



*Town of Poughkeepsie
Zoning Department*

*1 Overocker Road
Poughkeepsie, NY 12603*

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
June 12, 2023 - 6:00 PM**

1. **Public Hearing - Area Variance - Pool - Owner: Liana Ramos, 14 Catskill Ave., Grid # 6261-01-254920-0000, Zoned R-20.** The applicant is seeking a variance from §210-107 of the Town Code, which requires that pools be set back from side and rear lot lines at least 15 feet. The applicant is proposing an above-ground pool to be located 8 feet from a side property line, requiring a variance of 7 feet. **Type II Action.**

The Board voted to grant the requested variance.

*Motion: Christine Soricelli
Second: Phyllis Capone
Vote: 4-0-0*

2. **Public Hearing - Side Yard Variance - Dormers - Owner: Ian Banker, Presented by: John Mckee, 4 Clayton Place, Grid # 6260-03-354135-0000, Zoned R-20.** The applicant is seeking a variance from §210-16(E) of the Town Code, which requires that a side yard setback of 20 feet be maintained, to permit the construction of an addition to the house to be located 10 feet, 2 inches from the property line, requiring a variance of 9 feet, 10 inches. **Type II Action.**

The Board voted to grant the requested variance.

*Motion: Phyllis Capone
Second: Christine Soricelli
Vote: 4-0-0*

3. **Public Hearing - Fence Variance - Owner: Mikhaal Hurry, 48 Tamarack Hill Drive, Grid # 6362-01-043827-0000, Zoned R-20.** The applicant is seeking a variance from §210-69 of the Town Code, which limits the height of fences in a front yard to 3.5 feet, to permit the replacement of portions of a fence, and the addition of new panels, having a height of 6 feet, requiring a variance of 2.5 feet for the portion that is closer than 30 feet from the front property line. **Type II Action.**

The Board voted to grant the requested height variance for a Fence.

*Motion: Anthony Straka
Second: Christine Soricelli
Vote: 4-0-0*

4. **Public Hearing - Fence Variance - Owner: Mandy Balint, 9 Forest Ave., Grid # 6162-06-444794-0000, Zoned R-20.** The applicant is seeking a variance from §210-69 of the Town Code, which limits the height of fences in a front yard to 3.5 feet in height, to permit the installation of a fence of 8 feet, requiring a variance of 4.5 feet. **Type II Action.**

Upon Applicants request, The Board voted to grant the requested variance of 2.5 Feet. Total Fence Height 6 feet.

*Motion: Christine Soricelli
Second: Phyllis Capone
Vote: 4-0-0*

5. **Public Hearing - Area Variance - Pool - Owners: Kenneth Henson and Aimee Gifford, 49 King George Road, Grid # 6160-04-679185-0000, Zoned R-20.** The applicant is seeking a variance from §210-107(C) of the Town Code, which requires that all swimming pools be set back a minimum of 15 feet from side lot lines, to permit the installation of a pool to be located 8 feet from the side lot line, requiring a variance of 7 feet. **Type II Action.**

The Board voted to grant the requested variance.

*Motion: Phyllis Capone
Second: Christine Soricelli
Vote: 4-0-0*

6. **Public Hearing - Special Use Permit Commercial Vehicle - Owner: Thomas Perugini, 41 Sutton Park Road, Grid # 6259-01-137867-0000, Zoned R-20.** The applicant is seeking a special use permit pursuant to §210-92(Q)(3) of the Town Code, to permit the parking of a commercial vehicle on a residential lot. **Unlisted Action.**

The Board voted Town of Poughkeepsie Zoning Board of Appeals to be the Lead Agency and determined that the proposed action would not have an adverse effect on the environment and thereafter issued a negative declaration.

*Motion: Tony Gates
Second: Christine Soricelli
Vote: 4:0:0*

The Board voted to grant the requested variance.

*Motion: Anthony Straka
Second: Phyllis Capone
Vote: 4-0-0*

7. **Public Hearing - Special Use Permit - Accessory Apartment - Owner: Sara Bragdon, 10 Conklin Street, Grid # 6057-07-569877-0000, Zoned R-20.** The applicant is seeking a special use permit pursuant to §210-47 of the Town Code, to permit the creation of an accessory dwelling unit. **Unlisted Action.**

The Board voted Town of Poughkeepsie Zoning Board of Appeals to be the Lead Agency and determined that the proposed action would not have an adverse effect on the environment and thereafter issued a negative declaration

*Motion: Tony Gates
Second: Christine Soricelli
Vote: 4:0:0*

The Board voted to grant the requested variance, conditioned that the house will have no more than 4 bedrooms and getting a Certificate of Completion from the Building Department.

