

Town of Wappinger Zoning Board of Appeals
MEETING DATE: January 28, 2014
TIME: 7:00 PM

Town Hall
20 Middlebush Road
Wappinger Falls, NY

(AMENDED 1-24-14)

Acceptance of the minutes from January 14, 2014

Public Hearing:

Appeal No. 13-7509

James Geraghty-Is seeking an area variance of Section 240-37 of Zoning Regulations in an R-15 Zoning District.

-Where 12 feet to the side yard property line is required, the applicant can only provide 9 feet, thus requesting a 3 foot variance for an existing 12' X 20' deck (with no stairs).

- The property is located at 14 Ardmore Drive and is identified by Tax Grid No. 6257-03-268482 in the Town of Wappinger.

Public Hearing:

Appeal No. 13-7513

James Sanborn-Is seeking an area variance of Section 240-37 of the Town of Wappinger Zoning Regulations in an R-40 Zoning District.

-Where 50 feet to the rear yard property line is required, the applicant can only provide 25 feet, thus requesting a 25 foot variance for the placement of a 12 foot X 20 foot shed.

-The property is located at 12 Dose Road and is identified by Tax Grid No. 6258-04-930355 in the Town of Wappinger.

Public Hearing:

Appeal No. 13-7510

Greenbaum & Gilhooley's-Is seeking the following (5) variances of Section 240-18(f), and 240-37of Zoning Regulations in an HB Zoning District. The property is located at 1379 Route 9 and is identified by Tax Grid No. 6157-02-594684 in the Town of Wappinger.

1. Where as 2 acres are required in an HB zoning district, the applicant is proposing to develop a pre-existing non-conforming undersized lot, the applicant can only provide 1.89 acres, thus requesting a 0.11acre variance.

2. Where as **200 feet** minimum lot depth is required, the applicant can only provide **149 feet 4 inches**, thus requesting a variance of **50 feet 6 inch** for the proposed development of a pre-existing non-conforming under sized lot.
3. Where as **30 feet** from the bank canopy roof, is required for a rear yard setback, the applicant can only provide **13feet 4 inches**, thus requesting a **16 feet 8 inch** variance.
4. Where as **75 feet** front yard setback is required to a state or county highway, the applicant can only provide **69 feet 8 inches**, for an existing front wall of the existing building, thus requesting a **5 feet 4 inch** setback.
5. Where as **25%** is required for landscaping, the applicant can only provide **12%**, thus requesting a **13%** variance. (As part of the mitigation that is being proposed, the applicant will obtain a Use & Occupancy permit from the NYS Department of Transportation. This will allow for the use of a portion of the NYSDOT right-of-way for landscaped planting beds. This will reduce the variance required for the minimum landscaped open space to 4.4 %.)

Public Hearing:

Appeal No. 13-7504

Aaron Kellner & Krystal Campbell - Is seeking an area variance of Section 240-20(A) of the Town of Wappinger Zoning Regulation and 280-a of Town Law in an R-20 Zoning District.
-The applicant (Kellner) proposes to access his lot over an easement which has been created over the **1.48 acre** Campbell lot, two other lots on Easter Road would also gain access over the Campbell property with the granting of this variance. The properties are located at **76 & 80 Easter Road (Kellner) 54 & 62 Easter Road & 14 Circle Drive (Campbell)** and are identified by **Tax Grid Nos. 6056-01-294696/326668 (Kellner) & 6056-01-259729/276713/259750 (Campbell)** in the Town of Wappinger.

Discussion:

Appeal 14-7514

Mousa Nesheiwat- Is seeking an area variance of 240-37 of the Town of Wappinger Zoning Regulation in an R-40 Zoning District.
-Where **50 feet** is required to the front yard property line, the applicant can only provide **28.7 feet**, thus requiring **21.3 feet** for an existing front porch and steps.
-The property is located at **94 Robinson Lane** and is identified by Tax Grid No. **6459-03-070409** in the Town of Wappinger.

Appeal 14-7515

Michael Goodwin-Is seeking an area variance of 280 A of NYS Town Law and 240-20A of the Town of Wappinger Zoning Code in and R 20/40 Zoning District.

-Where **any construction of any structure unless the street or highway giving access to said use or structure has been suitably improved to Town road standards** for the construction of a modular home, consisting of 3 bedrooms, 1 family room, 1 dining room, 1 bath, central air, and a garage.

-The property is located at **35 Dugan Lane** and is identified by **Tax Grid No. 6256-02-970944** in the Town of Wappinger.