



Village of Wappingers Falls

Office of Planning & Zoning

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MINUTES OF THE ZONING BOARD OF APPEALS 11/10/2020

This meeting was held online and telephonically utilizing the WebEx platform.

Present: Allen Firstenberg – Chairman, Heidi Murphy – Vice Chair, Bridget Gannon, Frank Barresi, Loretta Holloway, Vincent Harvey (Alternate), Lisa M. Cobb (Attorney), Mercedes Perez (Planning and Zoning Assistant)

The meeting was called to order at 7:02 p.m.

The Planning and Zoning Assistant completed roll call of the Zoning Board members.

The Zoning Board Chair read the Statement of Compliance.

Motion to approve the November 12, 2019 minutes:

Motion: Bridget Gannon

Second: Frank Barresi

All in favor – none opposed

Abstained: Loretta Holloway

Roll Call Vote: Heidi Murphy – Aye

Bridget Gannon – Aye

Frank Barresi – Aye

Allen Firstenberg – Aye

Loretta Holloway – Abstained

Motion to approve the August 11, 2020 minutes:

Motion: Bridget Gannon

Second: Loretta Holloway

All in favor – none opposed

Roll Call Vote: Heidi Murphy – Aye
Bridget Gannon – Aye
Frank Barresi – Aye
Loretta Holloway – Aye
Allen Firstenberg – Aye

Motion to approve the October 6, 2020 minutes:

Motion: Frank Barresi
Second: Bridget Gannon
All in favor – none opposed

Roll Call Vote: Heidi Murphy – Aye
Bridget Gannon – Aye
Frank Barresi – Aye
Loretta Holloway – Aye
Allen Firstenberg – Aye

CONTINUATION OF PUBLIC HEARING

13 HILLSIDE AVENUE - 13 Hillside Avenue (Grid #6158-13-207344) – Adam T. Lauricella and Keely Sheehan (Owners and Applicants); Alfred A. Cappelli, Jr. (Architect) – Area Variance Application.

This property is located in the Residential (R) zoning district. The applicant is seeking to install a 15 ft. diameter above ground swimming pool in the yard. The required variance includes the following:

1. §151 Table 2A – allowed maximum lot coverage of 35%. The installation of a 15 ft. diameter above ground swimming pool would exceed the allowed maximum lot coverage.

Motion to reopen the public hearing:

Motion: Bridget Gannon
Second: Frank Barresi
All in favor – none opposed

Roll Call Vote: Heidi Murphy – Aye
Bridget Gannon – Aye
Frank Barresi – Aye
Loretta Holloway – Aye
Allen Firstenberg – Aye

Motion to close the public hearing:

Motion: Bridget Gannon

Second: Frank Barresi

All in favor – none opposed

Roll Call Vote: Heidi Murphy – Aye

Bridget Gannon – Aye

Frank Barresi – Aye

Loretta Holloway – Aye

Allen Firstenberg – Aye

Motion to grant a 9.6% area variance with the condition that the variance is granted to allow the existing conditions to remain and should any of the existing conditions be removed the variance becomes null and void, and any new lot coverage would require a new variance:

Motion: Frank Barresi

Second: Bridget Gannon

All in favor – none opposed

Roll Call Vote: Heidi Murphy – Aye

Bridget Gannon – Aye

Frank Barresi – Aye

Loretta Holloway – Aye

Allen Firstenberg – Aye

PRESENTATION AND DISCUSSION

GAS LAND - 1663 Route 9 - 1663 Route 9 (Grid #6158-14-498418) – Gas Land Holdings Corp. (Zeidan Nesheiwat) (Owner and Applicant); Chazen Companies (Consultant) – Site Plan.

This property is located Commercial Mixed Use (CMU) zoning district. The applicant is seeking to construct an addition and related site improvements to an existing gas station. The required variances include the following:

1. §151 Table 2F – required minimum building height is 2 stories – existing structure and proposed addition are only 1 story. Therefore, a one-story variance is required.

2. §151 Table 2F – required front setback – the maximum permitted setback for a principal building from a principal and secondary frontage is 12 feet. The building addition is set back 76 ft. ± from Route 9 (the principal frontage) and will require a 64 ft. ± variance. The building addition is set back 70 ft. ± from the secondary frontage on North Mesier Avenue and will require a 58 ft. ± variance.
3. §151 Table 2F requires a minimum frontage buildout at setback for the principal building of 80%. The total frontage of the lot is 149 feet ±, 80% of which is 119 ft. ±. The structure, inclusive of the proposed addition, is 64 ft. ± wide, requiring a variance of 55 feet ±.
4. §151-25(C)(7) prohibits signs with flashing, blinking, intermittent, or moving lights, or any artificial light which does not maintain stationery and constant intensity and color at all times, except signs displaying time and/or temperature. The proposed sign with digital pricing violates this section of the Code.
5. §151 Table 2F requires a side yard setback of a maximum of 24 ft. Proposed is 27.3 ft., requiring a 3.3 ft. variance.

DISCUSSION

The Zoning Board of Appeals discussed the proposed Delavergne Avenue Subdivision, 40 Delavergne Avenue, Grid #6158-01-164655 (Town of Poughkeepsie) and Grid #6158-09-173629 (Village of Wappingers Falls).

Motion to grant the Town of Poughkeepsie Planning Board right to be lead agency for Delavergne Avenue Subdivision:

Motion: Allen Firstenberg

Second: Bridget Gannon

All in favor – none opposed

Roll Call Vote: Heidi Murphy – Aye

Bridget Gannon – Aye

Frank Barresi – Aye

Loretta Holloway – Aye

Allen Firstenberg – Aye

Motion to adjourn meeting:

Motion: Bridget Gannon

Second: Frank Barresi

All in favor – none opposed

Roll Call Vote: Heidi Murphy – Aye
Bridget Gannon – Aye
Frank Barresi – Aye
Loretta Holloway – Aye
Allen Firstenberg – Aye

The meeting was adjourned at 8:17 p.m.