



Town of Poughkeepsie Zoning Department

1 Overocker Road
Poughkeepsie, NY 12603

845-485-3650 Phone
845-790-4772 Fax

DECISION AGENDA TOWN OF POUGHKEEPSI ZONING BOARD OF APPEALS January 10, 2022 - 6:00 PM

Old Business

1. **Public Hearing – Stewart’s Shops Corp., 2245 South Road, zoned B-H, Grid # 6159-01-249880.** The applicant requests relief from the following sections of the Town Code: (i) §210-35(E) to allow a building to be set back 15 feet from the front yard along South Gate Drive, where 40 feet is required, necessitating a variance of 25 feet; (ii) §210-35(E) to allow a building to be set back 25 feet from the rear lot line where 40ft is required, necessitating a variance of 15feet; (iii) from §210-130(A) to allow a proposed pricing pump topper signs to be 2.15 square feet where one square foot is permitted; (iv) From §210-90(E) which prohibits gasoline service facilities from being located within 500 feet of any property developed for residential use which is located in a residential district to permit the construction of the proposed Stewart’s Shop to be 73 feet from nearest residential district, requiring a variance of 427 feet; (v) §210-123.1(B), which provides that no more than 30% of the total square footage of any sign may be devoted to EMD signage to allow the pump topper signs proposed to be 2.15 square feet to have 0.68 square foot, or 31.6%, of the sign devoted to EMD signage; and (vi) from §210-90(A) which requires a minimum lot size of 30,000 square feet, unless district regulations require a larger lot area. District regulations require a minimum of 2 acres. The lot is 0.949 acres, requiring a variance of 1.051 acres. **Unlisted Action. The Planning Board, as Lead Agency, issued a Determination of Non-Significance (neg dec) on October 15, 2020. TO BE ADJOURNED UNTIL FEBRUARY 14, 2022.**

On the Applicant’s request, the Board voted to adjourn the matter to the February 14, 2022 meeting.

*Motion: Paul Lahey
Second: Arthur Grace
Vote: 7:0:0*

2. **Public Hearing – Verizon Wireless “BOA Micro” Communications Facility – Verizon Wireless of the East LP, Zoned ATC, 9-11 Raymond Avenue, Grid # 6161-08-770792-0000.** The applicant is seeking a use variance from §210-22 of the Town Code to allow the installation of a unmanned wireless communications facility (a “small cell” tower) on an existing structure in the ATC Zoning District where this specific use or similar use is not permitted. **Unlisted Action.**

The Board voted Town of Poughkeepsie Zoning Board of Appeals to be the Lead Agency.

*Motion: Paul Lahey
Second: Arthur Grace
Recused: Tony Gates
Vote: 7:0:0*

The Board determined that the proposed action would not have an adverse effect on the environment and thereafter issued a negative declaration

*Motion: Paul Lahey
Second: Arthur Grace
Recused: Tony Gates
Vote: 7:0:0*

The Board voted to grant requested variance.

*Motion: Paul Lahey
Second: Arthur Grace
Recused: Tony Gates
Vote: 7:0:0*

New Business

3. Public Hearing - Special Use Permit - Journey Support Services, Zylynya and Sharifa Daisley 83 Innis Avenue, Grid # 6162-19-669056-0000. The applicants are seeking a special use permit pursuant to §210-74(C)(2) of the Town Code to permit the conducting of a home occupation (counseling services) at a residence. **Unlisted Action.**

The Board voted Town of Poughkeepsie Zoning Board of Appeals to be the Lead Agency.

*Motion: Paul Lahey
Second: Arthur Grace
Recused: Larry Slomin
Vote: 7:0:0*

The Board determined that the proposed action would not have an adverse effect on the environment and thereafter issued a negative declaration

*Motion: Paul Lahey
Second: Christine Soricelli
Recused: Larry Slomin
Vote: 7:0:0*

The Board voted to grant requested Special Use Permit to permit counselling services at residence-home occupation.

*Motion: Paul Lahey
Second: Arthur Grace
Recused: Tony Gates
Vote: 7:0:0*

4. **Public Hearing - Sign Variance - FATM Propertied LLC, 2555 South Road, Grid # 6060-02-994630-0000.** The applicant is seeking a variance from §210-127(B) of the Town Code to legalize an existing monument sign that is not located at a functioning entrance to the site. **Unlisted Action.**

The Board voted Town of Poughkeepsie Zoning Board of Appeals to be the Lead Agency.

