



Town of Poughkeepsie

Zoning Department

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Poughkeepsie, NY 12603

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DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
August 12, 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 until 9/9/13.**
2. **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.

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

Motion: Jim Challey
Second: Betty Bomba
Vote: 5:0:0

3. **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.

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

Motion: Jim Challey
Second: Paul Lahey
Vote: 5:0:0

4. **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.

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

Motion: Jim Challey
Second: Betty Bomba
Vote: 5:0:0

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

Motion: Phyllis Capone
Second: Betty Bomba
Vote: 5:0:0

New Business

5. **Public Hearing – Joseph Humet, 138 Bower Road, Zone R-20, Grid #6363-03-186094-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow an existing deck to be located 12 feet from the west side lot line and 10 feet from the east side lot line where 20 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: Betty Bomba

Second: Paul Lahey

Vote: 5:0:0

6. **Public Hearing – Golf Plaza, Inc., 64-68 Creek Road, Zone R-20, Grid #6162-02-695673-0000.** The requested Area Variance involves relief from Article VI, Section 210-33(E) of the Town Code to allow an existing building to be located 32.9 feet from the rear lot line where 35 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: Betty Bomba

Vote: 5:0:0

7. **Public Hearing – Margaret Mosca, 50 Homer Road, Zone R-20, Grid #6261-03-392075-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a proposed deck to be located 12 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

Vote: 5:0:0

8. **Public Hearing – CPD NY Energy Corp. and Chestnut Mart, 2625 South Road, Zone B-H, Grid #6060-02-950800-0000.** The requested Interpretation concerns an appeal of the Zoning Administrator's determination as to the calculation of distance of a motor vehicle service facility to a residential use in a residential district and area and bulk requirements for a motor vehicle service facility use. Type II Action. **Matter adjourned until 9/9/13.**

9. **Public Hearing – Diane Schroeder, 15 Lafko Drive, Zone R-20, Grid #6262-02-959524-0000.** 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, Holistic Healing, within an existing single family dwelling. 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: Jim Challey

Second: Betty Bomba

Vote: 5:0:0

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

Motion: Phyllis Capone

Second: Betty Bomba

Vote: 5:0:0

10. **Public Hearing – Cindy Schmitz, 14 Hasbrouck Drive, Zone R-20, Grid #6160-03-322437-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to

allow a proposed deck to be located 18.09 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: Phyllis Capone
Vote: 5:0:0

11. **Public Hearing – Bruce & Beverly Taylor, 19 Stone Street, Zone R-20, Grid #6057-07-522928-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a proposed deck to be located 16.5 feet from the side lot line where 20 feet is required and; 2) 14.25 feet from the rear lot line where 30 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: 5:0:0

12. **Public Hearing – Dutchess Facilities Management, LLC., 1143 Dutchess Turnpike, Zone B-H, Grid #6362-01-100640-0000.** The requested Area Variance involves relief from Article VI, Section 210-35(E) of the Town Code to allow an existing building to be located 7 feet 1 inch from the rear lot line, 32 feet 9 inches from the front lot line and 17 feet 8 ½ inches from the east side lot line where 40 feet is required for all. Type II Action.

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

Motion: Paul Lahey
Second: Phyllis Capone
Recused: Betty Bomba
Vote: 4:0:0

13. **Public Hearing – Michelle & Rajiv Narula, 25 Coachlight Drive, Zone R-20, Grid #6260-01-174901-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a proposed garage to be located 3 feet from the side lot line where 20 feet is required. Type II Action. **Matter adjourned until 9/9/13.**

14. **Public Hearing – Raymond Lake, Jr., 41 Lakeview Avenue, Zone R-20, Grid #6162-06-465885-0000.** The requested Area Variance involves relief from Article VIII, Section 210-107 of the Town Code to allow an existing private pool to be located 6 feet from the side lot line where 15 feet is required. Type II Action. **Matter adjourned until 9/9/13.**

15. **Public Hearing – Qani Sulollari, 24 Misty Ridge Road, Zone R-20, Grid #6260-01-174901-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a proposed home addition to be located 16 feet from the side lot line where 20 feet is required. Type II Action. **Matter adjourned until 9/9/13.**

Correspondence

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Springside Neighborhood Development, 45 Springside Avenue and 25 Van Wagner Road.*

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

Motion: Jim Challey
Second: Betty Bomba
Vote: 5:0:0

Meeting adjourned at 10:01 PM

MOVED: Karmen Buckey
SECONDED: Betty Bomba
CARRIED: 5:0:0

PRESENT:

Member Bomba

Member Buckey
Member Capone
Chairman Challey

Member Lahey (Alternate)

ABSENT:

Member Marlow

Member Cuchelo
Member Grace