

RECEIVED

APR 06 2021

PLANNING DEPARTMENT
TOWN OF WAPPINGER

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.: 21-7725 Date: 4/6/2021

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

I (We), Sean Witkowski residing at 128 Chelsea Road
Wappinger Falls, NY, (phone) 845-656-8482, hereby,

appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated 3-29-21, and do hereby apply for an area variance(s).

Premises located at: 128 Chelsea Road, Wappingers Falls, NY 12590
Tax Grid No.: 135689-6056-03-454462-000
Zoning District: R20

1. Record Owner of Property:

Sean Witkowski
Address: 128 Chelsea Road, Wappingers Falls, NY 12590
Phone Number: 845-656-8482 *Sean.Witkowski@gmail.com*
Owner Consent dated: 3-30-2021
Signature: [Signature]
Print Name: Sean Witkowski

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: 40ft from rear for the Pool
Applicant(s) can provide: 25ft to waters edge
Thus requesting: 15ft for pool
To allow: A Pool area for the family

Town of Wappinger Zoning Board of Appeals
Application for an Area Variance
Appeal No.: 21-7725

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.

240-37

(Indicate Article, Section, Subsection and Paragraph)

Required: 10ft to Rear of the Cabana
Applicant(s) can provide: 8ft to Rear of the Cabana
Thus requesting: 2ft
To allow: The Pool Cabana

Variance No. 3

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: 20 ft to waters edge from West sideline
Applicant(s) can provide: 10ft to waters edge
Thus requesting: 10ft
To allow: Pool in proposed location

Variance No. 4

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: 75ft Tea County Road (Front yard)
Applicant(s) can provide: 68.3
Thus requesting: 6.7ft
To allow: New garage w/2nd floor apartment

Variance No.5

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: 35ft to east side for garage
Applicant(s) can provide: 21ft
Thus requesting: 14ft
To allow: New garage/ Apartment at same setback at existing

Variance No. 6

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: No more than 15% of lot coverage
Applicant(s) can provide: 28.76-16.5F of lot covered
Thus requesting: 52.96 5F
To allow: 15% of this lot is 2363.25F new pool, cabana + garage.

Town of Wappinger Zoning Board of Appeals
Application for an Area Variance
Appeal No.: 21-1725

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

The rear yard has a septic that runs thru the middle and we did not want to disturb that. The existing garage is not connected to the house and we would like to make that happen with a mud room/laundry room when you come in from outside.

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

The property is a corner lot on a county rd. It makes it a little difficult to create a better home with the setbacks. When we bought the home it was all we could afford at the time. With all the interior work complete we are looking to expand out outside living space. My parents are close to retiring to Florida and we would like a place for them to come back to when they visit.

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 Roberts Dated: 3-29-21
 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: _____ DATED: 4/6/2021

(Appellant)
SIGNATURE: _____ DATED: _____
(If more than one Appellant)

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: 21-7725 Date: 4/6/2021
Grid No.: 135689-6056-03-454462-0000 Zoning District: R20

Location of Project:
128 Chelsea Rd

Name of Applicant: Sean Witkowski

Print name and phone number

Description of Project: 16'x36' inground pool, 10'x14' Cabana & Garage with 2nd flr apartment

I Sean Witkowski, 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.

Date: 4/5/2021
Owner's Signature: [Signature]

845-656-8482
Owner's Telephone Number
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 dead.

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			
Sean Witkowski			
Name of Action or Project: 16'x36' Inground Pool, 10'x14' Cabana and Garage w/2nd flr apartment			
Project Location (describe, and attach a location map): 128 Chelsea Rd, Wappingers Falls, NY 12590.			
Brief Description of Proposed Action: This is for a 16'x36' inground pool to be installed and a 10'x14' cabana/pool storage installed. Remove existing garage and build new in almost the same space.			
Name of Applicant or Sponsor: Sean Witkowski		Telephone: 845-656-8482	
Address: 128 Chelsea Rd		E-Mail: seanwitkowski@gmail.com	
City/PO: Wappingers Falls	State: NY	Zip Code: 12590	
1. Does the proposed action only involve the legislative adoption of a plan, 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 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 type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.36 acres .0165 acres .36 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 checked="" 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,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	NO	YES	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	YES
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 type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing waste water treatment: _____ _____	NO	YES	YES
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?	NO	YES	YES
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?	NO	YES	YES
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: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


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

	NO	YES
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	<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,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:	<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:	<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:	<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: Sean Witkowski Date: 4/5/2021

Signature:  Title: OWNER

PRINT FORM

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

To: Witkowski, Sean M
128 Chelsea Rd

SBL: 6056-03-454462
Date of this Notice: 03/29/2021
Zone: 40307
Application: 40307

For property located at: 128 Chelsea Rd

Your application to:

**DEMO EXISTING GARAGE AND BUILD NEW 41.86' X 20.22' GARAGE WITH APARTMENT ABOVE
ACCESSORY APARTMENT WILL NEED TO BE APPLIED FOR SEPARATELY**

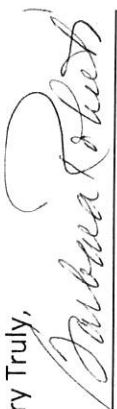
is denied for the following deficiency under Section 240-37 of the Zoning Laws of the Town of Wappinger.

Where 75 feet from a County Road is required, the applicant can provide 68.3 feet for a new garage.
Where 35 feet to a Town Road is required, the applicant can provide 21 feet for a new garage.

REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD: _____ ft.	_____ ft.
SIDE YARD (LEFT): _____ ft.	_____ ft.
SIDE YARD (RIGHT): _____ ft.	_____ ft.
FRONT YARD: <u>15</u> ft.	<u>65.3</u> ft.
SIDE YARD (LEFT): <u>35</u> ft.	<u>21</u> ft.
SIDE YARD (RIGHT): _____ ft.	_____ ft.

*Chelsea Road
Booth Blvd*

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.townofwappinger.ny.gov

Very Truly,

Zoning Administrator
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 **ZONE:** B20 **DATE:** 3/23/2021
 New Construction **APPL #:** 40307 **PERMIT #:** _____
 Renovation/Alteration **O Multiple Dwelling** **GRID:** 6056-03-454462

APPLICANT NAME: Sean Witkowski
ADDRESS: 128 Chelsea Rd
TEL #: _____ **CELL:** 845-656-8482 **FAX #:** _____ **E-MAIL:** Seanwitkowski@gmail.com

NAME OWNER OF BUILDING/LAND: Sean Witkowski
***PROJECT SITE ADDRESS*:** 128 Chelsea Rd, Wappingers Falls, NY 12590
MAILING ADDRESS: 128 Chelsea Rd
TEL #: _____ **CELL:** 845-656-8482 **FAX #:** _____ **E-MAIL:** Seanwitkowski@gmail.com

BUILDER/CONTRACTOR DOING WORK: TBD
COMPANY NAME: _____
ADDRESS: _____
TEL #: _____ **CELL:** _____ **FAX #:** _____ **E-MAIL:** _____
DESIGN PROFESSIONAL NAME: _____
TEL #: _____ **CELL:** _____ **FAX #:** _____ **E-MAIL:** _____

APPLICATION FOR: Demo existing garage and build new garage with apartment above for my elderly parents.

SETBACKS: **FRONT:** 68.3' **REAR:** 40' **L-SIDEYARD:** 63' **R-SIDEYARD:** 21'
SIZE OF STRUCTURE: 41.86' X 20.22'
ESTIMATED COST: \$50,000 **TYPE OF USE:** Personal

NON-REFUNDABLE APPL. FEE: 150 **PAID ON:** 3/23/2021 **CHECK #** 004915 **RECEIPT #:** 2021-23217
BALANCE DUE: _____ **PAID ON:** _____ **CHECK #** _____ **RECEIPT #:** _____

APPROVALS:
ZONING ADMINISTRATOR: _____
 Approved Denied **Date:** 3.26.21
FIRE INSPECTOR: _____
 Approved Denied **Date:** _____

Signature of Applicant

Signature of Applicant

Signature of Building Inspector

**TOWN OF WAPPINGER
PLOT PLAN**

Building Permit # _____

Date 3/23/2021

Address: 128 Chelsea Rd

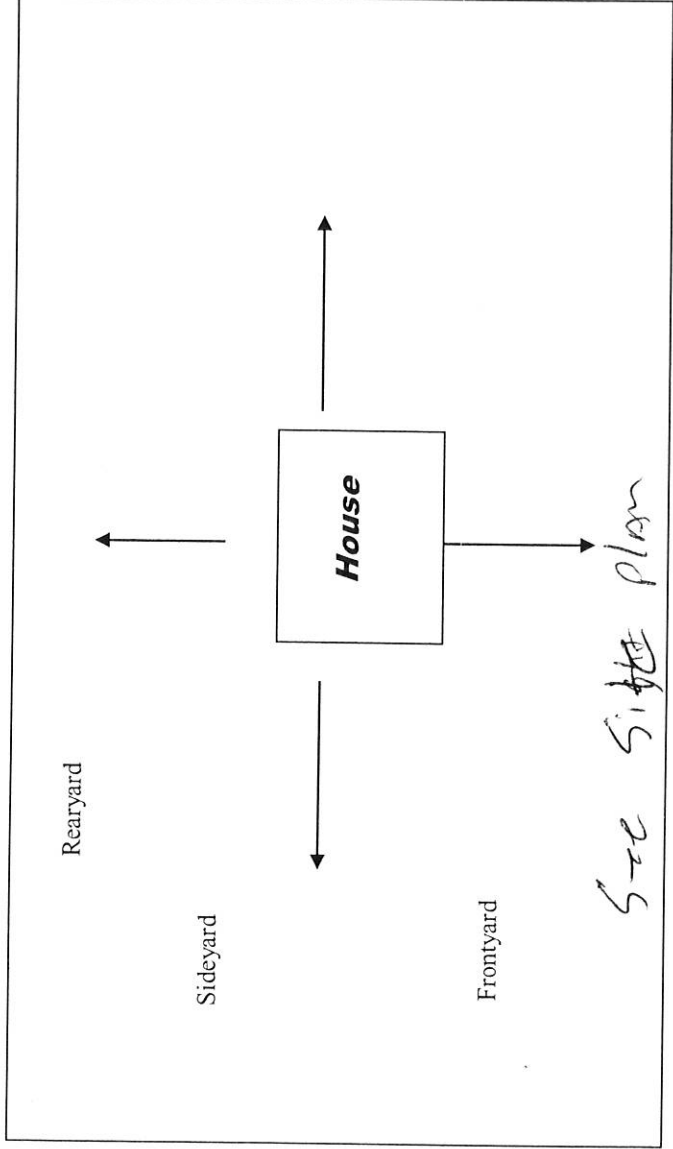
Interior/Corner Lot: *circle one*

Owner of Land Sean Witkowski

Zone: B20

LIST ALL EXISTING STRUCTURES ON PROPERTY: *(ie: Pool, shed, decks, detached garage)*

I, House,
Existing Garage _____



Draw proposed structure on plot plan.
Indicate Location Setbacks to both sides and rear property line
measurement of structure you are applying for.



Signature _____

Approved: / Rejected: _____ Date: 3.26.21
Zoning Administrator

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

To: Witkowski, Sean M
128 Chelsea Rd

SBL: 6056-03-454462
Date of this Notice: 03/29/2021
Zone: R20
Application: 40305

For property located at: 128 Chelsea Rd

Your application to:

INSTALL 16' X 36' IN-GROUND POOL AND 10' x 14' CABANA

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


Where 20 ft. is required to the side yard, the applicant can provide 10 ft. for an IG pool.

Where 40 ft. to the rear yard is required, the applicant can provide 25 ft. for an IG pool.

Where 10 ft. to the rear yard is required, the applicant can provide 8 ft. for a 10' x 14' cabana.

REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD: <u>40</u> ft.	<u>25</u> ft. <i>16 Pool</i>
SIDE YARD (LEFT): <u>10</u> ft.	<u>8</u> ft. <i>Cabana</i>
SIDE YARD (RIGHT): <u>20</u> ft.	<u>10</u> ft. <i>16 Pool</i>
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



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 **ZONE:** R20 **DATE:** 3/23/2021
 New Construction Commercial **APPL #:** 40305 **PERMIT #:** _____
 Renovation/Alteration Multiple Dwelling **GRID:** 6056-03-454462

APPLICANT NAME: Sean Witkowski
ADDRESS: 128 Chelsea Rd, Wappingers Falls, NY 12590
TEL #: _____ **CELL:** 845-656-8482 **FAX #:** _____ **E-MAIL:** Seanwitkowski@gmail.com

NAME OWNER OF BUILDING/LAND: Sean Witkowski
***PROJECT SITE ADDRESS*:** 128 Chelsea Rd
MAILING ADDRESS: 128 Chelsea Rd

TEL #: _____ **CELL:** 845-656-8482 **FAX #:** _____ **E-MAIL:** SeanWitkowski@gmail.com

BUILDER/CONTRACTOR DOING WORK:
COMPANY NAME: Fishkill Pools
ADDRESS: 822 US-9 N, Fishkill, NY 12524

TEL #: 845-896-6854 **CELL:** _____ **FAX #:** _____ **E-MAIL:** _____
DESIGN PROFESSIONAL NAME: Greg Eraca
TEL #: 845-896-6854 **CELL:** _____ **FAX #:** _____ **E-MAIL:** _____

APPLICATION FOR: Install 16' X 36' inground pool & 10'x14' Cabana

SETBACKS: **FRONT:** 90' **REAR:** 25' **L-SIDEYARD:** 10' **R-SIDEYARD:** 75'
SIZE OF STRUCTURE: 16' x 36'
ESTIMATED COST: \$46,000.00 **TYPE OF USE:** Personal

NON-REFUNDABLE APPL. FEE: 250 **PAID ON:** 3/23/2021 **CHECK #** 004951 **RECEIPT #:** 2021-23215
BALANCE DUE: _____ **PAID ON:** _____ **CHECK #** _____ **RECEIPT #:** _____

APPROVALS:
ZONING ADMINISTRATOR: 3.26.21
 Approved Denied **Date:** 3.26.21 **FIRE INSPECTOR:** _____
 Approved Denied **Date:** _____

Signature of Applicant

Signature of Building Inspector

TOWN OF WAPPINGER
PLOT PLAN

Building Permit # _____

Date 3/23/2021

Address: 128 Chelsea Rd

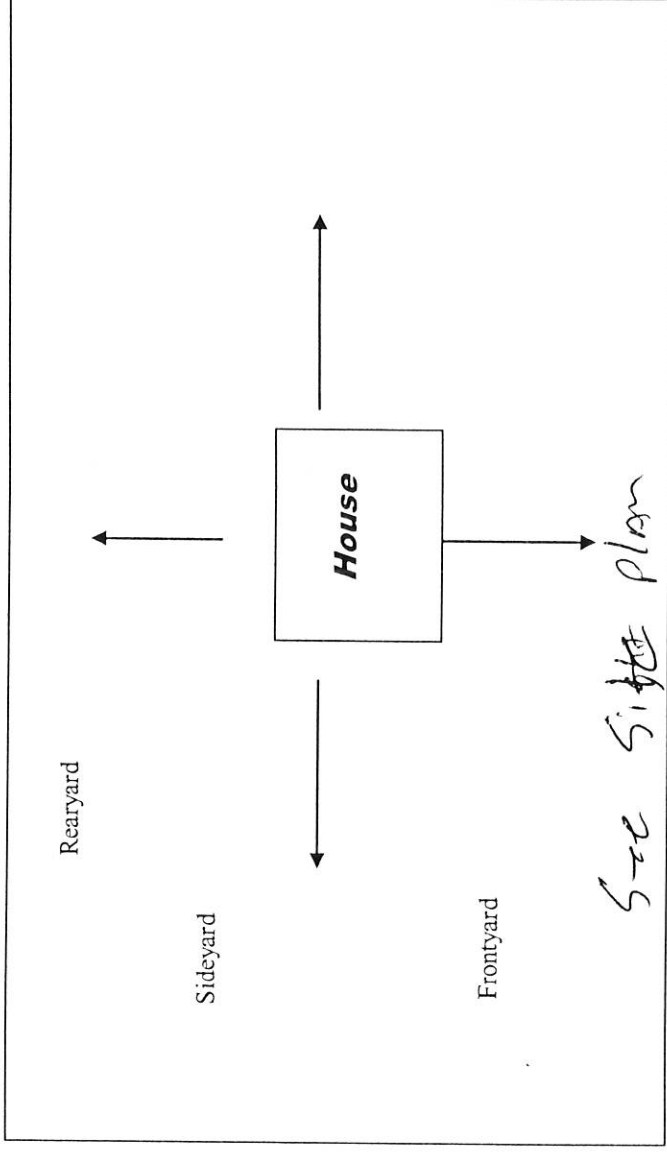
Interior/Corner Lot: *circle one*

Owner of Land Sean Witkowski


Zone: B20

LIST ALL EXISTING STRUCTURES ON PROPERTY: (ie: Pool, shed, decks, detached garage)

I. House, Existing Garage _____



Draw proposed structure on plot plan.
Indicate Location Setbacks to both sides and rear property line
measurement of structure you are applying for.



Signature

Approved: / Rejected:  _____ Date: 3.26.21
Zoning Administrator