



# Town of Poughkeepsie

## Zoning Department

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**DECISION AGENDA  
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS  
REGULAR MEETING  
March 12, 2012  
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 April 9, 2012.**
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. **Public Hearing Adjourned to May 14, 2012.**
3. **Public Hearing Adjourned – Anthony Leo, 13 Spring Street**, Zone R-20, Grid #6162-05-239816-0000. Request for an area variance from Article IV, Section 210-16(E) of the Town Code to allow a proposed home to be located 6 feet from the east side lot line and 16 feet from the west side lot line where 20 feet is required; and a variance of Section 280-a of NYS Town Law for the construction of a single family dwelling on an existing lot with no frontage on an improved public street. Type II Action. **Public Hearing Adjourned to April 9, 2012.**
4. **Public Hearing Adjourned – Orthopedic Associates of Dutchess County, 1910 South Road**, Zone I-L Grid#6159-03-393037-0000. The application seeks: 1) reconsideration of a June 15, 1995 conditional Area Variance (signage) Approval under which the Zoning Board of Appeals granted the application of the former Circuit City retail store for a second wall sign on the condition that there would be no freestanding sign permitted on the premises, in order to allow a freestanding sign; and 2) area variances for relief from Article IX, Section 210-127(C) (only one wall sign permitted) of the Town Code to allow the installation of a third wall sign of 35.5 square feet near the eastern-most building entrance, and the installation of a fourth wall sign of 18 square feet near the western-most building entrance. Unlisted Action. **Public Hearing Closed.**

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

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

*The Board voted unanimously to modify its June 15, 1995 variance to eliminate the restriction on the installation of a freestanding sign to conditionally allow a 49.5 square foot freestanding sign and to allow two wall signs of no more than 90 square feet (a reduction of 84.62 square feet from the original 1995 variance) for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Recused: Paul Lahey**

**Vote: 5:0:0**

*The Board voted to grant variances to conditionally allow two additional 28 square foot wall signs (total of four wall signs) to be located at the doorways on the south side of the building face for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Recused: Paul Lahey**

**Vote: 5:0:0**

5. **Public Hearing Adjourned**– Salt Point LLC. 130 Salt Point Turnpike, Zone I-L, Grid # 6162-02-860585-0000 Request for an area variance from Article IX, Section 210-129(B) of the Town Code to allow the installation of two freestanding signs of 55 square feet where only one freestanding sign of no more than 50 square feet is allowed; and an area variance from Article IX, Section 210-129(C) of the Town Code to allow a wall sign of 18.85 square feet to be mounted on a rear wall where any wall sign is required to be mounted on the front of any building. Unlisted Action. **Public Hearing Closed. Deliberations Adjourned to April 9, 2012.**

6. **Public Hearing – The Pool Guys, 2294 South Road, Zone B-H, Grid #6159-01-193996-0000.** The requested Area Variance is for relief from Article IX, Section 210-127(C) of the Town Code to allow the installation of a second wall sign of 35 square feet where only one wall sign is allowed. Unlisted Action. **Public Hearing Closed.**

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

**Motion: Betty Bomba**

**Second: Karmen Buckey**

**Vote: 6:0:0**

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

**Motion: Karmen Buckey**

**Second: Art Grace**

**Vote: 6:0:0**

7. **Public Hearing – Sierra Lily, 1955 South Road, Zone B-SC, Grid #6159-03-334149-0000.** The requested Area Variance from 1) Article IX, Section 210-127(C) of the Town Code to allow the installation of a second wall sign (canopy) of 23 square feet where only one wall sign is allowed; and 2) Article IX, Section 210-123(F) of the Town Code to allow a second wall sign not to be affixed flat against the building facade. Unlisted Action.

*The Board determined that the proposed action would not have a significant environmental impact and thereafter issued a Negative Declaration in anticipation of denial of the variance request.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 6:0:0**

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

**Motion: Paul Lahey**

**Second: Art Grace**

**Nay: Karmen Buckey, Phyllis Capone**

**Vote: 4:2:0**

### New Business

8. **Public Hearing – Mobil, 252 Innis Avenue, Zone B-SC, Grid #6159-03-334149-0000.** The requested Area Variance is for relief from Article IX, Section 210-130(B) of the Town Code to allow the installation of one canopy sign and two wall signs where only one wall sign or one canopy sign is allowed. Unlisted Action. **Public Hearing Adjourned to April 9, 2012.**

9. **Public Hearing – Margaret Rachel Kitzinger, 1 Wing Road, Zone R-20, Grid #6261-01-207592-0000.** Request for an Area Variance from Article IV, Section 210-16(E) of the Town Code to allow a home addition to be located 2 feet 5 inches from the north side lot line where 20 feet is required. Type II Action. **Public Hearing Closed.**

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

**Motion: Paul Lahey**

**Second: Art Grace**

**Vote: 6:0:0**

10. **Public Hearing – Park at Inwood Lake Estates, East Cedar Street, Zone R-20.** The requested Area Variance is for relief from Article IX, §210-124(A) to allow two freestanding signs at the entrance of Inwood Lake Estates, where only one freestanding sign is permitted; and relief from Article IX, §210-131(M) to allow up to ten (10) temporary real estate signs where only one (1) temporary real estate sign is permitted, and to allow one temporary real estate sign of 7.5 square feet where such temporary signs shall not exceed 6 square feet in area. Unlisted Action. **Public Hearing Adjourned to April 9, 2012.**

11. **Public Hearing – Verizon Wireless, 2544 South Road, Zone B-SC, Grid #6160-01-075610-0000.** The requested Area Variances from 1) Article IX, Section 210-128 of the Town Code to allow the installation of three additional wall signs where only one wall sign is permitted; and 2) to allow an additional freestanding sign which does not identify the name of the shopping center where only one is permitted. Unlisted Action. **Public Hearing Adjourned to May 14, 2012.**

**Meeting adjourned at 10:08 PM**

**MOVED: Art Grace**

**SECONDED: Paul Lahey**

**CARRIED: 6:0:0**

**PRESENT:**

Member Bomba  
Member Buckey  
Member Capone

Member Cuchelo  
Member Grace  
Member Lahey (Alternate)

**ABSENT:**

Chairman Challey

Member Marlow