

# 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 JULY 14, 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 8/11/14.**
2. **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 8/11/14.**

#### New Business

3. **Public Hearing – Cinema 8, 1895 South Road**, Zone SHC, Grid #6158-01-297959-0000. The request for Area Variance approval is made pursuant to Article IX, §210-127(C) of the Town Code to permit a wall sign of 27.2 square not facing a public road. 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**

4. **Public Hearing – Charles & Christine Argo, 925 Dutchess Turnpike**, Zone R-20, Grid #6262-04-693311-0000. The requested Area Variance approval is made pursuant to Article VIII, Section 210-16(E) of the Town Code to allow a proposed home addition to be located 11 feet 11 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: Art Grace**  
**Second: Christine Soricelli**  
**Vote: 7:0:0**

5. **Public Hearing – Hani Fakhouri, 111 Spackenkill Road**, Zone R-20, Grid #6160-02-524527-0000. 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. **Adjourned until 8/11/14.**

6. **Public Hearing – Brian Martin, 70 Alda Drive, Zone R-20, Grid #6260-03-232138-0000.** The requested Area Variance involves relief from Article VIII, Section 210-48 of the Town Code to allow a proposed accessory structure (shed) to be located 3 feet from the rear yard lot line and 3 feet from the side lot line where 10 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: Larry Slomin**

**Second: Art Grace**

**Vote: 7:0:0**

7. **Public Hearing – Jason & Monica Langevin, 9 Monroe Drive, Zone R-20, Grid #6158-02-572907-0000.** The requested Area Variance involves relief from Article VIII, Section 210-107 of the Town Code to allow a pool deck to be located 3 feet from the side lot line and 4 feet from the rear lot line where 15 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: Jim Challey**

**Second: Art Grace**

**Vote: 7:0:0**

8. **Public Hearing – Michael & Lisa Macklin, 22 Briarwood Drive, Zone R-20, Grid #6059-08-982979-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a proposed second story dormer expansion to be located 12.64 feet from the north 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: Christine Soricelli**

**Second: Art Grace**

**Vote: 7:0:0**

9. **Public Hearing – David Seaman, 124 North Grand Ave, Zone R-20, Grid #6162-20-806179-0000.** The requested Area Variance involves relief from 1) Article VIII, Section 210-107 of the Town Code to allow an existing private swimming pool to be located 14 feet 6 inches from the north side and 11 feet 6 inches from the south side lot lines where 15 feet is required for both; and 2) an Area Variance approval pursuant to Article VIII, Section 210-16E to allow an existing deck to be located 8 feet 6 inches from the north side and 19 feet from the south side property lines 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: Phyllis Capone**

**Second: Art Grace**

**Vote: 7:0:0**

10. **Public Hearing – Tony & Nancy Russ, 27 Regency Drive, Zone R-20, Grid #6262-02-8807700-0000.** The requested Area Variance involves relief from Article IV, Section 210-14(E) to allow a ground-mounted solar energy system to be located 20 feet from the side yard lot line where 50 feet is required and 70 feet from the rear yard lot line where 75 feet is required. Type II Action. **Adjourned until 8/11/14.**

11. **Public Hearing – Miguel Rosario, 6 Debbie Court, Zone R-20, Grid #6159-04-550395-0000.** The request for Special Use Permit approval is made pursuant to Article VIII, Section 210-74 of the Town Code to allow the establishment of a home occupation (massage and personal training), within an existing single family dwelling. The property is located in the Residence, Single-Family 20,000 (R-20,000) Square Feet District. Unlisted Action. Uncoordinated Review. **Adjourned until 8/11/14.**

12. **Public Hearing – UHaul, 2175-2185 South Road, Zone B-H, Grid #6159-01-276754-0000.** The request for Special Use Permit approval is made pursuant to Article VI, §210-35(C)(12) of the Town

Code to allow establishment of a warehousing (self-storage) facility. Unlisted Action. Uncoordinated Review. **Adjourned until 8/11/14.**

13. **Public Hearing – Benoni Theodore, 3 Springside Avenue, Zone ATC, Grid #6161-07-697885-0000.** The requested Area Variance involves relief from: 1) Article V, §210-22(E)(2) to allow the subdivision of land to establish a two-family dwelling on each lot where Lot 1 would consist of 6,338 square feet and Lot 2 would consist of 6,389 square feet where a minimum of 14,520 square feet for each lot is required and; 2) Article VIII, §210-48 to allow an accessory detached structure (garage) to be located two feet from a property line where ten feet is required. Type II Action. **Adjourned until 8/11/14.**

**Correspondence**

**SEQR Lead Agency Reaffirmation** – Town of Poughkeepsie Planning Board is requesting reaffirmation of Lead Agency status on *Springside Neighborhood Development, Springside Avenue & Van Wagner Road.*

*The Board voted to consent to the Town of Poughkeepsie Planning Board reaffirmation to act as Lead Agency on the above matter..*

**Motion:** Jim Challey  
**Second:** Art Grace  
**Nay:** Phyllis Capone  
**Vote:** 6:1:0

**Meeting adjourned at 10:15 PM**  
**MOVED:** Art Grace  
**SECONDED:** Betty Bomba  
**CARRIED:** 7:0:0

**PRESENT:**

Member Bomba  
Member Buckey  
Member Capone (Alternate)  
Chairman Challey  
  
Member Grace  
  
Member Slomin  
Member Soricelli

**ABSENT:**

Member Cuchelo  
  
Member Lahey (Alternate)