



Town of Poughkeepsie

Zoning Department

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
AUGUST 11, 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 9/08/14.**
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 9/08/14.**
3. **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. **Application withdrawn by applicant.**
4. **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 9/08/14.**
5. **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.

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

Motion: Betty Bomba
Second: Art Grace
Recused: Anthony Cuchelo
Vote: 6:0:0

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

Motion: Karmen Buckey

Second: Art Grace

Recused: Anthony Cuchelo

Vote: 6:0:0

6. **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.

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

Motion: Larry Slomin

Second: Paul Lahey

Recused: Anthony Cuchelo

Vote: 6:0:0

7. **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.

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

Motion: Betty Bomba

Second: Art Grace

Recused: Anthony Cuchelo

Vote: 6:0:0

New Business

8. **Public Hearing – Cristin Magliato, 18 Mountain View Road, Zone R-20, Grid #6261-01-192808-0000.** 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 (hair salon), 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.

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

Motion: Betty Bomba

Second: Art Grace

Recused: Paul Lahey

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: Christine Soricelli

Recused: Paul Lahey

Vote: 7:0:0

9. **Public Hearing – Burger Fi, 60 Raymond Avenue, Zone ATC, Grid #6161-12-823675-0000.** The requested Area Variance involves relief from Article IX, Section 210-125(B)(1) of the Town Code to allow a wall sign of 27.5 square feet where only one wall sign of 15 square feet is allowed. Unlisted Action. Uncoordinated review.

The Board voted to grant a 22 square foot wall sign for the reasons set forth in the resolution of the Board.

Motion: Paul Lahey

Second: Christine Soricelli

Nay: Karmen Buckey

Vote: 6:1:0

Meeting adjourned at 9:10 PM

MOVED: Art Grace

SECONDED: Christine Soricelli

CARRIED: 7:0:0

PRESENT:

Member Bomba

Member Buckey

Member Capone (Alternate)

Member Cuchelo

Member Grace

Member Lahey (Alternate)

Member Slomin

Member Soricelli

ABSENT:

Chairman Challey