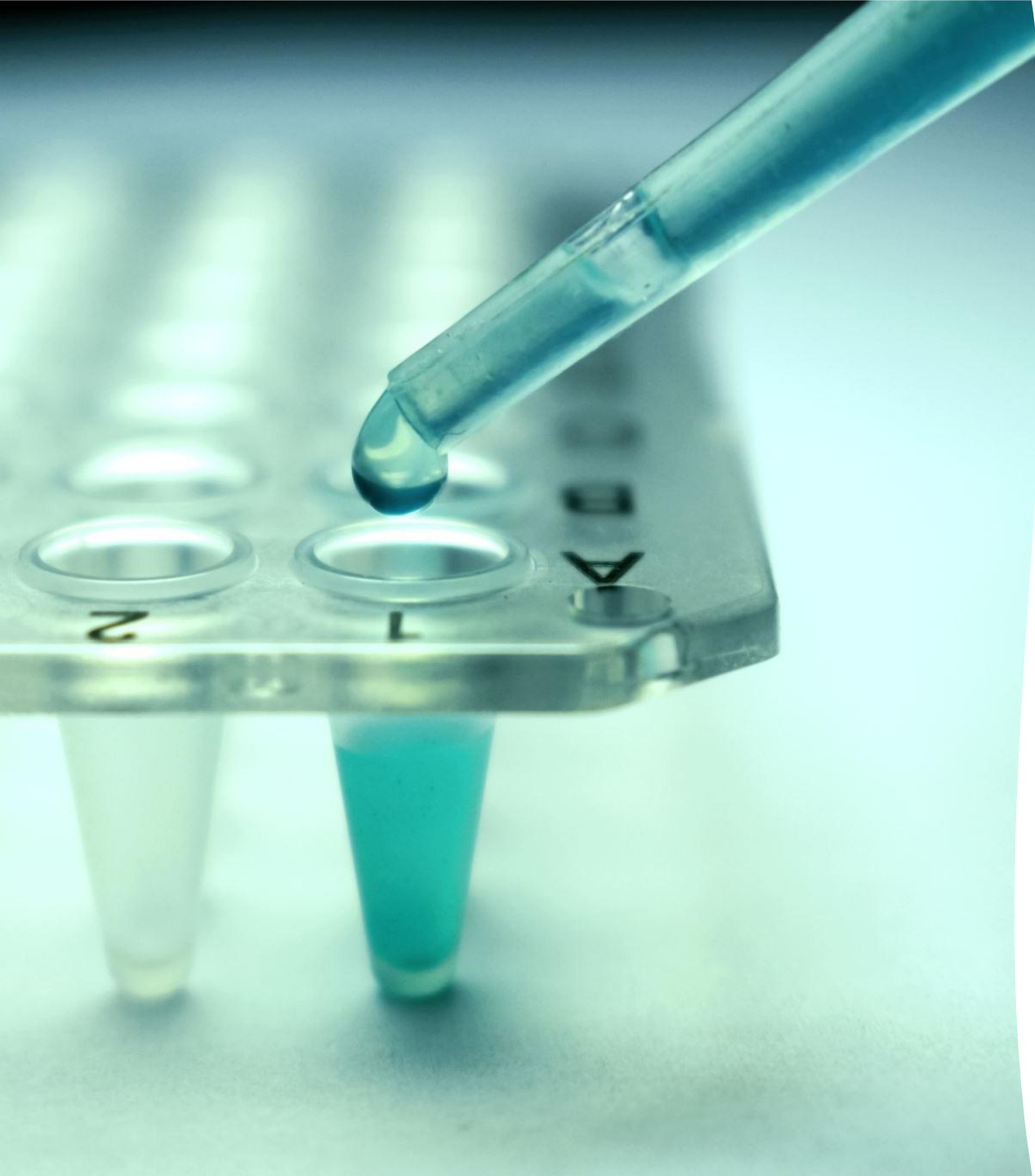
What is required:

- Written request for search
- Owner consent form: Must be completed by legal owner

Searches can take a few weeks to process. We receive a lot of requests last minute. Requests are processed in the order that they are received. There are no “Rush Orders”.

Once the request is received, we will determine any other requirements needed to complete the request such as well tests and/or sump pump inspections.

Municipal Searches/CO Searches



WELL TEST

- **WHAT IS A WELL TEST:**
A property that has a private water supply (well). If a home is on the market and our office receives a municipal search request, we will require a well test if we do not have a current one on file for that property
- **TYPE OF TEST REQUIRED:**
Part 5 NYS Sanitary Code. Test is valid for 3 years
- **WELL TESTING PROTOCOL:**
See handout
- **LABS:**
See handout (Note: We can only accept well test results directly from the lab)

SUMP PUMP

- **SUMP PUMP:**
If a home is on town sewer, then we need to verify if the homeowner has a sump pump in the home or not. If so, our building inspector will check and make sure it's not connected to the town sewer line. If it is, it must be remedied.
- **NO SUMP PUMP:**
If there is not sump pump in the home, then that's fine.
- *This is a requirement if a municipal search request is submitted to our office*

VIOLATIONS

- **What is a violation?**
Occurs when an action requires a permit, and we do not have record(s) of one on file.
- **Requirements to remedy violation(s):**
Building permit will need to be submitted with required information: application, owner's consent form, any additional requirements requested by building inspector.
- **Fee:**
Residential application fee and \$250 compliance fee (***compliance fee will not be waived***)
- **Once permit Submitted:**
Application goes to zoning and building. If denied by zoning it will need to go for a variance.
- **Applications:**
Can be found on our website: townofwappingerny.gov or in office

SUSAN DAO

BUILDING INSPECTOR

Jessica Peterson

BUILDING INSPECTOR

Municipal / CO Search Process

Real Estate Fair – Town of Wappinger

Presented by

Susan Dao, Building Inspector

What is a Municipal Search?

- Uncovers issues with the Town of Wappinger
- Identifies code violations and open permits
- Helps avoid closing delays



Information Reviewed

- Street-visible address number
- Assessor's records, MLS, public data
- Building department files



Exterior Inspection Includes

- Central air/heat pumps, hot tubs, pools
- Sheds, decks, roof overhangs
- Generators, EV chargers, outdoor kitchens
- Unpermitted structures



Interior Inspection (Town Sewer)

- Appointment required for inspection
- Check for sump pump and illegal connections
- Review visible interior structures



Interior Items Inspected

- New/replaced mechanicals
- Finished basements, apartments
- Bathrooms and visible additions



Search Results

- No violations: Clean letter sent
- Violations: Order To Remedy + notice to abstract company



Timing is Critical

- Late requests = delays
- Violations take time to resolve
- Request search early in the process



Important Reminder

- NO such thing as 'grandfathering'
- All structures must meet current code



Questions?

- Thank you for attending!
- Happy to answer any questions



BEA OGUNTI

**PLANNING AND ZONING BOARD
SECRETARY**

Town of Wappinger

Variance Application Process Overview

Getting Started

- • First, apply for a Building Permit.
- • If denied, you may proceed with an Area Variance application.
- • You must appear before the Zoning Board of Appeals (5-member board).
- • Meetings are held on the 2nd and 4th Tuesdays of the month at 7:00 PM.

The Two-Meeting Process

- • Meeting 1: Discussion with the Board.
- • Explain your request and the variance needed.
- • Meeting 2: Public Hearing and Decision.
- • Board decides to grant or deny the variance.

Post-Approval Steps

- • If granted, the decision goes to the Building Department.
- • Final review is done before issuing the Building Permit.

Fees and Applicant Responsibilities

- • Residential variance: \$375
- • Commercial variance: \$1,000
- • Applicant must send legal notices via certified mail (return receipt).
- • A sign must be posted on the property throughout the variance process.

Legal Notices and Publication

- • Legal notice published in Southern Dutchess News.
- • Applicant pays for Affidavit of Publication.
- • Applicant receives names and addresses of neighboring property owners.

THE VARIANCE APPLICATION PROCESS



7019 1640 0000 3275 7763

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CERTIFIED MAIL

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com™

OFFICIAL USE

Certified Mail Fee
 Basic Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$ _____
 Return Receipt (electronic) \$ _____
 Certified Mail Restricted Delivery \$ _____
 Adult Signature Required \$ _____
 Adult Signature Restricted Delivery \$ _____

Postage
 \$ _____

Total Postage and Fees
 \$ _____

Postmark
 Here

Send to
 Recipient Name, No. & P.O. Box No.
John Smith, Sterling Capital
250 Park Avenue
New York, NY 10177

PS Form 3811, July 2015 PSN 7530-02-000-9053 See Reverse for Restrictions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
John Smith, Sterling Capital
250 Park Avenue
New York, NY 10177

9590 9402 5301 9154 8710 84

2. Article Number (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X
 Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Insured Mail
 Insured Mail Restricted Delivery (over \$500)

Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt



HOWARD PRAGER

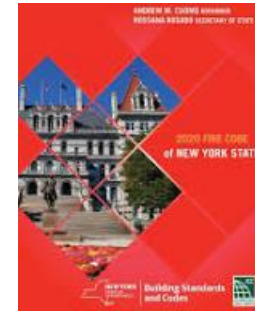
FIRE INSPECTOR

SMOKE AND CO ALARMS



NYS FIRE CODE

NYS RESIDENTIAL CODE

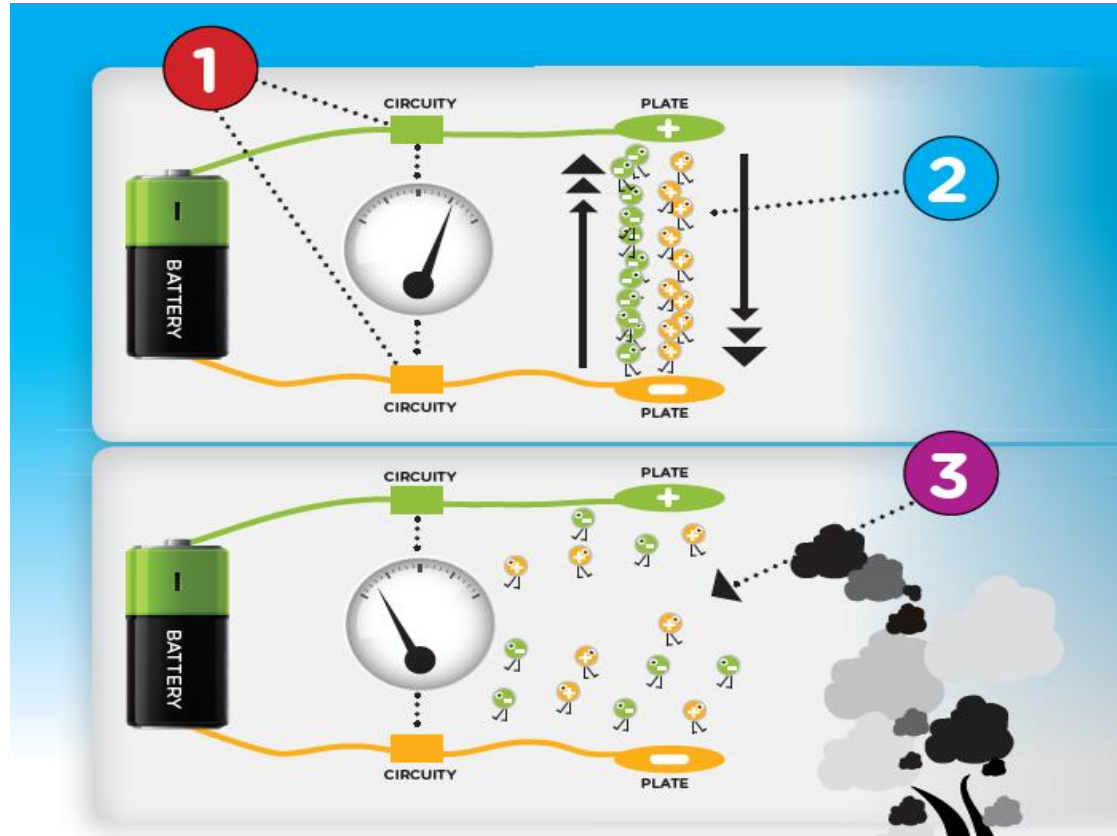


WHY DO WE NEED A CODE?

BECAUSE BAD THINGS HAVE HAPPENED

- Roughly three out of five fire deaths happen in homes with either no smoke alarms or no working smoke alarms.
- More than one-third (38 percent) of home fire deaths result from fires in which no smoke alarms are present.
- The risk of dying in a home fire is cut in half in homes with working smoke alarms.

- King Hammurabi of Babylon
1758 B.C

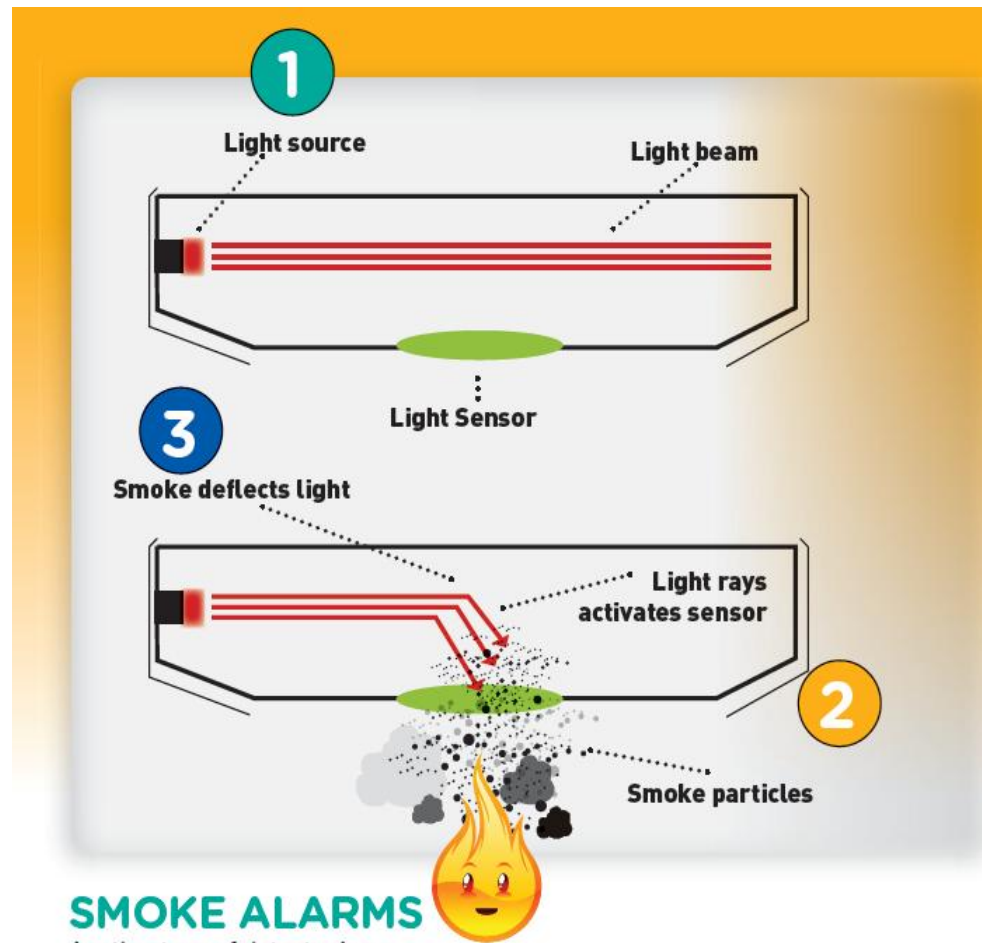


SMOKE ALARMS

Did you know that scientists have spent many years working on smoke alarms to keep us safe? One of the most common types is an ionization smoke alarm. Here's how it works:

- 1** Inside the smoke alarm, there are two tiny metal plates called electrodes that are connected to a battery. This is called a circuit.
 - move toward the negative plate. This movement creates a complete circuit or path of electricity.
- 2** There is also a substance called Americium-241. Americium-241 converts air molecules into positive and negative ions. Because opposites attract, the negative ions move toward the positive plate and the positive ions
- 3** When smoke enters the smoke alarm, the ions bond with the smoke, breaking the path of electricity.
- 4** When the flow of electricity is reduced, the alarm goes off.





SMOKE ALARMS



Another type of detector is an photoelectric smoke alarm. Here's how it works:

1 Inside the smoke alarm, there is an LED light that sends a beam of light (similar to a laser pointer) in a straight line across the chamber. In a separate compartment inside the chamber, there is a photosensor that detects light.

2 As smoke enters the detector, the smoke particles interrupt the light beam, scattering it in many directions. Some of the LED light scatters toward the light sensor. When light beams hit the sensor, the alarm will go off!

3 When the batteries in your smoke alarm get low, the smoke alarm automatically activates a low battery chirping sound different from the alarm sound so you know it's time to get new batteries.

Some smoke alarm contain both optical and ionization smoke detection systems.

IONIZATION ALARM

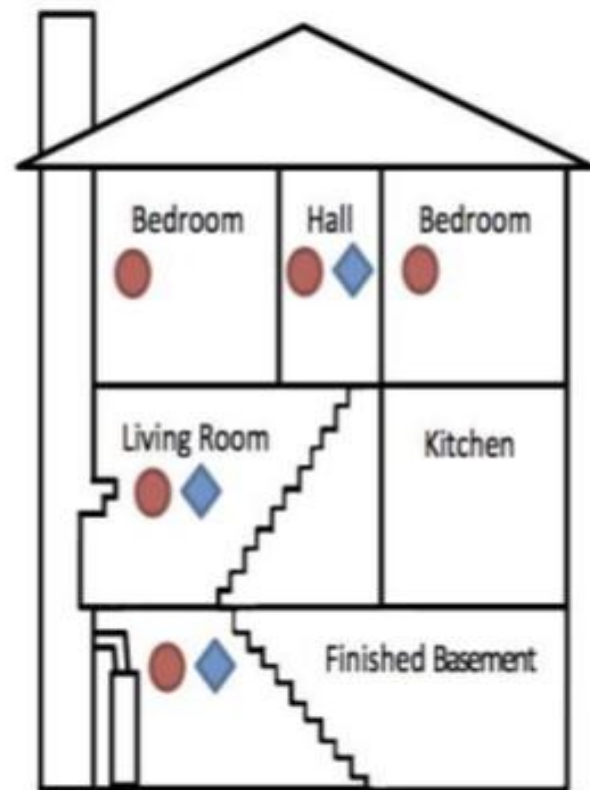
More responsive for Flaming Fires



PHOTOELECTRIC ALARM

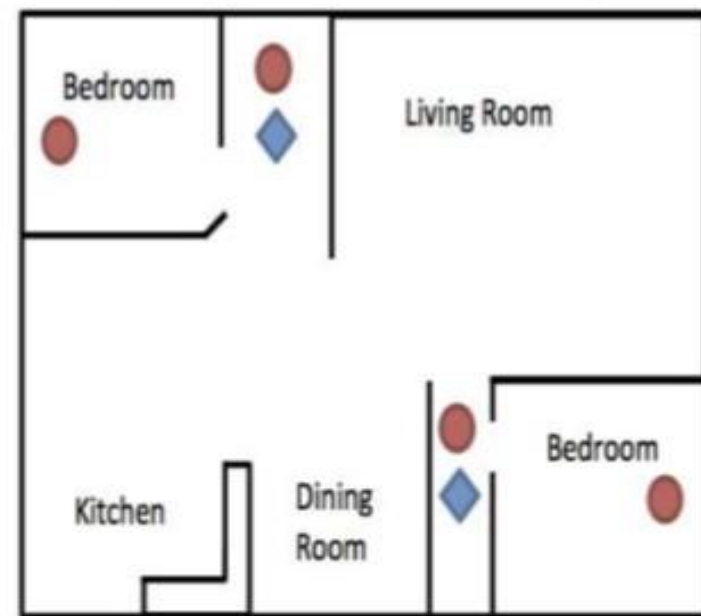
More responsive for Smoldering Fires



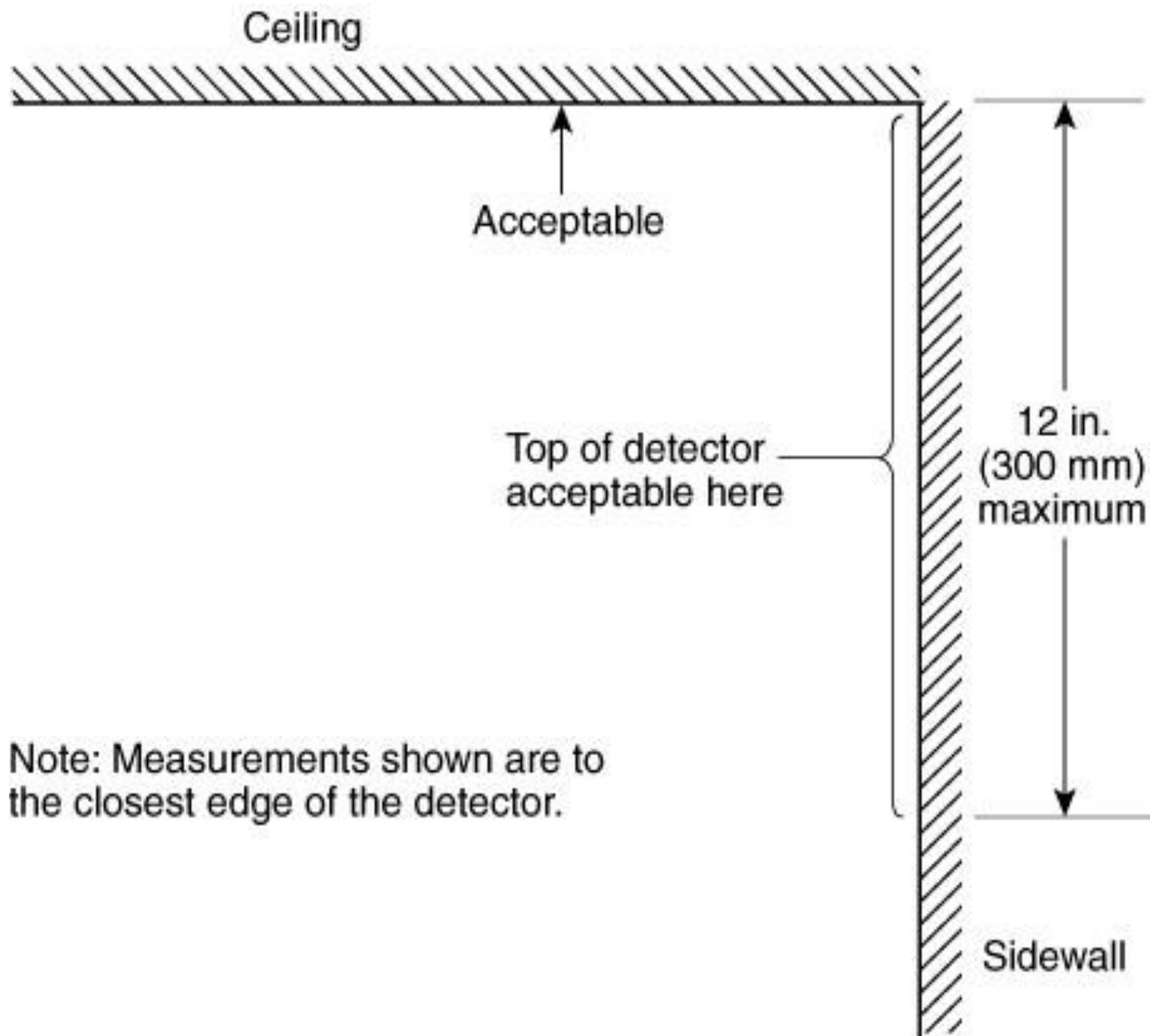


Multi Story Residence

KEY	
	● Smoke Alarms
	◆ CO Alarms
	●◆ Both or Combination



Single Story Residence



Note: Measurements shown are to the closest edge of the detector.

CONCLUSION

Smoke Alarm battery good for 10 yrs

Test Alarm monthly

Replace every 10 years

Where more than one smoke alarm is required to be installed, the alarms shall be

CONCLUSION

CO alarms required on all levels of building with fuel burning appliances, (oil/gas burner, boiler, or fireplace)

THANK YOU

BARBARA ROBERTI

**DIRECTOR OF STRATEGIC PLANNING
AND MUNICIPAL CODES
(ZONING ADMINISTRATOR)**

Accessory Apartments & Short-Term Rentals

Town of Wappinger – Zoning Overview

Accessory Apartments – Overview

- - Treated as temporary, not legal two-family or 'Mother/Daughter'
- - Must be within the existing home (no detached structures)
- - Max size: 35% of home's total square footage
- - Only for parent, sibling, or child of homeowner

Legal & Compliance Requirements

- - Proof of family relationship required
- - Declaration of Covenants filed with County Clerk
- - Approval ends with original applicant (non-transferable)
- - No second front door permitted

Reverting to Single-Family Use

- - Upon relative's departure, kitchen must be removed:
 - • Remove appliances, cabinets, sink
 - • Inspection required to confirm sink capped in wall
- - Apartment can be reused by new family with updated application

Example: Kitchen (Must Be Removed Upon Departure)



Exceptions & Warnings

- - Exception: 1+ acre lots may house one unrelated senior (55+)
- - Do not advertise as 'Mother/Daughter'—violates zoning code
- - Illegal apartments cause problems during sale transactions

Short-Term Rentals (STRs)

- - STRs (e.g., Airbnb) currently illegal in Town of Wappinger
- - New law in development:
 - • May allow STRs in R-40 and larger zones
 - • Permit and registration process will be required

JUDITH SUBRIZE

DEPUTY ZONING ADMINISTRATOR

Zoning

Things to Know

Look at the Property so that the buyers know what they are buying, and the sellers are prepared for possible remediation that may arise.

What is on the Property

- Accessory Structures
- What is a Structure ?
- A Structure is:
- It can be constructed or erected
- Buildings, Parking Areas, Garages, Storage Containers, Swimming Pools, Porches, Decks,
- Handicap Ramps, Awnings, Gas or Liquid Storage Tanks, Ground or Roof Mounted Solar, Walls or
- Fences, Hot Tubs, Gazebos and Carports,

- Mechanicals
- What is a Mechanicals?
- A Mechanical is:
- It can be anything installed or updated
- Furnaces, Boilers, Water Heaters, Split Units and Electrical Service Upgrades
- Natural Gas Systems, Pellet or Wood Stove Inserts, and Generators
- Heating, Ventilation, and Air Conditioning

Zoning Permit

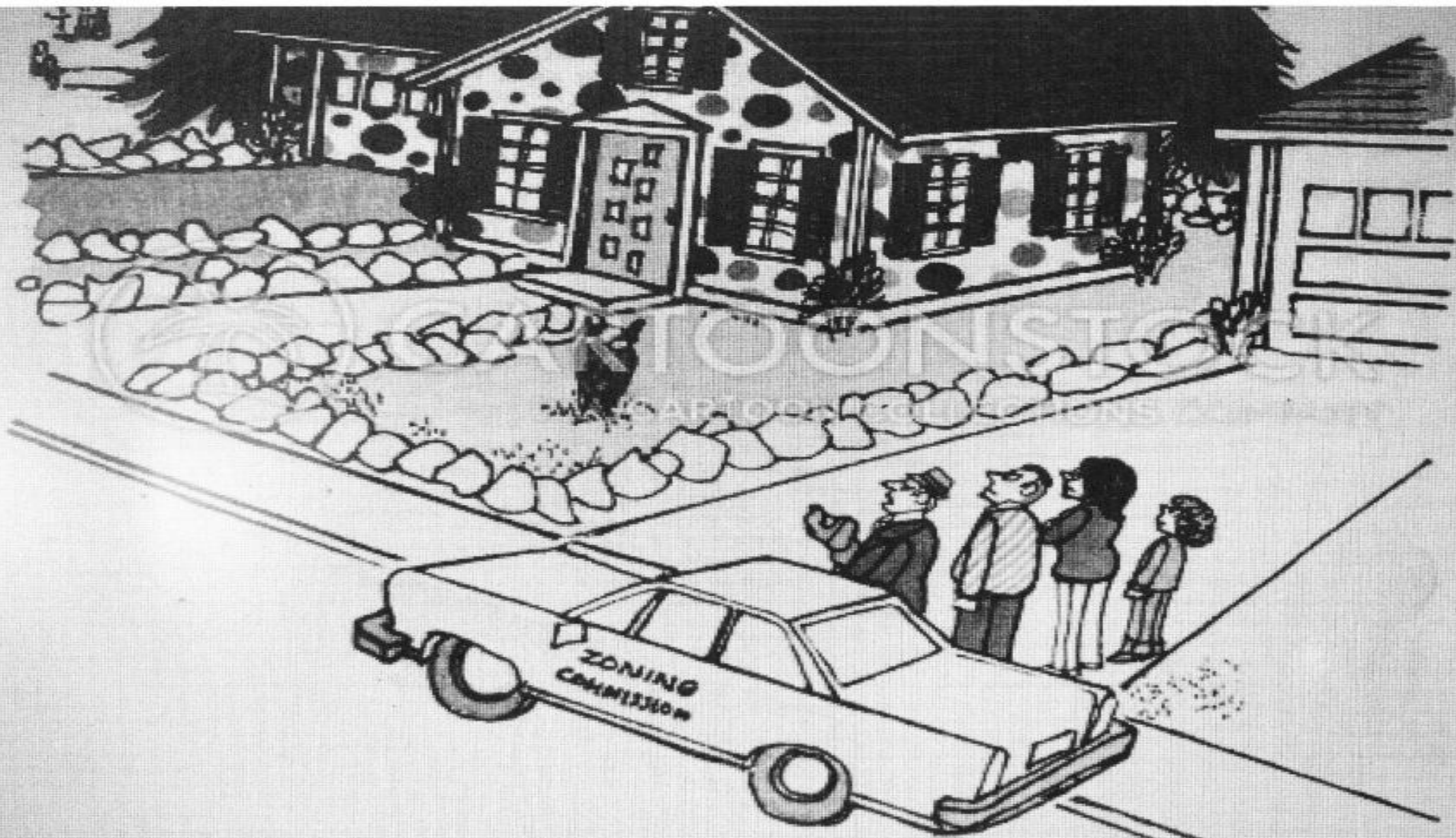
- A Permit shall be required for the construction or installation of any structure without electric, heating or plumbing that does not exceed 144 sq.ft.
- Its use can be for tools, storage, playhouses, refuse containers, and wood storage.
- Structures larger than 144 sq. ft. require a permit that have approvals and signoffs from the Building Department and Zoning Department.

NEVER MIND WHY...CAN IT BE
BUILT OUT OF GINGERBREAD
OR NOT?



Accessory Buildings

- No more than two accessory Buildings/ Structures shall be permitted in a one family residence.
- Depending on the acreage, the size of the structure allowed ranges from 600 to 1200 sq feet.
- If you see 3 or 4 structures, some may require removal or a variance.



"I'm sorry, but there's nothing in the zoning regulations covering bad taste."

JOSEPH
FARRIS

Yards and Setbacks

- Setbacks are dependent on zone and size of structure.
- Setbacks range from 12'-40' for side setbacks and 25' to 50' for rear setbacks for structures over 144sq ft.

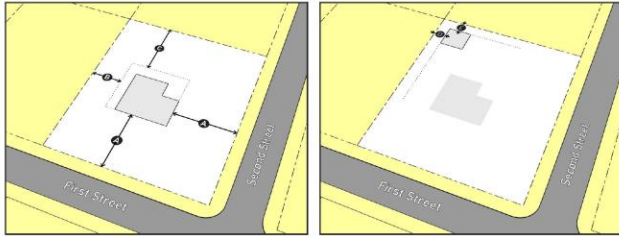
Once you know the zone you can identify the Setbacks

Zone	Over 144 sq, ft.	Under 144 sq. ft.
R10	Side 12' Rear 25'	Side 6' Rear 10"
R15	Side 15' Rear 30"	Side 6' Rear 10'
R20	Side 20' Rear 40"	Side 10' Rear 10'
R40	Side 25' Rear 50'	Side 10' Rear 10'
R80	Side 40' Rear 50'	Side 10' Rear 10'

R-40 One-Family Residence District

Building Placement and Composition

CORNER LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	50'
B Side yard [min]	25'
C Rear yard [min]	50'

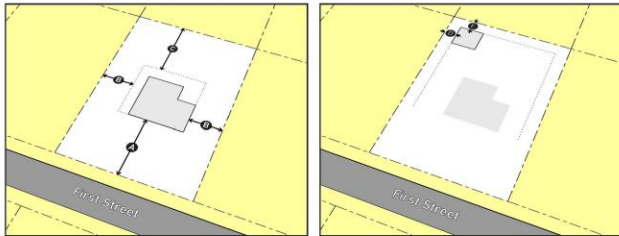
ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

D Side yard [min]	10'
E Rear yard [min]	10'

Notes - For a Corner Lot, the back yard and side yard can be determined by the Owner in consultation with the building department. This decision is then formalized by the placement of an accessory structure such as a shed, garage, pool, etc.
- Accessory structures above this size must comply with the primary structure setback requirements.

INTERIOR LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	50'
B Side yard [min]	25'
C Rear yard [min]	50'

ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

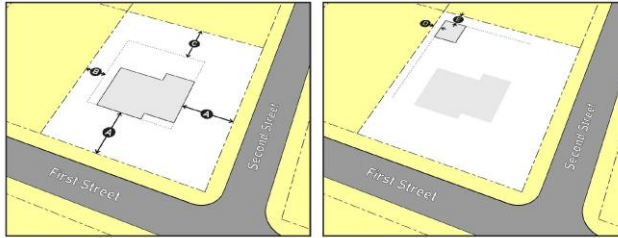
D Side yard [min]	10'
E Rear yard [min]	10'

Note - Accessory structures above this size must comply with the primary structure setback requirements.

R-15 One-Family Residence District

Building Placement and Composition

CORNER LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	35'
B Side yard [min]	15'
C Rear yard [min]	30'

ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

D Side yard [min]	6'
E Rear yard [min]	10'

Notes - For a Corner Lot, the back yard and side yard can be determined by the Owner in consultation with the building department. This decision is then formalized by the placement of an accessory structure such as a shed, garage, pool, etc.
- Accessory structures above this size must comply with the primary structure setback requirements.

