

MINUTES

**Town of Wappinger
Zoning Board of Appeals
May 22, 2018
Time: 7:00PM**

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

Summarized Minutes

Members:

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

Others Present:

Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

SUMMARY

Public Hearing:

Julio Carreras	Variance granted
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Discussion:

Michael & Danielle Faust	Public Hearing on June 12, 2018 Site Visit on May 26, 2018
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May 8, 2018 & May 22, 2018 Minutes will be accepted at the June 12th meeting.

Public Hearing:

Appeal No. 18-7644 (Area Variance)

Julio Carreras: Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where **20 feet** to the side yard property is required, the applicant can only provide **10.1 feet** for the addition and alteration of a second story to an existing house, thus requesting a variance of **9.9 feet**.

-Where **35 feet** to the front yard property is required, the applicant can only provide **27.3 feet** for the addition and alteration of a second story to an existing non-conforming house, thus requesting a variance of **7.7 feet**.

The property is located at **26 Booth Boulevard** and is identified as **Tax Grid No. 6056-03-413390** in the Town of Wappinger.

Mr. Prager: Bea, are all of the mailings in order?

Mrs. Ogunti: Yes, they are?

Mr. Casella: **Motion to open the Public Hearing.**

Mr. DellaCorte: Second the Motion.

Vote: All present voted Aye.

Mr. Prager: Good evening. Please come up and state your name and address for the record.

Mr. Carreras: Julio Carreras, 26 Booth Boulevard.

Mr. Prager: You were here two weeks ago and we had a discussion but please tell us again what you need and why you need it in case someone in the audience has a question.

Mr. Carreras: I'm requesting a second floor addition for my fiancée and children to come and live with me.

Mr. Prager: We did have a site inspection and we looked at the property and obviously we know that your house is really too close. Does anybody have a question?

Mr. Casella: So far this is grandfathered in you said?

Mrs. Roberti: The house is because it predates zoning but any new construction technically needs to meet the zoning.

Mr. Prager: Because the house is already too close there's not much he can do as far as that goes.

Mrs. Roberti: I would also just like to put on the record that this property is setback too far. Usually it requires 10 to 12 feet at the Town line. On this survey it shows that his property line does start at 22 feet back which also impedes his front yard setback.

Mr. Prager: Is there anybody in the audience who would like to speak for or against this variance?

Mr. Bettina: I think it should be granted.

Mr. Prager: Let the record show that Mr. Bettina feels that it should be granted.

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

Mr. DellaCorte: Do we need to do each variance separately?

Mr. Prager: You can do it all together.

Mr. DellaCorte: **Motion to grant the variance. The benefit cannot be achieved by any other feasible means. It will not cause an undesirable change to the neighborhood or any nearby properties. The request is substantial but due to the grandfathering and where it is located and cannot be done any other way. It will not cause any physical or environmental effect to the character of the neighborhood. The alleged difficulty is not self-created. I would like to also state for the record that I live on Booth Boulevard and it is not relevant.**

Mr. Casella: Second the Motion.

Roll Call Vote:

Mr. Casella	YES
Mr. DellaCorte	YES
Mr. Prager	YES

Discussion:

Appeal No. 18-7646 (Area Variance)

Michael & Danielle Faust: Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **50 feet** to the rear yard property is required, the applicant can only provide **34.2 feet** for the installation of a 22' x 45' in ground pool, thus requesting a variance of **15.8 feet**.

The property is located at **225 River Road** and is identified as **Tax Grid No. 6056-01-344935** in the Town of Wappinger.

Mr. Prager: Good evening. Please state your name and address for the record.

Mr. Faust: Michael Faust, 225 River Road North.

Mr. Prager: Mike, tell us a little bit about what you need. I don't know if you have ever been to any of these meetings before. It's basically a discussion and if we feel we need more information from you we will ask that you get it to the secretary or bring to the public hearing.

Mr. Faust: The address is 225 River Road North and we are attempting to put an in ground pool. The way the property is designed the driveway and house are centered. The rest of the surrounding areas have setbacks. The pool location is toward the back left corner of the property so it's behind the house and hopefully it won't be seen from the road. We need 50 feet setback and we have 34.2 feet.

Mr. Prager: It looks like it's on the corner.

Mr. Faust: On the side you get 25 feet.

Mr. Prager: This is your house I'm assuming?

Mr. Faust: Yes.

Discussion continues.

Mr. Prager: What about that deck?

Mr. Faust: This is just a patio.

Mr. Prager: We are going to have a site inspection on Saturday.

Mr. Casella: Do you have it all staked already?

Mr. Faust: Yes. I have a survey and it is staked out also. I will not be there this Saturday.

Mr. Casella: As long as you have it staked out.

Mr. Prager: So we will do a site visit on Saturday, May 26th and set the public hearing June 12th.

Mr. Faust: Thank you.

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

Respectfully Submitted,

Adjourned: 7:45pm

Bea Ogunti
Secretary
Zoning Board of Appeals