

MINUTES

**Town of Wappinger
Zoning Board of Appeals
February 9, 2016
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	Absent

Others Present:

Mrs. Roberti Zoning Administrator
Mrs. Ogunti Secretary

SUMMARY

Public Hearing:

Martin Vanihel
Marybeth Martone Variance Granted

Discussion:

Susan Sonnenberg Public Hearing on February 23, 2016

Mr. Johnston: Motion to approve the Minutes for February 9, 2016.
Mr. Casella: Second the Motion.
Vote: All present voted Aye.

Public Hearing:

Appeal No. 15-7570 Variance

Martin Vanihel & Marybeth Martone: Seeking an area variance Section 240-37 of District Regulations in an R-40 Zoning District.

-Where **25 feet** to the side yard property line is required, the applicant can only provide **18 feet** for an existing **10' x 23'** shed, thus requesting a variance of **7 feet**.

The property is located at **324 Cedar Hill Road** and is identified as **Tax Grid No. 6256-01-405947** in the Town of Wappinger.

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

Mr. Prager: Are all of the mailings in order?

Mrs. Ogunti: Yes, they are.

Mr. Prager: Please come up and state your name for the record.

Mr. Vanihel: Hello, I'm Martin Vanihel.

Mr. Prager: I know you were here for a discussion a few weeks ago and we did a site inspection at your residence a week ago. Again, please tell us what you need and why you need it.

Mr. Vanihel: We need a variance of 7 feet from the property line for the shed and it would be a hardship to tear it down at this time. We use it for mainly storage.

Mr. Johnston: Do you have any plans to put electricity in the shed?

Mr. Vanihel: No, we are only going to put tools and garden equipment in it.

Mr. Johnston: Motion to close the Public Hearing.
Mr. Casella: Second the Motion.
Vote: All present voted Aye.

Mr. Johnston: Motion to grant the variance. There is no other feasible way the benefit can be achieved. It's not very substantial and it would be an extreme hardship to remove it. It does not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Mr. Casella: Second the Motion.
Vote: All present voted Aye.

Mr. Casella: Let this be a fair warning to you that next time when you buy a house, make sure all the CO's are taken care of before you purchase the house.

Mr. Vanihel: Yes, that was a very bad advice on the attorney's part.

Mr. Prager: Unfortunately, that's how you learn.

Discussion:

Appeal No. 16-7573 Variance

Susan Sonnenberg: Seeking an area variance Section 240.30(b) and 240-53 of District Regulations in an R-40 Zoning District.

-Where **no more than two accessory buildings shall be permitted in any 1-Family Residence District. No such accessory building shall have a footprint greater than 600 square feet nor a height in excess of 20 feet. The applicant is proposing an addition of 672 square feet for a 24' x 28'** detached garage with accessory apartment, thus requesting a **variance of 72 square feet.**

-Where the maximum size of an accessory apartment shall be subordinate in area to the principal dwelling and shall not exceed **35%** of the gross floor area of said principal dwelling and in no event exceed 1,000 square feet of gross floor area, the applicant can provide **49.7%**, thus requesting a **14.7%** variance. The existing house is **1352 square feet** and the proposed house is **672 square feet.**

The property is located at **135 Cedar Hill Road** and is identified as **Tax Grid No. 6257-03-328325** in the Town of Wappinger.

Mr. Prager: Please come up and tell us what you need and why you need it.

Ms. Sonnenberg: I'm Susan Sonnenberg and this is Jerry Thorpe, the builder. We are interested in building a garage with an apartment on the top for my father-in-law who is 93 years old. He currently lives in Kingston and he needs to be close to family. The purpose for the garage is that we have several cars, three of which are classics. We have a small house with a garage underneath right now which has been storing my husband's

1955 Cadillac convertible show car for years and we have outgrown everything.

Mr. Casella: So you are going to replace the existing garage and go with a brand new one?

Ms. Sonnenberg: No, we are going to keep the existing garage.

Mr. Johnston: It is in addition to the existing garage.

Ms. Sonnenberg: This one is detached and the other one is underneath the house.

Mr. Prager: How long have you owned the property?

Ms. Sonnenberg: Since 1998.

Mr. Thorpe: So where I come in is I own Bay House Gazebo and Barns. I build really cool Amish structures. We not only do the cookie cutter sheds but we do some really great garages.

Mr. Thorpe continues to review his plans for the construction of the garage.

Mrs. Roberti: Are you going to put dormers and how much square footage is it adding?

Mr. Thorpe: We are putting dormers up above and it's not adding, it's just making it more usable. There's no room here so we are going to make bump out dormers to make the square footage usable.

Mrs. Roberti: So it's only 672 sf?

Mr. Prager: It looks like it has an arch on the end of it?

Mr. Thorpe: On the backside so that there will be an egress.

Mrs. Roberti: Is this going to be a carport underneath?

Mr. Thorpe: No.

Mrs. Roberti: How does he get in?

Ms. Sonnenberg: He can get in from the deck or through the garage.

Mr. Prager: Is there no room in your house for your father-in-law to stay?

Ms. Sonnenberg: No, I have two children, my husband and we have a very small home.

Mr. Prager: We will take a look at your property on Saturday, February 13th around 9:00am. Bob cannot make it on Saturday and we have one member missing so they will come on another day. Will someone be there?

Ms. Sonnenberg: No, we all work but if you can give me a time I can arrange for someone to be there.

Mr. Prager: You don't have to be there if you don't mind us being on your property and there's no building to see anyhow. I just want to get an idea of where you want it to be. If you could stick it out before Saturday would be good and we will take it from there.

Mr. Casella: Does anyone in the neighborhood have an extension like what you are going to do?

Ms. Sonnenberg: In our immediate neighborhood, no. I do know someone off Pine Ridge that does.

Mr. Casella: Since you are 72 sf over by doing 672 sf, is it feasible to go down to 600 sf?

Ms. Sonnenberg: We will have to make the garage smaller. If we have no other voice, we will but we are just going for the space since it is a one shot deal.

Mr. Prager: We will schedule a Public Hearing on February 23, 2016.

Ms. Sonnenberg: Thank you.

Mr. Casella: **Motion to adjourn.**
Mr. Johnston: Second the Motion.
Vote: All present voted Aye.

Respectfully Submitted,

Adjourned: 7:15 pm

Bea Ogunti
Secretary
Zoning Board of Appeals

