



# 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  
APRIL 8, 2019  
6:00 PM**

### New Business

- 1. Public Hearing – Arnoff Moving & Storage, 1282-1284 Dutchess Turnpike, Zone RRH, Grid #6362-01-433903-0000.** The applicant is proposing to install a freestanding sign having steel posts with aluminum sleeves. Section 210-125(B)(2) of the Town Code prohibits the use of exposed “I” beams or steel beams to support a freestanding sign. The Zoning Administrator determined that the aluminum sleeves do not change the aesthetics of the “I” beam or steel post, and that the posts still appear to be exposed steel beams. If the Board agrees with the Zoning Administrator’s determination, then the applicant seeks area variance to permit the installation of the sign posts as described. Unlisted Action. Uncoordinated Review.

*The interpretation sought by the applicant was determined to be a Type II action. The Board determined that the proposed aluminum sleeves for the sign posts were not “exposed “I” beams or steel beams” and therefore were permitted, such that no variance was required.*

**Motion: James Challey**

**Second: Paul Lahey**

**Vote: 7:0:0**

- 2. Public Hearing – Lauren and Matthew Korz, 25 Claudia Lane, Zone R-20, Grid #6259-01-074667-0000.** The requested area variances involve relief from §210-16(E) to allow the construction of a one-car to be located six (6) feet from the property line where 20 feet is required, necessitating a variance of 14 feet. In addition, the applicant is seeking to expand an existing driveway to 22 feet in width, which exceeds the 15 feet permitted by §210-92(Q)(1), necessitating a variance of seven (7) feet. Type II Action.

*The Board voted to grant the variances for the reasons set forth during the meeting.*

**Motion: Art Grace**

**Second: Christine Soricelli**

**Vote: 7:0:0**

3. **Aaron and Erica Finch, 7 Old Spackenkill Road, Zone R-20, Grid #6160-02-630547-0000.** The requested area variance involves relief from Town Code §210-16(E) which requires a side yard setback of 20 feet. The applicant is seeking to construct a second-story addition on the existing structure, which is set back from the property line on one side by 11 feet, requiring a variance of nine (9) feet, and on the other side by 15 feet, 3 inches, requiring a variance of four feet, 7 inches. Type II Action.

*The Board voted to grant the variances for the reasons set forth during the meeting.*

**Motion: Christine Soricelli**

**Second: Art Grace**

**Vote: 7:0:0**

4. **Ronald Thomas, 2 Nassau Road, Zone R-20, Grid #6159-01-019902-0000.** The requested area variance involves relief from Article VIII, Section 210-69 of the Town Code to allow the installation of a six-foot fence in a front yard where fences of only 3.5 feet are permitted. Type II Action.

*The Board voted to grant the variance for the reasons set forth during the meeting.*

**Motion: Jim Challey**

**Second: Phyllis Capone**

**Vote: 7:0:0**

5. **A. Rabbi Daniel Sanoff, 150 College Avenue, Zone R-M, Grid #6161-11-741592-0000.** The applicant seeks to commence a use, specifically, a religious nonprofit organization for Vassar Jewish student body, as a home occupation. The Town's Zoning Administrator concluded that the proposed use did not fit within the definition of home occupation and was therefore not allowed pursuant to Town Code §210-74(D). Specifically, §210-74(C)(2)(c) of the Town Code limits the services provided by a home occupation to five (5) clients or customers at one time, and the applicant is seeking, among other things, to conduct weekly Sabbath dinner celebrations, typically attended by 20-25 people, and celebrations on approximately three major Jewish holy days, typically attended by 30-40 people. The applicant seeks a determination that his proposed use fits within the definition of a home occupation. Type II Action.

**B. Rabbi Daniel Sanoff, 150 College Avenue, Zone R-M, Grid #6161-11-741592-0000.** If the Zoning Board determines that the proposed use is allowed as a home occupation, the applicant is seeking a special use permit for the same, pursuant to §210-74(C)(2). Unlisted Action. Uncoordinated Review.

*The Board determined that the daily activities described in the application fell within the scope of the home occupation for tutoring, as set forth in §210-74(C)(1), provided that the home occupation meets all of the requirements of that section, including that no more than 15% of the habitable space in the principal structure is used for the home occupation, and that no more than two individuals received instruction at one time. If these requirements are not met, then those activities would fall within the scope of §210-74(C)(2), provided that the requirements of that section are met, including that no more than five individuals received instruction at one time. Registration is required if the home*

*occupation falls within §210-74(C)(1) and a special use permit is required if the home occupation falls within §210-74(C)(2). The Board also determined that the other activities set forth in the application and supporting materials did not fall within §210-74 and therefore did not constitute a home occupation under the Town Code.*

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

- 6. Public Hearing – Adams Fairacre Farms, 741-765 Dutchess Turnpike, Zone B-H, Grid #6262-03-454036-0000.** The requested area variance seeks relief from §210-120 of the Town Code which permits temporary signs only for periods not exceeding 30 days, and not exceeding 90 days in any calendar year. The applicant is seeking to legalize two (2) 3’x10’ centennial year banners, and to allow them to remain in place for the remainder of 2019. 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 during the meeting.*

**Motion: Phyllis Capone**  
**Second: Art Grace**  
**Vote: 7:0:0**

- 7. Public Hearing – Locust Grove Crossings, LLC, 2736-2738 South Road, Zone R-M, Grid #6161-03-078100-0000.** The requested area variances seek relief from §210-17(E) of the Town Code, which permits residences as a density of 7,260 square feet per residential unit, to allow the construction of 32 residential units on a 2.43-acre lot, where only 14 units would be permitted, requiring a variance for the additional 18 units. The applicant also seeks a variance from §210-17(E) of the Town Code to permit 48% impervious coverage where 40% is permitted, requiring a variance for the additional 8%. 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 during the meeting.*

**Motion: Paul Lahey**  
**Second: Art Grace**  
**Nay: Phyllis Capone**  
**Vote: 6:1:0**

### Correspondence

**SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on Centerpoint Commerical Development, 3350 Route 9.**

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

**Motion: Jim Challey**

**Second: Paul Lahey**

**Vote: 7:0:0**

**The meeting was adjourned at 8:43 pm.**

**Motion: Art Grace**

**Second: Christine Soricelli**

**Vote: 7:0:0**

**PRESENT:**

Member Capone (Alternate)

Chairman Challey

Member D'Aquanni

Member Grace

Member Lahey

Member LaRosa

Member Soricelli

**ABSENT:**

Member Slomin