



# Town of Poughkeepsie

## Zoning Department

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**DECISION AGENDA**  
**TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS**  
**REGULAR MEETING**  
**JANUARY 11, 2016**  
**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. Planning Board as the designated Lead Agency issued a Negative Declaration December 17, 2015.

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

**Motion: Betty Bomba**  
**Second: Art Grace**  
**Vote: 7:0:0**

2. **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 to 2/8/16.**
3. **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.

*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: Art Grace**

**Second: Christine Soricelli**

**Vote: 7:0:0**

### New Business

4. **Public Hearing – Michael North, 10 Bird Lane, Zone R-20, Grid #6160-04-632287.** The requested Area Variance involves relief from Article IV, Section 210-16(E) to allow: 1) an existing deck with addition to be located 1 foot from the side lot line where 20 feet is required and; 2) an existing pool to be located 11 feet from the side lot line where 15 feet is required and; 3) relief from Article VIII Section 210-48 to allow an existing shed to be located 1 foot from the side lot line where 6 feet is required. Type II Action. **Adjourned to 2/8/16.**

5. **Public Hearing – Robert Baxter, 132 Cedar Avenue, Zone R-20, Grid #6160-02-759824.** The requested Area Variance involves relief from Article VIII, Section 210-69 of the Town Code to allow an existing 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 variances for the reasons set forth in the resolution of the Board.*

**Motion: Jim Challey**

**Second: Art Grace**

**Vote: 7:0:0**

6. **Public Hearing – John Horton, 14 Regency Drive, Zone R-4A, Grid #6262-02-905698.** The request for Special Use Permit approval is made pursuant to Article VIII, Section 210-92(Q)(3) of the Town Code to allow one commercial vehicle not permitted by right to be parked in a residential 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: Jim Challey**

**Second: Art Grace**

**Vote: 7:0:0**

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

**Motion: Christine Soricelli**

**Second: Art Grace**

**Vote: 7:0:0**

7. **Public Hearing – Jyoti Inc., 26 Manchester Road, Zone ATC, Grid #6161-12-989740.** The requested Use Variance involves relief from Article III, Section 210-13(F) and Article VI, Section 210-22(B),(C), and (D) of the Town Code to allow a motor vehicle rental facility (UHaul) on said property where a motor vehicle rental use is prohibited. 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 Use Variance with conditions for the reasons set forth in the resolution of the Board.*

**Motion: Jim Challey**

**Second: Art Grace**

**Vote: 7:0:03**

8. **Public Hearing – Hardee’s, 2275 South Road, Zone B-H, Grid #6159-01-194942.** The requested Area Variance involves relief from Article IX, 210-131(F) and Article VIII, Section 210-60(B)(4)(b) of the Town Code to allow: 1) one directional sign of 5.69 square feet where directional signs shall not exceed 3 square feet; and 2) additional wall signage consisting of one 32.19 square feet “debossed star” on the south elevation, one 228.97 square feet “debossed star” on the east elevation, one 161.69 square feet “debossed star” on the west elevation, one 24.32 square feet “star light fixture” on the west elevation, and two 58.92 square feet “Hardee’s appendage” on the north and the south elevation, and two 7.58 square feet “charbroiled burgers” on the east and on the south elevation, where only one wall sign not to exceed 100 square feet is permitted. Unlisted Action. Coordinated Review. Planning Board as the Lead Agency issued a Negative Declaration March 20, 2015. **Adjourned to 2/8/16.**

**Meeting adjourned at 8:40 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:**