



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 8, 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 to 7/13/15 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 to 7/13/15.**
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 to 7/13/15.**

New Business

4. **Public Hearing – James & Kelly Tremper, 7 James Street, Zone R-20, Grid #6262-04-832475-0000.** The requested Area Variance involves relief from Article VIII, Section 210-107(C) of the Town Code to allow a proposed private swimming pool deck to be located 11.5 feet from the rear 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: Christine Soricelli

Second: Betty Bomba

Vote: 7:0:0

5. **Public Hearing – Sheri Daniels & Dave Rhynders, 400 Van Wagner Road, Zone R-20, Grid #6262-02-645747-0000.** 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 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: Jim Challey

Second: Christine Soricelli

Nay: Karmen Buckey, Paul Lahey

Vote: 5:2:0

6. **Public Hearing –Danny Bush & Kimberly Valentine, 140 Bedell Road, Zone R-4A, Grid #6262-02-582767-0000.** The requested Area Variance involves relief from Article IV, Section 210-14(E) of the Town Code to allow the construction of a principal structure (residence) to be located 32 feet from a side lot line where setback of 50 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

Vote: 7:0:0

7. **Public Hearing –Lee & Meredith Stabe, 9 N. Jackson Drive, Zone R-20, Grid #6159-04-908350-0000.** The requested Area Variance involves relief from Article VIII, Section 210-67.1(E)(1(a) of the Town Code to allow roof mounted solar electric panels to be installed within one foot (1') from the western-most roof edge; one foot (1') from the roof peak on the east-west roofline; and one foot four inches (1' 4") east and west of the north-south roofline where solar electric panels shall be located no less than three feet from the edge of any part of the roofline. 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: Art Grace

Nay: Betty Bomba

Vote: 6:1:0

8. **Public Hearing –Sushi Village, 8 Raymond Avenue, Zone ATC, Grid #6161-08-798805-0000.** The requested Area Variance involves relief from Article IX, Section 210-125(B)(1) of the Town Code to allow a wall sign of 40 square feet where a maximum of 15 square feet is permitted. Unlisted Action. Uncoordinated Review.

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

Nay: Paul Lahey

Vote: 6:1:0

9. **Public Hearing –Oakwood Friends School, 22 Spackenkill Road, Zone IN, Grid #6160-03-093343-0000.** The requested Area Variance involves relief from Article IV, Section 210-48 to allow a detached accessory structure (ground mounted solar electric panels) to be located in front of a principal structure. Unlisted Action. Planning Board is the designated Lead Agency. Negative Declaration issued 6/2/15.

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

10. **Public Hearing –Croft Corners Fire Volunteer Fire Co., 7 Spackenkill Road, Zone B-H, Grid #6160-03-038451-0000.** The requested Area Variance involves relief from Article IX, Section 210-123.1(C) and (D) to allow an existing Electronic Message Display (EMD) sign to display moving, flashing, and scrolling text that changes more than once in a twelve hour period where any EMD message shall be displayed for no less than 12 hours without change. Unlisted Action. Uncoordinated Review.

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

Motion: Karmen Buckey

Second: Art Grace

Recused: Paul Lahey

Vote: 7:0:0

Correspondence

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on *One Page Park/Texas Roadhouse, 2323 South 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

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on *One Easy Street Dutchess Turnpike Rezoning, 1165, 1167, & 1171 Dutchess Turnpike and 1 & 3 Easy Street.*

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 10:20 PM

MOVED: Jim Challey

SECONDED: Art Grace

CARRIED: 7:0:0

PRESENT:

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

Member Soricelli

ABSENT:

Member Slomin