



# Town of Poughkeepsie

## Zoning Department

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**DECISION AGENDA  
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS  
REGULAR MEETING  
MARCH 9, 2015  
7:00 PM**

### Old Business

1. **Adjourned Public Hearing – Leanne Le, 81 Buckingham Avenue, Zone R-20, Grid #6162-10-315726-0000.** The requested Area Variance involves relief from Article VIII, Section 210-92(Q)(1) to allow the parking or storage of motor vehicles in the front yard of the property. Unlisted Action. Uncoordinated review. **The Board voted to adjourn the public hearing until 4/13/15.**
2. **Adjourned Public Hearing – Anthony Leo, 11 Spring Street, Zone R-20, Grid #6162-05-239816-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow a single family detached dwelling to be located 8 feet from the side lot line where 20 feet is required. Type II Action. **The Board voted to adjourn the public hearing until 4/13/15.**
3. **Adjourned Public Hearing – Salsa Restaurant, 2585 South Road, Zone B-SC, Grid #6060-02-968700-0000.** The requested Area Variance involves relief from Article IX Section 210-128B of the Town Code to allow a tenant sign of 40.77 square feet on a freestanding sign where said freestanding sign shall advertise the name of the center only. 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: Christine Soricelli**  
**Second: Betty Bomba**  
**Vote: 7:0:0**

### New Business

4. **Public Hearing – HVFCU, 4 Tucker Drive, Zone B-SC, Grid #6262-03-139031-0000.** The requested Area Variance involves relief from Chapter 210, Article IX of the Town Code as follows: 1) §210-128(B) to allow a freestanding sign of 11 square feet where a freestanding sign shall advertise the name of the shopping center only; and 2) §210-128(C)(2)(a) to allow a wall sign of 115.2 square feet where one wall sign up to 100 square feet is allowed; and 3) §210-

128(C)(2)(a) to allow 4 signs mounted on an ATM where no sign 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: 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**

5. **Public Hearing – HVFCU, 159 Barnegat Road, Zone I-H, Grid #6060-04-858127-0000.** The request for Area Variance approval is made pursuant to Article IX, Section 210-129(C) of the Town Code to allow 2 signs mounted on a freestanding ATM where only one wall mounted sign on the principal structure 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: Art Grace**

**Second: Betty Bomba**

**Vote: 7:0:0**

6. **Public Hearing – HVFCU, 1810 South Road, Zone B-SC, Grid #6158-002-506817-0000.** The request for Area Variance approval is made pursuant to Article IX, Section 210-129(C)(2)(a) of the Town Code to allow signs on a freestanding ATM. 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: Jim Challey**

**Second: Betty Bomba**

**Vote: 7:0:0**

7. **Public Hearing – Hertz Corporation, 10 IBM Road, Zone B-N, Grid #6060-04-858127-0000.** The request for Area Variance approval is made pursuant to Article IX, Section 210-126(C) of the Town Code to allow the installation of a second wall sign of 50 square feet where only one wall sign 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: 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: Paul Lahey**

**Second: Jim Challey**

**Vote: 7:0:0**

8. **Public Hearing – Matthew Johnson, 190 North Grand Avenue, Zone R-20, Grid #6162-16-836356-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) to allow a home addition to be located 12.5 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: Larry Slomin**

**Second: Art Grace**

**Vote: 7:0:0**

9. **Public Hearing – Michael & Adriane Haase, 4 Claudia Lane, Zone R-20, Grid #6259-01-130701-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) to allow a proposed home addition to be located 11 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: Anthony D'Aquanni**

**Second: Art Grace**

**Vote: 7:0:0**

10. **Public Hearing – John & Maria Rautenstrauch, 7 Old Farms Road, Zone R-20, Grid #6160-04-604474-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) to allow a proposed home addition to be located 14 feet from the side lot line where 20 feet is required. Type II Action. **The Board voted to adjourn the public hearing until 4/13/15.**

11. **Public Hearing – Daniel DeWitt, 7 East Dogwood Drive, Zone R-20, Grid #6060-04-988121-0000.** The requested Area Variance involves relief from Article VIII, Section 210-69 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 ½ feet. 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**

12. **Public Hearing – Joe & Marianne Clarke, 2 Jordan Street, Zone R-4A, Grid #6058-04-971223-0000.** The requested Area Variance involves relief from Article IV, Section 210-14(E)

to allow a proposed home addition to be located 39 feet from the front lot line where 100 feet is required; a rear yard setback of 46 feet where 75 feet is required; lot coverage of 8.7% where a maximum of 4% is allowed. 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: 7:0:0**

13. **Public Hearing – U-Haul, 2175-2185 South Road, Zone B-H, Grid #6159-01-276754-0000.** The request for Area Variance approval is made pursuant to Article IX, of the Town Code as follows; 1) §210-128(C) to allow a wall sign of 185.76 square feet where on wall sign up 100 square feet is allowed; and 2) §210-128(C) to allow 2 additional wall signs of 60 square feet each where only one wall sign is permitted; and 3) §210-131(F) of the town code to allow one directional sign of 13.5 square feet where directional signs shall not exceed 3 square feet or exceed a height of 6 feet. Unlisted Action. Uncoordinated Review. **The Board voted to adjourn the public hearing until 4/13/15.**

14. **Public Hearing – Marist College, 3399 North Road , Zone IN, Grid #6062-02-891913-0000.** The requested Area Variance is a request for relief from Chapter 210, Article VI, §210-38(E) of the Town Code to allow a front yard setback of 40 feet where 50 feet is required. Type I Action. Planning Board is the designated Lead Agency. Negative Declaration issued January 15, 2015.

*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**

15. **Public Hearing – Keith & Debbie Hoffnagle, 131 Violet Avenue, Zone R-20, Grid #6162-07-510847-0000.** The requested Use Variance involves relief from Article III, Section 210-13F and Article IV, Section 210-16(B) to allow the establishment of a restaurant in a district where restaurants are not a permitted use. Unlisted Action. Uncoordinated review. **The Board voted to adjourn the public hearing until 4/13/15.**

16. **Public Hearing – New England Realty Group, Ltd., 92 Fairview Avenue, Zone R-20, Grid #6162-09-212690-0000.** The requested Interpretation is a request for a determination that the occupants of 92 Fairview Avenue are the functional equivalent of a “family” as that term is defined in Chapter 210, Article II, §210-9 of the Town Code. Type II Action. **The Board voted to adjourn the public hearing until 4/13/15.**

17. **Public Hearing –Yi Jing Zheng, 19 Fairview Avenue Extension, Zone R-20, Grid #6162-05-139932-0000.** The requested Interpretation is a request for a determination that the occupants of 19 Fairview Avenue Extension are the functional equivalent of a “family” as that term is defined in Chapter 210, Article II, §210-9 of the Town Code. Type II Action. **The Board voted to adjourn the public hearing until 4/13/15.**

18. **Public Hearing –Yi Jing Zheng, 18 Hawkins Street, Zone R-20, Grid # 6162-06-421929-0000.** The requested Interpretation is a request for a determination that the occupants of 18 Hawkins Street are the functional equivalent of a “family” as that term is defined in Chapter

210, Article II, §210-9 of the Town Code. Type II Action. **The Board voted to adjourn the public hearing until 4/13/15.**

19. **Public Hearing –Yi Jing Zheng, 6 Lyford Street, Zone R-20, Grid # 6162-06-302928-0000.** The requested Interpretation is a request for a determination that the occupants of 6 Lyford Street are the functional equivalent of a “family” as that term is defined in Chapter 210, Article II, §210-9 of the Town Code. Type II Action. **The Board voted to adjourn the public hearing until 4/13/15.**
20. **Public Hearing – Malabar Realty, LLC, 798 Dutchess Turnpike and 219 Overocker Road, Zone B-H, Grid #6262-04-571014 and 574003.** Area Variance approvals are required pursuant to Chapter 210, Article VI, §210-35(C) to allow 1) a front yard setbacks of 12 feet 4 inches, 19 feet 10 inches, 24 feet 2 inches, 28 feet 7 inches, and 37 feet 3 inches for various improvements where 40 feet is required; and 2) a rear yard setback of 15 feet where 40 feet is required; and 3) a maximum impervious coverage of 80% where a maximum of 75% is permitted; and pursuant to Chapter 210, Article VIII, §210-69 to allow a fence of up to 8 feet in height within a front yard where a fence shall not exceed 3.5 feet in height; and pursuant to Chapter 210, Article VIII, §210-88(A) to allow the parking of motor vehicles within 20 feet of a residential district boundary; and pursuant to Chapter 210, Article VIII, §210-90(E) to allow a motor vehicle service facility to be located within 500 feet of a residential use in a residential district. Unlisted Action. Coordinated review. Planning Board is the designated Lead Agency. Negative Declaration issued 2/19/15. **The Board voted to adjourn the public hearing until 4/13/15.**
21. **Public Hearing – Malabar Realty, LLC, 798 Dutchess Turnpike and 219 Overocker Road, Zone B-H, Grid #6262-04-571014 and 574003.** Special Use Permit is required: 1) pursuant to Chapter 210, Article VI, §210-35(C), and Article VIII, §210-90 of the Town Code to allow the re-establishment of a motor vehicle service facility; and 2) pursuant to Chapter 210, Article VI, §210-35(C), and Article VIII, §210-88 of the Town Code to allow the establishment of a motor vehicle rental business. Unlisted Action. Coordinated review. Planning Board is the designated Lead Agency. Negative Declaration issued 2/19/15. **The Board voted to adjourn the public hearing until 4/13/15.**

### Correspondence

**SEQR Lead Agency** – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Beacon Residential – 297 Violet Avenue.*

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

**Motion:** Jim Challey  
**Second:** Betty Bomba  
**Vote:** 7:0:0

**Meeting adjourned at 11:00 PM**  
**MOVED: Art Grace**

**SECONDED: Betty Bomba**  
**CARRIED: 7:0:0**

**PRESENT:**

Member Bomba

Member Capone (Alternate)

Chairman Challey

Member D'Aquanni

Member Grace

Member Lahey (Alternate)

Member Slomin

Member Soricelli

**ABSENT:**

Member Buckey