



Town of Poughkeepsie

Zoning Department

1 Overocker Road
Poughkeepsie, NY 12603

845-485-3650 Phone
845-790-4772 Fax

DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
April 9, 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 May 14, 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. **Matter 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. **Matter Adjourned to May 14, 2012.**
4. **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.

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

Motion: Jim Challey

Second: Marcy Marlow

Vote: 7:0:0

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

Motion: Marcy Marlow

Second: Art Grace

Over

»

Vote: 7:0:0

5. **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.

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

Motion: Jim Challey

Second: Art Grace

Vote: 7:0:0

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

Motion: Phyllis Capone

Second: Art Grace

Nay: Paul Lahey

Vote: 6:1:0

6. **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.

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

Motion: Jim Challey

Second: Marcy Marlow

Vote: 7:0:0

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

Motion: Karmen Buckey

Second: Paul Lahey

Vote: 7:0:0

7. **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. **Matter Adjourned to May 14, 2012.**

New Business

8. **Public Hearing – Alma Howard, 2854 Route 9D, Zone R-20, Grid #6158-01-335740-0000.** The requested Area Variance is for relief from 1) Article VIII, Section 210-48 of the Town Code to allow a fence of up to 6 feet in height to be located within a front yard setback where the maximum height of a fence is 3.5 feet, and 2) Article VIII, Section 210-107(A) to allow an accessory structure (private swimming pool) to be located in front yard, and

3) Article VIII, Section 210-107(C) to allow a private swimming pool to be located 10 feet of a property line where a 15 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: Paul Lahey

Second: Art Grace

Vote: 7:0:0

9. **Public Hearing – Ruth & M. Gregg Gau, 29 Fair Way, Zone R-20, Grid #6160-03-466198-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a home addition to be located 10.29 feet from the side lot line where 20 feet is required; and to allow a proposed screened porch to be located 13.6 feet from the side lot line where 20 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: Anthony Cuchelo

Second: Art Grace

Vote: 7:0:0

10. **Public Hearing – Gasland Petroleum, 35 Vassar Road, Zone ROMNSC, Grid #6260-04-527253-0000.** The requested Area Variance is for relief from Article IX, Section 210-126(B) of the Town Code to allow the installation of a 69 square foot freestanding sign where only 50 square feet is allowed. Unlisted Action. **Matter Adjourned to May 14, 2012.**

11. **Public Hearing – Hans J. Stuewer, 26 Hawthorne Lane, Zone R-20, Grid #6259-01-230780-0000.** The requested Area Variance involves relief from Article VIII, Section 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

Recused: Karmen Buckey

Vote: 6:0:0

Correspondence

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on Gasland Petroleum/Dunkin Donuts Red Oaks Mill, 35 Vassar Road.

The Board voted to consent to the Town Planning Board acting as Lead Agency on this matter.

Motion: Marcy Marlow

Second: James Challey

Vote: 7:0:0

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on Our Lady of Lourdes HS Sports Complex, 131 Boardman Road.

The Board voted to consent to the Town Planning Board acting as Lead Agency on this matter.

Motion: Marcy Marlow

Second: James Challey

Vote: 7:0:0

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Marist College Student Center Renovation and Music Addiction, 3399 North Road.*

The Board voted to consent to the Town Planning Board acting as Lead Agency on this matter.

Motion: Marcy Marlow

Second: James Challey

Vote: 7:0:0

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on *LMD Subdivision, 18 Overlook Road.*

The Board voted to consent to the Town Planning Board acting as Lead Agency on this matter.

Motion: Marcy Marlow

Second: James Challey

Vote: 7:0:0

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Lakeview Plaza, 14 & 16 Creek Road.*

The Board voted to consent to the Town Planning Board acting as Lead Agency on this matter.

Motion: Marcy Marlow

Second: James Challey

Vote: 7:0:0

Meeting adjourned at 9:30 PM

MOVED: Art Grace

SECONDED: Paul Lahey

CARRIED: 7:0:0

PRESENT:

Member Buckey
Member Capone
Chairman Challey
Member Cuchelo
Member Grace
Member Lahey (Alternate)
Member Marlow

ABSENT:

Member Bomba