

MINUTES

**Town of Wappinger
Zoning Board of Appeals
November 15, 2016
Time: 7:00PM**

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

Summarized Minutes

Members:

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

Others Present:

Mr. Horan	Town Attorney
Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

SUMMARY

Adjourned Public Hearing:

Catherine Pendzuk	Variances Nos. 1 & 2 Granted w/conditions
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Public Hearing:

Robert Harless	Variance Denied
Ilene Sommer	Variance Nos. 1 & 2 Granted
Michael Spidalieri	Variance Nos. 1 & 2 Granted with conditions

Discussion:

Steven & Jennifer Monaco	Public Hearing on November 29, 2016
Toll Brothers, Inc.	Public Hearing on November 29, 2016
33 Middlebush Road	Resubmit
Jay & Susan Feller	Public Hearing on November 29, 2016

Mr. Johnston: Motion to accept the Minutes of October 25, 2016.
Mr. Galotti: Second the Motion.
Vote: All present voted Aye.

Adjourned Public Hearing:

Appeal No. 16-7588 (Variance)

Catherine Pendzuk: Seeking an area variance Section 240-37 and 240-30 of District Regulations in an R40 Zoning District.

-Where **no more than two accessory buildings shall be permitted in any 1-Family Residence District., the applicant is requesting a variance to allow three sheds to remain (two have Shed Amnesty- 8'x12' & 10'x20')** and for the construction of a **12' x 30' carport to enable homeowner to store items in yard,** thus requesting a variance to allow three sheds.

-Where **Outdoor storage of 1 auto trailer or 1 unoccupied recreation vehicle or 1 boat or 1 other single vehicle owned by the residents of the premises, provided that such trailer, boat or other single vehicle is effectively screened from adjoining properties. Such storage area shall comply with all minimum yard setback requirements for buildings for buildings, but in no case shall it be permitted in the front yard, the applicant is requesting a variance to allow three trailer/campers to remain.**

The property is located at **20 Valley Road** and is identified as **Tax Grid No. 6258-02-936733** in the Town of Wappinger.

Mr. Casella: Bea, are all of the mailings in order?

Mrs. Ogunti: Yes, they are.

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

Mr. Casella: Good evening. Please come up and tell us what you are looking for and if there are any questions you will have an opportunity to speak as well.

Mr. Harten: Good evening. I got rid of the camper trailer so it's not three trailers anymore. We have one pickup truck that's not registered at the moment and one catamaran sailboat.

Mr. Casella: We did a site visit this past Saturday and it looks like you cleaned up the property pretty well. Right now

you have the shed in the backyard, the truck, and you are going to put up a fence in the backyard.

Mr. Harten: There's still more they want me to do.

Mrs. Roberti: For the record, we should mention these three letters that came in from neighbors.

Al gives a brief description of several letters received from Raymond & Jane Liyinski, Mark Italiano, Rae Nguyen in support of the Pendzuk's property and how well kept it is.

Mr. Casella: Is there anyone in the audience who would like to speak for or against this variance?

Mr. Johnston: How many sheds do you have now?

Mr. Harten: I have three there currently and there will be three when we are done. Two are connected.

Mr. Johnston: Where is the third shed?

Mr. Harten: The third shed is down over the back hill.

Mr. Horan: How big is the parcel?

Mr. Harten: It is 9.7 acres.

Mr. Galotti: The shed that you have for the garden, is that included in your count?

Mr. Harten: They want me to remove that one.

Mr. Johnston: Where the fence is now, will that be the permanent location?

Mr. Harten: That's where Barbara thought would be the best spot.

Mr. Johnston: **Motion to close the Adjourned Public Hearing.**

Mr. Galotti: Second the Motion.

Vote: All present voted Aye.

