



Town of Poughkeepsie

Zoning Department

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
SEPTEMBER 12, 2016
6:00 PM**

Old Business

1. **Public Hearing – Texas Roadhouse, 2323 South Road, Zone B-H, Grid #6160-03-111047.**
The requested Area Variance is for relief from section 210-81(E)(1)(c) of the Town Code to allow wall mounted building lights to be located more than 15 feet above ground level. Unlisted Action. Uncoordinated Review.

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

2. **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 the Lead Agency and has issued a Negative Declaration.

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

New Business

3. **Public Hearing – Fox Run at Fulton, LLC, 1-60 Campus View Court, Zone F-C, PROD, Grid #6162-05-161788.** The requested Area Variance involves relief from Article VIII, Section 210-130(F) of the Town Code to allow three directional signs of 12.8 square feet mounted at a height of 8 feet 4 inches each where directional signs shall not exceed 3 square feet and shall not exceed 6 feet in height. 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: Betty Bomba
Vote: 7:0:0

4. **Public Hearing – Steve Tan, 23 Eagle Lane, Zone R-20, Grid #6162-06-444973.** The requested Area Variance involves relief from Article VIII, Section 210-48 to allow an accessory structure (garage) to be located 6.8 feet from the side yard line where 10 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

Vote: 7:0:0

5. **Public Hearing – Charles Ferrara, 16 Daria Drive, Zone R-20, Grid #6260-03-261204.** The requested Area Variance involves relief from Article VIII, Section 210-16(E) to allow a home addition to be located 14.7 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: Karmen Buckey

Second: Art Grace

Vote: 7:0:0

6. **Public Hearing – Don White, 15 Point Street, Zone R-NH, Grid #6057-06-489789.** The requested Area Variance involves relief from Article IV, Section 210-18 to allow a building of 39 feet in height where a maximum of 35 feet is allowed. Type II Action.

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

Motion: Christine Soricelli

Second: Art Grace

Vote: 7:0:0

7. **Public Hearing – Colleen Taylor-Crusie, 13 Henmond Boulevard, Zone R-20, Grid #6261-04-533406.** 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: Christine Soricelli

Vote: 7:0:0

Public Hearing – Sylvia Henry, 34 Scenic Drive, Zone R-20, Grid #6160-04-795107. The requested Area Variance involves relief from Article IV, Section 210-16(E) to allow a proposed garage addition 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: Christine Soricelli

Second: Betty Bomba

Vote: 7:0:0

8. **Public Hearing – Willbe Properties, Inc, 32A Spring Road, Zone R-20, Grid #6159-04-519275.** An Interpretation in regard to tax lot number 6159-04-519275, located at 32A Spring Road, Poughkeepsie, New York. The requested Interpretation is an appeal of a June 22, 2016 determination by the Town Zoning Administrator that a use variance approval issued in January 1989 is revoked by the failure of the owner to obtain a certificate of occupancy within one year of said approval. Type II Action. **The Board voted to adjourn the public hearing until 10/17/16.**

9. **Public Hearing – Derek & Laurie Beach, 64 Main Street, Zone R-4A, Grid #6057-07-672948.** The requested Area Variance involves relief from Article VIII, §210-92(Q)(1) 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: Art Grace
Second: Betty Bomba
Nay: Karmen Buckey
Vote: 6:1:0

10. **Public Hearing – Sonia Bajana, 10 Old Mill Drive, Zone R-20, Grid #6160-04-584152.** 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. *Application withdrawn by applicant.*

11. **Public Hearing – Stanley Garrant, 12 Thornberry Way, Zone R-20, Grid #6160-01-388550.** The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a proposed front porch to be located 15 feet from the side lot line where 20 feet is required and 25 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: Jim Challey
Second: Art Grace
Vote: 7:0:0

12. **Public Hearing – Marilou Ross, 18 McIntosh Drive, Zone R-20, Grid #6261-03-382414.** The requested Area Variance involves relief from Article VIII, Section 210-48 to allow an accessory structure (shed) to be located in front of a principal structure. 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

13. **Public Hearing – Paula Young-Borra, 2186 New Hackensack Road, Zone R-20, Grid #6260-01-480676.** The requested Area Variance involves relief from §210-134(A)(1) of the Town Code to allow the structural expansion of a non-conforming use by up to 625 square feet, or 25.5% of the existing gross floor area of the existing structure, where a one-time expansion of up to 25% of the gross floor area of the existing structure devoted to such non-conforming use (i.e. a restaurant) is permitted. The expansion would consist of a patio area for outdoor seating of guests. Unlisted Action. Uncoordinated review.

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

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

14. **Public Hearing – Paul & Tara Neglia, 79 Oakdale Avenue, Zone R-20, Grid #6162-10-372658.** The requested Area Variance involves relief from Article VIII, Section 210-69 to allow a replacement 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: Paul Lahey
Second: Christine Soricelli
Vote: 7:0:0

15. **Public Hearing – Marketia Munoz, 46 Phyllis Road, Zone R-20, Grid #6058-20-883065.** The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a proposed deck to be located 14.6 feet from the rear 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: Phyllis Capone
Second: Paul Lahey
Vote: 7:0:0

16. **Public Hearing – Michael Colvin, 7 Mountain View Road, Zone R-20, Grid #6261-01-201846.** The requested Area Variance involves relief from Article VIII, Section 210-16E to allow a second floor home addition to be located 13.2 feet from the side lot line where 20 feet is required. Type II Action. **The Board voted to close the public hearing and adjourn until 10/17/16.**

17. **Public Hearing – Our Lady of Lourdes, 131 Boardman Road, Zone I-N, Grid #6260-01-095706.** The requested Area Variance involves relief from Article VIII, Section 210-130(F) of the Town Code to allow three directional signs of 16 square feet each mounted at a height of 8 feet 6 inches each where directional signs shall not exceed 3 square feet and shall not exceed 6 feet in height. Unlisted Action. Uncoordinated Review. **The Board voted to adjourn the public hearing until 10/17/16.**

Meeting adjourned at 10:20 PM

MOVED: Betty Bomba
SECONDED: Art Grace
CARRIED: 7:0:0

PRESENT:

Member Bomba
Member Buckey
Member Capone (Alternate)
Chairman Challey

Member Grace

ABSENT:

Member D'Aquanni

Member Lahey (Alternate)

Member Slomin

Member Soricelli