



Town of Poughkeepsie

Zoning Department

1 Overocker Road
Poughkeepsie, NY 12603

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

**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
SEPTEMBER 9, 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 10/21/13.**
2. **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. Public Hearing closed. **Public hearing closed.**

The Board voted to direct Legal Counsel to prepare a draft resolution upholding the Zoning Administrator's decision and adjourned further deliberations to 10/21/13.

Motion: Jim Challey

Second: Art Grace

Vote: 6:0:0

3. **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 10/21/13.**
4. **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 2 feet from the side lot line where 15 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: Art Grace

Vote: 6:0:0

5. **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 10/21/13.**

New Business

6. **Public Hearing – New Hamburg Fire District, 15 Channingville Road, Zone R-20, Grid #6058-04-694049-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow impervious surface coverage on the lot to exceed a maximum of 35%. Type II Action.

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

Motion: Art Grace
Second: Karmen Buckey
Vote: 6:0:0

7. **Public Hearing – Anthony Cerrato, 2071 New Hackensack Road, Zone R-20, Grid #6260-04-521377-0000.** 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 1/2 feet. 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
Vote: 6:0:0

8. **Public Hearing – Thomas Potocki, 12 Van Wyck Drive, Zone R-20, Grid #6162-07-569850-0000.** The requested Area Variance involves relief from Article VIII, Section 210-48 of the Town Code to allow an existing accessory structure (shed) to be located 6 feet 3 inches from the side yard 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: Jim Challey
Second: Art Grace
Vote: 6:0:0

9. **Public Hearing – William Lawson, 18 Ireland Drive, Zone R-20, Grid #6261-02-507809-0000.** 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 6 feet 8 inches 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: Paul Lahey
Second: Betty Bomba
Vote: 6:0:0

10. **Public Hearing – Lee & Adrienne Zolotas, 46 Brookland Farms Road , Zone R-20, Grid #6159-02-684737-0000.** 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 7.9 feet from the side lot line where 20 feet is required. Type II Action. Applicant failed to appear. **Matter adjourned until 10/21/13.**

11. **Public Hearing – Lee & Adrienne Zolotas, 46 Brookland Farms Road, Zone R-20, Grid #6159-02-684737-0000.** 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. Applicant failed to appear. **Matter adjourned until 10/21/13.**

12. **Public Hearing – John & Elizabeth Tesone and Deborah Hoffman, 3 Ludlow Drive & 1 Ludlow Drive, Zone R-20, Grid #6160-03-337380-0000 and 6160-03-339392-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) to allow a reduction in the lot area of 1 Ludlow Drive from 0.406 acres to 0.387 acres in order to convey 800 square feet of land from 1 Ludlow Drive to 3 Ludlow Drive as part of a court ordered stipulation. 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: 6:0:0

13. **Public Hearing – Friendly Honda, 1143 Dutchess Turnpike, Zone B-H, Grid #6362-01-128675.** The requested Area Variance involves relief from Article IX, Section 210-123C and Section 210-127B of the Town Code to allow an existing freestanding sign to be located 5 feet from the highway boundary where 10 feet is required, to be 25 feet in height where 20 feet is allowed, and to be 68 square feet where 50 is allowed; and 2) to allow a second wall sign of 112 square feet where one wall sign is permitted. 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: Art Grace
Recused: Betty Bomba
Vote: 5:0:0

14. **Public Hearing – Friendly Honda, 1135 Dutchess Turnpike, Zone B-H, Grid #6362-01-120653.** The requested Area Variance involves relief from Article IX, Section 210-123C of the Town Code to allow one freestanding sign to be erected 3.5 feet from the highway boundary 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: Jim Challey
Second: Art Grace
Recused: Betty Bomba
Vote: 5:0:0

15. **Public Hearing – Anthony Rocco, 13 Saddle Rock Drive, Zone R-20, Grid #6160-04-641150-0000.** The requested Area Variance involves relief from Article VIII, Section 210-48 of the Town Code to allow an existing accessory structure (shed) to be located 3 feet rear yard lot line where 10 feet is required. Type II Action.

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

Motion: Betty Bomba
Second: Paul Lahey

Vote: 6:0:0

Meeting adjourned at 10:31 PM

MOVED: Art Grace

SECONDED: M

CARRIED: 6:0:0

PRESENT:

Member Bomba

Member Buckey

Member Capone

Chairman Challey

Member Grace

Member Lahey (Alternate)

ABSENT:

Member Marlow

Member Cuchelo