Mr. Galotti: **Motion to grant the variance with the following conditions:**

- **Removal of the garden shed.**
- **Move pickup truck to middle of yard.**
- **Camper top put in tent or removed.**
- **Removal of trailer and catamaran.**
- **Put new fence where it temporarily is.**
- **All of these conditions must be met by April 1, 2017. The benefit cannot be achieved by any other feasible means. The applicant is doing what he can not to create an undesirable change or detriment to the neighborhood. I believe the variance is substantial and will not create any adverse and physical effects to the neighborhood.**

Mr. Johnston: Second the Motion with those conditions.
Roll Call Vote: Mr. Galotti YES with conditions
Mr. Johnston YES with conditions
Mr. Travis NO
Mr. Casella: YES with conditions

Public Hearing:

Appeal No. 16-7594 (Variance)

Robert R. Harless: Seeking an area variance Sections 240-37 and 240-30 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 a 18' x 40' (720 sf.) storage building,** thus requesting a **variance of 120 square feet.**

The property is located at **26 Birchwood Drive** and is identified as **Tax Grid No. 6256-02-883774** in the Town of Wappinger.

Mr. Johnston: **Motion to open the Public Hearing.**

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

Mr. Casella: Good evening. As we did with the gentleman before you, please tell the audience what you need and why you need it. We have a pretty good idea and we did a site visit.

Mr. Harless: I'm looking to put in a storage area and it will be a little over 6 feet longer than what's allowed.

Mr. Casella: I see you have an 18' x 20' structure currently.

Mr. Harless: Yes.

Mr. Casella: What are you going to do with the trailer in the front of the driveway? Trailer should either be on the side or in the back so you will need to move that also.

Mr. Harless: The truck will go in the storage. When I applied for the permit, they said as long as the trailer is hooked up to a vehicle it was allowed. The other thing they said was to put it on the side as you are suggesting. The only problem is that side is in Fishkill. I'm not sure if that would be governed by the Town of Wappinger.

Conversation continues.

Mr. Casella: The shed in the back is in the Town of Wappinger and I'm asking you to move the shed to the right and that's in the Town of Fishkill.

Mrs. Roberti: We have enforcement over the whole yard. Our zoning applies.

Mr. Horan: It all depends if the shed was going to go on that piece of property in Fishkill. Technically you don't have jurisdiction of the truck because it's not in the Town of Wappinger.

Mr. Harless: You guys have to decide where the front and back is so I have to go by what you guys are saying.

Mr. Galotti: That predates us.

Mr. Casella: Instead of doing the 18' x 40', can you keep it within the 600 sq. then you won't need a variance for 120 sq.

Mr. Harless: I've already gone through the steps so if I can get the variance, that would be nice because I need more storage space.

Mr. Johnston: When we were there, it didn't seem like a whole lot was in the open shed.

Mr. Harless: There was one pickup truck there and another vehicle on the flat.

- Mr. Johnston: Will all of that be put inside?
- Mr. Harless: They all will be put inside. I also have stuff in the garage that I want to put in there. If I want to work in the wintertime, I can put it in there as well.
- Mr. Johnston: Is there nowhere else to store all of the items you mentioned?
- Mr. Harless: There are already two vehicles.
- Mr. Johnston: I understand but is there any other place to store the two vehicles other than the property?
- Mr. Harless: I could rent space somewhere.
- Mr. Johnston: There are alternatives.
- Mr. Casella: Is there anyone in the audience who would like to speak for or against this variance?
- Mrs. Dirubba: Wendy Dirubba, 35 Birchwood Drive, Wappingers Falls.
- Mr. Dirubba: Steve Dirubba, 35 Birchwood Drive, Wappingers Falls.
- Mrs. Dirubba: Where the shed is in his backyard is our front yard.
- Mr. Dirubba: We have to look at this shed and the car under the blue tarp and anything else that goes there because it's directly at our front door. I'm worried that he's going to drain the water on my property.
- Mrs. Dirubba: As it is we have water issues coming down the hill.
- Mr. Dirubba: Adding the shed we will have water coming from there as well as rain water.
- Mr. Casella: How is the water going to come off your property?
- Mr. Harless: I'm no expert and you guys looked at it. I don't see any existing problem. Would it create a problem, I can't answer that.
- Mr. Travis: The code would allow up to two structures of 600 sf. He has two so that would be 1,200 sf.

