

MINUTES

**Town of Wappinger
Zoning Board of Appeals
November 27, 2012**

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

Summarized Minutes

Members:

Mr. Prager	Member
Mr. Della Corte	Member -Absent
Mr. Casella	Member
Mr. Johnston	Member
Mr. Galotti	Member

Others Present:

Mrs. Roberti	Zoning Administrator
Mrs. Rose	Secretary

SUMMARY

Old Troy Subdivision
(Craig O;Donnell)

Site visit & Public Hearing December 11th

Gas Land Petroleum, Inc

Site visit & Public Hearing December 11th

Mr. Prager: I would like to call the Town of Wappinger Zoning Board of Appeals to order. Roll call please.

Mrs. Rose: Howard Prager-----Here
Tom Della Corte-----Absent
Al Casella-----Here
Bob Johnston-----Here
Peter Galotti-----Here

**Mr. Prager: The first item on the agenda is minutes to be approved:
December 13, 2011 do I have a motion to accept these minutes?**

Mr. Galotti: I make a motion to accept these minutes.

Mr. Johnston: Second.

Mr. Prager: All in favor?

Board: Aye

Mr. Prager: October 23, 2012 do I have a motion to accept these minutes?

Mr. Casella: I make a motion to accept the minutes.

Mr. Johnston: Second.

Mr. Prager: All in favor?

Board: Aye.

Mr. Prager: Next item on the agenda is a discussion on:

Appeal No. 12-7474

Old Troy Subdivision-Craig T O'Donnell-Is seeking an area variance of Section 240-37 of District Zoning Regulations in an R/80 Zoning District. The applicant is proposing two resident lots in a residential district.

- Where **80,000 square feet is required per lot**, the **applicant can only provide 80,037.87 square feet** for Lot 1 (which is in conformance) and can only provide **75,649.28 square feet** for Lot 2. The applicant is seeking a variance of **4,683.72 square feet for Lot 2.**

The property is located at **Wheeler Hill Road (Along the southwest side of Old Troy Road and near the intersection of Wheeler Hill Road)** and is identified as **Tax Grid No. 6057-04-589487.** (Day)

Mr. Morris: My name is Jason Morris from Day Engineering.

Mr. Prager: We didn't get this ahead of time so please explain the project.

Mr. Morris: I am representing the applicant Craig O'Donnell who is the owner of the property. He is proposing to subdivide this property into two lots. These will have individual wells and septic. The existing property contains the adequate acres to subdivide. As part of the subdivision, he will be dedicating to the Town of Wappinger a strip of land for the right away. This will be along Wheeler Hill Road. There is also an easement he is dedicating. The idea is that NYS DEP is constructing the water line on Wheeler Hill Road and to get the water line behind the existing stone wall. There will also be a dedication of land to the Town and with that dedication it brings one of the lots not in conformance. (Mr. Morris reviews map with board showing boundary lines, easements and land dedication).

Ms. Roberti: The water line is going down Old Hopewell down through Wheeler Hill Road and down into the DEP.

Mr. Morris: Continues reviewing map with board showing property lines and water line.

Mr. Prager: We see what is going on and does anyone have any questions. We will set the next date for the public hearing and we will do a site visit.

Mr. Prager: The next item on the agenda is:

Appeal No. 12-7475

12-3264/Gas Land Petroleum, Inc. - Is seeking an area variance of Section 240-37 of District Zoning Regulations in an NB Zoning District. The applicant is proposing a front yard setback for a 137 square feet addition to an existing building.

-Where a **75 foot setback is required to a county or state highway**, the applicant **is proposing a front setback of 70 feet**. The applicant is seeking a variance of **5 feet**.

The property is located at **1831 Route 376** and is identified as **Tax Grid No. 6259-02-524833**. (Chazen)

Mr. Adams: My name is Jon Adams; I am an attorney for Gas Land Petroleum which owns an existing gas station at Maloney Road and Rt. 376. This is a modest application and you have a site plan which was submitted. (Mr. Adams reviews map with the board). As you can see from the site plan we have an irregular non conforming building. It is non conforming

because of the distance to the property line. We also have an irregular building because it is not a square. We are simply proposing to square out the building by bringing the rear of the building around and making it more of a rectangle. A small portion of the building is beyond the zoning line.

Mr. Prager: You are not going any further than the existing building you are just squaring out the building.

Mr. Adams: (Pointing to the map) we are respecting this line and that line.

Mr. Prager: We will have a site inspection and have a public hearing on December 11th.

Mr. Prager: Can I have a motion to close the meeting?

Mr. Casella: I make a motion to close the meeting.

Mr. Johnston: Second.

Mr. Prager: All in favor?

Board: Aye.

Respectfully Submitted,

Sue Rose, Secretary
Zoning Board of Appeals