



Town of Poughkeepsie

Zoning Department

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
NOVEMBER 8, 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) and §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.

Previously adjourned to January 10, 2011.

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.

Previously adjourned to December 13, 2010.

3. **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.

The Board voted to adjourn this matter until December 13, 2010.

Motion: Arthur Grace

Second: Elizabeth Bomba

Vote: 7:0:0

4. **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, Section 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 and 16 feet from the side yard 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: Elizabeth Bomba

Second: Paul Lahey

Vote: 7:0:0

5. **Public Hearing - Mike Arteaga's Health and Fitness Center Parking Expansion** - 230 & 234 North Road. Zone B-N, Grid #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 Planning Board as the Lead Agency issued a Negative Declaration on October 21, 2010.

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

Motion: Elizabeth Bomba

Second: Arthur Grace

Vote: 7:0:0

6. **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, Section 210-16(E) of the Town Code to allow an existing garage, which on February 8, 2010 was previously granted an Area Variance to allow a setback of 5 feet from the side lot line where 20 is required, to be converted into living space (utility room); and relief from Article VIII, Section 210-92(Q)(1) to allow the parking or storage of motor vehicles in the front yard of the property as a result of the conversion of the garage to habitable space. Type II Action.

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

Motion: Elizabeth Bomba

Second: Arthur Grace

Recusal: Paul Lahey

Vote: 6:0:1

7. **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 declared itself the Lead Agency for this action and issued a Negative Declaration.

Motion: Elizabeth Bomba

Second: Arthur Grace

Vote: 7:0:0

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

Motion: Elizabeth Bomba

Second: Arthur Grace

Vote: 7:0:0

New Business

8. **Public Hearing – Steven and Diane Harter** – 47 Ziegler Avenue. Zone R-20, Grid #6161-11-673549. 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 12 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: Elizabeth Bomba

Second: Arthur Grace

Vote: 7:0:0

9. **Public Hearing –Richard L. Lisle** – 41 Eileen Boulevard, Zone R-20, Grid #6262-04-904358. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an attached utility room to be located 3 feet 6 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: Elizabeth Bomba

Second: Arthur Grace

Vote: 7:0:0

10. **Public Hearing – William D. Byram** - 49 Sheraton Drive, Zone R-20, Grid #6159-01-002892- 0000. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an existing attached rear deck to be located 18 feet 2 inches from the side lot line where 20 feet is required and 23 feet and 3 inches from rear 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: Elizabeth Bomba

Second: Arthur Grace

Vote: 6:0:0 (Anthony Cuchelo left the room)

11. **Public Hearing – Joel and Rima Brind** - 57 Point Street, Zone R-20, Grid #6057-06-496955-0000. The requested Area Variance is for relief from Article IV, §210-48 of the Town Code to allow an accessory structure (solar panels) to be located 5 feet from the side lot line where 10 feet is required. Type II Action.

The Board voted to adjourn this matter until December 13, 2010.

Motion: James Challey

Second: Arthur Grace

Vote: 6:0:0

12. **Public Hearing – Darkside Records & Gallery, LLC – 782 Main Street. Zone ATC, Grid #6161-08-771815-0000.** The requested Area Variance is for relief from Article IX, Section 210-125(B) to allow for the installation of one wall sign of 27 square feet, where one wall sign not greater than 15 square feet is permitted on a single building. Type II.

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

Motion: Elizabeth Bomba

Second: Arthur Grace

Vote: 6:0:0

Meeting adjourned at 9:02 PM

MOVED: Karmen Buckey

SECONDED: Elizabeth Bomba

CARRIED: 6:0:0

PRESENT:

Member Bomba
Member Buckey
Member Capone
Chairman Challey
Member Cuchelo
Member Grace

Member Lahey (Alternate)

ABSENT:

Member Marlow