- Mr. Dirubba: What's the foot difference because that shed is not 50 feet from the property line?
- Mr. Travis: He's going for the size of a single structure.
- Mrs. Dirubba: How come it was started and never finished?
- Mr. Harless: Change of plans and change of finances.
- Mrs. Dirubba: So you just want to make it longer and taller?
- Mr. Casella: It's actually going to be 20 feet longer. Legally he can go up to 600 sf. and you cannot stop that.
- Mr. Johnston: What are your feelings?
- Mr. Dirubba: I'm thinking that you are going to put a building there and the water is going to come down the hill.
- Mr. Johnston: What are the setback requirements?
- Mrs. Roberti: He's in an R40 Zoning District so he needs 50 feet to the rear and you say you have 50 feet to the rear.
- Mr. Harless: I was going to make it 20' x 20' originally but because I couldn't dig up enough to make it 50 feet. I could only make 18 feet and that's how I ended up with 18 feet.
- Mrs. Roberti: What's your address?
- Mrs. Dirubba: My address is 35 Birchwood Drive.
- Mrs. Roberti: If he does 18' x 30', it will be 540 sq. and if he did 18' x 35' it will be 630 sq.
- Mr. Johnston: If he increases 18' x 30' it would be 540 sq. and he won't need a variance.
- Mrs. Roberti: If he does 18' x 12', it would be 576 sq.
- Mr. Johnston: So he does have alternatives without having to get a variance.
- Mrs. Roberti: Yes, that would be his alternative.

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

Mr. Johnston: **Motion to deny the variance. There are other alternatives and it could create some environmental effects to the neighborhood. For those reasons, I deny this variance.**

Mr. Galotti: Second the Motion with a caveat. If you were to reduce the size of your proposal, you wouldn't need to a variance.

Roll Call Vote:

Mr. Galotti	YES to deny
Mr. Johnston	YES to deny
Mr. Travis:	YES to deny
Mr. Casella	YES to deny

Appeal No. 16-7599 (Variance)

Ilene Sommer: Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **50 feet** to the rear property line is required, the applicant can only provide **34 feet** for a new **25' x 20'** rear deck to the rear property line, thus requesting a variance of **16 feet**.

Where **50 feet** to the rear property line is required, the applicant can only provide **40 feet** to the rear yard for a proposed **18' x 20'** screened in porch, thus requesting a variance of **10 feet**.

The property is located at **220 Cedar Hill Road** and is identified as **Tax Grid No. 6257-03-329144** in the Town of Wappinger.

Mr. Casella: Bea, 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. Casella: Please come up and state your name for the record. We did a site visit but for the audience, please tell us what you need and why you need it.

Ms. Sommer: Ilene Sommer. I just want to add a structure where there is not one. The back of the house has no outdoor space so I want to add a deck and a screened in porch. I have only 10 feet to stay within the zoning limits and I

wanted to make it deeper than that so it's infringing on the property line.

Mr. Casella: Any questions from the board?

Ms. Sommer: Did you say there were two variances?

Mr. Casella: Yes, one for 16 feet and the other for 10 feet. Is there anyone in the audience who would like to speak for or against the variances?

Ms. Owens: Dorothy Owens, 202 Cedar Hill Road. I'm her neighbor and have no objection to her having her porch and deck.

Mr. Johnston: **Motion to close the Public Hearing.**

Mr. Galotti: Second the Motion.

Vote: All present voted Aye.

Mr. Galotti: **Motion to grant the applicant the first variance. The benefit cannot be achieved by any other feasible means. It does not create any undesirable change to the neighborhood. The request is substantial and there would be no physical effects and your rear yard is pretty much screened and wooded.**

Mr. Johnston: Second the Motion.

Roll Call Vote:

Mr. Galotti	YES
Mr. Johnston	YES
Mr. Travis	YES
Mr. Casella	YES

Mr. Johnston: **Motion to grant the applicant the second variance. It is substantial but I don't believe it would have any environmental impact to the character of the neighborhood.**

Mr. Galotti: Second the Motion.

Roll Call Vote:

Mr. Galotti	YES
Mr. Johnston	YES
Mr. Travis	YES
Mr. Casella	YES

Appeal No. 16-7600 (Variance)

Michael Spidalieri: Seeking an area variance Sections 240-37 of District Regulations in an R-80 Zoning District.

-Where **25 feet** to the side yard property line is required, the applicant can only provide **17 feet** for the alteration of a 2 story addition and porch, thus requesting a variance of **8 feet**.

