

Town of Wappinger
Zoning Board of Appeals

Minutes of March 27, 2018

MINUTES

Town of Wappinger
Zoning Board of Appeals
March 27, 2018

Town Hall
20 Middlebush Road
Wappinger Falls, NY 12590

Summarized Minutes

Members:

Mr. Prager	Chairman	Present
Mr. Casella	Co-Chair	Present
Mr. Haas	Member	Present
Mr. DellaCorte	Member	Absent
Mr. Galotti	Member	Absent

Others Present:

Mr. Horan	Town Attorney
Mrs. Roberti	Zoning Administrator
Mrs. Dao	Acting Secretary

SUMMARY

Public Hearings:

Domenick & Nicole Amendolia	- Public Hearing closed. Decision- Granted
M&C of Dutchess, Inc.	- Public Hearing closed. Executive meeting April 10 th , 2018 and decision on April 24, 2018

Miscellaneous:

-Minutes accepted for March 13, 2018

Mr. Casella: **Motion to accept the Minutes from March 13, 2018.**
Mr. Haas: Second the Motion.
Vote: All present voted Aye.

Public Hearing:

Appeal No. 18-7637 (Use Variance)

M&C of Dutchess, Inc.: - Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-The applicant intends to utilize the existing 2,500 sf. commercial structure built in 1950 as a contractor's shop and storage in a Residential Zoning District. The property is located at **20 MacFarland Road** and is identified as **Tax Grid No. 6157-04-720271** in the Town of Wappinger.

Present Mr. Neil Alexander Law firm partner of Cuddy and Feder

Mr. Prager: Are the mailings in order?

Mrs. Dao: Yes, they are.

Mr. Casella: **Motion to open the public hearing.**

Mr. Haas: Second the motion.

Vote: All present voted aye.

Mr. Prager: Please explain why you are here.

Mr. Alexander: I'm representing M & C of Dutchess. We are seeking for a variance for a use that has been on this property from the 1950's. We want to use this property for storage and contractor's shop. Retail sales is not part of the request. We don't have other alternative uses than are viable for a reasonable return. (discussion of cost to demo, prepare lot and build a single-family house.) We acquired this property through a foreclosed loan. If we are granted this use variance we are aware of the requirement to come to the Planning Board for any site work.

Mr. Prager: Is there anyone in the audience that would like to speak for or against this appeal? Let the records state there is no one to speak for or against this appeal.

Mr. Casella: **Motion to close the public hearing.**

Mr. Haas: Second the motion.

Vote: All present voted aye.

Mr. Prager: Now that the public hearing is closed we have 60 days to make a decision. We would like to have an executive session at the next meeting on April 10th for legal advice. We will make a decision at the April 24, 2018 meeting.

Mr. Alexander: Thank you.

Adjourned Public Hearing:

Appeal No. 18-7638 (Area Variance)

Domenick & Nicole Amendolia: - Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **25 feet** to the side yard property line is required, the applicant can only provide **10 feet** for the installation of a 20' x 36' in ground pool, thus requesting a variance of **15 feet**.

The property is located at **75 Stoneykill Road** and is identified as **Tax Grid No. 6056-02882750** in the Town of Wappinger.

Present Mr. Domenick Amendolia Owner

Mr. Prager: Are the mailings in order?

Mrs. Dao: Yes, they are.

Mr. Casella: Motion to open the public hearing.

Mr. Haas: Second the motion.

Vote: All present voted aye.

Mr. Prager: Please explain why you are here.

Mr. Amendolia: I'm looking to replace an above-ground pool with an in-ground pool. Due to the location of the septic system I need a variance to put pool 10' from the property line.

Mr. Prager: Is there anyone in the audience that would like to speak for or against this appeal? Please come up and state your name and address for the record.

Mr. Hartman: My name is Edgar Hartman and reside next door at 73 Stoneykill Road. I want to support Dominic and his family. They are model neighbors. I have no problems with this variance.

Mr. Prager: Thank you. Is there anyone else who wants to speak? Showing there is not, let the records state there is no one else to speak for or against this appeal.

