



Town of Poughkeepsie

Zoning Department

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
FEBRUARY 12, 2018
6:00 PM**

Old Business

- 1. Public Hearing – Dr. Satish Modi, 23 Davis Avenue, Zone ATC, Grid #6161-12-879739.** The requested Area Variance involves relief from §210-22(E) to allow the construction of a building having a rear yard setback of 10 feet where 20 is mandated, requiring a variance of 10 feet. Unlisted Action, Coordinated Review. **A Negative Declaration was granted by the town Planning Board on 12/14/17.**

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

Motion: Christine Soricelli
Second: Art Grace
Recused: Paul Lahey
Vote: 7:0:0

New Business

- 2. 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 legalize an existing accessory apartment within an existing single-family dwelling. Unlisted Action. No other involved agencies.

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 special use permit for the reasons set forth in the resolution of the Board.

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

- 3. Public Hearing – Peter Fela II, 67 Pleasant Ridge Drive, Zone R-20, Grid #6260-03-143279.** The request for Special Use Permit approval is made pursuant to Article VIII, Section 210-47 of the Town Code to legalize an existing accessory apartment within an existing single-family dwelling. Unlisted Action. No other involved agencies.

The Board determined that the proposed action would not have a significant environmental impact and thereafter issued a Negative Declaration.

Motion: Jim Challey
Second: Christine Soricelli
Vote: 7:0:0

The Board voted to grant the special use permit for the reasons set forth in the resolution of the Board.

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

- 4. Public Hearing – Joshua Matheus, 174 Wilbur Boulevard, Zone R-20, Grid #6160-01-435841.** The requested Area Variance involves relief from §210-16(E) to permit the construction of an addition to a single-family structure located only 10 feet from the side yard 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

- 5. Public Hearing – Determined Fitness, 668 Dutchess Turnpike, Zone B-N, Grid #6261-01-188859.** The requested Area Variance involves relief from §210-126(c) to allow the installation of a sign of 70.9 square feet where a sign of only 50 square feet is allowed. Unlisted Action. No other involved agencies.

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: Karmen Buckey
Second: Jim Challey
Nay: Paul Lahey, Anthony D'Aquanni, Art Grace
Vote: 4:3:0

- 6. Public Hearing – Verizon, 661 Dutchess Turnpike, Zone B-SC, Grid #6261-01-119864.** The requested Area Variance involves relief from §210-128(C)(3)(a), which permits only one wall sign per store, to allow the installation of two additional signs, for a total of three wall signs, requiring a variance for two of the three signs. Unlisted Action. No other involved agencies.

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 one additional wall sign for the reasons set forth in the resolution of the Board.

Motion: Art Grace

Second: Christine Soricelli

Vote: 7:0:0

- 7. Public Hearing – Mehl & Company, 48 Vassar Road, Zone ROMNSC, Grid #6260-03-495219.** The requested Area Variance involves relief from §210-123(c). The applicant is seeking to utilize the base of an existing sign located only approximately 5 feet from the property line, where 10 feet is required. In addition, the applicant is seeking to install a second wall on the east side of the building consisting of 45 square feet where Section 210-126(c) permits only one wall sign facing a public road and the east side of the building does not face a public road. Unlisted Action. No other involved agencies.

The Board determined that the proposed action would not have a significant environmental impact and thereafter issued a Negative Declaration.

Motion: Jim Challey

Second: Christine Soricelli

Nay: Paul Lahey

Vote: 6:1:0

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

Motion: Jim Challey

Second: Christine Soricelli

Nay: Paul Lahey

Vote: 6:1:0

The Board voted to grant the wall sign on the north side of building with stipulations for reasons set forth in the resolution of the Board.

Motion: Jim Challey

Second: Christine Soricelli

Vote: 7:0:0

- 8. Public Hearing – Poughkeepsie Plaza Mall, 2586-2600 South Road, Zone B-SC, Grid #6160-01-057740.** The requested Area Variance involves relief from §210-128(C)(3) which permits only one wall sign per store. The applicant is seeking to install two wall signs for one tenant, requiring a variance for the second wall sign. Unlisted Action. No other involved agencies.

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: Jim Challey

Second: Art Grace

Vote: 7:0:0

- 9. Public Hearing – Clover Way LLC, 12 Clover Way, Zone R-4A, Grid #6061-04-972067.**
The requested permit involves relief from §210-134 of the Town Code to legalize an existing non-conforming use by permitting the expansion of the lawful nonconforming multi-family use to include a total of eight (8) dwelling units, all of which are presently existing. No new dwelling units or construction are proposed as a result of this application. Unlisted Action. No other involved agencies.

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: Jim Challey

Second: Paul Lahey

Vote: 7:0:0

- 10. Public Hearing – Gasland Petroleum, 740 Main Street, Zone ATC, Grid #6161-07-679836.**
The requested Area Variances involve relief from the following sections of Town Code. Section 210-123.1(A) prohibits electronic message display (EMD) signs in this District. The applicant is proposing an EMD sign. Where such signs are permitted, no more than 30% of the total square footage of the sign may be EMD, pursuant to §210-123.1(B). The proposed sign is 86.45 square feet. Any EMD portion, therefore, could be no more than 25.93 square feet. The applicant is proposing that the EMD portion of the sign be 31.5 square feet. Section 210-125(B)(2) mandates that freestanding signs not exceed 12 feet in area or height. The applicant is proposing a sign of 86.45 square feet in area and approximately 18 feet in height. Section 210-125(B)(1) permits one wall sign of 15 square feet. The proposed wall sign is 18.09 square feet. Section 210-130(B) permits only two signs on the canopy (in addition to the one wall sign discussed above). The applicant is proposing nine wall signs on the canopy. In addition, the signs may not exceed 25% of the size of the canopy face on which the sign is to be located. The proposed signs exceed this amount. Finally, the applicant is seeking permission to install additional signage to be affixed to light poles and to poles around the pumps. Unlisted Action. No other involved agencies. **Adjourned until 3/12/18.**

Meeting adjourned at 8:35 PM

MOVED: Art Grace

SECONDED: Christine Soricelli

CARRIED: 7:0:0

PRESENT:

Member Buckey
Member Capone (Alternate)
Chairman Challey
Member D'Aquanni
Member Grace
Member Lahey (Alternate)
Member Slomin
Member Soricelli

ABSENT:

Member Bomba