

MINUTES

**Town of Wappinger
Zoning Board of Appeals
May 28, 2013**

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

Summarized Minutes

Members:

Mr. Prager	Chairman
Mr. Della Corte	Member
Mr. Casella	Member
Mr. Johnston	Member
Mr. Galotti	Member

Others Present:

Mrs. Barbara Roberti	Zoning Administrator
Ms. Sue Rose	Secretary

SUMMARY

Chelsea Yacht Club (Awning)	Variance Granted
Anthony Mari	Site Visit & Public Hearing
Jennifer Barrett	Site Visit & Public Hearing
Elvia Duque	No Show
Jeff Erns	Site Visit & Public Hearing

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

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

The first item on the agenda is a Public Hearing on:

Appeal No. 13-7489

Chelsea Yacht Club—Permanent Awning-Is seeking an area variance of Section 240-37 of Zoning Regulation in an R-40 Zoning District.

-Where a **50 foot rear yard setback** is required for the installation of a 16' x 34' permanent wood awing, the applicant can only provide **27 feet** to the shore line, thus requesting at 23 rear yard setback.

The property is located **at 22 Front Street** and is identified by Tax Grid No. **5956-12-938659.**

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

Ms. Rose: Yes sir.

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

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

Mr. Casella: Second.

Mr. Prager: All in favor?

Board: Aye.

Mr. Prager: Please state your name for the record since this is a Public Hearing. We did have a site visit.

Mr. Cryoff: My name is Serge Cryoff and I am one of the trustees for the Chelsea Yacht Club. We have had since around 1980 a temporary awning off the back of the yacht club. We are looking to install a permanent awing. It will be the same size as the temporary one that is there now. We are not changing the usage or the size of the awning. It

will be located at the southwest corner of the building. We are asking a setback variance.

Mr. Prager: Will it be in the same size?

Mr. Cryoff: It will be the same footprint and the same spot. Just like the pictures.

Mr. Prager: Is it still going to be opened?

Mr. Cryoff: Yes.

Mr. Prager: Does anyone have any questions. Is there anyone in the audience for or against this variance? Hearing none, can I have a motion to close the Public Hearing?

Mr. Casella: I make a motion to close the Public Hearing.

Mr. Johnston: Second.

Mr. Prager: All in favor?

Board: Aye

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

Mr. Casella: I make a motion to grant this variance.

Mr. Johnston: Second.

Mr. Prager: Roll call vote.

**Ms. Rose: Al Casella Aye
Peter Galotti Aye
Tom Della Corte Aye
Bob Johnston Aye
Howard Prager Aye**

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

Appeal No. 13-7480

Anthony & Nina Mari-Is seeking an area variance of Section 240-37 of Zoning Regulations in an R-20 Zoning District.

-Where **15 feet to the side yard is required for an existing 20' X 20' car port**, the applicant **can only provide 13 feet**, thus requesting a **2 foot side yard variance**.

The property is located at **12 Barbara Lane** and is identified by **Tax Grid No. 6156-02-556828**.

Mr. Mari: My name is Anthony Mari. I have a 20 x 20 carport on the west side of the house. We get a lot of company, so back in 2004 I had to make a double driveway. We also parked cars on the side of the house so I decided to put up a car port. I can only provide 13 feet on that side of the house. I need 15 feet.

Mr. Prager: I noticed you have 3 sheds on the property. Barbara is that allowed?

Mrs. Roberti: The code states no more than 2 accessory buildings but these have been there a really long time.

Mr. Prager: How long? You have A, B, and C. How long has A been there?
(Looking at the plot plan)

Mr. Mari: A was built in 2005 and B was built in 2006.

Mr. Prager: Did you build them?

Mr. Mari: Yes I did.

Mr. Prager: How about C?

Mr. Mari: C was put in 2008. It was pre manufactured.

Mr. Prager: Why do you need them?

Mr. Mari: I am a collector and I have a lot of things. We also put our outdoor furniture in there.

Mr. Prager: On shed A you are showing what looks like 16 feet from the property line.

- Mr. Mari: Yes the back.
- Mr. Prager: On shed C, 6 feet is the closest?
- Mr. Mari: That is the one towards the front on the west side.
- Mr. Prager: They are not in the correct area. Barbara, what are the dimensions on the side yard?
- Mrs. Roberti: He is in a R-15 so he only needs 6 feet to the side.
- Mr. Prager: How big is the property?
- Mr. Mari: .27
- Mr. Prager: We will have a site inspection and I would like to see the three sheds. It looks like you have a space between the house and the carport?
- Mr. Mari: Yes, about 18 inches.
- Mr. Prager: Does anyone else have any questions?
- Mr. Galotti: Is this a corner lot?
- Mrs. Roberti: It is an interior lot.
- Mr. Prager: We will have a site visit on June 8th.
- Mr. Prager: The next item on the agenda is:

Appeal No. 13-7490

Jennifer Barrett- Is seeking an area variance of Section 240-37 of Zoning Regulations in an R-40 Zoning District.

-Where a **50 foot front yard setback is required for the construction of a 26' x 27' two car garage**, the applicant **can only provide 26 feet**, thus requesting a **24 foot variance**.

The property is located at **100 Rosewood Drive** and is identified by **Tax Grid No. 6256-01-455940**.

- Mrs. Barrett: This is my husband Daniel Piper.
- Mr. Piper: I have pictures here to show you.

Mr. Prager: Did we get these.

Mr. Piper: No, I couldn't get these here earlier.

Mr. Prager: If you don't need these back, I'll have our secretary make copies or the record.

Mr. Piper: The house itself isn't very big and we have next to no storage and we now have two teenagers driving. The furthest point on the house (pointing to the map) I believe this corner here is 47 feet and then 41 feet.

Mr. Johnston: Can you mark out where it will be constructed?

Mr. Piper: It's not yet but I will do it.

Mr. Prager: We will have a site visit.

Mr. Prager: Next on the agenda is:

Appeal No. 13-7491

Elvia Duque-Is seeking an area variance of Section 240-37 of Zoning Regulations in an R-20 Zoning District.

-Where application **30470 for a permit to construct the conversion of basement garage into family room for an accessory apartment.** The application was **denied because it exceeds 35%.**

The property is located at **89 Scott Drive** and is identified by Tax Grid No. **6257-04-738388.**

Ms. Rose: She isn't here. I left a voice mail message for her this morning and asked her to return my call so I know that she got the message and she never returned my call.

Mr. Prager: Next on the agenda is:

Jeff & Denise Erns-Is seeking an area variance of Section 240-37 of Zoning Regulations in an R-20 Zoning District.

-Where **20 feet is required to the side yard property line**, the applicant can only provide **15 feet to the side yard** property line for an existing 30 foot above ground pool, thus requesting a **5 foot variance**.

The property is located at **2407 Route 9D** and is identified by Tax Grid No. **6157-01-150686**.

Mr. Erns: The pool has been in place since April 2002. When we purchased the pool from Namco and the contractor said because it was an above ground pool no permit was needed. When never applied for a permit, not knowing we needed one. The lot is 2.7 acres.

Mr. Johnston: Can you show us where the pool is?

Mr. Erns: (Pointing to the map) this is the neighbor's garage and the pool is here. The property is wider in the back than the front.

Mr. Della Corte: How did this violation come about?

Mr. Erns: We found this on our door.

Mr. Prager: We will do a site inspection.

Mr. Casella: I know you have a large amount of property; do you have a fence along your property line?

Mr. Erns: I have a survey and it is inches off of the neighbor's garage. I will mark it for you.

Mr. Prager: The Public Hearing will be June 11th.

Mr. Prager: Can I have a motion to adjourn.

Mr. Johnston: I make a motion to adjourn.

Mr. Galotti: Second.

Mr. Prager: All in favor?

Board: Aye.

Respectfully Submitted,

Susan Rose, Secretary
Zoning Board of Appeals