

TOWN OF WAPPINGER



PLANNING BOARD & ZONING BOARD OF APPEALS

20 MIDDLEBUSH ROAD
WAPPINGERS FALLS, NY 12590
PH: 845-297-8256
Fax: 845-297-0579

Application for an Area Variance

Appeal No.: 22-7756

Date: 5/5/22

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

I (We), Chelsea Mirtello residing at 62 diddell rd
Wappingers Falls NY 12590, (phone) 914 500 9787, hereby,
appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated 5-3-22, and do hereby apply for an area variance(s).

Premises located at: 62 diddell rd, Wappingers Falls NY 12590
Tax Grid No.: 135689 6359 03 385322 0000
Zoning District: R40/80

1. Record Owner of Property:

Chelsea Mirtello
Address: 62 diddell rd, Wappingers Falls NY, 12590
Phone Number: 914 500 9787
Owner Consent dated: 5/5/22
Signature: CMirtello
Print Name: Chelsea Mirtello

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: Where no structure can be larger than 600sf in size

Applicant(s) can provide: 924 sf for a detached garage with extension for a pony barn

Thus requesting: 324 sf

To allow: for a 924 sf detached garage with extension for a pony barn

Town of Wappinger Zoning Board of Appeals
Application for an Area Variance
Appeal No.: 22-7756

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: 2.00 acres for farm animal

Applicant(s) can provide: 1.850 acres

Thus requesting: 0.15 acres

To allow: for a small pony

3. Reason for Appeal (Please substantiate the request by answering the following questions in detail. Use extra sheet, if necessary):

A. If your variance(s) is (are) granted, how will the character of the neighborhood or nearby properties change? Will any of those changes be negative? Please explain your answer in detail.

There will be no negative impacts, there are 4 horse barns within a mile of this home, all manure will be hauled off premises for fly control.

B. Please explain why you need the variance(s). Is there any way to reach the same result without a variance(s)? Please be specific in your answer.

Need variance to bring my pony home, being shy of two acres and considered residential limits that thus the variance is needed.

C. How big is the change from the standards set out in the zoning law? Is the requested area variance(s) substantial? If not, please explain in detail why it is not substantial.

I don't believe the change will be for is substantial, the property will be set up correctly. As well as be maintained with the pony.

D. If your variance(s) is (are) granted, will the physical environmental conditions in the neighborhood or district be impacted? Please explain in detail why or why not.

No, many of my neighbors are agricultural with ~~one~~ horses, cows etc. This will be just another small barn with a pony. It will add to the agricultural atmosphere of diddell rd.

Town of Wappinger Zoning Board of Appeals
Application for an Area Variance
Appeal No.: 22-1756

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

This has been my childhood pony since I was
6 years old, I intend for him as he age to retire
and live his life out with me at my home where I can
care for him, he is currently boarded at another farm, which
financially adds up.

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

I wouldn't say unique, but having land
cleared and a variance for the pony and
setting the property up correctly does add to the
value of the property.

4. List of attachments (Check applicable information)

- (☒) Survey dated: 5/28/92, Last revised 5/28/92 and
Prepared by: Raymond Heinsman
(☒) Plot Plan dated: 4-13-22
() 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 Roberti Dated: 5-3-22
() 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: [Signature]
(Appellant)

DATED: 5/5/22

SIGNATURE: _____
(If more than one Appellant)

DATED: _____

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: 845-297-6266
Fax: 845-297-0579

Owner Consent Form

Project No: 22-7756

Date: 5/5/22

Grid No.: 135689 6359 03 385322 0000

Zoning District: R40/80

Location of Project:

62 Diddell Rd, Wappingers Falls NY 12590

Name of Applicant:

Chelsea Miritello 914 500 9787

Print name and phone number

Description of

Project: Property setup and garage renovations
for a pony

I, Chelsea Miritello, 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.

5/5/22
Date

[Signature]
Owner's Signature

914-500-9787
Owner's Telephone Number

Chelsea Miritello - property owner
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 deed.

Short Environmental Assessment Form

Part 1 - Project Information

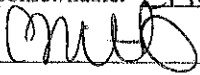
Instructions for Completing

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							
Name of Action or Project: Garage Renovations for pony							
Project Location (describe, and attach a location map): 62 Chiddell Rd, Wappingers Falls NY 12590							
Brief Description of Proposed Action: - Existing Garage to be renovated and built extension for pony barn. - property cleared							
Name of Applicant or Sponsor: Chelsea Mirtello		Telephone: 914-500-9787					
		E-Mail: cmirtello@gmail.com					
Address: 62 Chiddell Rd, Wappingers Falls NY 12590							
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3. a. Total acreage of the site of the proposed action?		1.85 acres					
b. Total acreage to be physically disturbed?		1.85 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 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 type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):							
<input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations? <i>applying for variance</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" 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"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
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?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 20px;"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? </div> If Yes, briefly describe:	NO <input checked="" type="checkbox"/>	YES <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:	NO <input checked="" type="checkbox"/>	YES <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:	NO <input checked="" type="checkbox"/>	YES <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:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Chelsea Mirtello</u> Date: <u>5/5/22</u>		
Signature: <u></u> Title: <u>owner</u>		

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

To: Miritello, Chelsea
74 Arthursburg Rd

SBL: 6359-03-385322-0000
Date of this Notice: 05/03/2022
Zone:
Application: 41680

For property located at: 62 Diddell Rd

Your application to:

GARAGE - 21 x 25 WITH ELECTRIC AND 20 x 8 x 6 EXTENSION FOR PONY BARN Total 924 SF Also to allow a pony on less than 2 acres - LEGALIZATION -

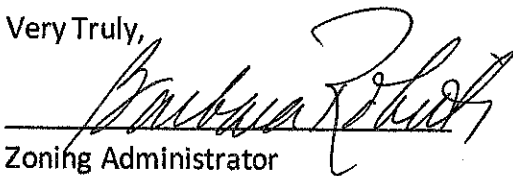
is denied for the following deficiency under Section **240-37** of the Zoning Laws of the Town of Wappinger.

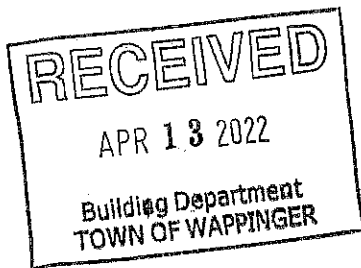
Where no more than 600 sf is allowed for a accessory structure, the applicant is proposing a detached garage of 924 sf.
Where two acres are needed to have a farm animal, the applicant can provide 1.850 acre for a small pony.

	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.
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
☐ New Construction ☐ Commercial
☐ Renovation/Alteration ☐ Multiple Dwelling

ZONE: R40/80 DATE: 4/13/2022 4/22/2022
APPL #: 41680 PERMIT # _____
GRID: 135689 - 6359 - 03 - 385322 - 0000

APPLICANT NAME: Chelsea Miritello
ADDRESS: 62 diddell rd, Wappingers Falls NY 12590
TEL #: _____ CELL: 9145009787 FAX #: _____ E-MAIL: cmiritello@gmail.com

NAME OWNER OF BUILDING/LAND: _____
PROJECT SITE ADDRESS: 62 diddell rd, Wappingers Falls NY 12590
MAILING ADDRESS: Same as above
TEL #: _____ CELL: _____ FAX #: _____ E-MAIL: _____

BUILDER/CONTRACTOR DOING WORK:
COMPANY NAME: Self Built / Father is a contractor, builder
ADDRESS: _____
TEL #: _____ CELL: _____ FAX #: _____ E-MAIL: _____

DESIGN PROFESSIONAL NAME:
TEL #: _____ CELL: _____ FAX #: _____ E-MAIL: _____

APPLICATION FOR: Garage with electric / renovations rear deck renovations
* extension to garage for pony barn
* drawn up renovations attached AND Pony
* legalization

SETBACKS: FRONT: 160ft REAR: 52ft 114ft L-SIDEYARD: 52ft 114ft R-SIDEYARD: 155ft
SIZE OF STRUCTURE: 21' x 25' 21' x 44' = 924 SF
ESTIMATED COST: 8053.15 TYPE OF USE: car storage / lawn equipment

NON-REFUNDABLE APPL. FEE: 150 PAID ON: 4/22/22 CHECK # 174 RECEIPT #: 2022-00663
Legalization BALANCE DUE: 200 PAID ON: 4/22/22 CHECK # 174 RECEIPT #: 2022-00662

APPROVALS:
ZONING ADMINISTRATOR:
☐ Approved ☒ Denied Date: 5/2/22
Barbara Roberts
CM
Signature of Applicant

FIRE INSPECTOR:
☐ Approved ☐ Denied Date: _____

Signature of Building Inspector

TOWN OF WAPPINGER PLOT PLAN

Building Permit # _____

Date 4/13/22

Address: 62 Diddell Rd, Wappinger Falls NY

Interior/Corner Lot: circle one

Owner of Land Chelsea Minitello

Zone: R40/80

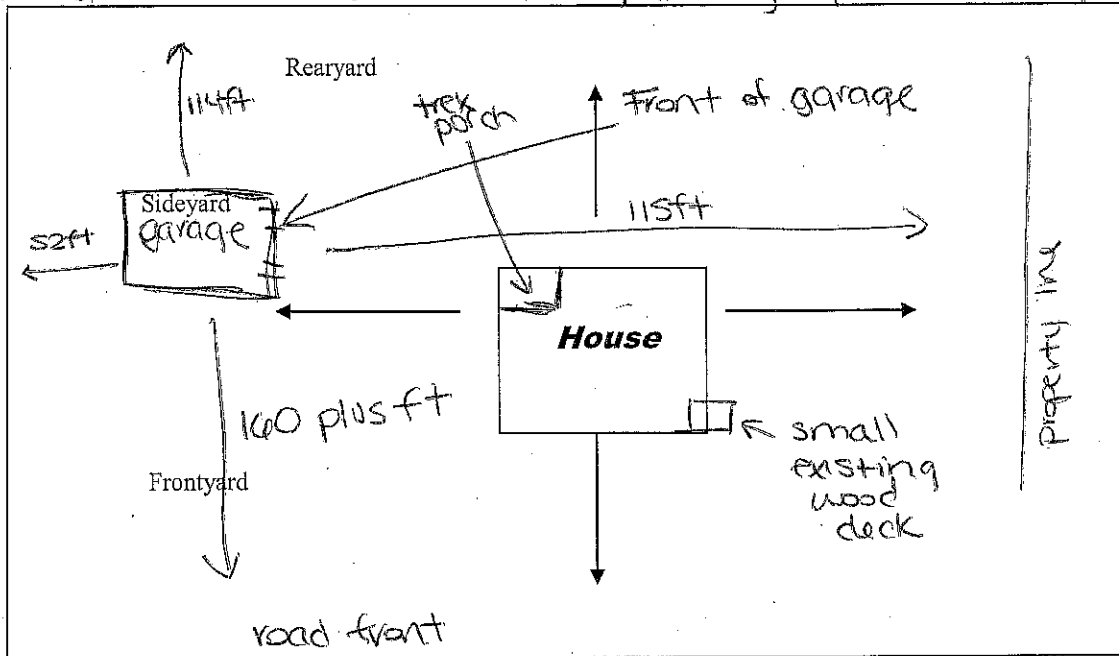
LIST ALL EXISTING STRUCTURES ON PROPERTY: (ie: Pool, shed, decks, detached garage)

1. House, garage with electric

* small trex deck built over existing concrete deck

- porch does not have stairs, Sinds off ground.

* wood deck on side of house, existing upon home purchase.



Draw proposed structure on plot plan.

Indicate Location Setbacks to both sides and rear property line
measurement of structure you are applying for.

Chelsea Minitello

Signature

Approved:/Rejected: _____

Date: _____

Zoning Administrator

TOWN OF WAPPINGER PLOT PLAN

Building Permit # _____

Date 4/13/22

Address: 62 Diddell Rd, Wappingers Falls NY

Interior/Corner Lot: circle one

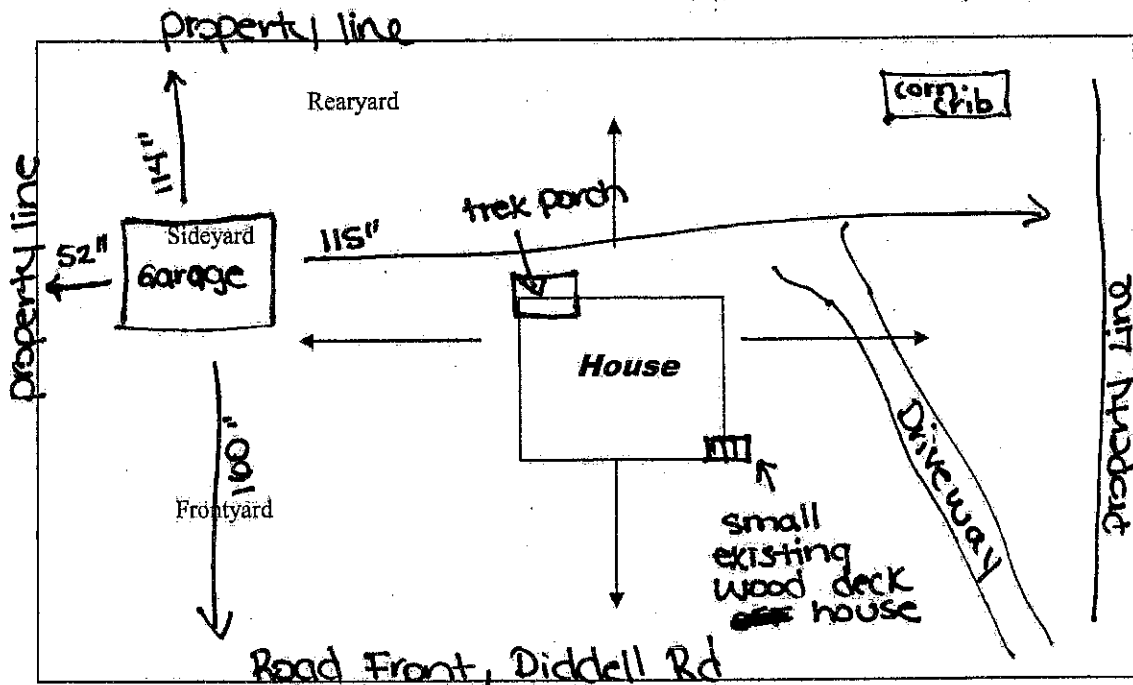
Owner of Land Chelsea Miritello

Zone: R40/80

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

1. House, Garage with electric

* Small trex decking, built over existing concrete slab, its one step
* wood deck on front corner of house, existing upon home purchase



Draw proposed structure on plot plan.

Indicate Location Setbacks to both sides and rear property line
measurement of structure you are applying for.

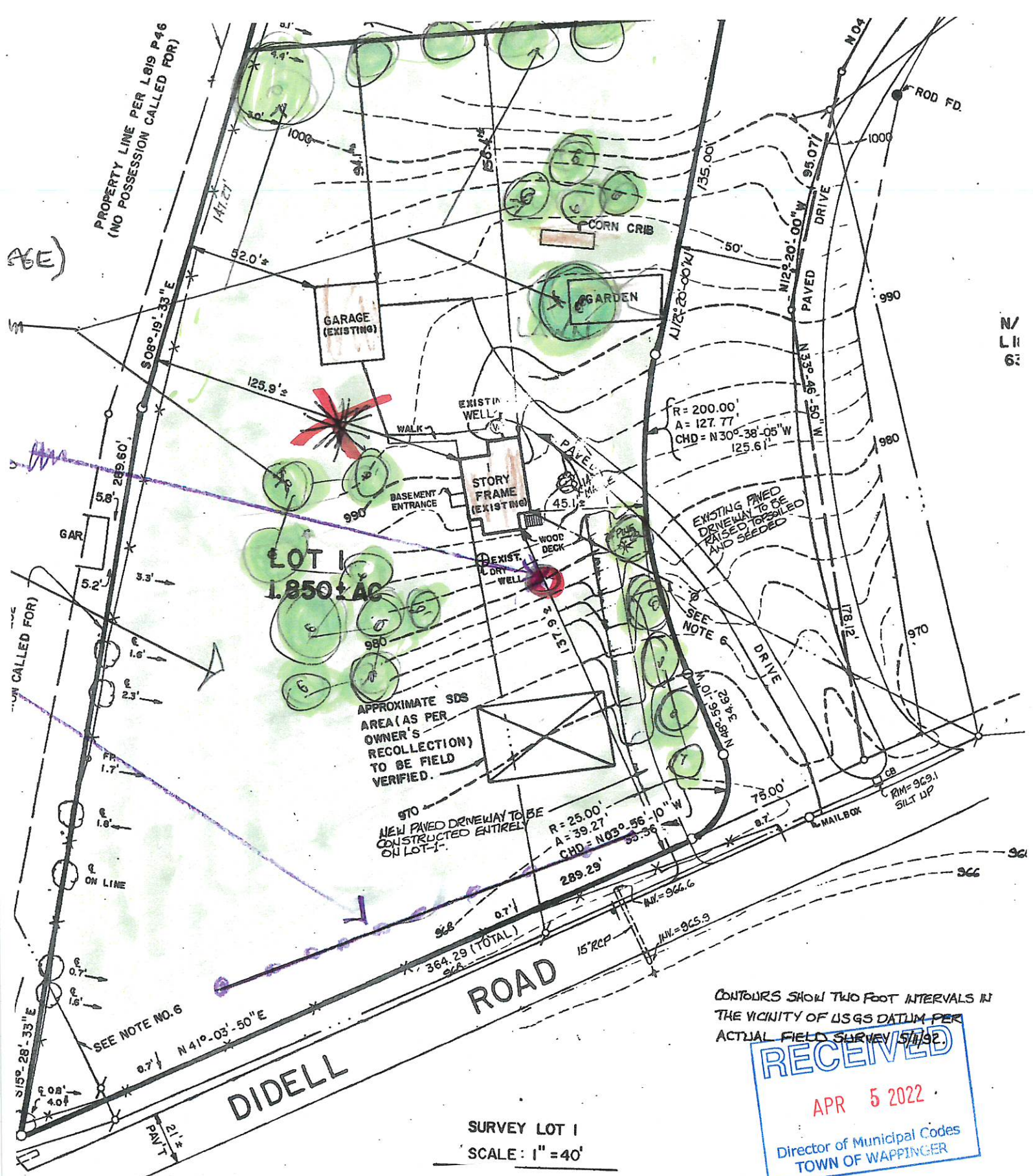
44 x 21 =
924 SF

Miritello
Signature

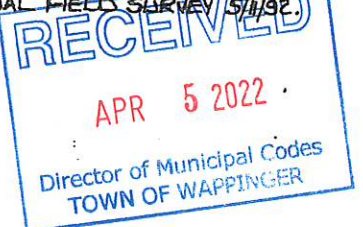
Approved/Rejected: (circled)

Barbara Robert
Zoning Administrator

Date: 5-2-22



CONTOURS SHOW TWO FOOT INTERVALS IN THE VICINITY OF USGS DATUM PER ACTUAL FIELD SURVEY 5/11/92.

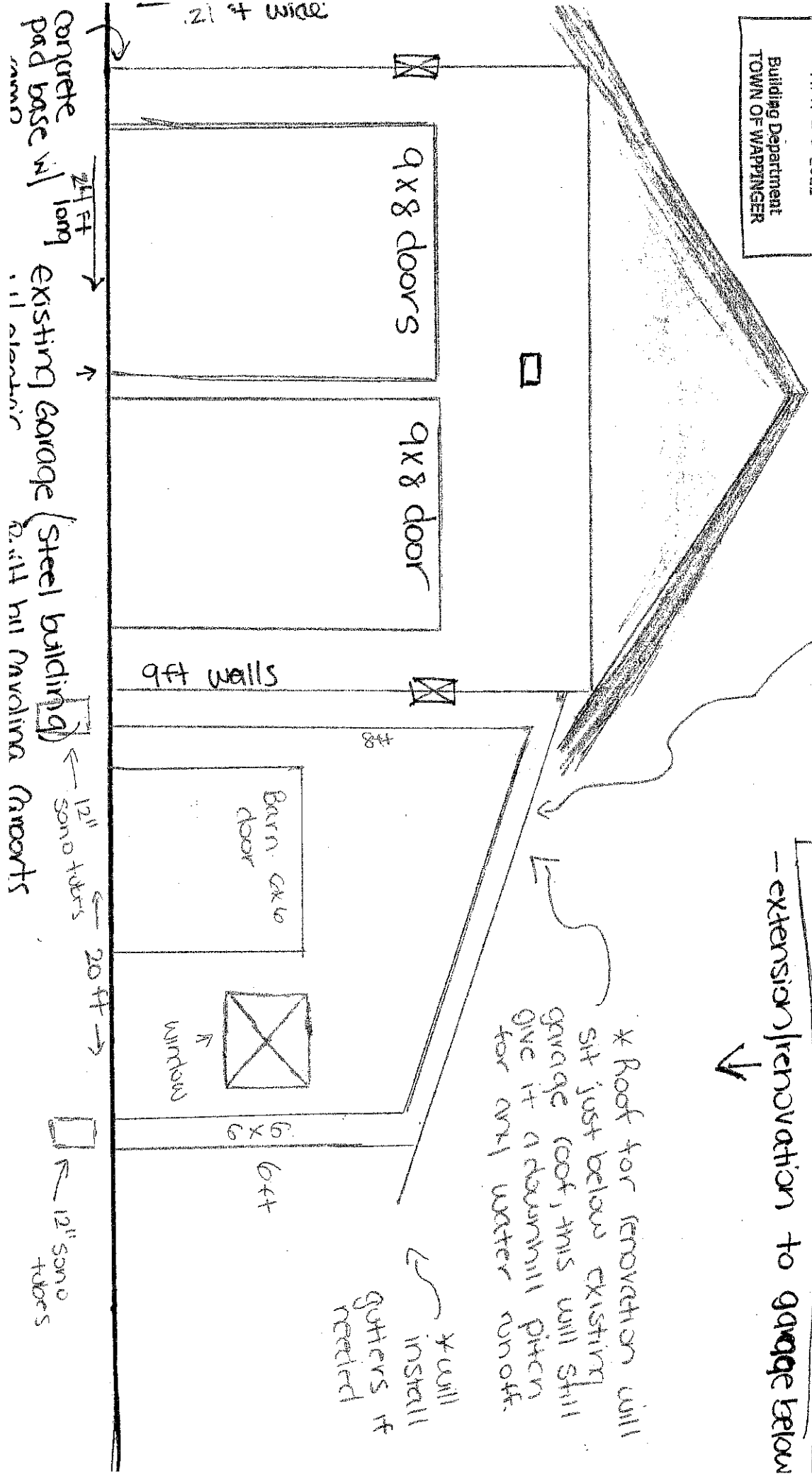


GRADING PERMIT
DATE: 4/6/22
PERMIT NO. 41610
ENGINEER APPR. H-722 w/s
ZA APPROVAL.

GRADING PERMIT
DATE: 4/21/22
PERMIT NO. 2022-0374
ENGINEER APPR.
ZA APPROVAL.

- 62 diddel rd -
 Garage Permit w/renovation
 24 ft wide x 21 ft long
 2) 30 x 30 windows

RECEIVED
 APR 13 2022
 Building Department
 TOWN OF WAPPINGER



* Barn door will also be installed on the bridge

- Renovation to Garage
- * 2x8 roof rafters
 - * 6x6 pressure treated posts
 - * concrete sump tubes
 - * T-111 barn siding
 - * Gravel/divt base
 - * built like pole barn style

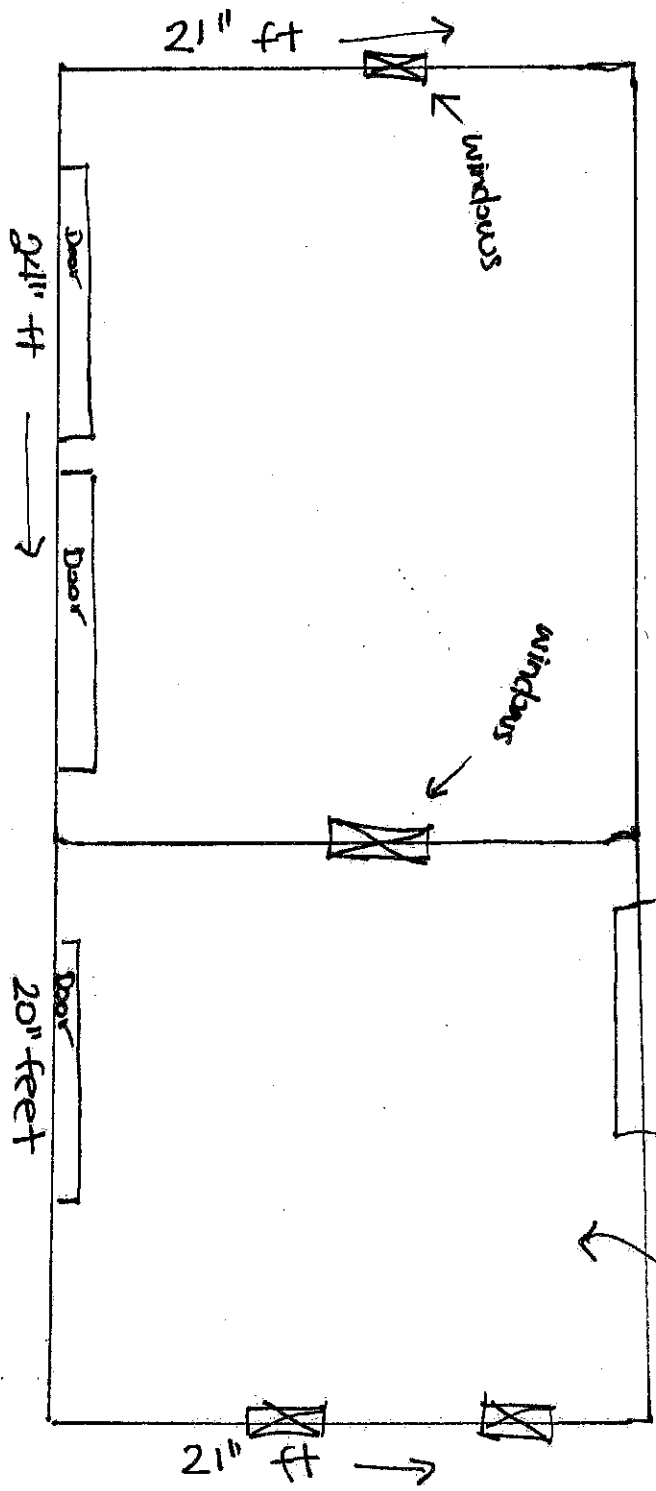
- extension/renovation to garage below

* Roof for renovation will sit just below existing garage roof, thus will still give it a downhill pitch for any water runoff.

* will install gutters if needed

concrete pad base w/ 24 ft long
 existing garage (steel building)
 12" sand tubes
 20 ft
 12" sand tubes
 6x6
 6ft
 window
 Barn door

VIEW OF GARAGE/RENOVATIONS FROM ABOVE



barn will have front and rear door w/ windows

addition to garage for barn

front of main

$$44 \times 21 = 924 \text{ SF}$$