

**MINUTES**

**Town of Wappinger  
Zoning Board of Appeals  
May 8, 2012**

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

**Summarized Minutes**

**Members:**

Mr. Prager	Chairman
Mr. Dellacorte	Member
Mr. Casella	Member
Mr. Johnston	Member
Mr. Galotti	Member

**Others Present:**

Mrs. Roberti	Zoning Administrator
Mrs. Rose	Secretary

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**SUMMARY**

<b><u>James Mathiasen</u></b>	-Public Hearing – Variance Approved
<b><u>Jennifer Natkiel</u></b>	-Discussion-Seeking Variance
<b><u>Maurice Roche and Patricia Roche</u></b>	- Discussion-Seeking Variance

Mr. Prager: I would like to call the Town of Wappinger Zoning Board of Appeal to order.  
Roll Call Please

Mrs. Rose: Howard Prager-----Here  
Tom Dellacorte-----Here  
Al Casella-----Here  
Bob Johnston-----Here  
Peter Galotti-----Here

Mr. Prager: First item on tonight's agenda is to approve the minutes from April 10, 2012

**Mr. Johhston: I make a move to accept the minutes**

**Mr. Casella: I second**

**All in favor: Aye**

**Public Hearing:**

Mr. Prager: The second item on the agenda is a Public Hearing on **Appeal No: 12-7460**  
**J. Mathiasen** Seeking a variance of Section 240-37 of District Zoning Regulations for R-40 Zoning District.  
-Where **the front yard setback of 50 feet is required**, the applicant is **proposing a front yard setback of 19.3 feet**, to allow the construction of an attached 2 car garage **thus requesting a variance of 30.7 feet**.  
The property is located at **8 Conner Rd.** and is identified as **Tax Grid No.6157-01-038921** in the Town of Wappinger.

Mr. Prager: Sue are all the mailings in order?

Mrs. Rose: Yes sir.

Mr. Prager: Can I have a motion to open the public hearing.

**Mr. Casella: I make a motion to open the public hearing.**

**Mr. Johnston: I second it**

**Mr. Prager:**           **All in favor**

**Board:**               **Aye**

Mr. Prager:           For the record please state your name

Mr. Mathiason:       James Mathiason

Mr. Prager:           Your address

Mr. Mathiason:       8 Conners Road Wappingers Falls, New York

Mr. Prager:           For the record can you please explain the reason you are seeking this variance.

Mr. Mathiason:       Gives a brief reason for the variance.

Mr. Prager:           Let the record show that we did do a site visit.

Mr. Prager:           Does anyone on the board have any questions?

Mr. Prager:           Let the record show there is no one in the audience for or against?

Mr. Prager:           I would like to ask for a motion to close the public hearing.

**Mr. Casella:**       **I make a motion to close the public hearing.**

**Mr. Johnston:**     **I second the motion**

**Mr. Prager:**       **All in favor**

**Board:**               **Aye**

Mr. Prager:           Can I have a motion to grant or deny this variance.

**Mr. Galotti:**       **I make a motion to grant this variance. Mr. Galotti continues to explain how this will not have an impact.**

**Mr. Casella:**       **I second that.**

**Mr. Prager:**       **Can I have a roll call vote**

**Mr. Dellacorte:**   **Yes**

**Mr. Johnston:**     **Yes**

Mr. Galotti: Yes

Mr. Casella: Yes

Mr. Prager: Yes

Mr. Prager: The variance has been granted and will be filed in five days

**Discussion:**

**Appeal No. 12-7462- Jennifer Natkiel** is seeking a variance of Section 240-37 of District Zoning Regulations for R-40/80 Zoning District.

-Where **a side yard setback of 40 feet is required**, the applicant is **proposing a side yard setback of 5.6 feet**, to allow for the construction of a 12' x 36' deck in rear yard with a 3' x 4' small deck addition to the existing side porch, **thus requesting a variance of 34.4 feet inches**. The property is located at **9 Hamilton Road** and is identified as **Tax Grid No. 6057-02-989893 in the Town of Wappinger**.

Mr. Prager: Explains the process of the procedure to apply for a variance

Ms. Natkiel: We have a small side porch that comes off my kitchen door and a small stoop that goes down to the grass it is close to the property line. We want to take the stoop and go around the back and have a deck that is all one level.

Mr. Prager: Reviews drawings that were submitted for this project.

Mr. Johnston: The deck isn't going to come out further then it is.

Ms. Natkiel: No further than the stoop. Exactly the same. Straight out.

Mr. Casella: Any problems with the septic in the way?

Ms. Natkiel: The septic is 19 or 20 feet from the back of the house. The deck is only going to be 12 feet.

Mr. Natkiel: As far as the septic, the pipe from the house has been identified and the footings will be spaced far enough away. The tank is 19 or 20 feet from the house.

Mr. Casella: Has questions about the diagram. Mr. Natkiel and board review the diagram.

Mrs. Roberti: Just for the record. This area Hamilton, Marlerville, and Connor are very similar to Indian Village. They are very small lots, homes are smaller and pre date zoning. For whatever reason they have a 40/80 zoning designation . Mrs. Roberti continues to explain the problem with zoning compared to lot size.

Mr. Prager: I would like to have a site inspection on May 19<sup>th</sup>. I would like a Public Hearing on the 22<sup>nd</sup> of May.

**Appeal No. 12-7463- Maurice Roche and Patricia Roche** is seeking a variance of Section 240-37 of District Zoning Regulation for R-20 Zoning District

-Where **the side yard setback of 20 feet is required**, the applicant is proposing a side yard setback of 14.9 feet, to allow the construction of an 18 X 18 deck in the side yard, thus requesting a variance of 5.1 feet.

The property is located at **25 Dara Lane** and is identified as **Tax Grid No. 6257-01-054756 in the Town of Wappinger.**

Mr. Galotti: For the record, I know the applicants personally and that will not affect my decision.

Mr. Johnston: For the record, I also know the applicants personally and that will not affect my decision.

Mr. Prager: For the record please state your name. Patricia Roche and Maurice Roche.

Mr. Prager: Please explain what you want to do here.

Mr. Roche: We had a two tear deck behind the house. We also had a shed and a room under the deck. We are knocking down the room, the shed, and the deck and adding an 18 X 18 deck. We have a permit for the demo and we need a variance for the deck which will go directly behind the house and will not go any further than the side of the house. The house is 15 feet from the property line.

Mr. Prager: Asks Mr. Roche to come up to the dais and review the submitted map with the board.

Mr. Prager: We will have a site inspection on May 19<sup>th</sup> and the public hearing for May 22<sup>nd</sup>.

**Mr. Prager:**           **There is no further business.**

**Mr. Johnston:**       **I make a motion to close the meeting**

**Mr. Casella:**       **I second**

**Mr. Prager:**       **All in favor**

**Board:**           **Aye**

Meeting ended: 7:55pm

Respectfully Submitted,

Susan Rose, Secretary  
Zoning Board of Appeals