



Town of Poughkeepsie

Zoning Department

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
NOVEMBER 19, 2012
7:00 PM**

Old Business

1. **Public Hearing Adjourned – 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 12/10/12.**
2. **Public Hearing – Key Bank, 15 Burnett Boulevard, Zone B-SC, Grid #6261-01-161946-0000.** The requested Area Variance involves relief from Chapter 210, Article IX of the Town Code as follows: 1) §210-128(B) to allow a freestanding sign of 13.5 square feet not located at a driveway entrance to the shopping center; and 2) §210-128(C)(2)(a) to allow a second wall sign of 26.49 square feet mounted on a drive-thru canopy where only one wall sign is allowed; 3) §210-128(C)(2)(a) to allow a third wall sign of 7 square feet mounted on an ATM where only one wall sign is allowed; and 4) §210-131(F) to allow five (5) directional signs mounted on a drive-thru canopy at a height of 14 feet where such directional signs shall not be mounted higher than six feet in height. 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

Vote: 7:0:0

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

Motion: Jim Challey

Second: Betty Bomba

Nay: Paul Lahey

Vote: 6:1:0

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

Motion: Jim Challey

Second: Paul Lahey

Vote: 7:0:0

The Board voted to deny the variance for item #3 for reasons set forth in the resolution of the Board.

Motion: Jim Challey
Second: Paul Lahey
Vote: 7:0:0

The Board voted to grant the variance for item #4 for reasons set forth in the resolution of the Board.

Motion: Jim Challey
Second: Marcy Marlow
Vote: 7:0:0

3. **Public Hearing – First Niagara Bank, 1 LaGrange Avenue, Zone ATC, Grid #6161-12-812719-0000.** 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 second wall sign of 33 square feet on the side wall where only one wall sign of 12 square feet 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: Paul Lahey
Vote: 7:0:0

The Board voted to grant the variance for a 15 square foot sign with conditions for reasons set forth in the resolution of the Board.

Motion: Anthony Cuchelo
Second: Jim Challey
Vote: 7:0:0

4. **Public Hearing – Feza & Diane Oktay, 8 Earlwood Drive, Zone R-20, Grid #6261-03-125110-0000.** The requested Area Variance involves relief from Article IV, Section 210-48 of the Town Code to allow a detached accessory structure (solar electric panels) to be located in front of a principal structure where an accessory structure shall not be constructed in front or nor be a height greater than the principal structure in a residential district. Type II Action.

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

Motion: Paul Lahey
Second: Jim Challey
Nay: Marcy Marlow, Karmen Buckey, Betty Bomba
Vote: 4:3:0

New Business

5. **Public Hearing – Robert Genest, 25 Mountain View Road, Zone R-20, Grid #6261-01-192800-0000.** The requested Area Variance involves relief from Article VIII, Section 210-48 of the Town Code to allow a proposed accessory structure addition to be 6 feet 2 inches from the rear lot line and 6 feet from side lot line where 10 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: Phyllis Capone
Second: Betty Bomba
Recused: Paul Lahey
Vote: 6:0:0

6. **Public Hearing – Matthew Buonato, 14 Lorraine Blvd, Zone R-20, Grid #6159-04-891358-0000.** 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 10.3 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: Betty Bomba

Second: Paul Lahey

Vote: 7:0:0

7. **Public Hearing – Abilities First, 2323 South Road, Zone O-R, Grid #6160-03-111047-0000.** The requested Area Variance involves relief from Article VIII, Section 210-69 of the Town Code to allow a 6-foot tall privacy fence to be located within the front yard where fences greater than 3.5 feet in height are prohibited. Type II Action. **Matter Adjourned until 12/10/12.**

8. **Public Hearing – Christopher Powers, 1237 Dutchess Turnpike, Zone R-M, Grid #6362-01-302846-0000.** The requested Area Variance involves relief from Article VIII, Section 210-69 of the Town Code to allow a 6-foot tall privacy fence to be located within the front yard where fences greater than 3.5 feet in height are prohibited. 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

Nay: Paul Lahey

Vote: 6:1:0

9. **Public Hearing – Bruce & Eve Gendron, 27 Timberline Drive, Zone R-20, Grid #6160-04-840005-0000.** 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 5.8 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: Karmen Buckey

Second: Paul Lahey

Recused: Marcy Marlow

Vote: 6:0:0

10. **Public Hearing – Stofas Auto Service, 308 Hooker Avenue, Zone B-N, Grid #6161-04-642417-0000.** The requested Area Variance involves relief from Article VIII, Section 210-48 of the Town Code to allow an accessory structure to be located 5 feet from the rear lot line and 7 feet from the side lot line where 10 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: Karmen Buckey

Second: Paul Lahey

Vote: 7:0:0

11. **Public Hearing – Kevin & Kristine Brennan, 112 Fairview Avenue, Zone R-20, Grid #6162-09-194746-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a new home on an existing lot to be located 12.4 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: Paul Lahey

Vote: 7:0:0

Meeting adjourned at 10:10 PM

MOVED: Art Grace

SECONDED: Karmen Buckey

CARRIED: 7:0:0

PRESENT:

Member Bomba
Member Buckey
Member Capone
Chairman Challey
Member Cuchelo

Member Marlow
Member Lahey (Alternate)

ABSENT:

Member Grace