



Town of Poughkeepsie

Zoning Board of Appeals

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Poughkeepsie, NY 12603

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DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
October 18, 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.

The public hearing was closed on December 14, 2009. At the request of the applicant the Board adjourned further deliberation on this matter until January 10, 2011.

Motion: James Challey
Second: Marcy Marlow
Recused: Marcy Marlow
Vote: 7:0:0

2. **Public Hearing – ASHTON PARK** - 2290 South Road, Zone B-NH, Grid# 6159-03-375410-0000. 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.

At the request of the applicant the Board adjourned further deliberation on this matter until December 13, 2010.

Motion: James Challey
Second: Elizabeth Bomba
Recused: Marcy Marlow
Vote: 6:0:1

New Business

3. **Public Hearing – Ryan and Sharon Wade** - 105 Ray Blvd. Zone R-20, Grid #6162-20-890249-0000. The requested Area Variance is for relief from Article VIII, §210-69 of the Town Code to allow a 6 foot fence to be located in a front yard where no hedge, fence or wall in excess of 3 ½ feet is permitted. Type II Action.

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

Motion: James Challey
Second: Arthur Grace
Vote: 4:3:0

4. **Public Hearing – Edward Wilson** – 3 Bruce Drive. Zone R-20, Grid #6362-01-190677-0000. The requested Area Variance is for relief from Article VIII, §210-48 of the Town Code to

allow an accessory building or structure to be constructed in front of a principal structure where an accessory structure shall not be constructed in front of nor be of a height greater than the principal structure in a residential district. Type II Action.

At the request of the Applicant the Board voted to adjourn the Public Hearing to November 8, 2010.

Motion: James Challey

Second: Elizabeth Bomba

Recused: Marcy Marlow

Vote: 6:0:1

5. **Public Hearing – Barry Tonge** - 6 North Jackson Road. Zone R-20, Grid #6159-04-790397-0000. 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 21 feet from the front lot line where 30 feet is required. Type II Action.

The Board voted to adjourn the Public Hearing to November 8, 2010.

Motion: Karmen Buckey

Second: Arthur Grace

Vote: 7:0:0

6. **Public Hearing – Douglas and Jennifer Dreyer** - 11 Priscilla Lane. Zone R-20, Grid #6161-03-116177-0000. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an addition to be located 24 feet 4 inches from the front lot line where 30 feet is required, and 9 feet 4 inches 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

7. **Public Hearing - Mike Arteaga's Health and Fitness Center Parking Expansion** - 230 & 234 North Road. Zone B-N, Grid #'s 6062-02-975581-0000 and 6062-02-976554-0000. The requested Area Variance is for relief from Article IV, §210-33(E) of the Town Code to allow Maximum Impervious Surface of 87% where the Maximum Impervious Surface Area shall not exceed 75%. Unlisted Action.

The Board voted to close the Public Hearing and adjourn deliberations on the application until November 8, 2010.

Motion: Anthony Cuchelo

Second: Arthur Grace

Vote: 7:0:0

8. **Public Hearing - Alisyn Gaffney** – 4 Van Wyck Drive. Zone R-20, Grid #6162-07-541848-0000. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an existing garage, which was previously granted an Area Variance to allow a setback of 5 feet from the side lot line where 20 is required, on February 8, 2010, to be converted into living space (utility room). Type II Action.

The Board voted to adjourn the Public Hearing to November 8, 2010.

Motion: James Challey

Second: Marcy Marlow

Vote: 7:0:0

9. **Public Hearing - John Lord** - 13 Eileen Boulevard. Zone R-20, Grid #6262-04-962335-0000. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an accessory structure to be located 5 feet from the side lot line where 10 feet is required and relief from Article IV, §210-48 of the Town Code to allow a 12 foot x 20 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: Marcy Marlow

Second: Arthur Grace

Vote: 7:0:0

10. **Public Hearing – William T. Brewer** - 6 Pleasant Lane. Zone R-20, Grid #6259-01-334869-0000. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an addition to be located 4 feet from the side lot line where 20 feet is required. Type II action.

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

Motion: Marcy Marlow

Second: Phyllis Capone

Abstained: Arthur Grace

Vote: 7:0:1

11. **Public Hearing - Enrique and Christine dePaz** - 24 Kinry Road. Zone R-20, Grid #6260-03-258030-0000. The requested Area Variance is for relief from Article VIII, §210-107(C), Chapter 210 of the Town Code to allow an above ground pool to be located 10 feet from the side lot line where 15 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

12. **Public Hearing - Peter Spielvogel** - 107 Violet Avenue. Zone R-20, Grid #6162-07-517781-0000. Application for Special Use Permit approval pursuant to Article VIII, §210-74 of the Town Code to allow the establishment of a home occupation, baking business, within an existing single family dwelling. Unlisted action. Uncoordinated review.

The Board voted to adjourn the Public Hearing and to November 8, 2010.

Motion: Marcy Marlow

Second: Elizabeth Bomba

Vote: 7:0:0

13. **Public Hearing – Healy Brothers Chevrolet** - 1960 South Road. Zone B-H, Grid #6159-03-394177-0000. Application for Special Use Permit approval pursuant to Article VIII, §210-72 of the Town Code to allow a tent sale on a commercial premises. 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: Elizabeth Bomba

Vote: 7:0:0

Correspondence

SEQR Lead Agency – Notice of Intent for Mike Arteaga’s Health & Fitness Center
Parking Expansion -230 & 234 North Road

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

Motion: James Challey

Second: Marcy Marlow

Vote: 7:0:0

SEQR Lead Agency - Notice of Intent for AT&T Mobility Colocation @ IBM – 54 River
Edge Road

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

Motion: James Challey

Second: Marcy Marlow

Vote: 7:0:0

Meeting adjourned at 9:30 PM

MOVED: Marcy Marlow

SECONDED: Arthur Grace

CARRIED: 7:0:0

PRESENT:

Member Bomba

Member Buckey

Member Capone

Chairman Challey

Member Cuchelo

Member Grace

Member Marlow

Member Lahey (Alternate)

ABSENT: