



Town of Poughkeepsie

Zoning Department

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Poughkeepsie, NY 12603

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DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
DECEMBER 14, 2015
6:00 PM

Old Business

1. **Public Hearing – MVK Enterprises, Inc, US Route 9 (at Sheafe Road), Zone B-H, Grid #6159-01-287638.** The requested Area Variance is for relief from §210-35(E) of the Town Code to allow a building height of 4 stories and 55 feet where the maximum allowable height is 3 stories or 45 feet. Unlisted Action. Coordinated Review. **Adjourned until 1/11/16.**
2. **Public Hearing – FA Motorsports, LTD, 2 Tucker Drive, Zone B-SC, Grid #6262-03-133004.** The Area Variance seeks relief from: 1) §210-89(A) of the Town Code to allow a setback of 0.0 feet for the storage of for-sale vehicles where the storage of vehicles or equipment is not permitted within any required yard, landscaped or buffer area; and 2) §210-128(B) to allow a freestanding sign to advertise the name of a business where a freestanding sign shall advertise the name of the center only. Unlisted Action. Coordinated Review. Planning Board as the designated Lead Agency issued a Negative Declaration November 19, 2015.

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

3. **Public Hearing – FA Motorsports, LTD, 2 Tucker Drive, Zone B-SC, Grid #6262-03-133004.** The Special Use Permit is submitted pursuant to §210-36(C)(5) and §210-89 of the Town Code to allow the establishment of a motor vehicle sales and services facility. Unlisted Action. Coordinated Review. Planning Board as the designated Lead Agency issued a Negative Declaration November 19, 2015.

The Board voted to grant the Special Use Permit for the reasons set forth in the resolution of the Board.

Motion: Jim Challey
Second: Art Grace
Vote: 7:0:0

4. **Public Hearing – Dutchess Golf Club, LLC, 2628 South Road, Zone R-2A, Grid #6160-01-235760.** The requested Area Variance approval is made pursuant to section 210-15(E) of the Town Code to allow: 1) creation of a lot of 0.37 acres where a minimum of 2 acres are required; and 2) the creation of a lot having no frontage on an improved public road where a minimum of

125 feet is required; and 3) the creation of a lot having a lot width of 80 feet where 125 feet is required; and 4) a front yard setback of 6.6 feet for an existing accessory structure (garage) where 10 feet is required; and 5) a side yard setback of 10.5 feet for an existing principal structure and 7.8 feet for an existing accessory structure (garage) where setbacks of 40 feet and 10 feet, respectively, are required; and 6) lot coverage of 7.8% where a maximum of 5% is allowed; and 7) impervious surface coverage of 18.4% where a maximum of 15% is allowed; and 8) from 210-48 to allow an existing accessory structure (garage) to be located in front of a principal structure. Unlisted Action. Coordinated Review. Planning Board as the designated Lead Agency issued a Negative Declaration October 22, 2015.

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

Motion: Jim Challey

Second: Christine Soricelli

Vote: 7:0:0

5. **Public Hearing – Dunkin Donuts, 764 Main Street, Zone ATC, Grid #6161-07-732822.** The requested Area Variance seeks relief from Article IX, Section 210-125(B)(1)(2) of the Town Code to allow: 1) the use of an existing freestanding sign mounted on an exposed steel post where the use of exposed "I" beams and steel beams to support a freestanding sign is prohibited [WITHDRAWN BY APPLICANT]; and 2) to allow a freestanding sign to be mounted at a height of 15 feet where 12 feet is permitted [WITHDRAWN BY APPLICANT]; and 3) to allow a freestanding sign where such sign is located 1 foot (Lewis Avenue) and 3 feet (Main Street) respectively from the front boundary line where a minimum 10 foot setback is required [WITHDRAWN BY APPLICANT]; and 4) to allow a wall sign of 36 square feet where one wall sign of 15 square feet 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: Christine Soricelli

Second: Art Grace

Vote: 7:0:0

New Business

6. **Public Hearing – Wei Lu, 1 Rowley Road, Zone R-20, Grid #6159-04-727278.** The requested Area Variance involves relief from Article VIII, Section 210-69 of the Town Code 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 3.5 feet. Type II Action.

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

Motion: Larry Slomin

Second: Betty Bomba

Vote: 7:0:0

7. **Public Hearing – Dean Poorman & Ann Maguire, 20 Overocker Road, Zone R-20, Grid #6261-01-160705.** The requested Area Variance involves relief from Article VIII, Section 210-69 of the Town Code 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 3.5 feet. Type II Action.

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

Motion: Tony D'Aquanni

Second: Betty Bomba

Vote: 7:0:0

8. **Public Hearing – Feeds Plus, 19 Vassar Road, Zone ROMNSC, Grid #6260-04-540292.** The requested Area Variance involves relief from Article V, Section 210-29 of the Town Code to permit an enclosure of an existing front porch to be located 9 feet 8 inches from the front lot line where 25 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

9. **Public Hearing – Aaron Strang, 106 Crestwood Blvd, Zone R-20, Grid #6162-16-879379.** The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a home addition (garage) to be located 9 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: Karmen Buckey

Second: Art Grace

Vote: 7:0:0

10. **Public Hearing – Staples, 2566 South Road, Zone B-SC, Grid #6160-01-075610.** The requested Area Variance involves relief from Article IX, Section 210-128(C) of the Town Code to allow a wall sign of 125 square feet where a maximum of 100 square feet is permitted. Unlisted Action. Uncoordinated Review. **Adjourned until 1/11/16.**

11. **Public Hearing – Vassar College, 15 Thelberg Road, Zone I-N, Grid #6261-03-100450.** The requested Area Variance involves relief from Article VIII, Section 210-48 to allow a proposed accessory structure (garage) to be located in front of a principal structure where an accessory structure shall not be constructed in front of the principal structure. 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

Recused: Jim Challey

Vote: 7:0:0

12. **Public Hearing – Capstone 44 Plaza, 15 Burnett Blvd, Zone B-SC, Grid #6261-01-161946.** The requested Area Variance approval is made pursuant to section 210-128(C)(a) to allow: 1) a second wall sign of 179.3 square feet on the front wall of a building; and 2) a side wall sign of

179.3 square feet where side wall signs are not allowed; and 3) to legalize a freestanding sign of 225 square feet which is 67 square feet larger than the freestanding sign that was allowed by permit issued in 2000; and 4) a freestanding sign of 30 feet in height that is 2 feet 2 inches higher than that allowed by variance granted on March 11, 1996. Unlisted Action. Uncoordinated Review. **Adjourned until 1/11/16.**

Correspondence

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Spins Bowling Outdoor Recreation, 47 Taft Avenue.*

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Popeye’s Restaurant, 535 Haight Avenue.*

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on *Verizon New York, Inc., 181 Van Wagner Road.*

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

Motion: Jim Challey

Second: Art Grace

Vote: 7:0:0

Meeting adjourned at 8:45 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 Slomin
Member Soricelli

ABSENT: