

MINUTES

**Town of Wappinger
Zoning Board of Appeals
May 12, 2015
Time: 7:00PM**

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

Summarized Minutes

Members:

Mr. Prager	Chairman	Present
Mr. Johnston	Member	Present
Mr. Galotti	Member	Present

Others Present:

Mrs. B. Ogunti	Secretary
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SUMMARY

Adjourned Public Hearing:

Stewart's Shops Corp # 325	-Adjourned Public Hearing to June 23, 2015
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Public Hearings:

James Eglit	-Variance granted
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Discussion:

Kevin O'Dell	-Public Hearing on May 26, 2015
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Sue Rose	-Public Hearing on May 26, 2015
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Mr. Johnston: Motion to approve the minutes for April 28, 2015.
Mr. Galotti: Second the motion.
Vote: All present voted aye.

Appeal No. 15-7544

Stewart's Shops Corp. #325: Seeking an area Variance of Section 240-52(A) & 240-52(E) of District Regulations in an CC Zoning District. The applicant is currently before the Planning Board for an amended site plan and Special Use Permit to add a gasoline filling station to the existing Stewart Shop.

-Where **1000 feet is required** from a residential district, the applicant can provide **200 feet**, thus **requesting a variance of 800 feet** to allow issuance of a Special Use Permit for a proposed gasoline filling station.

-Where **2,500 feet is required** between gasoline filling stations, the applicant can provide **1,425 feet**, thus **requesting a variance of 1,075 feet** to allow issuance of a Special Use Permit for a proposed gasoline filling station.

The property is located at **2048-2054 Route 9D** and is identified as **Tax Grid No. 6056-02-776904 & 6056-0-2-783920** in the Town of Wappinger.

Mr. Johnston: Motion to open the Public Hearing.
Mr. Galotti: Second the motion.
Vote: All present voted aye.

Mr. Johnston: Motion to adjourn Public Hearing to June 23, 2015.
Mr. Galotti: Second the motion.
Vote: All present voted aye.

Appeal No. 15-7550

James Eglit: Seeking an area variance Section 240-37 of District Regulations in an R-40 Zoning District.

-Where **50 feet** to the rear yard is required, the applicant can only provide **20 feet** for the installation of a 27" round above ground pool, thus requesting a variance of **30 feet**.

The property is located **20 Alfreda Drive** and is identified as **Tax Grid No. 6157-03-106465** in the Town of Wappinger.

Mr. Prager: Are the mailings in order?

Mrs. Ogunti: Yes they are.

Mr. Eglit: My name is James Eglit and I live on 20 Alfreda Drive, and I'm looking for a 30 foot variance. The setback is 20 feet in the rear yard and I want to install a 27" round above ground pool. Therefore, we are asking for a variance of 30 feet.

Mr. Prager: We did look at the property on our site inspection. There isn't enough land in the rear of the property, and there's no other area that you could put the pool. Is there anyone in the audience with a question or comment?

Mr. Johnston: Have you purchased the pool yet?

Mr. Eglit: I've put a down payment on it.

Mr. Johnston: Is a 27" pool the smallest you could get?

Mr. Eglit: Yes, and I have 5 kids and we need the room in the pool.

Mr. Johnston: Motion to close the Public Hearing.

Mr. Galotti: Second the motion.

Vote: All present voted aye.

Mr. Johnston: Motion to grant variance. It's reasonable and not self-created and you can only put it where you can put it based on the well and septic. It does not cause any environmental effects whatsoever and is not uncharacteristic to the neighborhood.

Mr. Galotti: Second the motion.

Vote: All present voted aye.

ZBA Roll Call: Mr. Johnston: Aye
Mr. Galotti: Aye
Mr. Prager: Aye

Appeal No. 15-7551

Kevin O'Dell: - Seeking an area variance Section 240-37 of District Regulations in an R-40 Zoning District.

-Where **25 feet** is required to the side of the property line, the applicant can provide **17 feet** to the side yard for the construction of a deck and stairs, thus **requesting a variance of 8 feet** for an **8 feet x 8 feet** deck and stairs.

The property is located **320 River Road, North** and is identified as **Tax Grid No. 6056-02-603981** in the Town of Wappinger.

Mr. O'Dell: My name is Kevin O'Dell and I live at 320 River Road, North. I'm looking to

build a deck and stairs, and I only have 17 feet and looking for a variance of 8 feet.

Mr. Johnston: Do you know how far it is from the rear property line?

Mr. O'Dell: My mom has a big lot. It is 1.7 acres. The problem we ran into is in the back, there's a patio and the only place they can put steps would be right into her seasonal room.

Mr. Prager: How long have you been there?

Mr. O'Dell: My mom has lived there since 1995.

Mr. Johnston: Is the deck going to be even with the house?

Mr. O'Dell: Yes. It's not going to extend beyond it.

Mr. Prager: Is this for you or your parents?

Mr. O'Dell: My dad passed away and I want to take better care of my mom. She's 78 years old and I'm building the apartment for me to be there with her.

Mr. Johnston: The apartment that you have upstairs, do you have a building permit for it?

Mr. O'Dell: Yes, I do.

Mr. Prager: We will do a site inspection this Saturday, May 16th at 9:00 am and your public hearing will be on May 26th.

Mr. O'Dell: I will. Thank you very much.

Appeal No. 15-7554 Susan Rose- Is seeking an area variance of Section 240-37 of the Regulations in an R-20/40 Zoning District.

-Where **50 feet** is required to the rear yard of the property line, the applicant can only provide **36 feet** for the installation of a 24" above ground round pool, thus requesting a variance of **14 feet** for the pool.

The property is located at **7 Card Road** and is identified as Tax Grid No. **6157-04-526258** in the Town of Wappinger.

Ms. Rose: My name is Sue Rose and I live at 7 Card Road, and I'm looking for a variance to install a 24" above ground pool. Many years ago we had a 28" pool and we are now putting this pool in the same location. Due to the zoning regulations, I need a variance of 14 feet and would like to keep everything legal.

Mr. Prager: Is the pool going in the back?

Ms. Rose: It's going to the side of my deck because of the septic and leach field and that's the only place we can put the pool.

Mr. Prager: We will do a site inspection this Saturday, May 16th at 9:20 am and your public hearing will be on May 26th.

Mr. Galotti: I make a motion to adjourn this meeting.
Mr. Johnston: Second the motion.
Mr. Prager: All in Favor – Aye

Respectfully Submitted,

Adjourned: 7:23 pm

Bea Ogunti
Secretary
Zoning Board of Appeals