

3 Van Wyck Lane
Suite 2
Wappingers Falls, New York 12590
Phone: 845-223-3202

June 20, 2022
Town of Poughkeepsie Zoning Board
1 Overocker Road
Poughkeepsie, NY 12603

Sent Via: Hand Delivery

**Re: Wiltse Estates Subdivision – Lot #19
Wiltse Road, Edwin Road, Old Field Road
Town of Poughkeepsie**

Dear Zoning Board Chair and Board Members:

Please find the Following Enclosed:

- Eleven copies of the application form

The applicant, Celeste Wiltse is requesting a 5' area variance for a barn located within 5 feet of a property line shared with the Town of Poughkeepsie. The barn has been in this location since, or about, 2004. The barn is over 300 feet from the road and may be visible during leaf-off conditions. In addition, a SUP is being applied for due to the keeping of animals on the property. Animals include:

- 4-10 horses
- 5 cows
- sheep, goat(s), chicken(s)
- 5 pot belly pigs

The barn is used for rehabbing various native wildlife; racoons, squirrels, dogs, cats, birds, etc.
The numbers can vary daily from 1 to an entire litter.

The existing barn is 201' to the closest proposed lot.

The manure is taken offsite for composting. It is not stored within 100' of an adjacent parcel.

We respectfully request this information be added to the previous ZBA application. Should you require any additional information, please feel free to contact this office.

Very truly yours,



Amy Bombardieri



Town of Poughkeepsie

Planning & Zoning

1 Overocker Road
Poughkeepsie, NY 12603

845-485-3657 Phone
845-486-7885/790-4772 Fax

Town of Poughkeepsie Zoning Board of Appeals

Application for Use Variance / Special Use Permit

APPROVAL REQUESTED FOR: (Check all that apply)

Use Variance

Special Use Permit

Name of Project (if applicable): Wiltse Estates Subdivision of Lot 19

Name of Applicant(s): Celeste Wiltse

Address: 29 Wiltse Ln, Poughkeepsie, 12603

Telephone: 914.755.4122

Name and Address of Record Owner(s): Same

Name and Address of Attorney or professional representative: Amy Bombardieri /Day|Stokosa Eng.

Telephone: 845.590.1402

Street Address of all parcels: 29 Wiltse Lane 12603

Tax Map Number of all parcels: 134689-6262-04-610315

Zoning District: R-20

Have any permits affecting the property been issued by any other governmental agency?

No Yes If yes, please list in detail (attach separate pages if necessary):

Has any application(s) for any other permit(s) for any activity affecting the property been submitted to any other governmental agency? No Yes . If yes, please list in detail (attach separate pages if necessary):

Planning Board, ZBA

Attach a copy of the current deed and any easements affecting the property.

A) For Use Variance Applications:

Provide a description of the proposed activity with regard to the following standards. (Attach additional pages as necessary). In order to prove unnecessary hardship the applicant shall demonstrate to the Zoning Board of Appeals for each and every permitted use under the zoning regulations for the particular district where the property is located:

- 1) That the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence, and

- 2) That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood, and

- 3) That the requested use variance, if granted, will not alter the essential character of the neighborhood, and

- 4) That the alleged hardship has not been self-created.

B) For Special Use Permit Applications (except accessory apartment):

Provide a description of the proposed activity with regard to the following standards. (Attach additional pages as necessary):

- 1) That there would not be any detrimental effect by the establishment of such use on other uses within the district.

The barn is adjacent to a municipal parcel and will not be detrimental.

- 2) That such use will be in harmony with the orderly development of the district and the location, nature and height of buildings, walls, fences and parking areas will not discourage the appropriate development and use of adjacent lands.

The barn is existing and in compliance with the existing neighborhood.

- 3) That all structures, equipment and materials shall be reasonably accessible for fire and police protection.

The barn is accessible by a driveway

- 4) That the use meets the prescribed requirements for the district in which located, including minimum yard requirements for the district in which located or as further specified in this section and including maximum height, required off-street parking and sign regulations.

An application for side yard set back is under review by the ZBA

- 5) Noise. The maximum noise level at the property line applicable to the use involved shall not exceed the maximum established under Chapter 139 of the Town Code.

Noise levels will be in compliance with code.

- 6) Discharge of water. No polluting or objectionable waste shall be discharged into any stream or other natural drainage channel or upon the land that will in any way interfere with the quality, operation or continuation of these natural systems or contribute to their despoliation.

There will be no discharge

- 7) Traffic access. All proposed traffic access ways shall be adequate but not excessive in number; adequate in width, grade and alignment and visibility; shall be sufficiently separated from street intersections and other places of public assembly; and shall meet other similar safety considerations.

Driveways are in accordance with fire and town code

- 8) Parking. Adequate off-street parking and loading spaces shall be provided in accordance with the off-street parking and loading requirements of this Chapter. Shared parking is encouraged where the peak parking demands of different uses occur at various times of the day. Use of a widely accepted means of projecting demand for shared use, such as the Urban Land Institute's Shared Parking report may be employed to demonstrate shared parking effects.

No parking is required.

- 9) Circulation. The interior circulation system shall be adequate to provide safe accessibility to all required off-street parking, and to provide for the convenience and safety of vehicular, pedestrian, and bicycle movement within the site and in relation to adjacent areas or roads.

No parking is required.

- 10) Landscaping and screening. All parking and service areas shall be reasonably screened during all seasons of the year from the view of adjacent residential lots and streets and the general landscaping of the site should be in character with that generally prevailing in the neighborhood. Existing trees twelve (12) inches or more in diameter at breast height (dbh) should be preserved to the maximum extent practical.

The barn is screened with existing vegetation

- 11) Character and appearance. The character and appearance of the proposed use, buildings, structures, outdoor signs, and lighting shall be in general harmony with the character and appearance of the surrounding neighborhood, and shall not adversely affect the general welfare of the inhabitants of the Town.

The barn has a similar appearance to the neighborhood.

- 12) Historic and natural resources. The proposed use shall be designed and should be carried out in a manner that minimizes impacts to protect historic and natural environmental features on the site under review and in adjacent areas.

The barn will not be detrimental to the resources.

- 13) Sewage Treatment and Water Supply. The adequacy of available sewage disposal and water supply services supporting the proposed activity or use shall be sufficient to meet the needs of the proposed activity or use. This consideration should be given to both including, but not be limited to, the suitability of water supply and sanitary sewage facilities to accommodate the intended use, and the adequacy of measures to protect surface and groundwater from pollution.

The barn is not plumbed

- 14) Size and scale. The location and size of the proposed use, the nature and intensity of operations involved in or conducted in connection therewith, and the size of the site in relation to the use, its site layout and its relation to existing and future access streets should be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, or conflict with the normal traffic of the neighborhood.

The existing barn fits the character of the neighborhood.

- 15) The location and height of buildings; the location, nature and height of walls and fences; and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.

The existing barn fits the character of the neighborhood.

By His/Her signature the Applicant avows that: 1) He/She has read this application and is familiar with its content; and 2) He/She has read, is familiar with, and understands the requirements of the Town Poughkeepsie Code provision(s) affecting or regulating the project for which this application is made; and 3) He/She agrees to comply with the requirements of the Town Poughkeepsie Code provision(s) affecting or regulating the project for which this application is made including any general or special conditions of any permits or approvals granted by any board, agency, or department of the Town of Poughkeepsie; and 4) He/She has read this statement and understands its meaning and its terms.

Applicant Signature 

Print Name: Celeste Wiltse

Date: June 14, 2012

AFFIDAVIT TO BE COMPLETED BY OWNER

State of NY

County of Dutchess

ss:

Celeste Wiltse

being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for Zoning Board of Appeals approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize Day/Stokosa, to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Zoning Board of Appeals approval that I/we expressly grant permission to the Zoning Board of Appeals and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Zoning Board of Appeals action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
5. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Town Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Zoning Board of Appeals, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Town of Poughkeepsie, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Town Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
6. That I/we understand that the Zoning Board of Appeals intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

Celeste Wiltse

Applicant/Owner

Sworn to before me this 14th day of June, 2022.

Jennifer Maraday
Notary Public

JENNIFER MARADAY
Notary Public, State of New York
No. 01MA6150708
Qualified In Orange County
My Commission Expires August 7, 2022

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

State of NY }
County of Dutchess } ss:

Day|Stokosa/Brian Stokosa being duly sworn, deposes and says:

1. That I/we are the agent named in the foregoing application for Zoning Board of Appeals approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That he/she resides at 3 Van Wyck Lane, Wappingers Falls in the County of Dutchess and the State of New York.
3. That I/we understand that by submitting this application for Zoning Board of Appeals approval that I/we expressly grant permission to the Zoning Board of Appeals and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Zoning Board of Appeals action. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
4. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Town Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Zoning Board of Appeals, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Town of Poughkeepsie, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Town Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
5. That I/we understand that the Zoning Board of Appeals intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we has examined this affidavit and that it is true and correct.

Brian S. Stokosa, P.E.
Applicant/Agent

Applicant/Agent

Sworn to before me this 14th day of June, 2022.

Jennifer Maraday
Notary Public

JENNIFER MARADAY
Notary Public, State of New York
No. 01MA6150708
Qualified in Orange County
My Commission Expires August 7, 2022

DISCLOSURE OF BUSINESS INTEREST

State of NY }

County of Dutchess }

}
} ss:
}

Celeste Wiltse

being duly sworn, deposes and says:

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients, or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project: (Insert name, home address and municipal position held. Attach additional pages as necessary.)

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

3. That he/she understands that the Town of Poughkeepsie Zoning Board of Appeals intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.

Celeste Wiltse

Agent/Owner

Agent/Owner

Sworn to before me this 14th day of June, 2022.

Jennifer Maraday
Notary Public

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