-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 a 26' x 30' (780 sf.) 2 car garage,** thus requesting a **variance of 180 square feet.**

The property is located at **43-51 Osborne Hill Road** and is identified as **Tax Grid No. 6156-02-658941** in the Town of Wappinger.

Mr. Casella: Bea, 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. Casella: Mr. Spidalieri, please come up and tell us what you need and why you need it.

Mr. Spidalieri: I'm looking to build a 2-car with storage on top to store my vehicles inside and also to extend my house. I live in a very small house so I'm looking to build an addition on the side of the house. I believe you had mentioned it's in an R80 Zoning District. The house is split and the front of it is R20/40.

Mr. Johnston: Is there a reason why you need the garage that big?

Mr. Spidalieri: I have two cars, bikes, motorcycles and I'm a contractor and my tools need storage.

Mr. Johnston: Would be possible to make it smaller?

Mr. Casella: Can you stay within the 600 sf. limit?

Mr. Spidalieri: Not really. I need the space in the back to be able to put my motorcycles and cars. Can I leave them outside? Yes, and maybe but right now they are in my ex-wife's house and I would like to get them out of there.

Mr. Johnston: On the 2-story addition for the porch, you can only provide 8 feet to the property line?

Mr. Spidalieri: No, I'm applying for 8 feet.

Mr. Johnston: So you can provide 17 feet?

- Mr. Spidalieri: Correct.
- Mr. Johnston: Who owns the property next door?
- Mr. Spidalieri: My ex-wife.
- Mr. Galotti: Can it be any smaller? Can you fit two cars in there?
- Mr. Spidalieri: I can fit two cars and two bikes.
- Mr. Galotti: So your footprint is 26'x 30'?
- Mr. Spidalieri: It's pretty deep.
- Mr. Casella: What's the normal size for a garage?
- Mrs. Roberti: The normal size is 26' x 24'.
- Mr. Casella: Did you have a shed to the right? What are you doing with that one?
- Mr. Spidalieri: I have a lot of tools and my garden equipment, snow blower, tractor. I don't have a garden shed so that's pretty much the garden shed.
- Mr. Spidalieri: So 24' x 24' would be 576 sf.
- Mr. Johnston: Is that the normal size for a 2-car garage?
- Mrs. Roberti: That's a pretty standard size unless they get deeper.
- Mr. Casella: How big is the area where you store your tools?
- Mr. Spidalieri: It's 10 feet and very narrow.
- Mr. Casella: What we are trying to figure out here is can you put your bikes in there or in a 24' x 24'.
- Mr. Spidalieri: That's full now with my materials and tools.
- Mr. Horan: The other option would be to put a condition that the other structure cannot be increased. Also the total of any two structures on the property could not exceed what's currently on the property. He would have the ability to increase the size of that shed to put whatever he does not fit in the shed. It would be appropriate to

say upon the granting of this, the other shed on the property cannot be increased.

Mr. Johnston: How big is the shed?

Mr. Spidalieri: It is 10 feet wide and 20 feet long.

Mr. Horan: He could put in two sheds to total 1,200 sq. but should you grant him this, an appropriate condition would be to not increase the size of the other shed. That would be acceptable.

Mr. Spidalieri: I would be okay with that because I don't plan on doing that. This would be enough.

Mr. Johnston: If we lessen the size of the request to 24' x 24', that square footage combined with the shed that's already there is going to exceed 600 sf.

Mr. Horan: They are separate buildings.

Mr. Casella: The limitation is one building which equals 600 sf. What does your proposal actually do for him?

Mr. Horan: Rather have two 600 sf. buildings, he's making one slightly larger than 600 sf. and the other one cannot be any larger than it currently exists.

Mr. Casella: Is there anyone in the audience who would like to speak for or against this variance.

Mr. Johnston: **Motion to close the Public Hearing.**

Mr. Galotti: Second the Motion.

Vote: All present voted Aye.

Mr. Galotti: **Motion to grant the applicant the first variance with the condition that the existing structure cannot be increased in anyway. I do not believe the additional garage can be achieved by any other desirable means. There are no undesirable effects to the neighborhood and the request is substantial. There are no adverse effects on the environment.**

Mr. Johnston: Second the Motion based on the conditions Mr. Galotti stipulated.