INTERIOR LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	35'
B Side yard [min]	15'
C Rear yard [min]	30'

ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

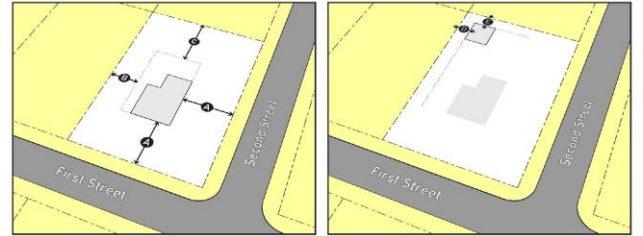
D Side yard [min]	6'
E Rear yard [min]	10'

Note - Accessory structures above this size must comply with the primary structure setback requirements.

R-20 One-Family Residence District

Building Placement and Composition

CORNER LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	35'
B Side yard [min]	20'
C Rear yard [min]	40'

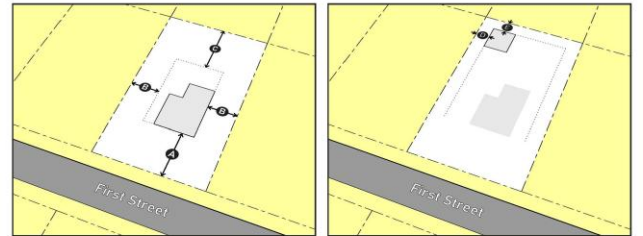
ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

D Side yard [min]	10'
E Rear yard [min]	10'

Notes - For a Corner Lot, the back yard and side yard can be determined by the Owner in consultation with the building department. This decision is then formalized by the placement of an accessory structure such as a shed, garage, pool, etc.
- Accessory structures above this size must comply with the primary structure setback requirements.

INTERIOR LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	35'
B Side yard [min]	20'
C Rear yard [min]	40'

ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

D Side yard [min]	10'
E Rear yard [min]	10'

Note - Accessory structures above this size must comply with the primary structure setback requirements.

NOBODY SHOULD BE
ALLOWED TO TELL ME
HOW I CAN OR CANT
REMODEL
MY OWN HOME!!



"...WITHIN
REASON."



Front Yards

- Some Parcels have 2 Front Yards and both are treated the same, leaving 1 side and 1 rear
- Setbacks are dependent on Town, County or State Road Frontage
- County and State roads require a 75' Front Yard Setback
- Nothing can be stored or erected in a Front Yard
- Cars must be parked in driveways, never on grass
- Storage of Campers, Boats and Trailers, are restricted, and multiple storage is prohibited
- A Camper **OR** a Trailer **OR** a Boat is allowed but cannot be in the Front Yard.

Fences

- The maximum height of any fence, wall or retaining wall is six feet in height except those fences, walls and retaining walls along street frontage shall not exceed four feet in height.
- No Fence shall be erected in such a location or manner as to obstruct adequate site distance for drivers, bicyclists or pedestrians.
- Fences shall generally be set back 12' from front property line or edge of roadway pavement, with corner lots having special requirements
- Easements must also be considered when planning a fence, wall or retaining wall.
- Retaining walls 48" or higher require a Permit with Engineered Plan

Easements

- All Reservations and Easements shall be clearly indicated on a final subdivision plat or survey with notations indicating the rights which exist with respect to each easement.
- No structures or fences are allowed in an Easement
- Examples of Easements:
 - Central Hudson
 - NYPA
 - Utility
 - Water
 - Sewer
 - Drainage

Wetlands and Buffers

- No person shall conduct any of the following activities including erecting structures within a Federal or DEC Wetland or 100 'Buffer.
- The 100' buffer is enforced on all Wetlands by the Town of Wappinger
- Prohibited items in Wetland and Buffers include:
 - Fences
 - Structures, Sheds, Pools, Cabañas, Carports, Hot Tubs
 - Dumping, Filling, Draining, Rerouting, Excavation

Professional Office / Professional Studio

- Use shall be conducted solely within the dwelling unit and only as an incidental and secondary use by permit.
- Not more than two non-resident employees, associates, or assistants excluding the owner shall be employed on premises
- No external display or advertising of goods unless approved with a sign permit
- No construction or alterations not customarily found in a dwelling unit.
- Storage of Goods Prohibited



"THE BEST FEATURE IS THAT IT'S ZONED FOR A HOME BUSINESS IN CASE YOU LOSE YOUR JOB."

Property Maintenance

- The storage of household items, mechanicals, tools, debris, trash, brush, and accumulations of an excessive amount of non household goods is prohibited on property.
- Grass, shrubs and bushes must be maintained.
- Houses must be maintained.

Good Neighbors

- Garbage Cans don't live in roads – 24 hours turn around
- Parties are fun within restricted hours and must quiet down by 10:00pm
- Construction or yardwork noise must be between the hours of 7am to 7pm on weekdays and 9am to 6pm on Saturday, Sunday & Holidays
- ATV are not fun for everyone – rules for usage and lot size requirements and restrictions
- Chickens and Farm Animals and where they can live (2 Acre Minimum)
- Landscaping or Grading – Small projects gone awry
- Ask questions, WE are here to HELP



BROWN.

THANK YOU