

MINUTES

**Town of Wappinger
Zoning Board of Appeals
June 9, 2009**

**Town Hall
20 Middlebush Road
Wappinger Falls, NY**

Summarized Minutes

Members: Mr. Prager, Chairman
Mr. DellaCorte, Vice-Chairman
Mr. Casella, Member
Mr. McVeigh, Member

Member Absent: Ms. McEvoy-Riley, Member

Others Present: Mr. Horan, Town Attorney
Mrs. Lukianoff, Zoning Administrator
Mrs. Roberti, Secretary

SUMMARY

Adjourned Public Hearing:

John Degnan -Adjourned Public Hearing on June 23,
2009.

Discussion:

Dennis Leahy -Public Hearing on June 23, 2009.

Stephanie Parrish-Bell -Public Hearing on June 23, 2009.

Joseph Sabatelli -Public Hearing on June 23, 2009.

Rocco Valente -Public Hearing on June 23, 2009.

Appeal No. 09-7399

John Degnan - Seeking area variances of Section 240-29(F) of District Zoning Regulations for HD Zoning.

-Where a **freestanding sign is allowed no taller than 10 feet in height** the **applicant is proposing a freestanding sign of 14.9 ft. in height, thus requesting a variance of 4.9 ft.**

-Where a **freestanding sign is allowed 25 sq. ft in area**, the **applicant is proposing 56 sq. ft. in area, thus requesting a 31 sq. ft. variance for the sign size.**

-Where a **freestanding sign must be 25 ft. from the property line**, the **applicant is proposing 10 ft. from the property line, thus requesting a variance of 15 ft.**

The property is located at **1708 Route 9** and is identified as **Tax Grid No. 6158-02-543530** in the Town of Wappinger.

Mr. Prager: Are the mailings in order?

Mrs. Roberti: Yes they are.

Mr. Casella: Motion to open the public hearing.

Mr. DellaCorte: Second the motion

Vote: All present voted aye.

Mr. Degnan: The reason I need the variances is for three reasons as follows. For the setback my building is very close to Route 9. So in order to get any kind of sign there I would need a variance. My traffic consultant felt a larger sign is safer because the traffic is going very fast past this building. I have 6 tenants of which two of them are on the north facing side of the building and I want to give them some exposure.

Mr. Casella: I did a site visit today and when I was leaving, getting out of the parking lot was difficult. A sign I believe would make that more difficult. Can you move it closer to the building?

Mr. Degnan: There is a sidewalk there but I can try. What if I start at the sign at 10 ft. and move it in from there?

Mr. Casella: That might be better.

Mr. Horan: The DOT usually has a 25 ft. ROW.

Mr. Degnan: Yes but my building is only 20 ft. in.

Mr. Horan: One of the things I see when looking at this sign is that the DOT has large snow plowing trucks and this looks close. What about down here by the lake?

Mr. Casella: Would you consider it further south. Since you have the property it might be better.

Mr. DellaCorte: I agree with Jim, put it further north.

Mr. Horan: Further south allows people more time to slow down and turn in.

Mr. McVeigh: How far over then?

Mr. Degnan: It won't affect traffic then.

Mr. McVeigh: This is also in front of a telephone pole.

Mr. Horan: There may be issues then. Typically telephone poles are in the DOT ROW. I think it is in the applicant's best interest to come back showing his property line and then we can look to see where it can go.

Mr. McVeigh: The size is an issue also. Last time you said different sizes for different tenants.

Mr. Degnan: The size will be the same for each tenant.

Mr. Casella: This will have 5 tenant areas?

Mr. Degnan: Actually 6 tenant signs on the pylon.

Mr. Casella: I would like 2 different views, one on the north and one on the south side of the property.

Mr. Horan: Also submit the DOT information.

Mr. Leonard: Michael Leonard. The TB is looking at the sign law at this time. The signs are too small on Route 9.

Mr. DellaCorte: Motion to adjourn to June 23, 2009.

Mr. Casella: Second the motion

Vote: All present voted aye.

Appeal No. 09-7400

Dennis Leahy- Seeking an area variance of Section 240-37 of District Regulations in an R-20 Zoning District.

-Where **a side yard setback of 20 feet is required**, the applicant is **proposing a side yard setback of 15 feet**, to allow for a 6' X 28' ramp to a 12' X 44' existing deck, **thus requesting a variance of 5 feet**.

The property is located at **3 Russet Lane** and is identified as **Tax Grid No. 6258-04-541127** in the Town of Wappinger.

Mr. Leahy: I built a ramp for my handicapped wife. We didn't want her going down the stairs into dirt and rocks.

Mr. Prager: What is it made out of?

Mr. Leahy: Treks.

Mr. Prager: I think we will have a site visit to see this on June 13, 2009 and your PH will be on June 23rd. Please put markers out for your property line.

Mr. Horan: Are there other handicap exits?

Mr. Leahy: No.

Appeal No. 09-7401

Stephanie Parrish-Bell- Seeking an area variance of Section 240-37 of District Regulations in an R-20/40 Zoning District.

-Where **a front yard setback of 35 feet is required**, the applicant is **proposing a front yard setback of 28.5 feet**, to allow for a 4' X 21' concrete slab with footings to carry 4' X 4' post w/shed roof on top, **thus requesting a variance of 6.5 feet**.

The property is located at **10 Pleasant Lane** and is identified as **Tax Grid No. 6157-01-419770** in the Town of Wappinger.

Mr. Dienes: I am the contractor for Stephanie Bell. She owns the house with her mother who is quite large and the front is only 3 foot wide and we want to widen it with bluestone and then cover it so that when she gets out of the car she can walk into the house.

Mr. Prager: I'd like to see a sketch.

Mr. Dienes: I'm a union carpenter doing Stephanie a favor for her mom.

Mr. Prager: Site visit on June 13th and your PH will be on June 23rd.

Mr. DellaCorte: Please mark this out with something or us.

Appeal No. 09-7402

Joseph Sabatelli- Seeking an area variance of Section 240-37 of District Regulations in an R-20 Zoning District.

-Where **a front yard setback of 35 feet is required**, the applicant is **proposing a front yard setback of 30 feet**, to allow for a 6' X 20' front covered porch, **thus requesting a variance of 5 feet**.

The property is located at **5 Peters Road** and is identified as **Tax Grid No. 6357-03-066044** in the Town of Wappinger.

Mr. Sabatelli: I would like to tear down the existing deck that is rotting and come out 6 feet and extend the roof. The width now is 4'6".

Mr. DellaCorte: Are you replacing the steps?

Mr. Sabatelli: Yes, everything.

Mr. Horan: Your survey shows 11'8" from the front property line. The measurements should be changed to reflect that.

Mr. Roberti: I will change the legal notices and the application.

Mr. Prager: We will also come out for a site visit on the 13th of June and your PH will also be June 23rd.

Appeal No. 09-7403

Rocco Valente- Seeking an area variance of Section 240-37 of District Regulations in an R-20 Zoning District for Patrick & Catherine Moriarty.

-Where **a side yard setback of 20 feet is required**, the applicant is **proposing a side yard setback of 17.5 feet**, to allow for a handicap ramp, **thus requesting a variance of 2.5 feet**.

The property is located at **26 Robert Lane** and is identified as **Tax Grid No. 6158-04-952129** in the Town of Wappinger.

Mr. Valente: I am the builder for the Moriarty's. Pat has terminal cancer so this ramp may be temporary. Along with myself other members of the Elks club will be doing the work on this handicap ramp for Pat.

Mr. Prager: Your site visit will again be June 13th. Do you have a survey we can see?

Mr. Valente: I'm not sure.

Mr. Horan: For the record if the ADA meets zoning the ZA will revisit this denial.

Mr. Prager: Your public hearing will be on June 23rd as well.

Mr. Casella: Motion to go into executive session.

Mr. DellaCorte: Second the motion

Vote: All present voted aye.

Mr. DellaCorte: Motion to come out of executive session.

Mr. McVeigh: Second the motion

Vote: All present voted aye.

Mr. DellaCorte: Motion to adjourn.

Mr. Casella: Second the motion

Vote: All present voted aye.

Meeting ended at 8:45 PM

Respectfully Submitted,

Barbara Roberti, Secretary
Zoning Board of Appeals