*Motion: Christine Soricelli
Second: Phyllis Capone
Vote: 4-0-0*

8. **Public Hearing - Area Variance - Signs - Owner: Arthur May Redevelopment Holdings LLC, Presented by GNS Group, 25 Raymond Ave., Grid # 6161-12-755735-0000, Zoned ATC.** The applicant is seeking variances from §210-125.2(B) of the Town Code, which permits one freestanding sign per lot, not to exceed 12 square feet and having a maximum height of 12 feet above the finished grade, and requires such signs to be set back a minimum of 10 feet from any highway right-of-way or 35 feet from any highway center line, whichever is greater. The base of any such freestanding sign is required to be mounted within a landscaped monument of stone, brick or other natural material as approved by the Planning Board, and the amount of landscaping at the base shall not be less than the square footage of the freestanding sign. The applicant is proposing 2 monument signs on two separate lots.
- i. Sign 1 is a monument sign proposed to be located on lot 4, measuring 18 feet at its widest and 11 feet, 7 inches at its tallest. It requires one variance: The applicant is proposing a sign area of 60 square feet, requiring a variance of 48 feet.
 - ii. Sign 2 is a monument sign proposed to be located on lot 1, measuring 5 feet, 9 inches at its widest and 14 feet, 3 inches at its tallest. The applicant is proposing a sign area of 23.25 square feet, and for the sign to be located 6 feet from the highway right of way. It therefore requires three variances: (1) a variance of 2 feet, 3 inches in height; (2) a variance of 11.25 square feet in sign area and (3) a variance of 4 feet for the right-of-way setback. **Unlisted Action.**

The Board voted to adjourn this matter to July 10, 2023 ZBA Meeting.

*Motion: Tony Gates
Second: Christine Soricelli
Vote: 4-0-0*

9. **Public Hearing - Area Variance - Sign - Owner: AT&T; Presented by: Martin Berger, 15-55 Winslow Gate Road, Grid # 6063-04-946011-0000, Zoned HRDD.** The applicant is seeking a variance from §210-125.2(B)(1) of the Town Code, which permits one wall sign on each wall containing a public entrance, of a maximum of 25 square feet, with a maximum letter height of 18 inches. The applicant has two public entrances and therefore is permitted two

wall signs. The signs conform to the square footage requirements, but the applicant is seeking a letter height of 24 inches, requiring a variance of 6 inches for the letters on each of the wall signs.

The Board voted to adjourn this matter to July 10, 2023 ZBA Meeting.

Motion: Tony Gates
Second: Christine Soricelli
Vote: 4-0-0

Other Business

10. **Lead Agency Request** from the Planning Board – Major Land Contour Permit, Unlisted Action – 3509 North Road, Grid # 6063-04-897027-0000, Zoned R2 and WD-1.

The applicant proposes to place fill material on this parcel. As proposed fill on this parcel will result in ±2.00 acres of the parcel being physically disturbed, including the removal of an existing tree buffer. Given that this parcel is located in the Town’s Local Waterfront Revitalization Area , it is subject to a Town coastal consistency review. Additionally, the parcel is found in the Lloyd-Esopus Scenic Area of Statewide Significance. As a result of the Applicant May Planning Board submission review, Town staff has requested additional information including, but not limited to, a drainage analysis details for erosion and sediment controls, existing and proposed sewer detail and additional information for the proposals potential impact to a nearby wetland.

The Board voted to consent to Town of Poughkeepsie Planning Board’s Lead Agency request.

Motion: Tony Gates
Second: Christine Soricelli
Vote: 4-0-0

11. **Lead Agency Request** from the Planning Board – Site Plan, Unlisted Action – 258 Violet Ave, Grid # 6163-19-545040-0000, ±5.24 acres Zoned IN.

The applicant proposes alterations and a 3,400 Sq. Ft. apparatus bay addition to the Fairview Fire District Building.

The Board voted to consent to Town of Poughkeepsie Planning Board’s Lead Agency request.

Motion: Tony Gates
Second: Christine Soricelli
Vote: 4-0-0

The meeting adjourned at 7:59 pm.

Motion: *Tony Gates*
Second: *Christine Soricelli*

Vote: *4:0:0*

PRESENT

Acting Chair Gates
Member Capone
Member Soricelli
Member Straka

ABSENT

Chairman Lahey
Member Grace
Member Slomin