

Town of Poughkeepsie

Zoning Department

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

DECISION AGENDA TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS REGULAR MEETING July 8, 2013 7:00 PM

Old Business

- 1. Public Hearing Thomas & Lisa Haven, 13 Daria Drive, Zone R-20, Grid #6260-03-3279225-0000. The requested Special Use Permit is made pursuant to Article VIII, §210-74 of the Town Code to allow the establishment of a home occupation, Nano-Brewery, within an existing single family dwelling. Unlisted action. Uncoordinated review. Matter adjourned at applicants request until 8/12/13.
- 2. Public Hearing R & D Hotel, LLC, 2611-2629 South Road, Zone B-H, Grid #6060-02-950800-0000. The request for Special Use Permit approval is made pursuant to Article VI, Section 210-35(C)(8) and Article VII, Section 210-90 of the Town Code to allow establishment of a motor vehicle service facility. Unlisted action. Coordinated Review.

The Board voted to grant the Special Use Permit for reasons set forth in the resolution of the Board.

Motion: Jim Challey Second: Art Grace

Nay: Phyllis Capone, Anthony Cuchelo

Vote: 4:2:0

3. Public Hearing – R & D Hotel, LLC, 2611-2629 South Road, Zone B-H, Grid #6060-02-950800-0000 for a proposed MacDonald's Restaurant. The requested Area Variance approval is made pursuant to Article IX, Section 210-127 of the Town Code to allow 1) three wall signs of 14 square feet where one wall sign of up to 25% of the face of the building to a maximum of 100 square feet is permitted; and 2) two directional signs to be mounted at a height of 9 feet 6 inches where directional signs shall not be mounted at a higher that 6 feet; and 3) two directional signs of 4.5 square feet where directional signs shall not exceed 3 square feet. Unlisted action. Coordinated Review.

The Board voted to grant the Special Use Permit for reasons set forth in the resolution of the Board.

Motion: Jim Challey Second: Art Grace

Nay: Phyllis Capone, Anthony Cuchelo

Vote: 4:2:0

4. Public Hearing – HD Supply Waterworks, 650 Sheafe Road, Zone O-R, Grid #6159-01-315505-0000. The request for Special Use Permit approval is made pursuant to Article VI, Section 210-37(C) (2) and Article VIII, Section 210-63.1 of the Town Code to allow the

establishment of a contractor's yard. Unlisted Action. Coordinated Review. Matter adjourned until 8/12/13.

New Business

- 5. Public Hearing Wadia & Issa Masarwah, 61 Fallkill Avenue, Zone R-20, Grid #6162-15-674417-0000. 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. Matter adjourned until 8/12/13.
- 6. Public Hearing U-Haul of Poughkeepsie, 2560 South Road, Zone B-H, Grid #6160-01-029640-0000. The requested Area Variance approval is made pursuant to Article IX, Section 210-127 of the Town Code to allow 1) a second front wall sign of 61.5 square feet where only one front wall sign is permitted; and 2) a side wall sign of 15 square feet where only one front wall sign is permitted; and 3) an Area Variance approval pursuant to Article IX, Section 210-131F of the town code to allow two directional signs of 13.5 square feet where directional signs shall not exceed 3 square feet or exceed a height of 6 feet. Unlisted Action. Uncoordinated review.

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

Motion: Paul Lahey Second: Jim Challey

Vote: 6:0:0

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

Motion: Jim Challey Second: Art Grace

Nay: Karmen Buckey, Paul Lahey

Vote: 4:2:0

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

Motion: Jim Challey
Second: Paul Lahey
Nay: Phyllis Capone

Vote: 5:1:0

The Board voted to grant the variance for item #3 for reasons set forth in the resolution of the Board. Said vote failed.

Motion: Paul Lahey Second: Jim Challey

Nay: Karmen Buckey, Phyllis Capone, Anthony Cuchelo, Art Grace

Vote: 2:4:0 Motion Fails

7. Public Hearing – Peter Ho Yeung, East Cedar Street, Zone R-20, Grid #6162-10-368747-0000. 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 deny the variance for reasons set forth in the resolution of the Board.

Motion: Jim Challey

Second: Art Grace Vote: 6:0:0

- 8. Public Hearing Dennis Ambrosio, 6 Swenson Drive, Zone R-20, Grid #6158-10-337712-0000. The request for Special Use Permit approval is made 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. Uncoordinated review. Matter adjourned until 8/12/13.
- 9. Public Hearing Dennis Ambrosio, 6 Swenson Drive, Zone R-20, Grid #6158-10-337712-0000. The requested Area Variance involves relief from 1) Article IV, Section 210-16(E) of the Town Code to allow a home addition to be located 10.8 feet from the side lot line where 20 feet is required; and 2) an Area Variance approval pursuant to Article VIII, Section 210-47C (4) of the Town Code to allow an accessory apartment to exceed the 35% which is allowed in a single family dwelling. Type II Action.

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

Board.

Motion: Phyllis Capone Second: Art Grace Vote: 6:0:0

10. Public Hearing – Maryellen Sasaguay, 21 Jackson Drive North, Zone R-20, Grid #6159-04-964388-0000. The requested Area Variance involves relief from Article VIII, Section 210-48 of the Town Code to allow an accessory structure (shed) to be located 3 feet from the side yard lot line where 10 feet is required. Type II Action.

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

Board.

Motion: Karmen Buckey

Second: Art Grace Vote: 6:0:0

11. Public Hearing – Carlos Valdivia, 10 Oriole Drive, Zone R-20, Grid #6159-01-233812-0000. The requested Area Variance involves relief from Article VIII, Section 210-107 of the Town Code to allow a private swimming pool to be located 10 feet 4 inches from the side lot where 15 feet is required. Type II Action.

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

Board.

Motion: Phyllis Capone Second: Paul Lahey

Vote: 6:0:0

12. Public Hearing – Judith DePaola, 4 Priscilla Lane, Zone R-20, Grid #6161-03-144204-0000. The requested Area Variance involves relief from Article VIII, Section 210-48 of the Town Code to allow an accessory structure (shed) to be located 5 feet from the side yard lot line where 10 feet is required. Type II Action.

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

Board.

Motion: Phyllis Capone Second: Paul Lahey

Vote: 6:0:0

Meeting adjourned at 9:45 PM MOVED: Jim Challey

SECONDED: Art Grace

CARRIED: 6:0:0

PRESENT:

ABSENT:

Member Bomba Member Marlow

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