



Town of Poughkeepsie

Zoning Department

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
February 8, 2010
7:00 PM**

Old Business

1. Closed 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 Board adjourned the public hearing until the March 8, 2010 meeting.***

2. Public Hearing – **VASSAR PROPERTY, LLC**, 35 Vassar Road, Zone ROMNSC, Grid #6260-04-527253. Requesting an Area Variance for relief from Article V, §210-29, of the Town Code to amend a previously granted Special Use Permit to allow the conversion of an existing car wash facility to a restaurant use to be located within an existing motor vehicle service facility/convenience store. Unlisted Action. The ZBA has consented to the Planning Board acting as Lead Agency.

The Board adjourned the public hearing until the March 8, 2010 meeting.

Motion: Marcy Marlow

Second: Art Grace

Vote: 5:0:0

3. Public Hearing – **JOSEPH BARTOLONE** – 97 Cedar Valley Road, R-20, Grid #6260-01-294599-0000. Requesting a Special Use Permit approval pursuant to Article VIII, §210-47 of the Town Code to allow the establishment of an accessory apartment within an existing single family dwelling. Unlisted Action.

The Board closed the public hearing and dismissed the application without prejudice based on the failure of the applicant to appear at the meetings.

Motion: Marcy Marlow

Second: Art Grace

Vote: 5:0:0

4. Closed Public Hearing – **DONNA & MICHAEL ERTS** – 125 Fairview Avenue, R-20, Grid #6162-05-210779-0000. The requested Area Variance involves relief from Article IV, §210-16(E) of the Town Code to allow an existing principal structure to be located 18.5 feet from the front yard line where 30 feet is required due to a proposed subdivision of existing lot. Type II Action.

The Board voted to approve the application for the reasons as set forth in the resolution of the Board.

Motion: Marcy Marlow

Second: Art Grace

Recused: Paul Lahey

Vote: 4:0:1

New Business

5. Public Hearing – **RICHARD SELAGE** – 6 Martis Way, R-20, Grid #6262-01-053815-0000. The requested Area Variance involves relief from Article IV, §210-48 of the Town Code to allow a 9.5 foot x 9.5 foot shed to be located in front of the principal structure where an accessory building or structure shall not be located in front of a principal structure. Type II Action.

The applicant failed to appear. The Board adjourned the public hearing until the March 8, 2010 meeting.

Motion: Karmen Buckey

Second: Marcy Marlow

Vote: 5:0:0

6. Public Hearing – **ALISYN GAFFNEY** – 4 Van Wyck Drive Way, R-20, Grid #6162-07-541848-0000. The requested Area Variance involves relief from Article IV, §210-16(E) of the Town Code to allow an existing attached garage to be located 5 feet from the side lot line where 20 feet required. Type II Action.

The Board voted to approve the application for the reasons as set forth in the resolution of the Board.

Motion: Marcy Marlow

Second: Art Grace

Vote: 5:0:0

7. Public Hearing – **KONOVER DEVELOPMENT CORPORATION (Walgreens)** – 825-829 Dutchess Turnpike, B-H, Grid #6262-04-592073-0000. The requested Area Variance involves relief from Article VI, §210-35(E) of the Town Code to allow lot depth of 299.99 feet where 400 feet is required, a side yard setback of 2.0 feet where 40 feet is required, and a front yard setback of 38.1 feet where 40 feet is required. Type II Action.

The Board voted to approve the application for the reasons as set forth in the resolution of the Board.

Motion: Marcy Marlow

Second: Art Grace

Vote: 5:0:0

8. Public Hearing – **KONOVER DEVELOPMENT CORPORATION (Walgreens)** – 825-829 Dutchess Turnpike, B-H, Grid #6262-04-592073-0000. The requested Area Variance involves relief from Article VI, §210-35(E) of the Town Code to allow lot depth of 295.81 feet where 400 feet is required. Type II Action.

The Board voted to approve the application for the reasons as set forth in the resolution of the Board.

Motion: Marcy Marlow

Second: Art Grace

Vote: 5:0:0

Correspondence

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on Vassar College Wimpfheimer Nursery School–124 Raymond Avenue

The Board voted to consent to the Town Planning Board acting as Lead Agency on this matter.

Motion: Marcy Marlow

Second: Art Grace

Vote: 5:0:0

Meeting Closed at 7:33 PM
MOVED: Marcy Marlow
SECONDED: Art Grace
CARRIED: 5:0:0

PRESENT:

Member Challey
Member Buckey
Member Grace
Chairman Lahey
Member Marlow

ABSENT:

Member Bomba
Member Prisco
Member Santoro