

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.: 23-7792

Date: 4/6/23

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

I (We), Brian Riguzzi residing at 9 Larissa Lane
Wappinger Falls NY 12590, (phone) 914-906-5067, hereby,
appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated _____, and do hereby apply for an area variance(s).

Premises located at: 9 Larissa Lane Wappinger Falls N.Y. 12590
Tax Grid No.: 6338-03-240464
Zoning District: R40

1. Record Owner of Property:

Address: 9 Larissa Lane Wappinger Falls, N.Y. 12590
Phone Number: 914-906-5067
Owner Consent dated: 4-6-23

Signature: Brian Riguzzi
Print Name: Brian Riguzzi

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: 25 feet to side (left)

Applicant(s) can provide: 6.5 feet

Thus requesting: 18.5 feet

To allow: for the legalization of a 12' x 14' wood shed

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.

(Indicate Article, Section, Subsection and Paragraph)

Required: _____
Applicant(s) can provide: _____
Thus requesting: _____
To allow: _____

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.

The changes will not affect the neighborhood.
My shed is in the same location where my
old one was

- 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.

I replaced my old shed with a new one
in the same location. It would be extremely
difficult to relocate the shed

- 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.

Not Substantia/

- 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.

The physical environmental conditions will
not be affected

Town of Wappinger Zoning Board of Appeals
Application for an Area Variance
Appeal No.: 23-7792

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

The variance came about when I obtained
building permits for a new deck to be built.
I had replaced my old shed with a new one and
did not realize I needed a permit.

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

I would not say its unique, but my driveway
is designed with a runway and concrete slab leading
directly to my shed

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: Judith Subrize Dated: 12-8-22
- () 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: Brian Riquizzi
(Appellant)

DATED: 4/11/23

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: 845-297-6256
Fax: 845-297-0579

Owner Consent Form

Project No: 23-7792
Grid No.: 6358-03-246464

Date: 4/11/23
Zoning District: _____

Location of Project:

9 Larissa Lane Wappinger Falls NY 12590

Name of Applicant:

Brian Riguzzi 914-906-5067
Print name and phone number

Description of

Project: I had replaced my ~~10'x14'~~ 10'x14' shed
with a 10' x 16' shed in the same
location

I Brian Riguzzi, 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.

4/11/23
Date

914-906-5067
Owner's Telephone Number

Brian Riguzzi
Owner's Signature

Brian Riguzzi
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: 							
Project Location (describe, and attach a location map): <u>Left side of house at top of driveway</u>							
Brief Description of Proposed Action: 							
Name of Applicant or Sponsor: <u>Brian Riguzzi</u>		Telephone: <u>914-906-5067</u>					
Address: <u>9 Larissa Lane</u>		E-Mail: <u>bragu13@gmail.com</u>					
City/PO: <u>Wappinger Falls</u>		State: <u>N.Y.</u>	Zip Code: <u>12590</u>				
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;">☐</td> <td style="text-align: center;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
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;">☐</td> <td style="text-align: center;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ 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: ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☒	☐	
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: _____	☒	☐	
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?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
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: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☒	☐	
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	
	☒	☐	
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?	☒	☐	
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	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
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: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ 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	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☒	☐
If Yes, briefly describe: _____ _____		
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	YES
	☒	☐
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	YES
	☒	☐
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	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Brian Riguzzi</u> Date: <u>4-11-23</u> Signature: <u>Brian Riguzzi</u> Title: <u>owner</u>		

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

To: Riguzzi, Brian
9 Larissa Ln
Wappinger Falls, NY 12590

SBL: 6358-03-246464-0000
Date of this Notice: 12/08/2022
Zone:
Application: 42562

For property located at: 9 Larissa Ln

Your application to:

SHED WITHOUT ELECTRIC. - LEGALIZATION - **SHED MUST BE ON GRAVEL, CONCRETE SLAB OR PAVERS **CALL INTO OUR OFFICE FOR FINAL INSPECTION BY TOWN BUILDING INSPECTOR****

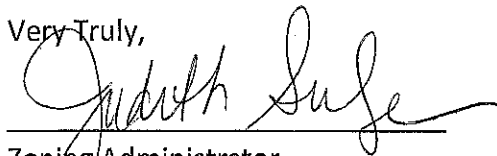
is denied for the following deficiency under Section **240-37** of the Zoning Laws of the Town of Wappinger.

Where 25 feet to the left side property line is required, the applicant can provide 6.5' for a 12' x 14' wood shed.

	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	<u>25</u> ft.	<u>6.5</u> 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 ☐ Renovation/Alteration ☐ Commercial ☐ Multiple Dwelling

ZONE: R40 DATE: 11/29/2022

APPL #: 40562 PERMIT # _____

GRID: 6358-03-246464

APPLICANT NAME: Brian Riguzzi

ADDRESS: 9 Larissa Lane Wappingers Falls NY 12590

TEL #: 914 906 5067 CELL: _____ FAX #: _____ E-MAIL: bragu13@gmail.com

NAME OWNER OF BUILDING/LAND: Brian Riguzzi

PROJECT SITE ADDRESS: 9 Larissa Lane Wappingers Falls NY 12590

MAILING ADDRESS: _____

TEL #: 914 906 5067 CELL: _____ FAX #: _____ E-MAIL: bragu13@gmail.com

BUILDER/CONTRACTOR DOING WORK:

COMPANY NAME: Brian Riguzzi

ADDRESS: _____

TEL #: _____ CELL: _____ FAX #: _____ E-MAIL: _____

DESIGN PROFESSIONAL NAME:

TEL #: _____ CELL: _____ FAX #: _____ E-MAIL: _____

APPLICATION FOR: Pool permit

above ground oval 18' x 33' x 54'

10' x 16' shed 12' x 14' shed 16' x 16' shed no electric Legalization

only 6.5' from left side * This application is for the shed only *

SETBACKS: FRONT: _____ REAR: ✓ L-SIDEYARD: _____ R-SIDEYARD: _____

SIZE OF STRUCTURE: 18' x 33' 10' x 16' shed

ESTIMATED COST: \$7,000 TYPE OF USE: Shed

NON-REFUNDABLE APPL. FEE: 150 PAID ON: 11/29/22 CHECK # 0110 RECEIPT #: 2022-02275

Legalization BALANCE DUE: 250 PAID ON: 11/29/22 CHECK # 0110 RECEIPT #: 2022-02274

APPROVALS:

ZONING ADMINISTRATOR:

☐ Approved ☒ Denied Date: 11-30-22

Barbara Ruck

Brian Riguzzi

Signature of Applicant

FIRE INSPECTOR:

☐ Approved ☐ Denied Date: _____

Signature of Building Inspector

12/7/22 - Rem-
oved pool
and added to
deck permit.

TOWN OF WAPPINGER

PLOT PLAN

Building Permit # _____

Date 11/29/22

Address: 9 Larissa Lane Wapp. Falls

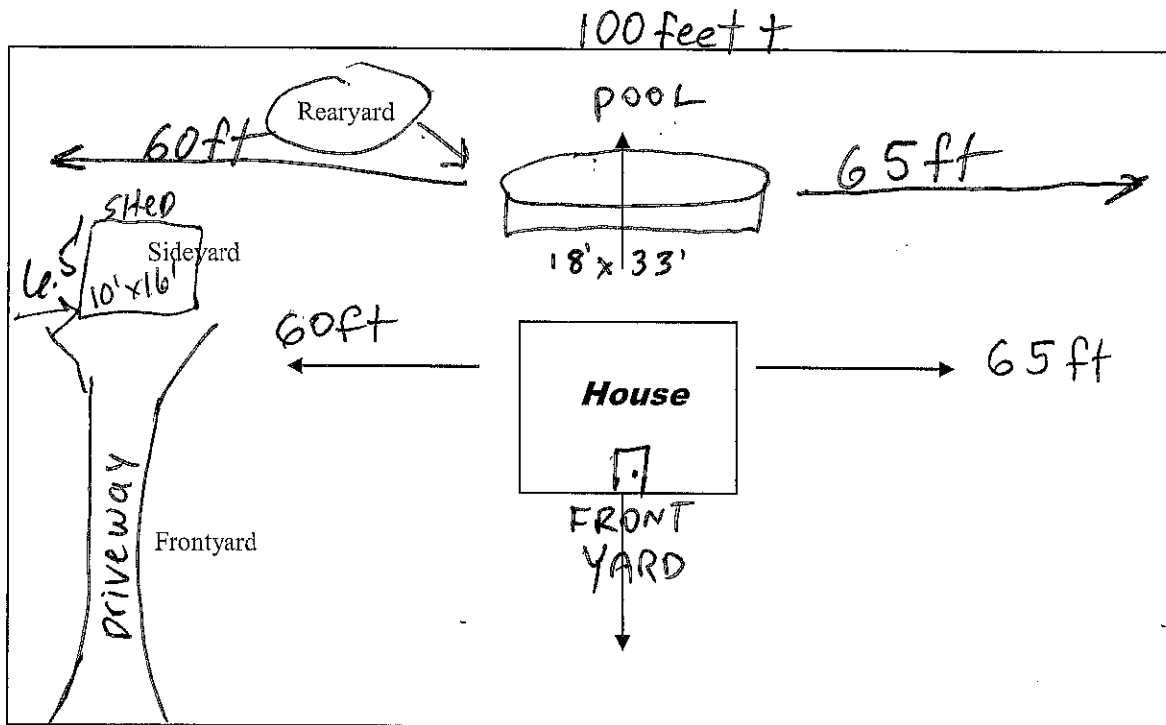
Interior/Corner Lot: circle one

Owner of Land Brian Riguzzi

Zone: R40

LIST ALL EXISTING STRUCTURES ON PROPERTY: (i.e.: Pool, shed, decks, detached garage)

1. House



Draw proposed structure on plot plan.

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

Brian Riguzzi
Signature

Approved:/Rejected: [Signature]
Zoning Administrator

Date: 11.30.22