*Motion: Paul Lahey
Second: Arthur Grace
Vote: 7:0:0*

The Board determined that the proposed action would not result in any significant adverse environmental impact and therefore issued a Short Environmental Assessment Form - Part 2 Impact Assessment.

*Motion: Paul Lahey
Second: Arthur Grace
Vote: 7:0:0*

The Board voted to grant the requested variance.

*Motion: Arthur Grace
Second: Christine Soricelli
Vote: 7:0:0*

5. **Public Hearing - Pool - Anthony and Dina Cuchelo, 36 Carmen Drive, Grid # 6260-03-373115-0000.** The applicants are seeking a variance from §210-107(C) of the Town Code, which requires a pool to be set back 15 feet from the side lot line, to permit the installation of an in ground pool to be located 8 feet from the side property line, requiring a variance of 7 feet. **Type II Action.**

The Board voted to grant the requested 7 feet side yard variance for a Pool.

*Motion: Arthur Grace
Second: Christine Soricelli
Recused: Phyllis Capone & Tony Gates
Vote: 7:0:0*

6. **Public Hearing - Addition - Jeffery McDonough, 14 Cathy Road, Grid # 6161-03-182178-0000.** The applicant is seeking variances from §210-16(E) of the Town Code, which requires a front yard setback of 30 feet and a side yard setback of 20 feet, to permit the construction of an addition to the existing house to be located 27.9 feet from the front property line and 8.8 feet from the side property line, requiring variances of 2.1 feet and 11.2 feet respectively. **Type II Action.**

The Board voted to grant the requested variances.

Motion: Phyllis Capone

Second: Christine Soricelli
Vote: 7:0:0

7. **Public Hearing – Residence/2 Car Garage – Owner: Stephen and Elizabeth Fonda, Represented by: KBL Corp. Kevin Lund, 191 Vassar Road, Grid # 6259-01-464877-0000.** The applicant is seeking variances from §210-16(E) of the Town Code, which requires a side yard setback of 20 feet, to permit the reconstruction of a 36’ by 30’ residence, and the addition of an attached garage, to be located 6.5 feet from the southern side property line, and 8.86 feet from the northern side property line, requiring variances of 13.5 feet and 11.14 feet, respectively. **Type II Action.**

The Board voted to grant the requested variances.

Motion: Larry Slomin
Second: Paul Lahey
Vote: 7:0:0

8. **Public Hearing – Height Variance – Raymond Eng. Trustee, 1998 South Road, Grid # 6159-03-382273-0000.** The applicant is seeking variances from §§ 210-35(E) and 210-115(B) of the Town Code to permit the construction of a self-storage facility having a height of 55 feet where 45 feet is permitted, requiring a variance of 10 feet; consisting of 4 stories where three are permitted, requiring a variance of one story; and having 9 parking spaces where 45 are required, requiring a variance of 36 space. Planning Board will be lead agency for this application and has not yet made a SEQRA determination. **Unlisted Action.**

On the Applicant’s request, the Board voted to adjourn the matter to the March 14, 2022 meeting.

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

Other Business

- i. Lead Agency Request from the Planning Board – Diamond Point Development – Self Storage Site Plan – 1998 South Road – Zoned BH, Grid # 6159-03-382273. The applicant proposes a four-story, 22,075 square feet, climate controlled storage facility with associated parking and other site improvements.
- ii. Lead Agency Request from the Planning Board – Vassar College Faculty Apartments - Site Plan – 71-89 Raymond Avenue – Zoned IN, Grid # 6161-04-850460. The applicant proposes construction of 48-50 unit apartment building with associated amenity center, solely as faculty housing, including demolition of one existing vacant residential structure, to be located adjacent to the existing Watson Faculty Apartments with access from Raymond Avenue.
- iii. Lead Agency Request from the Planning Board – Guardian Self Storage - Site Plan, Special Use Permit and Architectural Review – 20-30 Love Road – Zoned BH, Grid # 6261-01-187898. The applicant proposes a 71,200 square feet, climate controlled storage facility with associated parking and other site improvements.

The Board voted to consent to Town of Poughkeepsie Planning Board's Lead Agency request for Item # i, ii and iii.

Motion: Paul Lahey
Second: Christine Soricelli
Vote: 7:0:0

The meeting was adjourned at 8:43 pm.

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

PRESENT

ABSENT

Chairman Lahey
Member Capone
Member Gates
Member Grace
Member Soricelli
Member Slomin
Member Levitt
Alternate Member Straka
Alternate Member Cohen