

**MINUTES**

**Town of Wappinger  
Zoning Board of Appeals  
November 25, 2014**

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

**Summarized Minutes**

**Members:**

Mr. Prager	Chairman--Absent
Mr. Rexhouse	Member--Absent
Mr. Casella	Member--Acting Chairman
Mr. Johnston	Member
Mr. Galotti	Member

**Others Present:**

Mrs. Barbara Roberti	Zoning Administrator
Mrs. Susan Dao	Secretary

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**SUMMARY**

Smart Subdivision

Adjourned until December 9<sup>th</sup>

Lorraine Herreros

Variance Granted

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

Mrs. Dao: Howard Prager-----Absent  
Brian Rexhouse----Absent  
Al Casella-----Here  
Bob Johnston-----Here  
Peter Galotti-----Here

Mr. Casella: The next item on tonight's agenda is the acceptance of the minutes from November 12, 2014.

**Mr. Johnston: I make a motion to accept the minutes.**

**Mr. Galotti: Second.**

**Mr. Casella: All in favor?**

**Board: Aye.**

Mr. Casella: The first item on the agenda is an Adjourned Public Hearing on:

**Adjourned Public Hearing:**

**Appeal 14-7527 (Interpretation)**

**Smart Subdivision-**Is seeking an Interpretation of the Determination from the Zoning Administrator in regards to a 2 lot subdivision as it pertains to an existing non-conforming 3 family house. Where a legal non-conforming 3 family exists on 2.059 acres, the applicant is seeking to subdivide the parcel into 2 lots with the legal non-conforming 3 family house to remain. The determination of the Zoning Administrator is that the applicant should remove one unit before subdividing the 2.059 acres into two approximately one acre parcels. The property is 2.059 acres and is located at **191 River Road North** and is identified as **Tax Grid No. 6056-01-241913** in an R-40 Zoning District in the Town of Wappinger. (Hudson Land Design) (Cantor)

**Appeal No. 14-7526 (variance)**

**Smart Subdivision-** To discuss a proposed 2-lot subdivision where the existing non-conforming legal 3 family home will remain on lot 1 and a second lot will be created in the rear of the parcel. Each lot will be served by private wells and subsurface sewage disposal systems and the existing driveway will continue to be used as a shared driveway for both lots. An individual paper driveway is shown on the plan as an alternate means of ingress/egress for Lot 2. The property is 2.059 acres and is located at **191 River Road North** and is identified as **Tax Grid No. 6056-01-241913** in an R-40 Zoning District in the Town of Wappinger. (Hudson Land Design) (Cantor)

Mr. Casella: At the applicant's request, she asks if this can be adjourned until December 9<sup>th</sup>. We need to open the Public Hearing and then adjourn it until December 9<sup>th</sup>. Do I have a motion?

**Mr. Johnston: I make a motion to open the Adjourned Public Hearing.**

**Mr. Galotti: Second.**

**Mr. Casella: All in favor?**

**Board: Aye.**

**Mr. Casella: Do I have a motion to adjourn this Public Hearing until December 9<sup>th</sup>?**

**Mr. Johnston: I make a motion to adjourn this Public Hearing until December 9<sup>th</sup>.**

**Mr. Galotti: Second.**

**Mr. Casella: All in favor?**

**Board: Aye.**

Mr. Casella: The next item on the agenda is a Public Hearing on:

**Appeal No. 14-7542**

**Lorraine Herreros-** Is seeking an area variance of Section 240-37 of the Town of Wappinger Regulation in an HM Zoning District.

-Where **5 feet** to the right side yard is required, the applicant can only provide **2 feet**; thus requesting a **3 foot** variance for an existing carport.

The property is located at **11 Leskow Circle** and is identified as Tax Grid No. **6356-01-250974** in the Town of Wappinger.

Mr. Casella: There has been a change in the measurement. The applicant can provide three feet, thus requesting a two foot variance.

**Mr. Casella: Do I have a motion to open the Public Hearing?**

**Mr. Johnston: I make a motion to open the Public Hearing.**

**Mr. Galotti: Second.**

**Mr. Casella: All in favor?**

**Board: Aye.**

Ms. Herreros: My name is Lorraine Herreros. We would like the variance so we will be able to keep the car port where it is.

Mr. Casella: It has been there for 25 years?

Ms. Herreros: Yes.

Mr. Johnston: Your property line is at the fence?

Ms. Herreros: Yes.

Mr. Casella: Does anyone on the board have any questions? We did have a site visit.

Mr. Casella: Hearing none; do I have a motion to close the Public Hearing?

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

**Mr. Johnston: Second.**

**Mr. Casella: All in favor?**

**Board: Aye.**

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

**Mr. Johnston: I make a motion to grant the variance.**

**Mr. Galotti: Second.**

**Mr. Casella: Roll call vote.**

<b>Mrs. Dao</b>	<b>Peter Galotti</b>	<b>Yes</b>
	<b>Bob Johnston</b>	<b>Yes</b>
	<b>Al Casella</b>	<b>Yes</b>

Mrs. Roberti: For the record, I would like to add that the Adjourned Public Hearing for the Smart Subdivision is for the variance and the interpretation.

**Mr. Johnston: I make a motion to adjourn the Smart Subdivision for the variance and the interpretation.**

**Mr. Galotti: Second.**

**Mr. Casella: All in favor?**

**Board: Aye.**

Mrs. Roberti: Would the board like to send a letter to the Town Board recommending the reappointment of Robert Johnston for another 7 years?

**Mr. Casella:**           **Yes, I make a motion that a letter be sent to the Town Board.**

**Mr. Galotti:**           **Second.**

**Mr. Johnston:**       **I make a motion to adjourn this meeting.**

**Mr. Galotti:**           **Second.**

**Mr. Casella:**           **All in favor?**

**Board:**               **Aye.**

Respectfully Submitted,

Adjourned: 7:05 PM

Sue Rose, Secretary  
Zoning Board of Appeals