

Village of Wappingers Falls



Office of Planning & Zoning
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MINUTES OF THE ZONING BOARD OF APEALS 11/12/2019

Present: Allen Firstenberg – Chairman, Rachel DiGrazia – Vice Chair, Frank Barresi, Bridget Gannon, Vincent Harvey (alternate), Heidi Murphy, Lisa M Cobb (Attorney)

Absent: Loretta Holloway (alternate)

The meeting was called to order at 7:31 p.m.

CONTINUED PUBLIC HEARING

HABITAT FOR HUMANITY – PAGGI TERRACE SUBDIVISION - Paggi Terrace (Grid No. 6158-80-423052) - Habitat for Humanity of Dutchess County (Owner), David Freeman, Architect (Applicant) – Subdivision Application.

The property is located in the Village Residential (VR) zoning district. The applicant is proposing a subdivision of existing .26-acre lot into three residential lots for single family homes. The following variances are requested:

1. From §151-24 and Table 5, which requires 4 parking spaces per dwelling unit. The applicant is proposing 2 parking spaces per unit, which would require a variance of 2 spaces per unit.
2. From §151-24(C) which prohibits parking in the front yard. The applicant is proposing parking in the front yard, which would require a variance. (Note: This request has been withdrawn by the applicant, and revised plans submitted to the ZBA.

Motion to re-open the public hearing:

Motion: Bridget Gannon

Second: Frank Barresi

All in favor – none opposed

Roll Call Vote: Heidi Murphy – Aye
Frank Barresi – Aye
Rachel DiGrazia – Aye
Bridget Gannon – 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
Frank Barresi – Aye
Rachel DiGrazia – Aye
Bridget Gannon – Aye
Allen Firstenberg – Aye

- Review of Short Environmental Assessment Form Part 2

Motion that the ZBA, as an involved agency, pursuant to an uncoordinated review for an Unlisted action, determine that the Habitat for Humanity Paggi Subdivision would not have a significant adverse effect on the environment and that no environmental impact statement will be required for the reason set forth in the SEQR Negative Declaration for an Unlisted action dated November 12, 2019:

Motion: Allen Firstenberg
Second: Bridget Gannon
All in favor – none opposed

Roll Call Vote: Heidi Murphy - Aye
Frank Barresi – Aye
Rachel DiGrazia -Aye
Bridget Gannon – Aye
Allen Firstenberg – Aye

Motion to grant a variance of two (2) parking spaces per lot for each of the three (3) proposed lots shown on the proposed subdivision plat:

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

Roll Call Vote: Heidi Murphy – Aye
Frank Barresi – Aye
Rachel DiGrazia – Aye
Bridget Gannon – Aye
Allen Firstenberg – Aye

CLOSED PUBLIC HEARING/DELIBERATION ONLY

BUCKINGHAM PROPERTIES – Nelson Ave. – (Grid #6158-13-071325) – Charles P. May (applicant) Oak Tree Gardens Inc. c/o Mr. Edward Cohen (owner) - Site Plan. THIS MATTER IS BEING ADJOURNED WITH THE CONSENT OF THE APPLICANT.

The property is located in a Residential Mixed-Use (RMU) Zoning District. The applicant is proposing to construct a 172-unit apartment complex, townhomes and associated structures. The applicant is seeking variances from the following sections of the Village Code:

1. 151-9(B) (1) which requires that a public or private right-of-way be provided for access to each principal building, with such access consisting of a right-of-way not less than 40 feet wide with a road width of a minimum of 18 feet;
2. Section 151-24(C), which prohibits parking in a front yard; and
3. Table 2B which sets forth the required (maximum) setbacks for principal buildings.

For the project as a whole, the following variances are needed:

- A. From §151-9(B) (1), for the right-of-way (ROW). The ROW has encroachments of parking and accessory structures.
- B. From Table 2B, which mandates a maximum side yard setback of 12 feet. Variances are required for each principal building as shown on the plans.

For the theoretical “lots,” the following variances are required:

Lot#1/Building (D)

- 1a. Side yard south requires variance of 29’
- 1b. Side yard north requires variance of 3’

Lot#2/Building (A)

- 2a. Frontage variance of 13’ required
- 2b. Side yard north and south both require a variance of 70’
- 2c. Setback variances for carports F, G and K is required to allow them in the front yard and trash enclosure
- 2d. 40’ ROW requires variance; carports F, G and K encroach
- 2e. Parking in front yard variance required

Lot#3/Building (B)

- 3a. Side yard east needs variance of 20' 2"
- 3b. Side yard west needs variance of 10
- 3c. Setback variances are required for carports I and J to allow them to be in the front yard
- 3d. 40' ROW requires variance; carports I and J encroach into it and trash enclosure
- 3e. Parking in front yard variance required

Lot #4/Building (C)

- 4a. Side yards east need variances of 4'
- 4b. Setback variance for carport H is required to allow it to be in the front yard and trash enclosure
- 4c. 40' ROW requires variance; carport H encroaches into it
- 4d. Parking in front yard variance required

Lot#5/Building (E)

- 5a. Frontage setback variance of 6' required
- 5b. Side yards north needs a variance of 8' and side yard south need a variance of 7'
- 5c. Parking in front yard variance required

Motion to adjourn meeting:

Motion: Heidi Murphy

Second: Frank Barresi

All in favor – none opposed

The meeting was adjourned at 7:56 p.m.