

MINUTES

**Town of Wappinger
Zoning Board of Appeals
June 13, 2017
Time: 7:00PM**

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

Summarized Minutes

Members:

Mr. Prager	Chairman	Present
Mr. Casella	Co-Chair	Present
Mr. Johnston	Member	Present
Mr. Galotti	Member	Present
Mr. Travis	Member	Present

Others Present:

Mrs. Roberti	Zoning Administrator
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SUMMARY

Discussion:

Patrick Carroll

Public Hearing on June 27, 2017
Site Visit on June 17, 2017

Mr. Galotti: Motion to accept the Minutes from May 23, 2017.
Mr. Johnston: Second the Motion.
Vote: All present voted Aye.

Discussion:

Appeal No. 17-7617 (Variance)

Patrick Carroll: Seeking an area variance Section 240-37 of the District Regulations in an R40 Zoning District.

-Where **25 feet** to the side yard property line is required, the applicant can only provide **18 feet** for the construction of a **20' x 37'** new rear deck, thus requesting a variance of **7 feet**. The property is located at **223 Myers Corners Road** and is identified as **Tax Grid No. 6258-02-682584** in the Town of Wappinger.

Mr. Prager: Good evening.

Mr. Carroll: Good evening sir.

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

Mr. Carroll: Patrick Carroll.

Mr. Prager: What we do here is get any information from you tonight before the public hearing. If we feel we need additional information you will give to us before the public hearing. We will set a site inspection to look at the property. So please tell us what you need and why you need it.

Mr. Carroll: The deck we have on the house has been there for 25+ years and it's starting to fall apart. We built an addition to our house about 10 years ago and since we are going to build a new deck we figure we extend it to the length of the house. If I build the deck, one corner of the deck will extend 7 feet into the New Hackensack Firehouse.

Mr. Prager: Is the other deck going to remain?

Mr. Carroll: We only have one deck so we are taking existing deck down and replacing with the new deck.

Mr. Prager: The map that I have says wood deck in the back.

Mr. Carroll: No, this is the existing house and about 6-8 years ago we put an addition to our deck about 25 feet to the property line. We are taking this deck down and extending it from this corner and to here.

Mr. Prager: That's not exactly how it's drawn in. Everybody see this and understands it?

Mr. Johnston: How wide is the deck that you are proposing?

Mr. Carroll: I do have a plan in there and hopefully you have that.

Mr. Prager: I'm impressed with the amount of information you provided to us. Normally we don't get a lot of this.

Mr. Carroll: I just wanted to make this easy for everyone.

Mr. Travis: There are some discrepancies in what's needed on the application and what's in this packet. Did you have a survey done and do you know exactly what the property line is?

Mr. Carroll: I did a survey. What you see is the parcel access. I know it's not the bible but you guys use it as a reference. I have a survey which shows my property and my neighbor's property next door. Here's the survey I provided when we built the addition to our house. Now it's not reflecting the new addition to the house. The survey was so small Mrs. Roberti had a hard time coming up with the right distance.

Conversation continues.

Mr. Prager: What's that chicken coop on the property?

Mr. Carroll: Those things are damaged and are gone. If I had given you a new survey you would see that they are no longer there. When you visit the property you will see that they are gone.

Mr. Prager: Okay. Are you okay Rich?

Mr. Travis: Yes, I am. I just wanted to make sure it was accurate.

Mr. Prager: We will schedule a site visit for Saturday around 9:00am for those of us that can make it. The others will stop by during the week. We will also schedule a public hearing for June 27th. Also, please put a mark where your property line is.

Mr. Carroll: I already did. I boxed out where the new deck is going from start to finish and I also gave you 25 feet from the property line to neighbor and the 21 feet mark from the parcel access.

Mr. Prager: We have some paperwork for you.

Mrs. Roberti: That has to go out this week.

Mr. Carroll: Thank you very much.

New & Old Business:

Old Hopewell Commons

Mrs. Roberti: At the last meeting you granted a variance for Old Hopewell Commons at the corner of Old Hopewell Road and Sgt. Palmateer Way. Unfortunately, SEQRA wasn't concluded at the Planning Board and this was discussed openly with the owner and his engineer. It was decided that instead of having him come back and start the process all over if you would rescind your decision pending the SEQRA process. So it will be a temporary rescission on your vote and once the Planning Board concludes the SEQRA process and issues a Negative Declaration this will be put on the next agenda as a line item for you to reaffirm your decision.

Mr. Casella: Motion to temporarily rescind the decision due to the fact that we did not have SEQRA approval from the Planning Board.

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

Mrs. Roberti:

Had we not discovered this now that would have been a fatal flaw and had the Planning Board approved it and it moved forward, someone could have found that while they were in the middle of construction. They would have to stop everything.

Mr. Galotti:

Mr. Johnston:

Vote:

Motion to adjourn.

Second the Motion.

All present voted Aye.

Respectfully Submitted,

Adjourned: 7:12 pm

Bea Ogunti
Secretary
Zoning Board of Appeals