



Town of Poughkeepsie

Zoning Department

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DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
November 14, 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. Request for 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 December 12, 2011.**
2. **Public Hearing Adjourned – Robert Germano on behalf of Germano’s Auto Center, 2255 South Road**, Zone B-H, Grid #6060-02-994630-0000. Request for a Special Use Permit pursuant to Article VIII, §210-87 of the Town Code to allow an automotive repair facility. Unlisted Action. **Matter Adjourned to January 9, 2012.**
3. **Public Hearing Adjourned – Park at Inwood Lake Estates, East Cedar Street**, Zone R-20. Request for an area variance from Article IX, §210-120 of the Town Code to allow up to six (6) additional temporary signs on the premises where only one temporary sign is permitted. Unlisted Action. **Matter Adjourned to December 12, 2011.**
4. **Public Hearing Closed. Deliberation – Orthopedic Associates, 1910 South Road**, Zone B-H, Grid #6159-03-393037-0000. Request for an Area Variance for relief from Article IX, Section 210-127(C) of the Town Code to allow the installation of: a second wall sign of 90 square feet on the face of the building where only one wall sign is permitted. Unlisted Action. **Deliberations on this matter Adjourned to December 12, 2011.**

New Business

5. **Public Hearing – Tinkleman Architecture, PLLC, 48 Springside Avenue & 25 VanWagner Road**, Zone B-H, Grid #6161-08-821910-0000 & 6161-08-838906-0000. Request for an Area Variance for relief from Article VI, §210-35(E) of the Town Code to allow Proposed Lot 1: a) front yard setback of 3.6 and 6.5 feet where 40 feet is required; and b) side yard setback of 0.0 feet where 40 feet is required; and c) rear yard setback of 8 feet where 40 feet is required; and d) lot depth of 105.5 feet where 400 feet is required; and e) lot width of 133 feet where 200 feet is required; and f) lot area of 0.31 acres where 2 acres is required; and g) lot frontage of 186.4 feet where 200 feet is required; and g) lot coverage of 53% where lot coverage shall not exceed 25% of the lot area. Proposed Lot 2: a) front yard setback of 2.1, 11.2, and 39.7 feet where 40 feet is required; and b) side yard setback of 0.0, 1.7, and 7.2 feet where 40 feet is required; and c) a lot depth of 235 feet where 400 feet is required; and d) lot width of 136 feet where 200 feet is required; and e) a lot area of 1.12 acres where 2 acres is required; and f) relief from Article VIII, Section 210-48 to allow a setback of 1.3 and 1.9 feet for a detached accessory building where 10 feet is required and to allow said existing detached structure to be located in front of the principal structure where an accessory building or structure shall not be constructed in front of the principal building; and g) relief from Article X, Section 210-139(B) to allow a change in use of a structure to increase the number of non-

conforming residential units within an existing residential structure from 2 units to 3 units but not otherwise increasing the overall residential unit density on the proposed lot. Proposed Lot 3: a) lot depth of 162.17 feet where 400 feet is required; and b) lot area of 0.69 acres where 2 acres is required. Said variances being required to allow the creation of one new lot and a lot line revision between two existing lots. Unlisted Action. Coordinated Review. The Town Planning Board is the designated Lead Agency.

The Board noted that the Town Planning Board, as the Lead Agency, has issued a Negative Declaration for this project.

The Board voted to grant the variance for lot 1 for the reasons set forth in the resolution of the Board.

Motion: Marcy Marlow

Second: Betty Bomba

Vote: 7:0:0

The Board voted to grant the variance for lot 2 for the reasons set forth in the resolution of the Board.

Motion: Marcy Marlow

Second: Betty Bomba

Vote: 7:0:0

The Board voted to grant the variance for lot 3 for the reasons set forth in the resolution of the Board.

Motion: Marcy Marlow

Second: Betty Bomba

Vote: 7:0:0

6. **Public Hearing – Estate of Rose Wiltse, 907 Dutchess Turnpike, Zone R-20, Grid #6262-04-667251-0000.** Request for an Area Variance for relief from Article VIII, §210-48 of the Town Code to allow an existing detached accessory structure (barn) to be located 2 feet from the side lot line where 10 feet is required, and to allow said existing detached structure to be located in front of the principal structure. 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

7. **Public Hearing – Estate of Rose Wiltse, 9 Barnes Drive, Zone R-20, Grid #6262-04-662287-0000.** Request for an Area Variance for relief from Article IV, §210-16(E)(1) of the Town Code to allow an existing principal nonresidential structure (shop) to be located: a) 12 feet from the front lot line where 60 feet is required; and b) 54 feet from the rear lot line where 60 feet is required; and c) 35 feet from the side lot line where 40 feet is required. Type II Action.

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

Motion: Betty Bomba

Second: Art Grace

Vote: 7:0:0

8. **Public Hearing – DK Healey Properties, 1960 & 1970 South Road, Zone B-H, Grid #6159-03-412207-0000.** The request for Special Use Permit approval is made pursuant to Article VIII, Section 210-89 of the Town Code to allow the expansion of an existing motor vehicle sales and service business. Unlisted Action. Coordinated Review. The Town Planning Board is the designated Lead Agency.

The Board noted that the Town Planning Board, as the Lead Agency, has issued a Negative Declaration for this project.

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

Motion: Phyllis Capone
Second: Karmen Buckey
Vote: 7:0:0

9. **Public Hearing – DK Healey Properties, 1960 & 1970 South Road, Zone B-H, Grid #6159-03-394177-0000.** The request for Area Variance approval is made pursuant to Article VIII, Section 210-89(A) of the Town Code to allow: a) the storage of vehicles and equipment within 18.3 feet of a residential district boundary where 20 feet is required; and b) the storage of vehicles and equipment within the required front yard, side yard, and rear yard setbacks of the property. Unlisted Action. Coordinated Review. The Town Planning Board is the designated Lead Agency.

The Board noted that the Town Planning Board, as the Lead Agency, has issued a Negative Declaration for this project.

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

Motion: Betty Bomba
Second: Art Grace
Vote: 7:0:0

10. **Public Hearing – Susan J. Salem, 2 Priscilla Lane, Zone R-20, Grid #6161-03-146212-0000.** Request for an Area Variance for relief from Article VIII, §210-69 of the Town Code to allow a fence of up to 6 feet in height to be located within a front yard where the maximum height of a fence shall not exceed 3.5 feet. Type II Action.

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

Motion: Art Grace
Second: Phyllis Capone
Vote: 6:1:0

11. **Public Hearing – Craig & Maria Pistole, 15 Peter Cooper Drive, Zone R-20, Grid #6162-07-547914-0000.** Request for an Area Variance for relief from Article IV, §210-16(E) of the Town Code to allow an addition to the front of the principal structure to be located 18.1 feet from the front lot line where 30 feet is required. 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

Meeting adjourned at 9:00 PM

MOVED: Art Grace
SECONDED: Betty Bomba
CARRIED: 7:0:0

PRESENT:

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

ABSENT: