

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.: 23-7810

Date: 10-30-23

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

I (We), Pedro Pintado residing at 136 Stonykill Rd,
(phone) (845) 401-9705, hereby,

appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated 12-18-23, and do hereby apply for an area variance(s).

Premises located at: 136 Stonykill Rd
Tax Grid No.: 6056-02-897684
Zoning District: R-80

1. Record Owner of Property:

Pedro Pintado
Address: 136 Stonykill Rd
Phone Number: (845) 401-9705
Owner Consent dated: 10-30-2023

Signature: *Pedro Pintado*
Print Name: Pedro Pintado

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 only 800 SF/Accessory building is allowed on 1 acre.
Applicant(s) can provide: 1242 SF for barn addition
Thus requesting: 442 SF Variance.
To allow: 30' x 20.7' Addition to remain

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: where 40' to the side property line is required
Applicant(s) can provide: 0 SF
Thus requesting: 40' variance
To allow: a roof overhang on existing barn

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 not be any change to the character of my neighborhood. The existing garage that the extension is added on to is closer to the property line AND it is not visible from the road

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.

The requested is needed to store my tools and equipment out of sight and protected from weather and theft. The garage extension is already built and to demo it and build it elsewhere would mean driving a new driveway over my yard

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 feel that any request is substantial in theory but in practical, it is less than the existing barn on my property

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.

I truly believe that there will not be any environmental concerns of any kind and certainly look nicer the mowers, etc stored outdoors

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: Where 40' to the side prop. line is required
Applicant(s) can provide: 7.5' for arid barn
Thus requesting: 32.5SF for building to remain
To allow: existing building built around 1970 to remain

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: where 40' to the side prop. line is required
Applicant(s) can provide: 6' for a new building addition
Thus requesting: 34" variance
To allow: for new addition to remain

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: where 40' to the side prop. line is required
Applicant(s) can provide: 2' to the side
Thus requesting: 38'
To allow: a 4' overhang to remain

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.

(Indicate Article, Section, Subsection and Paragraph)

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

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

This need is self created due to a growing family. With a larger family, there is no room in our house for storage.

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

There is nothing unusual about our property, in fact it is very typical.

4. List of attachments (Check applicable information)

- Survey dated: MARCH 8, 1985 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: _____ Dated: _____
- 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: *Ruben Cortado*
(Appellant)

DATED: 10/30/2023

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: 23-7810
Grid No.: 6056-02-897684

Date: 10/30/2023
Zoning District: R80

Location of Project:

136 Stonykill Rd Wappingers Falls, NY

Name of Applicant:

Pedro Pintado
Print name and phone number

Description of Project:

20'x30' barn extension to an existing barn on our property

I, Pedro Pintado, 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: 10/30/2023

X
Owner's Signature

Owner's Telephone Number: (845) 401-9705

Pedro Pintado / 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 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			
Name of Action or Project: Pedro Pintado 136 Stonykill Rd			
Project Location (describe, and attach a location map): 20'x30' 1 story barn addition			
Brief Description of Proposed Action: located @ 136 Stonykill Rd, west side behind existing barn			
Name of Applicant or Sponsor: Pedro Pintado		Telephone: (845)-401-9705	
Address: 136 Stonykill Rd		E-Mail: rubpinta@hotmail.com	
City/PO: Wappinger 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?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1 acres	
b. Total acreage to be physically disturbed?		600 SF acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1 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 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,				
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
		<input checked="" type="checkbox"/>	<input 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: <u>no connection, barn</u>		<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: <u>no connection needed</u>		<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
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
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:

Shoreline
 Forest
 Agricultural/grasslands
 Early mid-successional
 Wetland
 Urban
 Suburban

N/A

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
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. Is the project site located in the 100-year flood plan?

	NO	YES
	<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,

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:

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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:

	NO	YES
	<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:

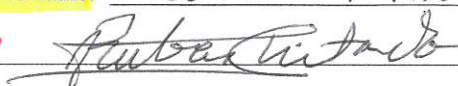
	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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:

	NO	YES
	<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: Pedro Pintado Date: 10/30/23

Signature:  Title: owner

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

To: Pintado, Pedro
 136 Stonykill Rd

SBL: 6056-02-897684-0000
 Date of this Notice: 12/18/2023

Zone:
 Application: 43655

For property located at: 136 Stonykill Rd

Your application to:

SHED / BOILER / OIL TANK / PORCH / ELECTRIC - 30x20 SHED WITH ELECTRIC ADDED TO AN EXISTING 30 X 20 SHED FOR STORAGE ONLY, ELECTRIC IN KITCHEN & OUTSIDE OF HOUSE, OIL SOURCED BOILER AND OIL TANK IN BASEMENT, FIXED PORCH

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

Where no accessory structure is allowed over 800 sf in a one acre zoning district, the applicant has added to a pre-existing barn, size 30' x 20.5', with an additional 20.5' x 30' sf addition, with a roof overhang close to the property line. Original barn was 621 sf, now structure is 1242 sf. These measurements do not include the roof overhang on either side.

Where the setback in an R-80 zoning district is 40 feet to the side yard, that applicant can provide the following: 7.5' for the original barn structure.

0' for the overhang on the original barn structure.

6' feet to the side yard for an addition of 20.5' X 30' to the original barn.

2' to the side yard for a roof overhang on the barn addition.

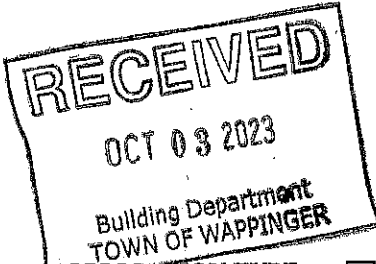
New survey dated December 8, 2023 submitted.

	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	<u>40</u> ft.	<u>7.5</u> ft. original Barn
SIDE YARD (Left):	<u>40</u> ft.	<u>0</u> ft. roof overhang on existing Barn
SIDE YARD (Left):	<u>40</u> ft.	<u>6</u> ft. new addition
SIDE YARD (LEFT):	<u>40</u> ft.	<u>2</u> ft. new overhang
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,





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: R80 DATE: 10/3/2023
APPL #: 43655 PERMIT # _____
GRID: 6056 02-897684

✓ APPLICANT NAME: Pedro Pintado
ADDRESS: 136 Stony Kill rd Wappingers Falls NY
TEL #: _____ CELL: 845-401-9705 FAX #: _____ E-MAIL: rubpinta@hotmail.com

✓ NAME OWNER OF BUILDING/LAND: Pedro Pintado
PROJECT SITE ADDRESS: same as above
MAILING ADDRESS: _____
TEL #: _____ CELL: _____ FAX #: _____ E-MAIL: _____

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

✓ APPLICATION FOR: Shed Addition w/ electric
30' x 20' for storage only
Electric - outside house
oil Boiler - in basement Fixed Porch
Did electric kitchen oil tank - in basement
Existing Garage 30'x20'

SETBACKS: FRONT: _____ REAR: L-SIDEYARD: _____ R-SIDEYARD: _____
SIZE OF STRUCTURE: _____
ESTIMATED COST: 8,000- TYPE OF USE: _____

NON-REFUNDABLE APPL. FEE: 150- PAID ON: 10/3/23 CHECK # CASH RECEIPT #: 2023-01927
Legalization fee BALANCE DUE: 250- PAID ON: 10/3/23 CHECK # CASH RECEIPT #: 2023-01926
APPROVALS: SWD Fee 200- 10/3/23 CASH 2023-01925
ZONING ADMINISTRATOR: SWD Fee-50 10/3/23 CC 2023-01924

Approved Denied Date: 10.10.23 FIRE INSPECTOR: _____
O Approved O Denied Date: _____

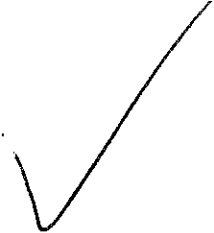
Pedro Pintado
Rubén Pintado

Signature of Applicant

Signature of Building Inspector

✓ Pedro Pintado
Print Name or Company Name (if applicable)

TOWN OF WAPPINGER PLOT PLAN



Building Permit # _____

Date 10/3/2023

Address: 136 Stony Kill Rd

Interior/Corner Lot: *circle one*

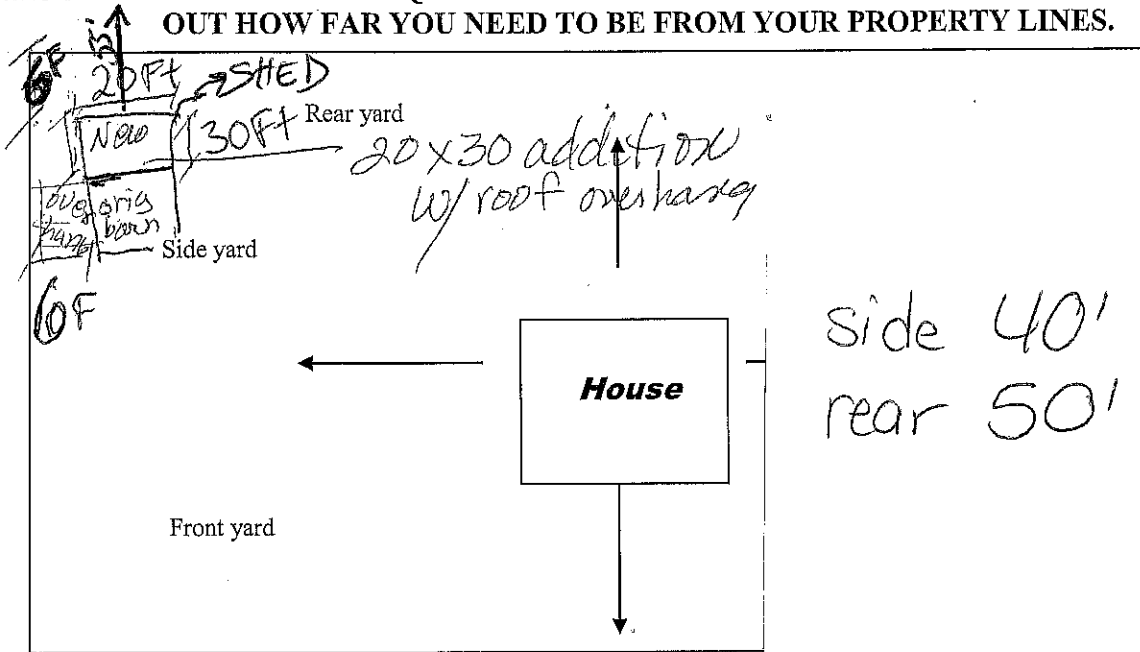
Owner of Land _____

Zone: R80

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

1. House

STRUCTURE MUST MEET REQUIRED SETBACKS. PLEASE CONTACT OUR OFFICE TO FIND OUT HOW FAR YOU NEED TO BE FROM YOUR PROPERTY LINES.



INSTRUCTIONS:

- Draw proposed location of structure on plot plan.
- Indicate location setbacks to both sides and rear pro structure from all property lines, measure in feet). Stru requirements.

****Please contact our office to verify your setback requirements.****

[Signature]
Signature

Approved: / Rejected: [Signature]
Zoning Administrator

Date: 10-10-23





