

**MINUTES**

**Town of Wappinger  
Zoning Board of Appeals  
April 13, 2010**

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

**Summarized Minutes**

**Members:**

Mr. Prager,	Chairman
Mr. McVeigh,	Member
Mr. Casella,	Member

**Absent Members:**

Mr. DellaCorte,	Vice-Chairman
Mr. Kuzmicz,	Member

**Others Present:**

Mrs. Roberti,	Secretary
---------------	-----------

---

**SUMMARY**

**Public Hearings:**

**Michael Bettina**

-Variance Granted.

**Paul & Mary Ott**

-Variances Granted.

**Discussions:**

**Performance Motors**

-Public Hearing on April 27<sup>th</sup>, 2010.

**Appeal No. 10-7415**

**Michael Bettina**- Seeking an area variance of Section 240-37 of District Regulations in an R-20 Zoning District.

-Where **a rear yard setback of 40 feet is required**, the applicant is **proposing a rear yard setback of 33 feet**, to allow for an existing 20' X 40' in-ground pool , **thus requesting a variance of 7 feet.**

The property is located at **131 Chelsea Road** and is identified as **Tax Grid No. 6056-03-475482** in the Town of Wappinger.

Mr. Prager: Are the mailings in order?

Mrs. Roberti: Yes they are.

**Mr. McVeigh: Motion to open the public hearing.**

Mr. Casella: Second the motion

Vote: All present voted aye.

Mr. Bettina: We are trying to sell the house and there is an in-ground pool that has been here for over 30 years. We found out in this process that we do not have the proper setbacks.

Mr. Prager: Are there any questions from the board? Hearing none. We did a site visit and the property behind you is very wooded. Is there anyone in the audience with a question or comment? Hearing none.

**Mr. Casella: Motion to close the public hearing.**

Mr. McVeigh: Second the motion.

Vote: All present voted aye.

**Mr. Casella: Motion to grant the variance. This is not undesirable to the neighborhood, it has been there for 30 years so there are no other feasible methods to correct this short of filling it in. This is not substantial either so for these reasons I make the motion to grant this.**

Mr. McVeigh: Second the motion

ZBA Roll Call: Mr. McVeigh: Aye.

Mr. Casella: Aye.

Mr. Prager: Aye.

**Appeal No. 10-7416**

**Paul & Mary Ott** : Seeking an variance of Section 240-37 of District Zoning Regulations for R-15 Zoning.

-Where **a rear yard setback of 30 feet is required**, the applicant is **proposing a rear yard setback of 10 feet**, to allow for an 18' X 33' AG pool, **thus requesting a variance of 20 feet**.

-Where **a side yard setback of 15 feet is required**, the applicant is **proposing a side yard setback of 10 feet**, to allow for an 18' X 33' AG pool, **thus requesting a variance of 5 feet**.

-Where **a side yard setback of 15 feet is required**, the applicant is **proposing a side yard setback of 8 feet**, to allow for a 10' X 25' deck, **thus requesting a variance of 7 feet**.

The property is located at **45 Helen Drive** and is identified as **Tax Grid No. 6158-02-760874** 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. McVeigh: Second the motion

Vote: All present voted aye.

Mr. Prager: We went out for a site visit to your property. I actually surprised your daughter the day I went.

Mr. Ott: I need the variance for an above ground pool I want to install. I need the variances because my yard has a large leech field which takes up most of the yard.

Mr. Prager: Looking at your map and with also having done the site visit, your correct with regard to the septic area.

Mr. McVeigh: I saw that you already have the privacy fence there as well.

Mr. Casella: What is behind you?

Mr. Ott: That is the town pump house.

Mr. Prager: Are there any comments from the audience? Hearing none.

**Mr. Casella: Motion to close the public hearing.**

Mr. McVeigh: Second the motion.

Vote: All present voted aye.

**Mr. McVeigh: Motion to grant the variance. This will not be detrimental to the neighborhood. This will not be undesirable in the yard either. Even though this is self-created it is not substantial and there really is no other place to put this.**

Mr. Casella: Second the motion

ZBA Roll Call: Mr. McVeigh: Aye.

Mr. Casella: Aye.

Mr. Prager: Aye.

Mr. Ott: Thank you.

**Appeal No. 10-7417**

**Performance Motors**- Seeking area variances of Section 240-37, 240-70(C) & 240-67(C) of District Regulations in an HB Zoning District.

-Where **overhead garage doors providing access to service and repair facilities shall not be located facing any street and shall be visually buffed from surrounding residential districts**, the applicant is proposing **three overhead garage doors to be located facing Old Route 9.**

-Where **a front yard setback of 75 feet is required on a County or State Road**, the applicant is **proposing a front yard setback of 18.3 feet**, to allow for a proposed 30' X 50' replacement garage, **thus requesting a variance of 56.7 feet.**

The property is located at **1401 Route 9** and is identified as **Tax Grid No. 6157-02-598726** in the Town of Wappinger.

Mr. DiNonno: I am here representing Performance Motors. They are looking to replace their existing garage with a new one of almost the same size.

*Discussion followed with presentation of what the new garage would look like and location on the approved site plan map.*

Mr. Prager: This looks minor but we will still do a site visit and set your public hearing for April 27<sup>th</sup>, 2010.

Mr. DiNonno: Thank you.

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

Meeting ended at 8:00 PM

Respectfully Submitted,

Barbara Roberti, Secretary  
Zoning Board of Appeals