

**MINUTES**

**Town of Wappinger  
Zoning Board of Appeals  
November 24, 2009**

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

**Summarized Minutes**

**Members:** Mr. Prager, Chairman  
Mr. McVeigh, Member

**Member Absent:** Ms. McEvoy-Riley, Member  
Mr. Casella, Member  
Mr. DellaCorte, Vice-Chairman

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

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**SUMMARY**

**Discussions:**

Wendy Smart -Public Hearing on December 8, 2009.

Robert & Christine Taylor -Public Hearing on December 8, 2009.

Mr. Prager: We have no quorum tonight but will still entertain these applications for a public hearing on December 8, 2009.

**Appeal No. 09-7412**

**Wendy Smart** - Seeking an area variance of Section 240-37 of District Regulations in an R-80 Zoning District.

-Where **a side yard setback of 40 feet is required**, the applicant is **proposing a side yard setback of 4 feet**, to allow for an existing pavilion, **thus requesting a variance of 36 feet**.

The property is located at **191 River Road** and is identified as **Tax Grid No. 6056-01-241913** in the Town of Wappinger.

Mr. Smart: We reside at 2780 Route 9D but we own 191 River Road. Recently we have been made aware of building code violations and we are looking at taking care of this and all other outstanding violations. We have a 300 sf pavilion which was built over 20 years ago but that never obtained a building permit. The DEP which is our neighbor gave us these drawings and we are in the process of having a new survey done.

*At this time they went up to the dais and discussed the property.*

Mrs. Smart: The garage is close but it was built back in the 1930's.

Mr. Prager: We will do a site inspection sometime over the next two weeks and set your public hearing for December 7, 2009.

Mr. Smart: Thank you.

**Appeal No. 09-7413-**

**Robert & Christine Taylor** -Seeking an area variance of Section 240-37 of District Zoning Regulations for R-20 Zoning.

-Where **a rear yard setback of 40 feet is required**, the applicant is **proposing a rear yard setback of 13 feet**, to allow for an existing 24 ft. above ground pool, **thus requesting a variance of 27 feet**.

The property is located at **20 Daisy Lane** and is identified as **Tax Grid No. 6158-02-882913** in the Town of Wappinger.

Mr. Taylor: We put up our pool 2 or 3 years ago and we don't have enough room. We originally filed for this and was denied and since than time just passed.

- Mrs. Taylor: We actually put it up in 2006.
- Mr. Prager: Do you have a survey? I know Daisy Lane is an old subdivision.
- Mr. Taylor: No we don't.
- Mr. McVeigh: We need to know where the property line is when we come out.
- Mr. Taylor: We have pins in the rear.
- Mr. Prager: Your site visit will be done within the next two weeks and we will set your public hearing for December 8<sup>th</sup> also.
- Mr. Horan: What is directly behind you?
- Mr. Taylor: The airport owns the property behind us. Thank you.

- Mr. McVeigh: Motion to adjourn.**
- Mr. Prager: Second the motion
- Vote: All present voted aye.

Meeting ended at 8:10 PM

Respectfully Submitted,

Barbara Roberti, Secretary  
Zoning Board of Appeals