



# 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