

MINUTES

**Town of Wappinger
Zoning Board of Appeals
June 22, 2015
Time: 7:00PM**

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

Summarized Minutes

Members:

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

Others Present:

Mrs. Barbara Roberti	Zoning Administrator
Mrs. B. Ogunti	Secretary

SUMMARY

Adjourned Public Hearing:

Stewart's Shops Corp. -Adjourned Public Hearing to August 25, 2015

Public Hearing:

George & Rose Tsoukaris -Granted Variance

Decision:

Michael & Sandra Krajewski -Public Hearing on July 14, 2015

Mr. Casella: Motion to approve the minutes for June 9, 2015.
Mr. Galotti: Second the motion.
Vote: All present voted aye.

Appeal No. 15-7544 (Variance)

Stewart's Shops Corp. #325: Seeking an area Variance of Section 240-52(A) & 240-52(E) of District Regulations in a 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 & 6056-02-783920** in the Town of Wappinger.

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

Mr. Johnston: Motion to close the Adjourned Public Hearing to August 25, 2015.

Mr. Casella: Second the motion.
Vote: All present voted aye.

Appeal No. 15-7557 (Variance)

George & Rose Tsoukaris: Seeking an area variance Section 240-37 of District Regulations in an R-20 Zoning District.

-Where **40 feet** to the rear yard property line is required, the applicant can only provide **16' 6"** for the installation of a **15 feet x 30 feet** oval above ground pool, thus requesting a variance of **23' 6"**.

The property is located **2 Steinhaus Lane** and is identified as **Tax Grid No. 6057-02-746502** in the Town of Wappinger.

Mr. Prager: Are the mailings in order?

Mrs. Ogunti: Yes, they are.

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

Mr. Prager: Mr. Tsoukaris, please come on up and state your name for the record. I know we were at your house on Saturday and did an inspection but please tell us again what you need and why you need it.

Mr. Tsoukaris: My name is George Tsoukaris, I live at 2 Steinhaus Lane in Wappingers Falls. Based on the way the property is located, I need a variance of 16' 6" to the rear of my property line and I can only accommodate 23' 6".

Mr. Prager: We did go out there and there is really nowhere to put the pool. We discussed the shed on the property and we understand that it has amnesty so you are all set on that. Is there anyone in the audience who would like to speak for or against this variance?

Mr. Casella: Motion to close the Public Hearing.

Mr. Johnston: Second the motion.

Vote: All present voted aye.

Mr. Galotti: Motion to grant the applicant the variance and I don't believe he can achieve his benefit by any other feasible means. It's not going to create any undesirable effects to the neighborhood or a detriment to any nearby properties. I don't think the request is substantial and I don't believe there would be any adverse physical or environmental effects.

Mr. Casella: Second the motion.

Vote: All present voted aye.

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

Appeal No. 15-7558 (Variance)

Michael & Sandra Krajewski - Seeking an area variance Section 240-37 of District Regulations in an R-20 Zoning District.

-Where **75 feet** to the front yard property line is required to a county or state road, the applicant can only provide **55 feet** to construct a **10 x 20 feet** deck with hot tub, thus requesting a variance of **20 feet**.

-Where accessory structures must comply with all minimum yard setback requirements for buildings, but in no case shall they be permitted in the front yard, the applicant is requesting a variance for encroachment into front yard.

-Where the side yard requirements are **20 feet** in an R-20 Zone, the applicant could only provide **13 feet** for an above ground pool installed in November 1992, thus requesting a **7 feet** variance.

The property is located at **45 Regency Drive** and is identified as **Tax Grid No. 6257-02-973510** in the Town of Wappinger.

Mr. Prager: Mr. Krajeski, please come up and state your name for the record and explain to us what you need and why you need it.

Mr. & Mrs. Krajeski: I'm Michael Krajeski and I'm Sandra Krajeski, we want to replace and expand our deck. We want to add a 10 x 5 feet addition and also a 10 x 10 feet pad for a hot tub.

Mr. Prager: I'm a little familiar with the property because I go by all the time. Are you putting the deck in the front?

Mr. Krajeski: Yes, we want to put a 10 x 5 feet deck there.

Mr. Galotti: Is the pad for the hot tub on the ground?

Mr. Krajeski: It's like adjacent to the hot tub and the stairs go to the hot tub and we want to bring it up to the pad so it sits on the existing decking.

Mrs. Krajeski: We want the decking to go over the pad so it looks like it's one, but it will be on a concrete pad on the ground. We will also have a privacy fence on All Angels Hill Road side once everything is installed.

Mr. Krajeski: There is currently a fence there so we will only need to push it out about 2 feet from where it is now.

Mr. Prager: There was a question even though you have all of your paperwork for the pool and the shed that is actually on an easement. I got a letter from you regarding that.

Mrs. Krajeski: There was a metal fencing awhile back and we can kind of tell where it was originally, it's about 21 feet.

Mr. Prager: What I would like to do is get verification from the town that they understand that these things are on their property.

Mrs. Roberti: So what I would like you to do is add to the letter so for any reason this easement has to be used, you understand you will remove it and I would like that letter notarized. Once you bring that to me, I will give it to the town attorney.

- Mrs. Krajewski: Do you want me to just write it in the letter or amend it?
- Mrs. Roberti: It needs to be notarized and if you get that back to me quickly, I would like to get it to the town attorney before the next meeting.
- Mr. Prager: Yes because I need it before the next meeting which is on July 14th.
- Mrs. Krajewski: Do you just need my signature?
- Mrs. Roberti: We need both signatures since you both signed the original letter.
- Mr. Prager: If you get that done as soon as possible we can get it to the attorney before the next meeting. What we are going to do is do a site inspection on Saturday, June 27, 2015 around 9:00 am.
- Mr. Galotti: Could you mark out the area where you are going to put it.
- Mrs. Krajewski: It is going to be where it is now and to the current privacy fence is so that's exactly right there.
- Mr. Prager: As long as you are there you can show us. I would like to schedule the Public Hearing for July 14, 2015.
- Mr. Krajewski: Thank you very much.

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

Respectfully Submitted,

Adjourned: 7:16 pm

Bea Ogunti
Secretary
Zoning Board of Appeals

