



Town of Poughkeepsie

Zoning Department

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
JULY 11, 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 8/8/16.**
- 2. 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 deny the variance for the reasons set forth in the resolution of the Board.
Motion: Paul Lahey
Second: Betty Bomba
Vote: 7:0:0
- 3. Public Hearing – Wayne MacDonald, 12 Ridgewood Terrace, Zone R-20, Grid #6159-04-862479.** The requested Area Variance involves relief from Article VIII, §210-92(Q)(1) of Chapter 210 to allow the parking or storage of motor vehicles in the front yard of the property. Type II Action.

The Board voted to deny the variance for the reasons set forth in the resolution of the Board.
Motion: Betty Bomba
Second: Art Grace
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 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 freestanding sign reasons set forth in the resolution of the Board.

Motion: Jim Challey

Second: Art Grace

Nay: Paul Lahey

Vote: 6:1:0

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. **Application was withdrawn by applicant.**
6. **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 grant the variance for the reasons set forth in the resolution of the Board.

Motion: Jim Challey

Second: Betty Bomba

Vote: 7:0:0

7. **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. **Public hearing adjourned until 8/8/16.**

New Business

8. **Public Hearing – Jack DiOdaordo, 319 Violet Avenue**, Zone R-20, Grid #6163-19-547202. The requested Area Variance involves relief from 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: Paul Lahey

Nay: Karmen Buckey

Vote: 6:1:0

9. **Public Hearing – Michael & Helen Tosch, 16 Pye Lane, Zone R-20, Grid #6160-01-230510.** The requested Area Variance involves relief from 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: Tony D'Aquanni
Second: Betty Bomba
Nay: Karmen Buckey
Vote: 6:1:0

10. **Public Hearing – Kathy & Samuel Sylvester, 19 Lakeview Avenue, Zone R-20, Grid #6162-06-467823.** The requested Area Variance involves relief from Article VIII, §210-92(Q)(1) of Chapter 210 to allow the parking or storage of motor vehicles in the front yard of the property. 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: Paul Lahey
Nay: Art Grace
Vote: 6:1:0

11. **Public Hearing – Paula Young-Borra, 2186 New Hackensack Road, Zone R-20, Grid #6260-01-480676.** The requested Area Variance involves relief from Article IX, Section 210-124(A) to allow a freestanding sign of 24 square feet in size and 11.5 feet in height supported by a single steel beam where a freestanding sign shall not exceed 4 square feet in size, shall not exceed 8 feet in height, and where the use of exposed "I" beams and steel beams to support a freestanding sign is prohibited. Unlisted Action. Uncoordinated Review. **The Board voted to adjourn the public hearing until 8/8/16.**

12. **Public Hearing – Mohinder Mangat, 47 Seitz Terrace, Zone R-20, Grid #6162-20-857064.** The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a proposed deck to be located 12 feet from the side lot line where 20 feet is required. Type II Action. **The Board voted to adjourn the public hearing until 8/8/16.**

13. **Public Hearing – Maria DeFranco, 800 Main Street, Zone ATC, Grid #6161-08-821795.** The requested Area Variance seeks relief from 210-125(B)(1) and (2) of the Town Code to allow a wall sign of 44.67 square feet where a wall sign shall not exceed 15 square feet, and to allow a freestanding sign of 24.33 square feet at a height of 18 feet set back from the highway right-of-way 1 foot where one freestanding sign not to exceed 12 square feet at a maximum height of 12 feet and set back a minimum of 10 feet from any highway right-of-way 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: 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: Paul Lahey
Second: Betty Bomba
Vote: 7:0:0

14. **Public Hearing – Jeffrey Wexler, 28 South Gate Drive, Zone R-20, Grid #6159-01-189786.** The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a proposed deck to be located 16 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: Betty Bomba
Second: Art Grace
Vote: 7:0:0

15. **Public Hearing – Phillip Di Pinto, 40 Robin Road, Zone R-20, Grid #6159-01-014814.** The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a proposed front porch to be located 11 feet from the side lot line where 20 feet is required and 22 feet from the front lot line 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: Betty Bomba
Vote: 7:0:0

16. **Public Hearing – Hudson Valley Building Tech., 18 Longview Road, Zone R-20, Grid #6261-01-288938.** The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a home addition to be located 10 feet from the side lot line where 20 feet is required. Type II Action. **The Board voted to adjourn the public hearing until 8/8/16.**

17. **Public Hearing – Arnco Sign Company on Behalf of Capstone Plaza, 15 Burnett Blvd, Zone B-SC, Grid #6261-01-161946.** The requested Area Variance approval is made pursuant to section 210-128(3)(a) to allow a wall sign of 143 square feet where a wall sign of 100 square feet is permitted. Unlisted Action. Uncoordinated Review. **The Board voted to adjourn the public hearing until 8/8/16.**

18. **Public Hearing – Stephen Burns on behalf of Beacon Residential LLC, 297 Violet Avenue, Zone R-M, Grid #6163-19-523128.** The requested Area Variance involves relief from: 1) §210-17(E) to allow impervious surface coverage of 51.8% where a maximum of 40% is allowed; and 2) parking to be located within 4 feet of the property line where a minimum setback of 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: Jim Challey
Second: Art Grace
Vote: 7:0:0

Correspondence

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on White’s Hudson River Marina, 15 Point Street.

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

Motion: Jim Challey

Second: Paul Lahey

Vote: 7:0:0

Meeting adjourned at 10:52 PM

MOVED: Art Grace

SECONDED: Betty Bomba

CARRIED: 7:0:0

PRESENT:

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

ABSENT:

Member Soricelli