



# 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  
FEBRUARY 8, 2016  
6:00 PM**

### Old Business

1. **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. *The applicant withdrew the application and the Board voted to dismiss the application without prejudice.*
2. **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.

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

**Motion: Christine Soricelli**

**Second: Betty Bomba**

**Vote: 7:0:0**

3. **Public Hearing – Hardee’s Restaurant, 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involves relief from Article IX, 210-131(F) and Article VIII, Section 210-60(B)(4)(b) of the Town Code to allow: 1) [withdrawn by applicant] one directional sign of 5.69 square feet where directional signs shall not exceed 3 square feet; and 2) additional wall signage consisting of one 32.19 square feet “debossed star” on the south elevation, [withdrawn by applicant] one 228.97 square feet “debossed star” on the east elevation, [withdrawn by applicant] one 161.69 square feet “debossed star” on the west elevation, [withdrawn by applicant] one 24.32 square feet “star light fixture” on the west elevation, and two 58.92 square feet “Hardee’s appendage” on the [withdrawn by applicant] north and the south elevation, and two 7.58 square feet “charbroiled burgers” on the east and on the [withdrawn by applicant] south elevation, where only one wall sign not to exceed 100 square feet is permitted.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.

*The applicant modified the requested variances at the hearing and the Board voted to grant the variances with conditions for the reasons set forth in the resolution of the Board.*

**Motion:** Jim Challey  
**Second:** Art Grace  
**Nay:** Paul Lahey  
**Vote:** 6:1:0

#### New Business

4. **Public Hearing – Texas Roadhouse Holdings, LLC, 2323 South Road, Zone B-H, Grid #6160-03-111047.** The request for Area Variance approval is made pursuant to Article IX, §210-127(C) of the Town Code to permit a second wall sign of 18.1 square feet not facing a public road. Unlisted Action. Coordinated Review. Planning Board as the Lead Agency issued a Negative Declaration November 19, 2015.

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

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

5. **Public Hearing – Gianni Dilello, 87 Delavergne Avenue, Zone R-20, Grid #6158-01-0426378.** The requested Area Variance involves relief from Article VIII, Section 210-16(E) of the Town Code to allow an existing rear porch to be located 18 feet 6 inches from the side lot line where 20 feet is required. Type II Action.

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

**Motion:** Art Grace  
**Second:** Christine Soricelli  
**Vote:** 7:0:0

6. **Public Hearing – Popeye’s Restaurant, 535 Haight Avenue, Zone ATC, Grid #6161-08-894787.** The requested Area Variance involves relief from Article IX, §210-125(B)(2) to allow two 12 square foot freestanding signs, where only one freestanding sign not exceeding 12 square feet is permitted, and to allow both freestanding signs to be located 3 feet from the highway right-of-way where 10 feet is required. Unlisted Action. Coordinated Review. Planning Board as the Lead Agency issued a Negative Declaration December 17, 2015.

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

**Motion:** Paul Lahey  
**Second:** Christine Soricelli  
**Vote:** 7:0:0

7. **Public Hearing – Joseph Kolor, 3 Van Duzer Drive, Zone R-20, Grid #6160-03-388464.** The requested Area Variance is made pursuant to Article VIII, Section 210-16(E) of the Town Code to allow a proposed two story addition to be located 5 feet from the side lot line where 20 feet is required. Type II Action.

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

**Motion: Tony D'Aquanni**  
**Second: Art Grace**  
**Vote: 7:0:0**

**Meeting adjourned at 8:25 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 Soricelli

**ABSENT:**

Member Buckey

Member Slomin