

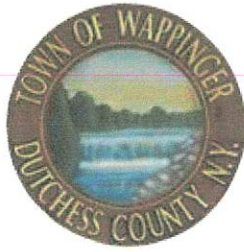
**ZONING BOARD OF APPEALS  
USE VARIANCE  
CHECKLIST**

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**THE FOLLOWING ITEMS MUST BE PRESENTED ON THE SUBMISSION DATE:**

- Application: Must state if the applicant is the owner, if not, consent will be required
- Signatures: Must be original signatures
- Letter of Consent: If required
- EAF: Short Form is required (Environmental Assessment Form)
- Survey: Survey of property is required
- Application Fee: Application fee may be paid in cash, check or by credit card. Checks over \$500.00 must be a certified check, bank, or money order made payable to the "Town of Wappinger" (Separate checks are required for application fees and escrow)
- Escrow: Escrow may be paid in cash, or if paying by check, it must be certified check, bank, or money order made payable to the "Town of Wappinger" (Separate checks are required for the application fees and escrow)
- 8 Plans: Number of Plans to be delivered with application to ZBA Secretary

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 a Use Variance

Appeal No.: \_\_\_\_\_

Date: \_\_\_\_\_

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

I (We), \_\_\_\_\_ residing at \_\_\_\_\_  
\_\_\_\_\_, (phone) \_\_\_\_\_, hereby,  
appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,  
dated \_\_\_\_\_, and do hereby apply for a use variance.

Premises located at: \_\_\_\_\_

Tax Grid No.: \_\_\_\_\_

Zoning District: \_\_\_\_\_

1. Record Owner of Property:

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Owner Consent dated: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

2. Variance Request:

I (We) hereby apply to the Zoning Board of Appeals for a variance of the following  
requirements of the Zoning Code.

\_\_\_\_\_  
(Indicate Article, Section, Subsection and Paragraph)

Intended use, alteration, conversion and/or construction (Describe proposed project)

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

**A.** Are you able to make reasonable economic use of your property without a variance?  
Please set forth detailed financial evidence describing.

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

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C. If your variance is granted, will it change the kind of neighborhood in which your property is located? Please explain your answer in detail.

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D. How did your need for a variance come about? Is your difficulty self-created? Please explain your answer in detail.

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**4. List of attachments (*Check applicable information*)**

- Financial (economic) statement. This statement should not be personal in nature. The information provided should relate directly to the property for which you are seeking a variance and should illustrate the monetary injury or undue hardship you are suffering without the variance.
- 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: \_\_\_\_\_ 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: \_\_\_\_\_  
(Appellant)

DATED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_  
(If more than one Appellant)

DATED: \_\_\_\_\_

**FOR OFFICE USE ONLY**

A. The appellant ( ) **IS** ( ) **IS NOT** able to make reasonable economic returns on the property without a variance for each permitted use within this zoning district.

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B. The appellant's property ( ) **IS** ( ) **IS NOT** unique in the neighborhood that needs this type of a variance.

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Town of Wappinger Zoning Board of Appeals  
Use Variance Application  
Appeal No. \_\_\_\_\_

C. If the variance is granted, ( ) **IT WILL** ( ) **IT WILL NOT** change the kind of neighborhood in which the property is located.

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D. Is your difficulty self-created? Please explain your answer in detail.

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Town of Wappinger Zoning Board of Appeals  
Use Variance Application  
Appeal No. \_\_\_\_\_

**Conclusion:** Therefore, it was determined the requested variance

Be  GRANTED       DENIED

**Conditions / Stipulations:** The following conditions and/or stipulations were adopted by resolution of the Board as part of the action stated above:

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FINDINGS & FACTS ATTACHED.

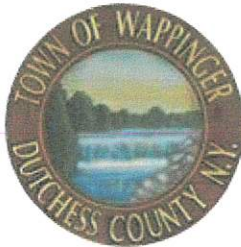
DATED: \_\_\_\_\_

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: \_\_\_\_\_

Date: \_\_\_\_\_

Grid No.: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Location of Project:

\_\_\_\_\_  
Name of Applicant: \_\_\_\_\_  
Print name and phone number

Description of Project: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I \_\_\_\_\_, 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

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
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 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.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
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? _____ 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:				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input 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				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input 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 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? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? 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?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input 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	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input 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?  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?	NO	YES	
	<input type="checkbox"/>	<input 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?  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: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input 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:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input 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	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
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)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<input 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?	NO	YES
If Yes, describe: _____ _____	<input 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?	NO	YES
If Yes, describe: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____  Signature: _____ Title: _____		

Project:

Date:

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

**Short Environmental Assessment Form  
Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**

# TOWN OF WAPPINGER



PLANNING BOARD  
ZONING BOARD OF APPEALS  
20 MIDDLEBUSH ROAD  
WAPPINGERS FALLS, NY 12590  
PH: 845-297-6256  
Fax: 845-297-0579

## ZONING BOARD OF APPEALS

**All application fees are non-refundable**

### **Variance Fee:**

Residential:	Area / Use Variance Fee: \$375.00 per Application**
Commercial:	Area / Use Variance Fee: \$1,000.00 per application**

### **Interpretations Fee:**

Residential:	\$150.00 per Application**
Commercial:	\$500.00 per Application**

\*\*All applications are subject to an escrow account and associated fees when denied by the ZBA\*\*

**PLEASE NOTE** that all applicants will be billed by the local newspaper for their Legal Notice.

**Zoning Board of Appeals  
Town of Wappinger  
2024**

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**Meetings & Submission Dates**

**Meeting Dates**

Tuesday, January 9, 2024  
Tuesday, January 23, 2024  
Tuesday, February 13, 2024  
Tuesday, February 27, 2024  
Tuesday, March 12, 2024  
Tuesday, March 26, 2024  
Tuesday, April 9, 2024  
Tuesday, April 23, 2024  
Tuesday, May 14, 2024  
Tuesday, May 28, 2024  
Tuesday, June 11, 2024  
Tuesday, June 25, 2024  
Tuesday, July 23, 2024  
Tuesday, August 27, 2024  
Tuesday, September 10, 2024  
Tuesday, September 24, 2024  
Tuesday, October 8, 2024  
Tuesday, October 22, 2024  
Tuesday, November 12, 2024  
Tuesday, November 26, 2024  
Tuesday, December 10, 2024

**Submission Dates**

Tuesday, December 19, 2023  
Tuesday, January 9, 2024  
Tuesday, January 16, 2024  
Tuesday, February 6, 2024  
Tuesday, February 20, 2024  
Tuesday, March 5, 2024  
Tuesday, March 19, 2024  
Tuesday, April 2, 2024  
Tuesday, April 16, 2024  
Tuesday, May 7, 2024  
Tuesday, May 14, 2024  
Tuesday, June 11, 2024  
Tuesday, July 3, 2024  
Tuesday, August 6, 2024  
Tuesday, August 17, 2024  
Tuesday, September 3, 2024  
Tuesday, September 17, 2024  
Tuesday, October 1, 2024  
Tuesday, October 15, 2024  
Tuesday, November 12, 2024  
Tuesday, November 26, 2024

**PLEASE BE AWARE**, submissions are due by noon on the submission date.

**Zoning Board of Appeals** meetings are held on **2<sup>nd</sup> and 4<sup>th</sup> Tuesday** of each month unless there is a holiday on that Tuesday at **7:00pm**, and then it will move to the **Wednesday** of the same week.

(Revised 11/17/23)