Roll Call Vote: Mr. Galotti YES with the conditions

Mr. Johnston YES with the conditions

Mr. Travis YES with the conditions
 Mr. Casella YES with the conditions

Mr. Galotti:

Motion to grant the applicant the second variance. The benefit cannot be achieved by any other feasible means. It does not create an undesirable effect to the neighborhood. The request is substantial and there is no adverse effect to the character of the neighborhood.

Mr. Travis:
 Roll Call Vote:

Second the Motion.
 Mr. Galotti YES
 Mr. Johnston YES
 Mr. Travis YES
 Mr. Casella YES

Discussion:

Appeal No. 16-7601 (Variance)

Steven & Jennifer Monaco: Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where **40 feet** to the rear yard property line is required, the applicant can only provide **15 feet** for the construction of a **14' x 26.5'** deck, thus requesting a variance of **25 feet**. The property is located at **64 Kent Road** and is identified as **Tax Grid No. 6258-03-493027** in the Town of Wappinger.

Mr. Casella: Mr. Monaco, please come up.

Mr. Monaco: Steven Monaco, the owner of the property. I have one correction here it's a 14' x 26.5' deck instead of 4' x 26.5' deck. I had a 12' x 12' deck there that was separate from the house and I removed that. I'm looking to go 14' x 26.5'. It was a wood deck that's coming down and I'm adding stairs. I had a variance on the old deck and now I'm coming out an additional 2 feet so I need another variance because my property angles in.

Mr. Casella: How long have you lived at the property?

Mr. Monaco: Since 2008.

Mrs. Roberti: The house was built back to the rear and on an angle. I assume because there's wetlands that's why they built the house towards the back. His side is actually the rear. When they were building the house, they received the variance for the house and the deck because it was

only 16 feet from the property. We really only going out another 2 feet but the majority of the deck is within that 40 feet setback.

Mr. Horan:

What's the side yard setback in the zone?

Mrs. Roberti:

The setback is 25 feet.

Mr. Casella:

We would like to schedule a site visit for this Saturday, November 19th between 8:45am and 9:00am. If you could just stake out where you the existing deck is for us.

Mr. Monaco:

I removed the existing deck already. I can draw spray paint and map it out that way.

Mr. Galotti:

Can you locate the property line?

Mr. Monaco:

It's pretty much there already. The tree line is my property line. The tree line follows my property line.

Mr. Casella:

So we will be there on Saturday between 8:45am and 9:00am.

Appeal No. 16-7602 (Variance)

Toll Brothers, Inc. (Lot 129): Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **30 feet** to the front yard property line is required, the applicant can only provide **28.96 feet** for the construction of a new single family residence (1949 sf.), 2 bedrooms, family room, dining room, study, 2 baths, unfinished basement, 2 car attached garage, central air, rear open deck (144 sf.), front covered porch (40 sf.), thus requesting a variance of **1.04 feet**.

The property is located at **27 Farmington Road** and is identified as **Tax Grid No. 6257-02-708803** in the Town of Wappinger.

Mr. Galotti:

Mr. Chairman, I recuse myself due to professional affiliation with the applicant.

Mr. Johnston:

So basically somebody pour the foundation too close.

Mr. Casey:

Yes and we are just asking for a foot. The contractor didn't take into account when he got the two corners in the front.

- Mr. Casella: Any other questions from the board? What we would like to do is schedule a site visit so if you could just mark it out so we can see it.
- Mr. Horan: The foundation is already there, right?
- Mr. Casey: Yes.
- Mr. Casella: Do you guys even want to go out there?
- Mr. Horan: I think it's pretty clear from the survey but if you want to go out or not it's up to you guys.
- Mr. Johnston: I don't think we need to.
- Mr. Casey: The site is open if you guys want to go there.
- Mr. Casella: Ok, we are not going to do a site visit then. We will schedule the Public Hearing for November 29, 2016.
- Mr. Casey: Thank you.

Jay & Susan Feller: Seeking an area variance Section 240-37 of District Regulations in an R20 Zoning District.

-Where **20 feet** to the side yard property line is required, the applicant can only provide **11.7 feet** for the construction of a **12 feet** wide carport, thus requesting a variance of **8.3 feet**. The property is located at **127 New Hackensack Road** and is identified as **Tax Grid No. 6158-02-822774** in the Town of Wappinger.

