



Town of Poughkeepsie

Zoning Department

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
JANUARY 10, 2011
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. **Matter Adjourned To April 11, 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. **Public Hearing Adjourned To April 11, 2011.**
3. **Public Hearing – Aminderjit Gakhal** - 737 Main Street, Zone ATC, Grid #6161-07-671858-0000. The requested Area Variance is for relief from Article IX, §210-125 B(1) of the Town Code to allow the installation of a wall sign of 83.43 square feet where one wall sign not greater than 15 square feet is permitted. Unlisted Action.

The Board determined that the proposed action would not have a significant environmental impact and thereafter issued a Negative Declaration.

Motion: Marcy Marlow

Second: Elizabeth Bomba

Vote: 7:0:0

The Board voted to approve the application upon the condition that the area variance would be null and void upon the cessation of the business for the reasons as set forth in the resolution of the Board.

Motion: Marcy Marlow

Second: Arthur Grace

Vote: 7:0:0

New Business

4. Public Hearing – **Michael Liberati** – 27 Wilmar Terrace, Zone R-20, Grid #6162-10-296633-0000. The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow impervious surface coverage on the lot to exceed a maximum of 35%. Type II Action. **Public Hearing Adjourned to February 14, 2011.**
5. **Public Hearing – Red Lobster** – 2255 South Road, Zone BH, Grid #6159-01-232892-0000. The requested Area Variance is for relief from Article IX, §210-127(C) of the Town

Code to allow the installation of a second wall sign of 24 square feet, and to allow said sign to be affixed to a porch gable and not affixed directly to the building; and relief from Article IX, §210-123(I) of the Town Code to allow window signage in the glass area of the building that does not face the street. Unlisted Action.

The Board determined that the proposed action would not have a significant environmental impact and thereafter issued a Negative Declaration.

Motion: Marcy Marlow

Second: Arthur Grace

Vote: 7:0:0

The Board voted to approve the second wall sign upon the condition that the area variance would be null and void upon the cessation of the business for the reasons as set forth in the resolution of the Board.

Motion: Jim Challey

Second: Betty Bomba

Vote: 7:0:0

The Board voted to deny the additional window signage 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 – Donald McCormick** – 398 Sheafe Road, Zone R-20, Grid #6158-01-045978-0000. The requested Special Use Permit is made 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 determined that the proposed action would not have a significant environmental impact and thereafter issued a Negative Declaration.

Motion: Marcy Marlow

Second: Arthur Grace

Recused: Anthony Cuchelo

Vote: 7:0:0

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

Motion: Marcy Marlow

Second: Betty Bomba

Recused: Anthony Cuchelo

Vote: 7:0:0

7. **Public Hearing – Davis Furniture** – 766 Vassar Road, Zone BH, Grid #6158-01-421860-0000. The requested Area Variance is for relief from Article IX, §210-127(C) of the Town Code to allow the installation of a second wall sign of 50 square feet where only one wall sign is allowed. Unlisted Action.

The Board determined that the proposed action would not have a significant environmental impact and thereafter issued a Negative Declaration.

Motion: Marcy Marlow

Second: Arthur Grace

Vote: 7:0:0

The Board voted to approve the application upon the condition that the area variance would be null and void if the applicant seeks a permit for a freestanding sign for the reasons as set forth in the resolution of the Board.

Motion: Marcy Marlow

Second: Art Grace

Vote: 7:0:0

8. **Public Hearing – Burlington Coat Factory** – 1895 South Road, Zone SHC, Grid #6158-01-297959-0000. The requested Area Variance is for relief from Article IX, §210-127(C) of the Town Code to allow the installation of a wall sign of 77.3 square feet where only 24 square feet is allowed. Unlisted Action. **Public Hearing Adjourned to February 14, 2011.**

9. **Public Hearing – Nancy Lauricella** – 2 Old Farms Road, Zone R-20, Grid #6160-04-576499-0000. The requested Area Variance is for relief from Article VIII, §210-69 of the Town Code to allow an existing fence greater than 3 ½ feet in height within the front yard where fences greater than 3 ½ feet are prohibited. Unlisted Action.

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

Motion: Marcy Marlow

Second: Betty Bomba

Vote: 7:0:0

10. **Public Hearing – Post Road Development LLC** – 2566 South Road, Zone B-SC, Grid #6160-01-075610-0000. The requested Interpretation involves Article X, §210-135 of the Town Code in regard to whether the demolition of an existing building which is non-conforming as to front yard and side yard setbacks and the construction of a new building within the same setbacks as the existing building requires an area variance(s); and in the alternative an Area Variance requesting relief from Article VI, §210-36(E) of the Town Code to allow a commercial building to be located 86 feet from the front lot line where a setback of not less than 100 feet is required and 57 feet from the side year lot line where a setback of not less than 100 feet is required. Type II Action.

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

Motion: Marcy Marlow

Second: Art Grace

Vote: 7:0:0

At the request of the applicant the application for an Interpretation was withdrawn.

Meeting adjourned at 9:15 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: