

## **MINUTES**

**Town of Wappinger  
Zoning Board of Appeals  
December 8, 2020  
Time: 7:00PM**

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

Summarized Minutes

### **Members:**

Mr. Galotti	Chairman	Present
Mr. DellaCorte	Co-Chair	Present
Mr. Barr	Member	Present
Mr. Lorenzini	Member	Present
Mr. Shah	Member	Present

### **Others Present:**

Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

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## **SUMMARY**

### **Public Hearing:**

Kevin & Jenna Ferris	Variance granted
Obercreek Lot Line Re-alignment	Variances granted
Gregg Caruso & Alicia Conroy	Variance granted

**Video of the December 8, 2020 Zoning Board of Appeals Meeting:**

<https://www.youtube.com/watch?v=iFkV54dhQqE>

**Mr. Shah:** Motion to accept the Minutes from November 24, 2020.  
**Mr. Lorenzini:** Second the Motion.  
**Vote:** All present voted Aye.

**Appeal No: 20-7714** (Variance)

**Kevin & Jenna Ferris:** Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **25 feet** is required to the side yard property line, the applicant can provide **13 feet** for the construction of a 12 x 20 feet shed, thus requesting a variance of **12 feet**. The property is located at **15 Alfreda Drive** and is identified as **Tax Grid No.: 6157-03-069987** in the Town of Wappinger.

**Mr. Lorenzini:** Motion to open the Public Hearing.  
**Mr. Shah:** Second the Motion.  
**Vote:** All present voted Aye.

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

**Mr. Lorenzini:** Motion to grant the applicant the variance as amended. The requested variance will not create an undesirable change in the character of the neighborhood. There will be no substantial detriment created to nearby properties. There is no other feasible methods available for you to pursue to achieve the benefit you seek other than the requested variance. The requested variance is not substantial. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood. The alleged difficulty is self-created but I still believe you should be granted the variance.

**Mr. DellaCorte:** Second the Motion.

**Roll Call Vote:**

Mr. Barr	YES
Mr. Lorenzini	YES
Mr. Shah	YES
Mr. DellaCorte	YES
Mr. Galotti	YES

**Appeal No: 20-7716** (Variance)

**Gregg Caruso & Alicia Conroy:** Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **25 feet** is required to the side yard property line, the applicant can provide **21.2 feet** for the construction of a 309 square feet master bedroom and a 118 square feet mudroom addition, thus requesting a variance of **3.8 feet**.

The property is located at **91 Hackensack Heights Road** and is identified as **Tax Grid No.: 6259-04-734453** in the Town of Wappinger.

**Mr. Shah:**

Mr. Barr:

Vote:

**Motion to open the Public Hearing.**

Second the Motion.

All present voted Aye.

**Mr. Lorenzini:**

Mr. DellaCorte:

Vote:

**Motion to close the Public Hearing.**

Second the Motion.

All present voted Aye.

**Mr. Shah:**

**Motion to grant the applicant the variance. The requested variance will not produce an undesirable change in the character of the neighborhood. No substantial detriment will be created to nearby properties. There is no other feasible methods available to achieve the benefit requested. The requested variance is not substantial. It's about a 10 to 12 percent difference but not significant. The requested variance is self-created. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.**

Mr. Lorenzini:

Roll Call Vote:

Second the Motion.

Mr. Barr YES

Mr. Lorenzini YES

Mr. Shah YES

Mr. DellaCorte YES

Mr. Galotti YES

**Appeal No. 20-7715 (Variance)**

**Obercreek Lot Line Re-alignment:** Seeking an area variance Section 240-37 of District Regulations in the R40/80 and R-80 Zoning Districts.

**Lot 1 (R-80 Zoning District):**

-Where **80,000 square feet** is required for minimum lot area, the applicant can provide **76,887 square feet**, thus requesting a variance of **3,113 square feet**.

-Where **200 feet** is required for minimum lot depth, the applicant can provide **143 feet**, thus requesting a variance of **57 feet**.

-Where **40 feet** is required to the side yard property line, the applicant can provide **20 feet** for an existing structure, thus requesting a variance of **20 feet**.

**Lot 2 (R-80 Zoning District):**

-Where **80,000 square feet** is required for minimum lot area, the applicant can provide **61,419 square feet**, thus requesting a variance of **18,581 square feet**.

**Lot 4 (R-80 Zoning District):**

-Where **80,000 square feet** is required for minimum lot area, the applicant can provide **32,670 square feet**, thus requesting a variance of **47,330 square feet**.

-Where **200 feet** is required for minimum lot depth, the applicant can provide **152 feet**, thus requesting a variance of **48 feet**.

-Where **50 feet** is required to the front yard property line, the applicant can provide **12 feet** for an existing structure, thus requesting a variance of **38 feet**.

-Where **50 feet** is required to the front yard property line, the applicant can provide **32 feet** for an existing structure, thus requesting a variance of **18 feet**.

-Where **40 feet** is required to the side yard property line, the applicant can provide **3 feet** for an existing structure, thus requesting a variance of **37 feet**.

-Where **40 feet** is required to the side yard property line, the applicant can provide **34 feet** for an existing structure, thus requesting a variance of **6 feet**.

**Lot 5 (R-40/80 Zoning District):**

-Where **80,000 square feet** is required for minimum lot area, the applicant can provide **30,928 square feet**, thus requesting a variance of **49,072 square feet**.

-Where **200 feet** is required for minimum lot width, the applicant can provide **184 feet**, thus requesting a variance of **16 feet**.

-Where **200 feet** is required for minimum lot depth, the applicant can provide **145 feet**, thus requesting a variance of **55 feet**.

-Where **50 feet** is required to the front yard property line, the applicant can provide **6 feet** for an existing structure, thus requesting a variance of **44 feet**.

-Where **50 feet** is required to the front yard property line, the applicant can provide **8 feet** for an existing structure, thus requesting a variance of **42 feet**.

-Where **75 feet** is required to the center line of the street, the applicant can provide **23 feet** for an existing structure, thus requesting a variance of **52 feet**.

-Where **75 feet** is required to the center line of the street, the applicant can provide **25 feet** for an existing structure, thus requesting a variance of **50 feet**.

-Where **40 feet** is required to the side yard property line, the applicant can provide **9 feet** for an existing structure, thus requesting a variance of **31 feet**.

-Where **50 feet** is required to the side yard property line, the applicant can provide **7 feet** for an existing structure, thus requesting a variance of **43 feet**.

**Lot 6 (R-40/80 Zoning District):**

-Where **80,000 square feet** is required for minimum lot area, the applicant can provide **47,045 square feet**, thus requesting a variance of **32,955 square feet**.

-Where **200 feet** is required for minimum lot depth, the applicant can provide **127 feet**, thus requesting a variance of **73 feet**.

**Lot 7 (R-80 Zoning District):**

-Where **40 feet** is required to the side yard property line, the applicant can provide **24 feet** for an existing structure, thus requesting a variance of **16 feet**.

-Where no building can be greater than **2.5 stories/35 feet in height**, the existing silo structure is approximately **37 feet** for an existing structure, thus requesting a variance of **2 feet**.

**Mr. Barr:**

Mr. Lorenzini:

Vote:

**Motion to open the Public Hearing.**

Second the Motion.

All present voted Aye.

**Mr. Lorenzini:**

Mr. Barr:

Vote:

**Motion to close the Public Hearing.**

Second the Motion.

All present voted Aye.

**Mr. Galotti:**

**Motion to grant the applicant all the variances for Lot 1, Lot 2, Lot 4, Lot 5, Lot 6 and Lot 7. Whether the benefit can be achieved by any other feasible means by the applicant. No, I don't think it can. We see the effort you made to adjust the lots the best way you could to make them less non-conforming. Does it create any undesirable change in the neighborhood? No, it does not. Whether the request is substantial. The request is substantial on several of the cases however, in and of itself is not enough for me to deny the variances. Will it create any adverse effect or environmental conditions in the neighborhood? No, it will not. Is the alleged difficulty self-created? Yes, it is but these lots have existed for such a long time. Again, it's our understanding that you are improving these lots and not worsening them.**

Mr. Lorenzini:

Roll Call Vote:

Second the Motion.

Mr. Barr YES

Mr. Lorenzini YES

Mr. Shah YES

Mr. DellaCorte YES

Mr. Galotti YES

**Mr. Lorenzini:**

Mr. Barr:

Vote:

**Motion to adjourn.**

Second the Motion.

All present voted Aye.

Respectfully Submitted,

Adjourned: 7:53 pm

Bea Ogunti

Secretary

Zoning Board of Appeals