

MINUTES

**Town of Wappinger
Zoning Board of Appeals
January 10, 2017
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
Mr. Travis	Member	Present

Others Present:

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

SUMMARY

Public Hearing:

Jamie Bulson & Kim Ortega	Public Hearing on January 24, 2017 Site visit on January 14, 2017
Jose Matute & Carmy Guangalli	Public Hearing on January 25, 2017 Site visit on January 14, 2017
Christopher Antal	Public Hearing on January 25, 2017 Site visit on January 14, 2017

Mr. Johnston: **Motion to accept the Minutes from December 13, 2016.**
Mr. Casella: Second the Motion.
Vote: All present voted Aye.

Discussion:

Appeal No. 17-7606 (Variance)

Jamie Bulson & Kim Ortega:

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

-Where **50 feet** to the rear yard property line is required, the applicant can only provide **5 feet** for a garage, thus requesting a variance of **45 feet**.

-Where **25 feet** to the side yard property line is required, the applicant can only provide **5 foot** for a **24' x 24'** garage, thus requesting a variance of **20 feet**.

-Where **10 feet** to the rear property line is required, the applicant can only provide **3 feet** for a shed, thus requesting a variance of **7 feet**.

-Where **75 feet** to the front yard property line is required, the applicant can only provide **5 feet** for a shed, thus requesting a variance of **70 feet**.

The property is located at **2 Middlebush Road** and is identified as **Tax Grid No. 6157-01-242792** in the Town of Wappinger.

Mr. Prager: Good evening. Please state your name for the record.

Mr. Bulson: Jamie Bulson.

Mr. Prager: Please tell us a little bit about what you need and why you need it.

Mr. Bulson: I'm trying to build a garage and I need a variance because I don't meet the setback to the side of the property.

Mr. Prager: Why are you putting the garage that close to the property line?

Mr. Bulson: It seems to be the best location for it.

Mr. Prager: You have four very substantial variances here so tell us a little bit about what you are doing with the garage. Will it be a one or two car garage?

- Mr. Bulson: I'm requesting a 24' x 24' garage so it will be for two cars.
- Mr. Prager: Is it one or two stories?
- Mr. Bulson: It will be a single story garage.
- Mr. Galotti: Is it just to house cars?
- Mr. Bulson: Yes, it is for car and storage because the house is very small. There's only one closet in the house.
- Mr. Johnston: Where will you move the shed to?
- Mr. Bulson: The shed is in the back of the property. I want to move the shed and put the garage where the shed currently is.
- Mr. Casella: So you are going to move the existing shed and put it to the proposed shed area?
- Mr. Bulson: Yes.
- Mr. Travis: Is it a stick built or a prefab garage?
- Mr. Bulson: It is stick built.
- Mr. Travis: Have you spoken to an architect or an engineer? I'm only asking because of the proximity to the property line. I think there's some consideration in the code where there's a possibility that part of that structure is going to be fire rated which can add to your cost. Have you looked into that at all? I don't have the code before me but I think there are issues with the location within 3 to 5 feet.
- Mr. Bulson: It is 5 feet from the garage.
- Mr. Travis: Looks like it is 1 foot from the side.
- Mr. Bulson: It should be 5 feet for the front and 5 feet for the side.
- Mr. Travis: On the survey it says one foot. Is there any way it can be moved? That might be a design consideration and it could save you some cost to the building structure.

Mr. Prager: Is it 1 foot or 5 feet?

Mr. Bulson: It is 5 feet.

Mrs. Roberti: We will change that to 5 feet.

Mr. Horan: On the plat plan that was submitted with the variance application it shows 1 foot but on the survey map he has it as 5 feet.

Mr. Prager: So it is my understanding that Variance No. 2 on your application states 25 feet is required and you can provide 1 foot. Is it 1 or 5 feet?

Mr. Horan: It should be 5 feet.

Mr. Prager: Is the application wrong?

