

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.: 24-7815

Date: 2/7/2024

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

I (We), Dara Gray residing at 811 Wheeler Hill Rd  
Wappingers Falls, NY, (phone) <sup>Home</sup> 845-831-3986, hereby,

appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,  
dated 2/7/2024, and do hereby apply for an area variance(s).

Premises located at: 811 Wheeler Hill Rd, Wappingers Falls, NY 12590  
Tax Grid No.: 6057-04-681095  
Zoning District: R20

1. Record Owner of Property:

Dara Gray (ESTATE OF)  
Address: 811 Wheeler Hill Rd Wappingers Falls, NY 12590  
Phone Number: 845-831-3986 (Home)  
Owner Consent dated: 2/7/2024  
Signature: Hope Gray  
Print Name: Hope Gray

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: 40 Feet

Applicant(s) can provide: 22.6 FEET

Thus requesting: 17.4 FEET

To allow: Shed to remain @ current location.

Town of Wappinger Zoning Board of Appeals  
Application for an Area Variance  
Appeal No.: 24-7815

**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.

No change to character of the neighborhood or nearby properties as the shed has been in its place for over 30 years

**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.

In that the shed is over 30 years old it would be difficult to move more into the property without there being damage to 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.

The change from the standard is for 17.4 feet into the property. I do not feel this would/ should be considered substantial.

**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 would be not impact on the conditions of the neighborhood or district as the shed has been in place for over 30 years, already.

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

While dealing with my sisters estate a municipal search was done and I was informed of the shed having no permit.

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

The property is not unique in the neighborhood but I am unable to sell my sisters house without the man this issue being corrected.

4. List of attachments (Check applicable information)

- ( ) Survey dated: 12/13/83 + 5/3/05 <sup>Sent in w/ permit application</sup> Last revised \_\_\_\_\_ and Prepared by: Raymond E Heinsman
- ( ) 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: Zoning administrator town of Wappinger Dated: 2/5/24
- Other (Please list): Death certificate; Court certificate.

No. 14

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.

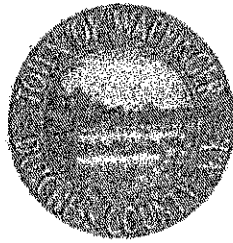
SIGNATURE: Hope Gray  
(Appellant)

DATED: 2/7/2024

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

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

TOWN OF WAPPINGER



PLANNING BOARD & ZONING BOARD OF APPEALS

20 MIDDLEBUSH ROAD  
WAPPINGERS FALLS, NY 12590  
PH: 845-297-6266  
Fax: 845-297-6579

Owner Consent Form

Project No: 24-7815

Date: 2/7/2024

Grid No.: 6057-04-081095

Zoning District: R20

Location of Project:

811 Whetler Hill Rd Wappingers Falls NY 12590

Name of Applicant:

(ESTATE OF) Dara Gray - Hope Gray for estate of Dara Gray  
(Print name and phone number (See attached court letter))

Description of

Project: Requesting that shed remain in place /  
as is

I, Hope Gray, 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: 2/7/2024

Hope Gray  
Owner's Signature

Owner's Telephone Number: 845-831-3986

Hope Gray  
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: <i>Dora Gray</i>			
Project Location (describe, and attach a location map): <i>Shed to remain in place / as is</i>			
Project Location (describe, and attach a location map): <i>811 Wheeler Hill Rd. Wappinger Falls, NY 12590</i>			
Brief Description of Proposed Action: <i>Requesting that shed remain in place / as is</i>			
Name of Applicant or Sponsor: <i>Hope Gray for Estate of Dora Gray</i>		Telephone: <i>845-831-3986</i>	
Address: <i>5 Sandra Place</i>		E-Mail: <i>hgrayklap@outlook.com</i>	
City/PO: <i>Beacon</i>	State: <i>NY</i>	Zip Code: <i>12508</i>	
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 checked="" 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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<i>0.850</i> acres	
b. Total acreage to be physically disturbed?		<i>0</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0</i> 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			

## 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: <i>Dora Gray</i>			
Project Location (describe, and attach a location map): <i>Shred to remain in place / as is.</i>			
Project Location (describe, and attach a location map): <i>811 Wheeler Hill Rd. Wappinger Falls, NY 12590</i>			
Brief Description of Proposed Action: <i>Requesting that shed remain in place / as is</i>			
Name of Applicant or Sponsor: <i>Hope Gray for Estate of Dora Gray</i>		Telephone: <i>845-831-3986</i>	
Address: <i>5 Sandra Place</i>		E-Mail: <i>hgraykbp@outlook.com</i>	
City/PO: <i>Beacon</i>	State: <i>NY</i>	Zip Code: <i>12508</i>	
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	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:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<i>0.850</i> acres	
b. Total acreage to be physically disturbed?		<i>0</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0</i> 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			

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

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

	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?

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

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

	NO	YES
	<input checked="" 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)?

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: Hope Gray Date: 2/7/2024

Signature: Hope Gray Title: 2/7/2024

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

To: Gray, Dara  
811 Wheeler Hill Rd

SBL: 6057-04-681095-0000  
Date of this Notice: 02/05/2024  
Zone:  
Application: 43984

For property located at: 811 Wheeler Hill Rd

Your application to:  
**SHED - LEGALIZATION OF 9.1' x 22.2' SHED. NO ELECTRIC.**

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

Where 40 ft. to the rear property line is required for structures over 144 sf., the applicant can provide 22.6 to the rear property line for an existing 202 sf. shed to remain.

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	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	<u>40</u> ft.	<u>22.6</u> 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](http://www.townofwappingerny.gov)

Very Truly,

  
\_\_\_\_\_  
Zoning Administrator  
Town of Wappinger

**RECEIVED**  
JAN 23 2024  
Building Department  
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:** R20 **DATE:** 1/22/24 2/2/2024  
**APPL #:** 43984 **PERMIT #:**  
**GRID:** 6057-04-6081095

**APPLICANT NAME:** Hope Gray for Estate of Dara F Gray  
**ADDRESS:** 5 Sandra Place Beacon, NY 12508  
**TEL #:** 845-331-3986 **CELL:** / **FAX #:** / **E-MAIL:** hgray/kbip@outlook.com

**NAME OWNER OF BUILDING/LAND:** Estate of Dara F Gray  
**\*PROJECT SITE ADDRESS\*:** 811 Wheeler Hill Rd, Wappingers Falls  
**MAILING ADDRESS:** 811 Wheeler Hill Rd Wapp Falls Zip 12590  
**TEL #:** **CELL:** **FAX #:** **E-MAIL:**

**BUILDER/CONTRACTOR DOING WORK:** N/A  
**COMPANY NAME:**  
**ADDRESS:**  
**TEL #:** **CELL:** **FAX #:** **E-MAIL:**

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

**APPLICATION FOR:** Existing shed; No electric

\*Legalization\* 202 SF

**SETBACKS:** FRONT: REAR: 22.6 L-SIDEYARD: R-SIDEYARD:  
**SIZE OF STRUCTURE:** 9.1' x 22.2' (feet)  
**ESTIMATED COST:** N/A **TYPE OF USE:** Shed

**NON-REFUNDABLE APPL. FEE:** 180.81 **PAID ON:** 2/2/24 **CHECK #:** 107 **RECEIPT #:** 2024-00166  
**Legalization BALANCE DUE:** 30- **PAID ON:** 2/2/24 **CHECK #:** 107 **RECEIPT #:** 2024-00165

**APPROVALS:**  
**ZONING ADMINISTRATOR:**  
 Approved  Denied **Date:** 2.5.24  
*[Signature]*  
\_\_\_\_\_  
Signature of Applicant  
Hope Gray  
\_\_\_\_\_  
Print Name or Company Name (if applicable)

**FIRE INSPECTOR:**  
 Approved  Denied **Date:** \_\_\_\_\_  
\_\_\_\_\_  
Signature of Building Inspector

TOWN OF WAPPINGER  
PLOT PLAN

Building Permit # \_\_\_\_\_

Date 1/31/24

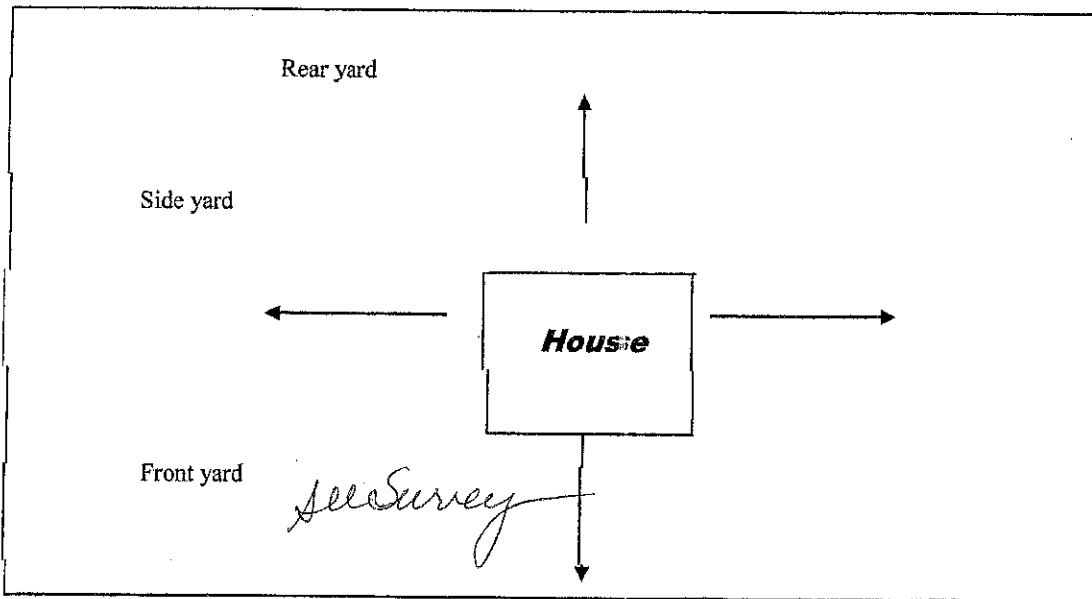
Address: 811 Wheeler Hill Rd Wappinger Falls Interior/Corner Lot: *circle one*

Owner of Land Estate of Dara Gray Zone: R20  
*Hope Gray executrix*

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

i. House, SEE ATTACHED SURVEY

**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 property line (How far away is the structure from all property lines, measure in feet) Structure must meet setback requirements.

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

Hope Gray  
Signature

Approved: / Rejected: *Cathryn Smith*  
Zoning Administrator

Date: 2.5.24