



**Town of Poughkeepsie  
Zoning Department**

1 Overocker Road  
Poughkeepsie, NY 12603

845-485-3650 Phone  
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**AGENDA  
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS  
July 10, 2023 - 6:00 PM**

**1. Public Hearing – Area Variance – Signs – Owner: Arthur May Redevelopment Holdings LLC, Presented by GNS Group, 21 Raymond Ave., Grid # 6161-12-778745-0000 and lot 1, Raymond Avenue, Grid # 6161-12-778723, 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 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 90 square feet, requiring a variance of 78 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 29.15 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 17.15 square feet in sign area and (3) a variance of 4 feet for the right-of-way setback.
- Unlisted Action.**

***The Board voted to re-open the Public Hearing***

**Motion:** Paul Lahey  
**Second:** Arthur Grace  
**Vote:** 6-0-0

***The Board voted to adjourn the meeting until August 14, 2023.***

**Motion:** Paul Lahey  
**Second:** Arthur Grace  
**Vote:** 6-0-0

**2. 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.

**Application withdrawn by the Applicant.**

**NEW BUSINESS**

- 3. Public Hearing – Special Use Permit - Accessory Apartment - Owner: Peter Longi, 102 Stratford Drive, Grid # 6363-03-256049-0000, Zoned R-4A.** The applicant is seeking a special use permit pursuant to §210-47 of the Town Code to legalize an accessory apartment that was constructed in 2012. **Unlisted Action.**

***The Board classified the matter an Unlisted action, and determined that an uncoordinated review was appropriate. It declared itself to be the Lead Agency and determined that the proposed action would not have an adverse effect on the environment, issuing a negative declaration.***

**Motion:** Paul Lahey  
**Second:** Arthur Grace  
**Vote:** 6:0:0

***The Board voted to grant the requested Special Use Permit for an Accessory Apartment.***

**Motion:** Anthony Straka  
**Second:** Arthur Grace  
**Vote:** 6-0-0

- 4. Public Hearing – Special Use Permit and Variance - Accessory Apartment - Owner: Lulzim Gashi, 11 Lincoln Drive, Grid # 6158-02-565976-0000, Zoned R-20.** The applicant is seeking a special use permit pursuant to §210-47 of the Town Code to legalize an accessory apartment that was in the house when she purchased it in 2008. In order to do so, the applicant will require a variance from §210-47(C)(4) the Town Code, which mandates that the floor area devoted to the apartment not exceed 35% of the existing floor area of the one-family dwelling. The existing apartment is 42% of the existing floor area of the home, requiring a variance of 7%. **Unlisted Action.**

***The Board classified the matter an Unlisted action, and determined that an uncoordinated review was appropriate. It declared itself to be the Lead Agency and determined that the proposed action would not have an adverse effect on the environment, issuing a negative declaration.***

**Motion:** Paul Lahey  
**Second:** Arthur Grace  
**Vote:** 6:0:0

***The Board voted to grant the requested Special Use Permit for an Accessory Apartment conditioned upon:***

- i. Board of Health Approval of the adequacy of the septic***
- ii. Removal of 2<sup>nd</sup> bedroom in Accessory Apartment to the satisfaction of building department***
- iii. Must be Owner Occupied – even after the property is sold***

***Motion: Arthur Grace***  
***Second: Phyllis Capone***  
***Vote: 6-0-0***

***The Board voted to grant the requested 7% variance for 1524 Square for an accessory apartment.***

***Motion: Paul Lahey***  
***Second: Arthur Grace***  
***Vote: 6-0-0***

- 5. Public Hearing – Area Variances – Addition – Owners: Carla Deltrese Jutt & Jay Jutt, 22 Hampton Road, Grid # 6259-01-110741-0000, Zoned R-20.** The applicants are seeking variances from §210-16(E) of the Town Code, which requires that a side yard setback of 20 feet be maintained, to allow the construction of a front porch addition to be located 16 feet from the site lot line, requiring a variance of 4 feet, and a rear addition to be located 18 feet from the site lot line, requiring a variance of 2 feet. **Type II Action.**

***The Board voted to grant the requested variance 4 feet in the rear and 2 feet on side.***

***Motion: Arthur Grace***  
***Second: Phyllis Capone***  
***Vote: 6-0-0***

- 6. Public Hearing – Special Use Permit - Owner: Benson Morosco, 8 Salem Court, Grid # 6159-02-842516-0000, 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 classified the matter an Unlisted action, and determined that an uncoordinated review was appropriate. It declared itself to be the Lead Agency and determined that the proposed action would not have an adverse effect on the environment, issuing a negative declaration.***

***Motion: Paul Lahey***  
***Second: Arthur Grace***  
***Vote: 6:0:0***

***The Board voted to grant the requested Special Use Permit for Parking of One (1) Commercial Vehicle in Residential Zone.***

***Motion: Anthony Gates***  
***Second: Arthur Grace***  
***Vote: 6-0-0***

- 7. Public Hearing – Area Variances in connection with Lot Line Revision - Owner: Reed Innovation Center Annex LLC, 11 Reed Road, Grid # 6057-07-578971-0000, Zoned R-4A.** In connection with a lot line revision pending before the Planning Board, the applicant is requesting three variances from §210-14(E) of the Town Code which requires that the lot area in this zoning district be 4 acres, and that the street frontage and lot width each be 200 feet. The parcel is presently nonconforming in lot area, width and frontage. Specifically, the applicant is seeking variances (1) to permit a reduction in lot area from 1.152 acres to 0.975 acre (a reduction of .177 acre), requiring a variance of 3.025 acres; (2) to permit a reduction in lot width of 25.12 feet, to 125.12 feet, requiring a variance of 74.88 feet; and (3) to permit a reduction in street frontage of 25.12 feet, to 125.12 feet, requiring a variance of 74.88 fee. **Unlisted Action.**

***The Board classified the matter an Unlisted action, and determined that an uncoordinated review was appropriate. It declared itself to be the Lead Agency and determined that the proposed action would not have an adverse effect on the environment, issuing a negative declaration.***

***Motion: Paul Lahey***  
***Second: Arthur Grace***  
***Vote: 6:0:0***

***The Board voted to grant the requested variances***

***Motion: Lawrence Slomin***  
***Second: Phyllis Capone***  
***Vote: 6-0-0***

- 8. Public Hearing – Roof Height Modification - Owner: AP Packaging, 900 Dutchess Turnpike, Grid # 6262-04-830160-0000, Zoned I-H.** The applicant is seeking a variance from §210-39 of the Town Code, which sets a maximum roof height of 40 feet, to permit a portion of the building to be 69 feet in height, requiring a variance of 29 feet. **Unlisted Action.**

***The Board classified the matter an Unlisted action, and determined that an uncoordinated review was appropriate. It declared itself to be the Lead Agency and determined that the proposed action would not have an adverse effect on the environment, issuing a negative declaration.***

***Motion: Paul Lahey***

**Second:** Phyllis Capone  
**Vote:** 6:0:0

**The Board voted to grant the requested building height variance**

**Motion:** Phyllis Capone  
**Second:** Arthur Grace  
**Vote:** 6-0-0

- 9. Public Hearing – Interpretation - Owner: All Space Self Storage, 189 Manchester Road, Grid # 6261-01-350582-0000, Zoned I-H.** The applicant is appealing from a determination of the Zoning Administrator which concluded that an accessory apartment for a manager or employee is not an accessory use that is customarily incidental to a principal use of a parcel as a self-storage facility. **Unlisted Action.**

**The Board voted to adjourn the meeting until August 14, 2023.**

**Motion:** Paul Lahey  
**Second:** Arthur Grace  
**Vote:** 6-0-0

- 10 Public Hearing – Area Variance- Owner: Splash Car Wash, 2245 South Road, Grid # 6159-01-249880-0000, Zoned B-H.** The applicant is seeking to operate a “Wash Co.” car wash at this location, and requires the following variances from the provisions of the Town Code:

- i. From §210-90(D), which requires that motor vehicle service facilities not be located within 500 feet of any property developed for residential use which is located in a residential district. The proposed car wash facility is 71 feet to the nearest residential use, requiring a variance of 429 feet.
- ii. From §210-90(F)(1), which requires that automobile washing facilities be on lots of a minimum of two acres, to permit the facility on this lot of .95 acre, requiring a variance of 1.05 acres.
- iii. From §210-112, which requires that no refuse storage containers or receptacles be placed or located within 50 feet of any residential district, or any property used for residential purposes. The proposed trash enclosure is 24.5 feet from the nearest residentially zoned district, requiring a variance of 25.5 feet. **Unlisted Action.**

**The Board voted to adjourn the meeting until August 14, 2023.**

**Motion:** Paul Lahey  
**Second:** Arthur Grace  
**Recused:** Anthony Gates  
**Vote:** 5-0-1

### **Other Business**

- 1. Lead Agency Request** from the Planning Board – Extra Space Self-Storage – 1875-1895 South Road, Grid # 6158-01-297959-0000, ±72.62 acres Zoned SHC.

The applicant proposes to repurpose a building, turning the existing structure into a self-storage facility. Proposed site improvements are limited to accessible parking and building access, a crosswalk, and signage. The proposed zoning text amendment is subject to Town Board review and adoption.

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

***Motion: Paul Lahey***  
***Second: Phyllis Capone***  
***Vote: 6-0-0***

- 2. Lead Agency Request** from the Planning Board – Special Use Permit – 100 Salt Point Turnpike, Grid # 6162-16-799485-0000, ±3.05 acres Zoned IL. The applicant proposes a change of use for an existing building and site as a result of the changed use to building materials sales and storage.

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

***Motion: Paul Lahey***  
***Second: Arthur Grace***  
***Vote: 6-0-0***

The meeting adjourned at 8:36 pm.

***Motion: Paul Lahey***  
***Second: Arthur Grace***  
***Vote: 6:0:0***

**PRESENT**

Chairman Lahey  
Member Grace  
Member Gates  
Member Capone  
Member Slomin  
Member Straka

**ABSENT**

Member Soricelli