



# Town of Poughkeepsie

## Planning & Zoning

1 Overocker Road  
Poughkeepsie, NY 12603

845-485-3650 Phone  
845-790-4772 Fax

**DECISION AGENDA  
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS  
REGULAR MEETING  
August 10, 2009  
7:00 PM**

**Old Business**

1. Adjourned Public Hearing. **RJG PROPERTIES, INC/PRECISION TUNE**, 2555 South Road, Zone B-H, Grid#6060-02-994630-0000. Hearing to consider whether to revoke a Special Use Permit pursuant to Article IX, §210-137.E(1) of the Town of Poughkeepsie Zoning Code, issued to Precision Tune on October 23, 1989 to establish a motor vehicle service facility on the premises on the grounds that at least three violations of the Special Use Permit have occurred and exist. Type II Action.

*The Board was advised by Staff that negotiations on a new license agreement with the Town were still on-going. The Board voted to adjourn the Public Hearing to October 19, 2009.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

2. Adjourned Public Hearing – **JOSEPH SALAMONE**, 27 Peacock Lane, Zone R-20,000, Grid #6159-01-230703-0000. Requesting an Area Variance for relief from Article VIII, §210-107(C) of the Town Code to allow an above ground pool to be located 3 feet from the side yard line where 15 feet is required. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

3. Adjourned Public Hearing – **OAKWOOD COMMONS**, 2507 South Road, Zone B-H, Grid #6060-04-976470-000. Requesting an Area Variance for relief from Article IX, §210-127(C) of the Town Code to allow a wall mounted sign of 36.76 square feet where a wall sign of not more than 24 square feet is permitted. Type II Action.

*The applicant requested that the application be withdrawn. The Board acknowledged the applicant's request and thereafter closed the public hearing and voted to dismiss the application without prejudice.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

4. Adjourned Public Hearing – **FRANK BASSO**, 19 Peacock Lane, Zone R-20,000, Grid #6159-01-196704-0000. Requesting Special Use Permit approval pursuant to Article VIII, §210-47 of the Town Code to permit establishment of an accessory apartment unit within an existing single family residential dwelling. Unlisted Action. Uncoordinated review.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

5. Adjourned Public Hearing – **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 the Town Code to allow an above ground swimming pool to be located 9 feet from a side lot line where 15 feet is required. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

6. Adjourned Closed Public Hearing – **HAIFA HOLDINGS**, 819 Main Street, Zone ATC, Grid #6161-08-871823-0000. Requesting an Interpretation regarding Article X, §210-134(B) of the Town Code as to whether the use of the site for automotive repair ceased for a period of one (1) year or more such that the use of the site for automotive repair is no longer permitted. Type II Action.

*The Board voted to deny the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

7. Adjourned Public Hearing – **JOHN MCKEE**, 2264-2270 South Road, Zone B-H, Grid #6159-01-243942-0000. Requesting an Area Variance for relief from Article IX, §210-122(2) and §210-127(B) of the Town Code to allow a second freestanding sign. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

### New Business

8. Public Hearing – **JOHN & SYLVIA CAULFIELD**, 3 Iris Court, Zone R-20, Grid # 6058-20-891060. Requesting an Area Variance for relief from Article IV, §210-16(E) of the Town Code to allow an existing deck with hot tub located 15 feet from the side lot line where 20 feet is required. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

9. Public Hearing – **ABD Stratford, LLC**, 198 Bower Road, Zone R-4A, Grid #6362-01-320922-0000. Requesting an Interpretation of §210-160(A) & §210-160(C) of the Town Code appealing a determination by the Zoning Administrator that townhouse type dwelling units are not permitted on the Stratford Farms Subdivision. Type II Action.

*The public hearing was convened. The Board asked applicant to come back with current tax records and a detailed cost of the sewage treatment plant that was installed. Public hearing was adjourned for September 14, 2009.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

10. Public Hearing –**ROBERT JULIANO** on behalf of **Poughkeepsie Propane LLC**, 238 Van Wagner Road, Zone I-H, Grid# 6262-03-183322-0000. Requesting Special Use Permit approval pursuant to §210-40(C) (3) and §210-40(E) of the Town Code to allow the construction of a 30 foot x 50 foot storage building to be located 19.2 feet from the side yard property line where 50 feet is required. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

11. Public Hearing – **JASON & AMY ROULEAU**, 11 Sparrow Lane, Zone R-20, Grid # 6159-01-242730-0000. Requesting an Area Variance for relief from Article IV, §210-16(E) of the Town Code to allow a deck addition to be located 18.4 feet from the rear lot line where 30 feet is required. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

12. Public Hearing – **WILFRED ROEHE** on behalf of **ROCHDALE FIRE COMPANY #1**, 1075 Dutchess Turnpike, Zone R-20, Grid # 6262-02-969592-0000. Requesting an Area Variance for relief from Article IV, §210-16(E) of the Town Code to allow the construction of an additional fire engine bay to be located 3.25 feet and .36 feet from the front lot lines where 30 feet is required. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Karmen Buckey**

**Second: Art Grace**

**Recused: Betty Bomba, Joe Prisco**

**Vote: 4:0:2**

13. Public Hearing – **JONATHAN M. FAY**, 18 Ireland Drive, Zone R-20, Grid # 6261-02-507809-0000. Requesting an Area Variance for relief from Article IV, §210-16(E) of the Town Code to allow an enclosed rear porch on existing foot print located 8 feet from the side lot line where 20 feet is required. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

14. Public Hearing – **MICHAEL LOPUKHIN**, 35 Spring Street, Zone R-20, Grid # 6162-06-304846-0000. Requesting an Area Variance for relief from Article VIII, §210-48 of the Town Code to allow a 20 foot x 20 foot detached garage to be located in front of the principal structure where an accessory building or structure shall not be constructed. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

15. Public Hearing – **BRADLEY & CARLA ENG-KOHN**, 7 Casperkill Drive, Zone R-20, Grid # 6160-04-564158-0000. Requesting an Area Variance for relief from Article IV, §210-16(E) of the Town Code to construct a 25 foot by 16 foot outdoor deck located 25 feet from the rear lot line where 30 feet is required. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

16. Public Hearing – **BRUCE CUNNINGHAM**, 43 Styvestandt Drive, Zone R-20, Grid # 6162-07-620917-0000. Requesting an Area Variance for relief from Article IV, §210-16(E) of the Town Code to allow an addition to an existing front porch to be located 24 feet from the front lot line where 30 feet is required and a proposed addition to the rear of the dwelling to be located 12.1 feet from the side lot line where 20 feet is required. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

17. Public Hearing – **VINCENT CROCCO**, 127 Violet Avenue, Zone R-20, Grid # 6162-07-513826-0000. Requesting an Area Variance for relief from Article IV, §210-16(E) of the Town Code to allow a front porch addition to be located 17.5 feet from the side lot line where 20 feet is required and a proposed back deck to be located 15 feet from the side lot line where 20 feet is required. Type II Action.

*The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

### **Correspondence**

**SEQR Lead Agency** – Town of Poughkeepsie Planning Board is requesting Lead Agency on Hudson Valley Market.

**Approval Granted**

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

**Meeting Closed 9:35 PM**

**MOVED: Elizabeth Bomba**

**SECONDED: Art Grace**

**CARRIED: 4-0**

**PRESENT:**

Member Bomba  
Member Buckley  
Member Grace  
Member Lahey  
Member Prisco

**ABSENT:**

Member Marlow  
Member Santoro