



# Town of Poughkeepsie

## Zoning Department

1 Overocker Road  
Poughkeepsie, NY 12603

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**DECISION AGENDA**  
**TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS**  
**REGULAR MEETING**  
**MAY 11, 2015**  
**7:00 PM**

### Old Business

1. **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 Public Hearing adjourned until 6/8/15 at the request of the applicant.**
2. **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 4) 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 5) 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 6) 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 Public Hearing adjourned until 6/8/15 at the request of the applicant.**
3. **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 Public Hearing adjourned until 6/8/15 at the request of the applicant.**

## New Business

4. **Public Hearing – Dennis Codrington, 46 South Gate Drive**, Zone R-20, Grid #6159-01-154728-0000. The requested Area Variance involves relief from Article VIII, Section 210-69 of the Town Code to allow a fence of up to 5 feet in height to be located within a front yard where the maximum height of a 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: Jim Challey**

**Second: Art Grace**

**Vote: 7:0:0**

5. **Public Hearing – Richard Selage, 6 Martis Way**, Zone R-20, Grid #6262-01-053815-0000. The requested Area Variance involves relief from Article IV, Section 210-48 of the Town Code to allow a proposed accessory structure to be located in front of the principal structure where an accessory building or structure shall not be located in front of a principal structure. Type II Action.

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

**Motion: Christine Sorecelli**

**Second: Betty Bomba**

**Vote: 7:0:0**

6. **Public Hearing – Tim Callan, 29 Cardinal Drive**, Zone R-20, Grid #6159-01-166638-0000. The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a proposed deck to be located 15 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: Art Gracen**

**Second: Betty Bomba**

**Vote: 7:0:0**

7. **Public Hearing –Frank Galante, 7 Millbank Road**, Zone R-20, Grid #6160-04-758410-0000. The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a proposed deck 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: Larry Slomin**

**Second: Betty Bomba**

**Vote: 7:0:0**

8. **Public Hearing –Red Roof Inn, 2349 South Road**, Zone B-H, Grid #6160-03-064112-0000. The requested Area Variance involves relief from Article VIII, Section 210-81(E)(1)(a) of the Town Code to allow illumination at the northern property line of 5.53 footcandles where illumination at the property line shall not exceed 0.2 footcandles. 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 a variance for the reasons set forth in the resolution of the Board.*

**Motion: Betty Bomba**

**Second: Art Grace**

**Vote: 7:0:0**

### **Correspondence**

**SEQR Lead Agency** – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Oakwood Friends School Solar Panels, 22 Spackenkill Road.*

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

**Motion: Jim Challey**

**Second: Art Grace**

**Vote: 7:0:0**

**Meeting adjourned at 8:00 PM**

**MOVED: Jim Challey**

**SECONDED: Betty Bomba**

**CARRIED: 7:0:0**

#### **PRESENT:**

Member Bomba  
Member Buckey  
Member Capone (Alternate)  
Chairman Challey  
Member D'Aquanni  
Member Grace  
Member Lahey (Alternate)  
Member Slomin  
Member Soricelli

#### **ABSENT:**