



# 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  
June 13, 2016  
6:00 PM

### Old Business

1. **Public Hearing – Mike Nesheiwat, 111 Spackenkill Road, Zone R-20, Grid #6160-02-524527.** The request for Special Use Permit approval is made pursuant to Article VIII, Section 210-47 of the Town Code to allow the establishment of an accessory apartment within an existing single family dwelling. Unlisted action. Uncoordinated review. **The Board voted to adjourn the public hearing until 7/11/16.**
2. **Public Hearing – H & R Block, 2566 South Road, Zone B-SC, Grid #6160-01-027668.** The request for Area Variance approval is made pursuant to Article IX, §210-128(C)(3)(a) of the Town Code to permit a second and third wall sign of 50.9 square feet each where only one wall sign is allowed. Unlisted action. Uncoordinated review.

*The Board voted to grant one wall sign of 48.5 square feet on the east side elevation for the reasons set forth in the resolution of the Board.*

Motion: Christine Sorcelli  
Second: Art Grace  
Vote: 7:0:0

3. **Public Hearing – Care Mount Medical, 2507 South Road, Designated Business Park, Grid #6060-04-976470.** The requested Area Variance involves relief from Article VIII, §210-60(B)(4)(b) to permit wall signage to be mounted above the first floor of a building where wall signs shall be mounted below the second floor of any multistory building. Unlisted Action. Uncoordinated Review.

*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: 7:0:0

4. **Public Hearing – SBRJ-2 (Kumar), 22 DeLaval Place, Zone Neighborhood Business (B-N), Grid #6162-19-744096.** The requested Area Variance involves relief from: 1) §210-33(E) to allow the construction of a second floor roof located less than one (1) foot from a rear property line where 35 feet is required and; 2) §210-123(C) to allow a freestanding sign to be located on a property line where a setback of 10 feet is required. Type II Action. **The Board voted to adjourn the public hearing until 7/11/16.**

5. **Public Hearing – SBRJ-2 (Kumar), 22 DeLaval Place**, Zone Neighborhood Business (B-N), Grid #6162-19-744096. Special Use Permit pursuant to §210-33(C)(1) to allow the use of a second story space for two residential apartments. Unlisted Action. Uncoordinated review. **The Board voted to adjourn the public hearing until 7/11/16.**

### New Business

6. **Public Hearing – Maerushka Danko, 21 Point Street**, Zone R-20, Grid #6057-06-473851. The requested Area Variances involves: relief from 1) Article VIII, Section 210-107 to allow a pool to be located 0 feet side lot where 15 feet is required and; 2) relief Article VIII, Section 210-69 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 for the reasons set forth in the resolution of the Board.*

**Motion:** Larry Slomin  
**Second:** Art Grace  
**Vote:** 7:0:0

7. **Public Hearing – Fei Wu, 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 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 for the reasons set forth in the resolution of the Board.*

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

8. **Public Hearing – Wayne MacDonald, 12 Ridgewood Terrace**, Zone R-20, Grid #6159-04-862479. The requested Area Variance involves relief from Article VII, Section 210-48 to allow a proposed car port to be located 5 feet 6 inches from the side lot line where 10 feet is required. Type II Action. **The Board voted to adjourn the public hearing until 7/11/16.**

9. **Public Hearing – Ronald & Emily Foster, 62 Van Wyck Drive**, Zone R-20, Grid #6163-19-556013. The requested Area Variance involves relief from Article VIII, Section 210-16(E) to allow a 7 x 16' front porch addition to be located 22 feet from the front lot where 30 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 Grace  
**Second:** Christine Soricelli  
**Vote:** 7:0:0

10. **Public Hearing – Evan Stoner, 31 Round Hill Road**, Zone R-20, Grid #6160-04-803241. The requested Area Variance involves relief from Article IV, Section 210-16(E) to allow a proposed one story porch addition to be located 19.5 feet from a 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: Phyllis Capone  
Second: Christine Sorcelli  
Vote: 7:0:0

11. **Public Hearing – Melvin Hogue, 60 South Gate Drive, Zone R-20, Grid #6159-01-081713.** The requested Area Variance involves relief from Article VIII, Section 210-69 to allow a fence of up to 4 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: Betty Bomba  
Second: Art Grace  
Vote: 7:0:0

12. **Public Hearing – Dutchess Golf & Country Club, 2628 South Road, Zone R-2A, Grid #6160-01-235760.** The requested Area Variance involves relief from Article VIII, Section 210-73B to allow the proposed construction of a one story building to be setback 92 feet from the front property line where 200 feet is required. Unlisted Action. Coordinated review. Planning Board is the designated lead agency. **The Board voted to adjourn the public hearing until 7/11/16.**

13. **Public Hearing – Konrad Gesner, Jr. (Sherwin Williams Paint Store), 684 Dutchess Turnpike, Zone B-N, Grid #6261-01-258884.** The requested Area Variance involves relief from Article VI, Section 210-33(E) to allow the construction of a one story building 6.4 feet from the north boundary line and 11.6 feet from the west boundary line where 15 feet is required for each; and 25.8 feet from the rear boundary line where 35 feet is required. Unlisted Action. Coordinated review. Planning Board is the designated lead agency. **The Board voted to adjourn the public hearing until 8/8/16.**

### Correspondence

**SEQR Lead Agency** – Town of Poughkeepsie Planning Board is requesting Lead Agency on Sherwin Williams, 684 Dutchess Turnpike.

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

Motion: Art Grace  
Second: Paul Lahey  
Vote: 7:0:0

**Time Extension Request** – Friendly Honda – Area Variances granted July 9, 2012.

*The Board voted to grant a 2 year time extension (expire 6/13/18).*

Motion: Paul Lahey  
Second: Art Grace  
Recused: Betty Bomba  
Vote: 7:0:0

**Meeting adjourned at 9:05 PM**  
**MOVED: Betty Bomba**  
**SECONDED: Paul Lahey**  
**CARRIED: 7:0:0**

**PRESENT:**

Member Bomba

Member Capone (Alternate)

Member D'Aquanni

Member Grace

Member Lahey (Alternate)

Member Slomin

Member Soricelli

**ABSENT:**

Member Buckey

Chairman Challey