



Town of Poughkeepsie

Zoning Department

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DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
August 13, 2012
7:00 PM

Old Business

1. **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 until 10/15/12.**
2. **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 pursuant to 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 until 9/10/12.**
3. **Public Hearing Adjourned – Gasland Petroleum, 35 Vassar Road, Zone ROMNSC, Grid #6260-04-527253-0000.** The applicant seeks an amendment to a prior October 25, 1993 area variance under which a freestanding sign of 61.35 square feet was allowed in order to allow the installation of a 69 square foot freestanding sign. Pursuant to Article IX, Section 210-126(B) of the Town Code the size of any freestanding sign in the Red Oaks Mill Neighborhood Services (ROMNSC) District is limited to no more than 50 square feet. Unlisted Action. Coordinated review.

The Board voted to dismiss the application without prejudice.

Motion: Art Grace

Second: Betty Bomba

Vote: 7:0:0

4. **Public Hearing – Wegman Companies, 254 Spackenkill Road, Zone R-20, Grid #6362-01-204547.** Application for Special Use Permit approval pursuant to Article VIII, Section 210-91 of the Town Code to allow an assisted living facility. Proposed action also involves a zoning amendment by the Town Board and site plan approval by the Planning Board. Type II Action. Coordinated review. **Matter Adjourned until 9/10/12.**

New Business

5. **Public Hearing – Ali Duale, 5 Laffin Lane, Zone R-20, Grid #6160-01-322566.** 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 9 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: Marcy Marlow

Second: Art Grace
Vote: 7:0:0

6. **Public Hearing – Richard Mauceri, 54 Nassau Road, Zone R-20, Grid #6059-12-996652.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a deck addition to be located 15 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: Jim Challey
Second: Betty Bomba
Vote: 7:0:0

7. **Public Hearing – Gerald Terwilliger (aka Planet NY Tattoo), 11 Marist Drive, Zone B-N, Grid #6062-02-970630-0000.** Request for an Area Variance for relief from Article IX, Section 210-126(C) of the Town Code to allow the installation of a second wall sign of 12 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: Betty Bomba
Second: Marcy Marlow
Recused: Art Grace
Vote: 7:0:0

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

Motion: Betty Bomba
Second: Phyllis Capone
Recused: Art Grace
Vote: 7:0:0

8. **Public Hearing – Patrick & Jeannie Clark, 81 Bedell Road, Zone R-4A, Grid #6262-01-267884.** The requested Area Variance involves relief from Article IV, Section 210-14(E) of the Town Code to allow the construction of a principal structure (residence) to be located 20 feet from the west side lot line and 32 feet from the east side lot line where setbacks of 50 feet each are required, and 50 feet from the front lot line where 100 feet is required. Type II Action. **Matter Adjourned until 9/10/12.**

9. **Public Hearing – Jean Guo, 41 Flower Hill Road, Zone R-20, Grid #6160-03-241352.** Application for Special Use Permit approval pursuant to Article VIII, Section 210-47 of the Town Code to allow the establishment of an accessory apartment within an existing single family dwelling. Unlisted Action. **Matter Adjourned until 9/10/12.**

10. **Public Hearing – John & Deborah Nichols, 1 Kellerhouse Drive, Zone R-20, Grid #6260-03-147015.** 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 ½ feet . 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: Marcy Marlow
Nay: Karmen Buckey
Recused: Phyllis Capone
Vote: 6:1:0

11. **Public Hearing – Post Road Development on Behalf of PetSmart Store, 2534 South Road, Zone B-SC, Grid #6160-01-075610-0000.** Request for an Area Variance for relief from Article IX, Section 210-128(C)(2)(a) of the Town Code to allow the installation of a wall sign of 169.21 square feet where

only one wall sign of 100 square feet is permitted; and 2) to allow the installation of a second and third wall sign where only one wall sign is allowed. Unlisted Action. **Matter Adjourned until 9/10/12.**

12. **Public Hearing – Bruce & Beverly Taylor, 19 Stone Street, Zone R-20, Grid #6057-07-522928.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a second story addition to be located 15 feet from the south side lot line and 4.9 feet from the north side lot where 20 feet is required for both sides and; 2) 24 feet from the rear lot line and 11.5 feet from the front lot line where 30 feet is required for both. Type II Action.

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

Motion: Karmen Buckey

Second: Art Grace

Vote: 7:0:0

13. **Correspondence**

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Mountain View Estates Subdivision, Bedell Road.*

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

Motion: Marcy Marlow

Second: Art Grace

Vote: 7:0:0

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on *QB Collision, 487Haight Avenue.*

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

Motion: Marcy Marlow

Second: Art Grace

Vote: 7:0:0

Meeting adjourned at 9:33 PM

MOVED: Art Grace

SECONDED: Marcy Marlow

CARRIED: 7:0:0

PRESENT:

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

ABSENT: