



Town of Poughkeepsie

Zoning Department

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
September 13, 2010
7:00 PM**

→

Old Business

1. Public Hearing Closed, Deliberation – **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. **TO BE ADJOURNED.**

The public hearing was closed on December 14, 2009. At the request of the applicant the Board adjourned further deliberation on this matter until such time as the applicant requests the Board to continue deliberations.

Motion: Arthur Grace

Second: Elizabeth Bomba

Recused: Marcy Marlow

Vote: 6:0:1

2. Public Hearing - Public Hearing – **ASHTON PARK** - 2290 South Road, Zone B-NH, Grid# 6159-03-375410-000. The requested Area Variance involves relief from Article IX, §210-126(B) for the installation of a third freestanding sign of 92 square feet where one freestanding sign not greater than 50 square feet is permitted. Unlisted Action.

Previously adjourned to October 18, 2010.

3. Public Hearing Closed, Deliberation – **FRANK PERROTTA** – 18 Patricia Road, Zone R-20, Grid #6263-03-342205-0000. Requesting an Area Variance for relief from Article IV, §210-48 of the Town Code to allow a detached accessory structure to be located 4 feet from the side lot line where 10 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: Arthur Grace

Vote: 5:2:1

New Business

4. Public Hearing – **THEODORE KAPOGIANNIS** - 51 Durocher Terrace, R-20, Grid# 6262-03-323063-0000. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an attached rear deck to be located 16.5 feet from the side lot line where 20 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: Karmen Buckey

Second: Arthur Grace

Vote: 7:0:0

5. Public Hearing – **ALBERT LEON** – 16 Phyllis Road, R-20, Grid# 60588-20-820037-0000. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an attached rear porch to be located 16 feet from the side lot line where 20 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: Arthur Grace

Vote: 7:0:0

6. Public Hearing – **MICHAEL ROE**, 54 Sutton Park Road, R-20, Grid# 6259-01-066911-0000. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an attached rear deck to be located 11 feet from the side lot line where 20 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: Karmen Buckey

Second: Marcy Marlow

Vote: 7:0:0

7. Public Hearing – **CLINTON HASTINGS** - 206 North Grand Avenue, R-20, Grid# 6162-16-854402-0000. Requested Special Use Permit application pursuant to Article VIII, §210-92(Q)(3) of the Town Code to allow one commercial vehicle not permitted by right to parked in a residential district. Unlisted action. Uncoordinated Review.

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

Motion: Marcy Marlow

Second: Arthur Grace

Vote: 6:1:0

8. Public Hearing –**PHILIP and BARBARA VAN ITALLIE** – 17 Croft Road, R-20, Grid# 6160-01-190547-0000. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an attached garage to be located 6 feet from the side lot line where 20 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: Arthur Grace

Vote: 7:0:0

9. Public Hearing –**FRANK and MAUREEN RUBERTO** – 24 Dorliss Drive, R-20, Grid# 6162-20-886210-0000. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an attached front porch to be located 24 feet from the front lot line where 30 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: Elizabeth Bomba

Vote: 7:0:0

10. Public Hearing – **MARIST COLLEGE**, 3399 North Road, IN, Grid# 6062-02-87063-0000. The requested Area Variance is for relief from Article VI, §210-38(E) of the Town Code to allow an addition to the McCann Center building to be located 21 feet 8 inches from the side lot line where 50 feet is required, and a detached storage building to be located 22 feet from the side lot line where 50 feet is required. Coordinated Review. The Town Planning Board, as the Lead Agency, has issued a Negative Declaration for this Type I Action.

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

Motion: Marcy Marlow

Second: Arthur Grace

Vote: 7:0:0

Correspondence

SEQR Lead Agency – Notice of Negative Declaration for a Type 1 Action for Marist College McCann Center Addition- 3399 North Road.

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

Motion: Marcy Marlow

Second: Art Grace

Vote: 7:0:0

Meeting adjourned at 8:32 PM

MOVED: Marcy Marlow

SECONDED: Art Grace

CARRIED: 7:0:0

PRESENT:

Member Bomba
Member Buckey
Member Capone
Chairman Challey
Member Cuchelo
Member Grace
Member Lahey (Alternate)
Member Marlow

ABSENT: