



Town of Poughkeepsie

Planning & Zoning

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
March 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 April 12, 2010 meeting.

Motion: Art Grace

Second: Betty Bomba

Vote: 6:0:0

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 Planning Board, as the Lead Agency, issued a Negative Declaration.

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

Motion: Betty Bomba

Second: Art Grace

Vote: 6:0:0

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

Motion: Art Grace

Second: Jim Santoro

Vote: 6:0:0

New Business

4. Public Hearing – **DEGARMO 44, LLC (Walgreens)** – 825-829 Dutchess Turnpike, B-H, Grid #6262-04-592073-0000. The requested Area Variance involves relief from Article IX, §210-127(C) of the Town Code to allow 11 additional wall signs, of various sizes and totaling 229.4 square feet, where only one wall sign not to exceed 100 square feet is permitted.

The Board voted to approve one additional wall sign on the east face of the building not to exceed 52 square feet.

Motion: Karmen Buckey

Second: Paul Lahey

Vote: 6:0:0

- Public Hearing – **JAMES STELLA** – 12 Creek Bend Road, R-20, Grid # 6160-04-04791354-0000. The requested Area Variance involves relief from Article VIII, §210-48 of the Town Code to allow an existing 10' x 12' shed to be located 7 feet from the side lot line where 10 feet is required, and 8 feet from the rear lot line where 10 feet is required.

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

Motion: Karmen Buckey

Second: Paul Lahey

Vote: 6:0:0

- Public Hearing – **TOM & MARA GOULETTE** – 18 East Cedar Road, R-20, Grid # 6162-10-265709-0000. The requested Area Variance involves relief from Article IV, §210-16(E) of the Town Code to allow a proposed addition to be located 9.4 feet from the side lot where 20 feet is required.

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

Motion: Betty Bomba

Second: Art Grace

Vote: 6:0:0

- Public Hearing – **JAMES WEBB** – 17 East Bank Road, R-20, Grid # 6362-01-134528-0000. The requested Area Variance involves relief from Article III, §210-47(B)(2) of the Town Code to allow an accessory apartment to be located in a structure that is not attached to the principal structure; and relief from Article III, §210-47(C)(4) of the Town Code to allow an accessory structure having a square footage that is greater than 35% of the square footage of the principal structure.

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

Motion: Jim Challey

Second: Jim Santoro

Vote: 4:2:0

- Public Hearing – **KURT KUEHNER** – 423 Sheafe Road, R-20, Grid # 6159-03-015064-0000. The requested Area Variance involves relief from Article II, §210-9 and Article III, §210-13 (D) of the Town Code to allow the creation of a new building lot with an existing accessory structure (barn) where the creation of a lot having only an accessory structure with no principal structure is not permitted; and relief from Article IV, §210-16(E) to permit an existing accessory structure (barn) to be located 10 feet from the front yard line where 30 feet is required; and relief from Article VIII, §210-48 to allow an accessory structure to be located in front of a proposed principal structure where an accessory building or structure shall not be located in front of the principal structure.

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

Motion: Jim Challey

Second: Art Grace

Vote: 6:0:0

Meeting Closed at 9:22 PM

MOVED: Karmen Buckey

SECONDED: Art Grace

CARRIED: 6:0:0

PRESENT:

Chairman Challey
Member Bomba
Member Buckey
Member Grace
Member Lahey
Member Santoro

ABSENT:

Member Marlow
Member Prisco