



Town of Poughkeepsie

Zoning Department

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
July 11, 2011
7:00 PM**

Old Business

1. **Closed Public Hearing, 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 September 12, 2011.**

2. **Closed Public Hearing, Deliberation – Pavel Smentana, 37 Hillis Terrace, Zone R-20, Grid #6159-02-965665-0000.** The requested Area Variance is for relief from Article IV, §210-16(E) of the Town Code to allow an existing structure to be located 2.5 feet from the side lot line. Type II Action.

The Board voted to grant the variance for the reasons set forth in the resolution of the Board.

Motion: Phyllis Capone

Second: Betty Bomba

Recused: Anthony Cuchelo

Vote: 7:0:0

3. **Closed Public Hearing, Deliberation – Oakwood Commons (Stifel Nicolaus), 2515 South Road, Zone B-H, Grid #6060-04-956489-0000.** The requested Area Variance is for relief from Article IX, Section 210-127(C) of the Town Code to allow the installation of a wall sign of 50.8 square feet. Unlisted Action.

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

Motion: James Challey

Second: Betty Bomba

Vote: 7:0:0

The Board voted to grant a variance to allow a 32.6 square foot wall sign for the reasons set forth in the resolution of the Board.

Motion: James Challey

Second: Marcy Marlow

Nay: Art Grace, Betty Bomba

Vote: 5:2:0

4. **Closed Public Hearing, Deliberation – Edward Pelletier, 26 Chestnut Drive, Zone R-20, Grid #6162-10-449715-0000.** The requested Area Variance is for relief from: 1) Article VIII, §210-107 of the Town Code to allow a private swimming pool to be located 10 feet from

the rear lot line and; 2) Article IV, §210-16(E) of the Town Code to allow an existing addition to be located 19 feet from the rear lot line and; 3) Article VIII, §210-48 of the Town Code to allow an accessory structure to be located 5 feet from the rear lot line. Type II Action.

The Board voted to grant the variances for the existing addition and accessory structure for the reasons set forth in the resolution of the Board.

Motion: Karmen Buckey

Second: Phyllis Capone

Recused: Anthony Cuchelo

Vote: 7:0:0

The Board voted to deny the variance for the private swimming pool for reasons set forth in the resolution of the Board.

Motion: Paul Lahey

Second: Marcy Marlow

Nay: Karmen Buckey, Jim Challey, Betty Bomba

Recused: Anthony Cuchelo

Vote: 4:3:0

New Business

5. **Public Hearing – Patricia & Stephen D’Angelo, 621 Sheafe Road (Lot #57) Zone R-MH, Grid #6159-03-175445-0000.** The requested Area Variance is for relief from Article IV, Section 210-19(D) of the Town Code to allow an existing deck to be located 4 feet from the side lot line. Type II Action.

The Board voted to grant the variance for the reasons set forth in the resolution of the Board.

Motion: Jim Challey

Second: Betty Bomba

Vote: 7:0:0

6. **Public Hearing – Joyce Stanton of C21 Hudson Valley Realty, 531 Haight Avenue, Zone ATC, Grid #6161-08-880785-0000.** The requested Area Variance is for relief from Article IX, Section 210-125(B)(1) of the Town Code to allow the installation of a wall sign of 24 square feet. 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: Betty Bomba

Vote: 7:0:0

The Board voted to grant the variance for the reasons set forth in the resolution of the Board.

Motion: James Challey

Second: Marcy Marlow

Nay: Paul Lahey, Phyllis Capone

Recused: Karmen Buckey
Vote: 5:2:0

7. **Public Hearing – Joseph & Laura Cogoni, 22 Dublin Lane, Zone R-20, Grid #6261-01-451738-0000.** The requested Area Variance is for relief from: 1) Article VIII, §210-48 of the Town Code to allow an accessory structure to be located in front of the principle structure and; 2) Article VIII, §210-69 of the Town Code to allow a fence greater than 3 ½ feet in height within the front yard. Type II Action.

The Board voted to grant a variance for the accessory structure for the reasons set forth in the resolution of the Board.

Motion: Art Grace
Second: Paul Lahey
Recused: Karmen Buckey
Vote: 7:0:1

The Board voted to adjourn decision as to the variance for the fence until the August 8, 2011 meeting.

Motion: Jim Challey
Second: Betty Bomba
Recused: Karmen Buckey
Vote: 7:0:0

8. **Public Hearing – Paul & Melissa Wojciak, 4 Harvard Drive, Zone R-4A, Grid #6262-02-858701-0000.** The requested Area Variance is for relief from Article IV, §210-14(E) of the Town Code to allow an proposed home addition to be located 48 feet from the rear lot line and 47 feet from the front lot line. Type II Action.

The Board voted to grant the variance for the reasons set forth in the resolution of the Board.

Motion: Phyllis Capone
Second: Betty Bomba
Vote: 7:0:0

9. **Public Hearing – Simon Wright, 36 Lagrange Avenue, Zone ATC, Grid #6162-20-874035-0000.** The requested Area Variance is for relief from Article V, §210-48 of the Town Code to 1) allow a detached accessory structure (garage) to be located 5 feet from the side lot line and 5 feet from the rear lot line and; 2) to allow a proposed 9' x 10' detached accessory structure (shed) to be located 2 feet from the side lot line. Type II Action.

The Board voted to grant the variances for the reasons set forth in the resolution of the Board.

Motion: Marcy Marlow
Second: Betty Bomba
Vote: 7:0:0

10. **Public Hearing – Edmond Loedy (Hudson Cadillac Buick GMC, 2023 South Road, Zone B-H, Grid #6159-03-356337-0000.** The requested Area Variance is for relief from Article IX, Section 210-125(C) of the Town Code to allow the installation of; 1) an additional front wall sign; and; 2) a variance to permit a 26 square foot sign which would not be located on the front of building. Unlisted Action.

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

Motion: Betty Bomba

Second: Jim Challey

Vote: 7:0:0

The Board voted to grant the variances for the reasons set forth in the resolution of the Board.

Motion: Betty Bomba

Second: Art Grace

Vote: 7:0:0

11. **Public Hearing – Robert Germano on behalf of Germano’s Auto Center, 2255 South Road, Zone B-H, Grid #6060-02-994630-0000.** The requested Special Use Permit is submitted pursuant to Article VIII, §210-87 of the Town Code to allow an automotive repair facility. Unlisted Action. *At the request of the applicant the matter is adjourned until August 8, 2011.*

Meeting adjourned at 9:50 PM

MOVED: James Challey

SECONDED: Art Grace

CARRIED: 7:0:0

PRESENT:

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

ABSENT: