



Town of Poughkeepsie

Planning & Zoning

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DECISION AGENDA SUMMARY
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
May 11, 2009
7:00 PM

1. **JAEL ESPANDA**, 244 Salt Point Turnpike, Zone SPC, Grid# 6260-01-075860-0000. Requesting an Area Variance for relief from Article VIII, §210-107(C) of Chapter 210 to allow an above ground swimming pool to be located 4 feet from a side lot line where 15 feet is required. Type II Action.

The public hearing was originally convened at the April 13, 2009 meeting but the applicant failed to appear. The applicant also did not appear at the May 11, 2009 meeting. The Board closed the public hearing without further comment and voted to DISMISS the application, without prejudice, due to the failure of the applicant to appear to discuss the application.

MOVED: Marcy Marlow

SECONDED: Karmen Buckey

CARRIED: 6:0:0

2. **ARLINGTON ANIMAL HOSPITAL**, 688 Dutchess Turnpike, Zone B-N, Grid# 6261-01-279882-0000. Requesting an Area Variance for relief from Article VIII, §210-92(O) of Chapter 210, Zoning, to allow 38 on-site parking spaces where 52 parking spaces are required and also requesting a Special Use Permit approval pursuant to Article VI, §210-33(C), Zoning, to allow the expansion of the Animal Hospital. Unlisted Action. The Town of Poughkeepsie Planning Board is the designated Lead Agency. No action on SEQRA has been taken by the Lead Agency.

This project involves a coordinated environmental review under which the Town Planning Board is the designated Lead Agency. The Board was advised by Staff that it cannot take action on the application until the Lead Agency has issued a Determination of Significance pursuant to SEQRA. On the recommendation of staff the public hearing was ADJOURNED to the June 8, 2009 meeting.

MOVED: Marcy Marlow

SECONDED: Karmen Buckey

CARRIED: 6:0:0

3. **LAKEVIEW PLAZA DEVELOPMENT**, 14 & 16 Creek Road, Zone I-H, Grid# 6162-02-666530-0000 and 6162-02-649538-0000. Requesting an Area Variance for relief from Article VIII, §210-60(B)(2)(a) of Chapter 210, Zoning, to allow the development of a business park having a lot size of ±1.72 acres where 5 acres is required. Unlisted Action. Uncoordinated review.

This matter was adjourned from the April 13, 2009 meeting. The applicant did not appear. The Board was advised that the Dutchess County Planning Department issued a recommendation, pursuant to GML 239-m to deny the application. On the recommendation of staff the public hearing was ADJOURNED to the June 8, 2009 meeting.

MOVED: Marcy Marlow

SECONDED: Karmen Buckey

CARRIED: 6:0:0

4. **RICHARD WILSON**, 7 Cleveland Drive, Zone R-20, Grid#6158-02-542876-0000. Requesting an Area Variance for relief from Article IV, §210-16(E), of Chapter 210, Zoning, to allow the construction of a shed to be located 3 feet from the side lot line where 20 feet is required. Type II Action.

The public hearing was convened. There was no public comment. The Board voted to close the public hearing and thereafter voted to APPROVE, with conditions, the application for the reasons as set forth in the resolution of the Board. The condition of approval requires the applicant to plant vegetation along the northern property line, between the proposed shed and the fence, to provide some visual screening of the shed from the adjoining property.

MOVED: Marcy Marlow
SECONDED: Arthur Grace
CARRIED: 6:0:0

5. **ST. FRANCIS HOSPITAL**, 19 Baker Avenue, Zone I-H, Grid# 6162-09-072632-0000 & 6162-09-072632-0001. Requesting an Area Variance for relief from Article IX, §210-126(C) of Chapter 210, Zoning, to allow one additional wall sign of 19 square feet where one wall sign of not more than 50 square feet is permitted. Unlisted Action. Coordinated Review. Town of Poughkeepsie Planning Board is the designated Lead Agency. A Negative Declaration resolution is on file with the Lead Agency.

The public hearing was convened. There was no public comment. The Board voted to close the public hearing and thereafter voted to APPROVE the application for the reasons as set forth in the resolution of the Board.

MOVED: Marcy Marlow
SECONDED: Arthur Grace
CARRIED: 6:0:0

6. **PATRICK COTTER**, 19 Ireland Drive, Zone R-20, Grid#6261-02-502840-0000. Requesting a Special Use Permit for Article VIII, §210-47 of Chapter 210, Zoning, to permit establishment of an accessory apartment unit within an existing single family residential dwelling. Unlisted Action. Uncoordinated review

The public hearing was convened. There was no public comment. The Board voted to close the public hearing. The Board determined that the proposed action would not have any significant environmental effects and thereafter issued a Negative Declaration pursuant to the requirements of SEQRA (Negative Declaration is on file). The Board subsequently voted to APPROVE the application for the reasons as set forth in the resolution of the Board.

MOVED: Marcy Marlow
SECONDED: Arthur Grace
CARRIED: 6:0:0

7. **PHILLIP NANNI**, 12 Williams Road, Zone R-20, Grid#6261-01-294792-0000. Requesting an Area Variance for relief from Article IX, §210-16(E) of Chapter 210, Zoning, to permit a proposed deck and sunroom addition to be located 18 feet from the side lot line where 20 feet is required. Type II Action.

The public hearing was convened. There was no public comment. The Board voted to close the public hearing and thereafter voted to APPROVE the application for the reasons as set forth in the resolution of the Board.

MOVED: Marcy Marlow
SECONDED: Arthur Grace
CARRIED: 6:0:0

8. **DOUGLAS & LORI ANDERSON**, 21 Lorraine Boulevard, Zone R-20, Grid#6159-04-920402. Requesting an Area Variance for relief from Article IV, §210-69 of Chapter 210, Zoning, to allow the

construction of a fence and hedge greater than 3 ½ feet in height within the front building line where fences and hedges greater than 3 ½ feet in height are prohibited. Type II Action.

The public hearing was convened. Several members of the public spoke in opposition to the application. The Board voted to close the public hearing and thereafter voted to DENY the application for the reasons as set forth in the resolution of the Board.

MOVED: Marcy Marlow

SECONDED: Karmen Buckey

CARRIED: 6:0:0

9. **MARQUIS VANDEWATER**, 20 West Cedar Street, Zone R-20, Grid#6162-09-167690-0000. Requesting an Area Variance for relief from Article VIII, §210-92(Q)(1) of Chapter 210, Zoning, to allow the parking or storage of motor vehicles in the front yard of the property. Type II Action.

The public hearing was convened. Several members of the public spoke in opposition to the application. The Board voted to close the public hearing and thereafter voted to DENY the application for the reasons as set forth in the resolution of the Board.

MOVED: Marcy Marlow

SECONDED: Arthur Grace

CARRIED: 6:0:0

10. **MANUEL & MARYELLEN SASAGUAY**, 21 Jackson Drive N, Zone R-20, Grid#6159-04-964388-0000. Requesting an Area Variance for relief from Article VIII, §210-107 of Chapter 210, Zoning, to allow the construction of an above ground pool (private) with metal decking measuring 30' x 15' to be located 8.5 feet from a rear lot line where 15 feet is required. Type II Action.

The public hearing was convened. There was no public comment. The Board voted to close the public hearing and thereafter voted to APPROVE, with conditions, the application for the reasons as set forth in the resolution of the Board. The condition of approval requires the applicant to plant vegetation along the northern and eastern property line to provide some visual screening of the pool from the adjoining property.

MOVED: Marcy Marlow

SECONDED: Arthur Grace

CARRIED: 6:0:0

11. **NANCY & JOE REBHOLTZ**, 14 Shamrock Circle, Zone R-20, Grid#6261-02-508741-0000. Requesting an Area Variance for relief from Article IV, §210-16(E), of Chapter 210, Zoning, to allow the construction of a one story attached addition to the rear of an existing dwelling to be located 15 feet from the side lot line where 20 feet is required. Type II Action.

The public hearing was convened. There was no public comment. The Board voted to close the public hearing and thereafter voted to APPROVE the application for the reasons as set forth in the resolution of the Board.

RECUSED: Paul Lahey

MOVED: Marcy Marlow

SECONDED: Arthur Grace

CARRIED: 5:0:0

12. **MICHAEL BISCARDI**, 7 Lorraine Blvd, Zone R-20, Grid#6159-04-865362-0000. Requesting and Area Variance for relief from Article IV, Section 210-16(E) of Chapter 210, Zoning, to allow an attached garage to be located 4 feet from the side lot line where 20 feet is required. Type II Action.

The public hearing was convened. There was no public comment. The Board voted to close the public hearing and thereafter voted to APPROVE, with conditions, the application for the reasons as set forth in the resolution of the Board. The condition of approval requires the applicant to plant vegetation along the eastern property line to provide some visual screening of the garage from the adjoining property.

MOVED: Marcy Marlow
SECONDED: Arthur Grace
CARRIED: 6:0:0

13. **ERNEST & GERALDINE SUTER**, 19 Merrywood Road, Zone R-20, Grid#6158-01-062754-0000. Requesting an Area Variance for relief from Article IV, §210-16(E) of Chapter 210, Zoning, to allow an addition to be located 15 feet from the side lot line where 20 feet is required. Type II Action.

The public hearing was convened. There was no public comment. The Board voted to close the public hearing and thereafter voted to APPROVE, with conditions, the application for the reasons as set forth in the resolution of the Board. The condition of approval requires the applicant to remove the excess pavement section between the proposed garage and the adjoining property line and replace it with lawn or landscaping.

MOVED: Marcy Marlow
SECONDED: Arthur Grace
CARRIED: 6:0:0

14. **MARY DIANA & SASHA RISTIC**, 86 Kingwood Park, Zone R-20, Grid#6160-03-224239-0000. Requesting an Area Variance for relief from Article IV, §210-16(E), of Chapter 210, Zoning, to allow an addition to be located 18 feet from the side lot line where 20 feet is required. Type II Action.

The public hearing was convened. There was no public comment. The Board voted to close the public hearing and thereafter voted to APPROVE the application for the reasons as set forth in the resolution of the Board.

MOVED: Marcy Marlow
SECONDED: Arthur Grace
CARRIED: 6:0:0

Meeting Closed 8:40 PM

MOVED: Karmen Buckey
SECONDED: Marcy Marlow
CARRIED: 6:0:0

PRESENT:
Chairman Challey
Member Grace
Member Buckey
Member Lahey
Member Marlow
Member Prisco

ABSENT:
Member Bomba
Member Santoro