



# Town of Poughkeepsie

## Zoning Department

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**DECISION AGENDA  
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS  
REGULAR MEETING  
AUGUST 8, 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 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 special use permit for reasons set forth in the resolution of the Board.*  
Motion: Jim Challey  
Second: Paul Lahey  
Nay: Art Grace  
Vote: 6:1:0
- 2. Public Hearing – SBRJ-2 (Kumar), 22 DeLaval Place, Zone Neighborhood Business (B-N), Grid #6162-19-744096.** The requested Area Variance involves relief from §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. 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
- 3. 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. Negative Declaration issued July 21, 2016.  
*The Board voted to grant the variance for the reasons set forth in the resolution of the Board.*

**Motion:** Christine Soricelli  
**Second:** Betty Bomba  
**Vote:** 7:0:0

4. **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 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 freestanding sign reasons set forth in the resolution of the Board.*

**Motion:** Jim Challey  
**Second:** Paul Lahey  
**Vote:** 7:0:0

5. **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 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:** Paul Lahey  
**Second:** Art Grace  
**Vote:** 7:0:0

6. **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 8.7 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:** Anthony D'Aquanni  
**Second:** Art Grace  
**Vote:** 7:0:0

7. **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 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 deny the variance for the freestanding sign reasons set forth in the resolution of the Board.*

Motion: Karmen Buckey

Second: Paul Lahey

Vote: 7:0:0

### New Business

8. **Public Hearing – TLP Associates, LLC, 30, 32, 34, and 40-42 McKinley Lane**, Zone B-N, Grid #6162-15-687379, 691395, 686390, 693398. The requested Area Variances involve relief from section 210-33(E) of the Town Code as follows: 1) Lot 3 (34 McKinley) variances to allow a shed to be located 5 feet from the rear property line and 8 feet from the side property line where 10 feet is required for both; and 2) Lot 5 (40-42 McKinley) a variance to allow a shed to be located 4 feet from the side property line where 10 feet is required; and 3) variances to allow the creation of lots of 7,158 square feet (Lot 1), 7,273 square feet (Lot 2), and 6,413 square feet (Lot 3) where a minimum of 15,000 square feet is required for each lot. Unlisted Action. Coordinated Review. Planning Board is the designated lead agency. Negative Declaration issued July 21, 2016.

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

Motion: Christine Soricelli

Second: Betty Bomba

Recused: Paul Lahey

Vote: 7:0:0

9. **Public Hearing – My Way Home Improvements on behalf of Susan & Jim Rothwell, 15 Marino Road**, Zone R-20, Grid #6059-08-996978. The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a proposed laundry room addition to be located 12.5 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

10. **Public Hearing – Jaime Ferrari, 93 Clark Street**, Zone R-20, Grid #6162-09-131567. The requested Area Variance involves relief from 1) Article VIII, Section 210-16E to allow a home addition to be located 12 feet from the north front lot line and 25 feet from the east front lot line where 30 feet is required for both and; 2) 5 feet from the south 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: Art Grace

Second: Betty Bomba

Vote: 7:0:0

11. **Public Hearing – Richard Tandler, 4 Monroe Drive**, Zone R-20, Grid #6158-02-551899. The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a proposed deck to be located 14.5 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: Jim Challey  
Second: Christine Soricelli  
Vote: 7:0:0

12. **Public Hearing – Michael Kistner, 20 Millbank Road, Zone R-20, Grid #6160-04-697353.** The requested Area Variance involves relief from Article VIII, Section 210-107 to allow a proposed above ground pool to be located 11.3 feet from the side lot line where 15 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: Art Grace  
Recused: Paul Lahey  
Vote: 7:0:0

13. **Public Hearing – Texas Roadhouse, 2323 South Road, Zone B-H, Grid #6160-03-111047.** The requested Area Variance is for relief from Article IX, Section 210-122(A)(9) to allow the use of strip lighting (neon) to outline a commercial structure. Unlisted Action. Uncoordinated Review. **The Board voted to adjourn the public hearing until 9/12/16.**

14. **Public Hearing – Omega Real Estate Holding, LLC, 2068 South Road, Zone B-H, Grid #6159-03-418429 & 445442.** The request for Area Variances approval are made pursuant to 1) Section 210-123(F) of the Town Code to allow a wall sign that is not affixed flat to the building façade and; 2) Section 210-127(C) of the Town Code to permit a second wall sign of 97.5 square feet not facing a public road. Unlisted Action. Uncoordinated Review.

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

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

15. **Public Hearing – Tinkelman Architecture, PLLC, 33 Arlington Avenue, Zone B-H, Grid #6161-08-868920.** The requested Area Variance involves relief from section 210-35(E) of the Town Code to allow a building addition to be set back 8 feet from a front yard setback where 40 feet is required. Unlisted Action. Coordinated Review. Planning Board is requesting Lead Agency status. **The Board voted to adjourn the public hearing until 9/12/16.**

### Correspondence

**SEQR Lead Agency** – Town of Poughkeepsie Planning Board is requesting Lead Agency on Built Parcel Five, 33 Arlington Avenue.

**SEQR Lead Agency** – Town of Poughkeepsie Planning Board is requesting Lead Agency on Yeung Subdivision, 20 Center Avenue.

**SEQR Lead Agency** – Town of Poughkeepsie Planning Board is requesting Lead Agency on Germano, 2555 South 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 9:45 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 Soricelli

**ABSENT:**

Member Slomin