

# 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 JUNE 9, 2014, 7:00 PM

#### Old Business

1. **Public Hearing – Rutberg Breslow Personal Injury Law, 3344 North Road, Zone B-N, Grid #6062-02-975581-0000.** The requested Area Variance involves relief from Article IX, §210-126(C) of the Town Code to allow a wall sign of 107.62 square feet where a maximum of 50 square feet is allowed Unlisted Action. Uncoordinated Review. **Adjourned until 7/14/14.**

#### New Business

2. **Public Hearing – Simply Gourmet, 10 IBM Road, Zone B-N, Grid #6060-04-997170-0000.** The requested Area Variance is for relief from Article IX, Section 210-126(C) of the Town Code to allow the installation of a second front wall sign where only one front wall sign per tenant of up to 50 square feet is permitted. 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: 7:0:0**

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

**Motion: Larry Slomin**  
**Second: Art Grace**  
**Vote: 7:0:0**

3. **Public Hearing – 51 Fairview Corp., 51-53 Fairview Avenue, Zone R-20, Grid #6162-10-260593 & 6162-10-267589-0000.** The requested Use Variance involves relief from Article III, Section 210-13(F) and Article VI, Section 210-16(B) of the Town Code to allow a restaurant use on said property where the use is prohibited. Unlisted Action. Uncoordinated Review. **Adjourned until 7/17/14.**
4. **Public Hearing – Robert & Joan Olker, 31 Swenson Drive, Zone R-20, Grid #6158-10-433718-0000.** The requested Area Variance involves relief from 1) Article VIII, Section 210-107 of the Town Code to allow a proposed private swimming pool to be located 7 feet from the side and 9 feet from rear lot lines where 15 feet is required; and 2) an Area Variance approval pursuant to Article VIII, Section 210-48 to allow an existing accessory structure (shed) to be located in the front yard where an accessory structure is prohibited; and 3) Article VIII, Section 210-69 to allow an existing fence of 7 feet in height to be located within a front yard where the maximum height of such 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: Christina Soricelli**  
**Second: Betty Bomba**  
**Recused: Paul Lahey**  
**Vote: 7:0:0**

5. **Public Hearing – Jeff & Michelle Hamill, 51 Sharon Drive, Zone R-20, Grid #6161-03-194237-0000.** The requested Area Variance involves relief from Article VIII, Section 210-107 of the Town Code to allow a proposed private swimming pool deck to be located 5 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: Karmen Buckey**  
**Second: Art Grace**  
**Nay: Paul Lahey**  
**Vote: 6:1:0**

6. **Public Hearing – Gusto, 15 Collegeview Avenue, Zone ATC, Grid #6161-12-853668-0000.** The requested Area Variance involves relief from Article IX, Section 210-125(B)(2) of the Town Code to allow a freestanding sign to be located 4.532 feet from the highway right-of-way where 10 feet is required. 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: Art Grace**  
**Vote: 7:0:0**

*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: 7:0:0**

7. **Public Hearing – Rita’s, 4-10 Taft Avenue, Zone ATC, Grid #6161-08-932814-0000.** The requested Area Variance involves relief from Article IX, Section 210-125 B(1) and 210-125 of the Town Code to allow: 1) a wall sign of 33.1 square feet where only 15 square feet is permitted; and 2) to allow an additional tenant sign of 16 square feet on a freestanding sign where said freestanding sign is already exceeds the maximum size for the district. 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: Art Grace**  
**Vote: 7:0:0**

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

**Motion: Art Grace**  
**Second: Paul Lahey**  
**Vote: 7:0:0**

8. **Public Hearing – Colin O’Brien, 20 Crestwood Boulevard, Zone R-20, Grid #66162-20-837142-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a proposed front porch to be located 16 feet from the side lot line where 20 feet is required and 24 feet from the front 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: Paul Lahey**  
**Second: Betty Bomba**  
**Vote: 7:0:0**

### **Correspondence**

**SEQR Lead Agency** – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Marist College Parking Improvements – St. Ann’s, 3399 North Road*

**SEQR Lead Agency** – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Marist College Parking Improvements – Beck Place, 3399 North Road*

**SEQR Lead Agency** – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Theodore Subdivision and Site Plan – 3 Springside Avenue*

**SEQR Lead Agency** – Town of Poughkeepsie Planning Board is requesting Lead Agency on *UHaul of Poughkeepsie – 2175-2185 South Road*

*The Board voted to consent to the Town of Poughkeepsie Planning Board acting as Lead Agency on all the above matters.*

**Motion: Jim Challey**

**Second: Art Grace**

**Vote: 7:0:0**

**Time Extension Request** – *Friendly Honda – Area Variances granted July 9, 2012.*

*The Board voted to grant a two year time extension.*

**Motion: Jim Challey**

**Second: Christine Soricelli**

**Vote: 7:0:0**

**Meeting adjourned at 9:15 PM**

**MOVED: Jim Challey**

**SECONDED: Art Grace**

**CARRIED: 7:0:0**

**PRESENT:**

Member Bomba  
Member Buckey  
Member Capone (Alternate)  
Chairman Challey

Member Grace  
Member Lahey (Alternate)  
Member Slomin  
Member Soricelli

**ABSENT:**

Member Cuchelo