Mr. Bulson: Yes.

Mr. Travis: Variance No. 2 will have to be changed to 5 feet.

Mr. Prager: So you are requesting 20 feet variance. We will schedule a site inspection for Saturday morning around 9:00am. Please mark the area out where you are putting the shed and garage as well as the property line. We will also schedule the Public Hearing for January 24th.

Mr. Bulson: Thank you.

Appeal No. 17-7607 (Variance)

Jose Matute & Carmy Guangalli: Seeking an area variance Section 240-37 of District Regulations in an R40 Zoning District.

-Where **75 feet** to the front yard property line is required on a state or county road, the applicant can only provide **64 feet** for the construction of a new single family residence, thus requesting a variance of **11 feet**.

The property is located at **375 Old Hopewell Road** and is identified as **Tax Grid No. 6257-04-559400** in the Town of Wappinger.

Present: Alfred Cappelli – Architect

Mr. Prager: Good evening.

Mr. Cappelli: Alfred Cappelli on behalf of the applicant.
Mr. Prager: Al, go ahead and explain what you are doing here.

Mr. Cappelli: We have an existing older 2-story single family home. We submitted a site plan, survey and the property is on 6+ acres. The house is all the way up on Old Hopewell Road and we know we need 75 feet. We intend to take the house down to the foundation, rebuild with some small additions to the house which won't affect the setback. There's a porch to the right of the house that's probably going to center. The 64 feet is because of the new porch that I'm going to put on the front. I'm told by the zoning administrator because I'm adding the porch it means I'm adding to the house so we need to conform to the 75 feet setback.

Mr. Johnston: So it is basically the same footprint.

Mr. Cappelli: It is the same footprint.

Mr. Johnston: Is anyone living there presently?

Mr. Cappelli: No one is living there now so you can go there anytime you want.

Mr. Prager: We will schedule a site visit on Saturday around 9:15am and a Public Hearing on January 24th.

Appeal No. 17-7608 (Variance)

Christopher Antal: 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 **8 feet** to replace existing stairs, wrap around deck and install shower downstairs, thus requesting a variance of **12 feet**.

-Where **35 feet** from the front yard property line is required, the applicant can only provide **30.2 feet** to replace existing stairs, wrap around deck and install shower downstairs, thus requesting a variance of **4.8 feet**.

The property is located at **10 Marlerville Road** and is identified as **Tax Grid No. 6157-01-091682** in the Town of Wappinger.

Mr. Prager: Good evening.

Mr. Antal: Good evening. I am Chris Antal, the owner of the property.

Mr. Prager: It seems like everything you are doing here is existing.

Mr. Antal: I bought this place in 2004 and I live there with my family. I took out a permit and made the downstairs a living area. When I moved in there were concrete steps that goes to the second level. There is a concrete box that existed and concrete steps that were collapsing and retaining wall to get to the back end of the house. I think I have a permit for that. The initial plan that I had submitted had me building over the existing concrete steps. I changed that plan without getting an amendment. That was my mistake. The reason why I changed it is when I renovated the downstairs I put in a window. If I put steps in where the existing ones were would block the window. I'm also putting a fish pond in the front. It made sense to put one set of steps to give access to the front and back door. That's what I ended up doing. When Sal came over he found that I built over an existing step and walkway so I needed to get a variance.

Mr. Johnston: So you already built all of those things?

Mr. Antal: It's not completely done but it exists.

Mr. Johnston: What's the shower?

Mr. Antal: I don't need a variance for the shower. I was just trying to save some money on a building permit.

Mr. Prager: We will do a site inspection on Saturday and a Public Hearing on January 24th.

Mr. Johnston:
Mr. Casella:
Vote:

Motion to adjourn.
Second the Motion.
All present voted Aye.

Respectfully Submitted,

Adjourned: 7:28 pm

Bea Ogunti
Secretary
Zoning Board of Appeals