- Mr. Casella: Mr. Cappelli, please come up.
- Mr. Cappelli: Good evening. You have in your package a couple of photographs of what the house looks like. There's currently a blacktop driveway that goes along the right side of the split level. The owners have no garage and they would like to protect their cars in the wintertime. I have a narrative explaining what they want to do and why they can't do a garage which they would have loved to do. Notwithstanding they will be happy with a carport open on three sides with a roof.
- Mr. Casella: The carport will go where the garbage cans are?
- Mr. Cappelli: Correct.
- Mr. Casella: What are you doing with the shed?

- Mr. Cappelli: The shed remains.
- Mrs. Roberti: This area is what you have from the road? So it's 49.9 feet?
- Mr. Cappelli: It is 50.1 feet.
- Mrs. Roberti: It is going to need a variance from the County road because you need 75 feet.
- Mr. Cappelli: I don't think so I thought it reads from the center line from the County road.
- Mrs. Roberti: No, it says minimum front yard from County or State highway (75'), center line of other street, front lot line of other street.
- Mr. Cappelli: I have no problem adding that to it.
- Conversation continues.
- Mr. Johnston: You are not going to go past the blacktop are you?
- Mr. Cappelli: I'm right at the edge of the blacktop. So if we go out there on Saturday, you can take a tape measure to it and there's where my post is going to go.
- Mr. Johnston: Is the measurement from the center to the road?
- Mrs. Roberti: No, it's from the property line.
- Mr. Horan: There's another dimension from the center line to the Town road.
- Mrs. Roberti: This is the practice we've always used and it's always the property line.
- Mr. Cappelli: So you are going to have to amend the Public Hearing notice?
- Mrs. Roberti: Yes, no problem.
- Mr. Casella: We are going to schedule the site visit for Saturday, November 19th around 9:15am to 9:30am and the Public Hearing will be on November 29th.

Appeal No. 16-7598 (Use Variance)

33 Middlebush Road: Seeking use variance Section 240-37 of District Regulations in an R20/40 Zoning District.

-The applicant intends to utilize the existing 4,400 sf. commercial structure as a contractor's storage facility with accessory offices on 1.75 acres in a Residential Zoning District. The applicant intends to combine the two lots into one to extinguish the property line between parcels. The property was originally purchased with the building on it to renovate and use as a church. The building has been in existence since the 1950s.

The property is located at **33 Middlebush Road** and is identified as **Tax Grid Nos. 6157-01-414840 (.88 acres) and 6157-01-396837 (.87 acres)** in the Town of Wappinger.

Appeal No. 16-7604 (Variance)

Mr. Casella:

Mr. Cappelli, hello again.

Mr. Cappelli:

In my narrative that I dropped off today states a change from 4,400 sf. to 6,600 sf. and I know you didn't have an opportunity to look at that. I took the 4,400 sf. off of the tax records. When I measured the building to prepare that little sketch that you wanted to see the last time, it measured 6,600 sf.

Mr. Cappelli continues his review of the project.

Mr. Casella:

I assume the property is purchased already?

Mr. Cappelli:

He has not bought it yet.

Mr. Casella:

So he's waiting to see if the use variance is going to be granted?

Mr. Cappelli:

Correct.

Mr. Horan:

I looked on the parcel access info and it lists the owner's name as Iglesia Cristiana El Sembrador.

Mr. Cappelli:

Correct. It suggests in Rod MacLeod's letter that the title was transferred from Eddy to his church for whatever reason.

Mr. Horan:

Are both parcels in the same name?

Mr. Cappelli:

Yes.

Mr. Horan: At some point in time we will have to see how the deed is listed as. So the applicant here is the prospective purchaser rather than the owner?

Mr. Cappelli: No, it's a co-application.

Mr. Horan: For both of them?

Mr. Cappelli: Yes.

Conversation continues and it was decided that Mr. Cappelli would resubmit for November 29th meeting to provide the information on the allotted number of parking required.

New & Old Business:

2017 Schedule

Mr. Casella:

Mr. Galotti:

Vote:

Motion to approve the 2017 schedule.

Second the Motion.

All present voted Aye.

Respectfully Submitted,

Adjourned: 9:00 pm

Bea Ogunti
Secretary
Zoning Board of Appeals