



**Town of Poughkeepsie
Zoning Department**

1 Overocker Road
Poughkeepsie, NY 12603

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

**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
August 14, 2023 - 6:00 PM**

OLD BUSINESS

1. **Public Hearing – Area Variance – Signs – Owner: Arthur May Redevelopment Holdings LLC, GNS Group, Applicant; 21 Raymond Avenue (Grid No. 6161-12-778745-0000) (“Lot 1”) and (no number) Raymond Avenue (Grid No. 6161-12-778723-0000) (“Lot 4”), 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 This monument sign is located on lot 4, measuring 13 feet, 6 inches at its widest and 8 feet, 11 inches at its tallest. The applicant is proposing the actual area used for signage to be 51 square feet, requiring a variance of 39 square feet.
 - ii. Sign 2 This monument sign is located on lot 1, measuring 3 feet at its widest and 10 feet at its tallest, no longer needing a variance for height. The applicant is proposing the actual area used for signage to be 14.4 square feet, requiring a variance of 2.4 square feet.
 - iii. Sign 2 also is proposed to be located 6 feet from the right-of-way, requiring a variance of 4 feet. **Unlisted Action.**

The Board voted to adjourn the public hearing until September 11, 2023.

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

2. **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 uphold the determination of the Zoning Administrator, that an accessory apartment is not an accessory use customarily incidental to a principal use as a self-storage facility.

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

3. 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 public hearing until October 16, 2023.

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

NEW BUSINESS

4. Public Hearing – Accessory Apartment – Special Use Permit – Owners: Gabriel and Candice Rodriguez, 15 Jamil Court, Grid # 6162-17-949292-0000, Zoned R-20. The applicants are seeking permission to establish an accessory apartment in their single-family residence. **Unlisted Action.**

The Board classified the matter as 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: 7-0-0

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

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

- 5. Public Hearing – Deck – Area Variance – Owner: Virginia Holtman, John McKee, Applicant; 27 South Gate Drive, Grid # 6159-01-207777-0000, Zoned R-20.** The applicant is seeking a variance from §210-16(E) of the Town Code, to replace a 12’x24’ deck, that was installed in the 1970s without a permit, with a 12’x20’ deck, to be located 15 feet from a side lot line where 20 feet is required, requiring a variance of 5 feet. **Type II Action.**

The Board voted to grant the requested variance of 5 feet.

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

- 6. Public Hearing – Signs – Area Variances – Owner: Vassar College, 157-165 College Avenue, Grid # 6161-12-795630-0000, Zoned IN.** The applicant is seeking the following variances from the cited provisions of the Town Code:

- i. From § 210-123(C), which provides that freestanding sign shall be set back no fewer than 10 feet from any highway right-of-way boundary, to permit Monolith sign 1 to be located 0.5 feet from the highway right-of-way boundary, requiring a variance of 9.5 feet;
- ii. From § 210-123(C), to permit Monolith sign 2 to be located 0.5 feet from the highway right-of-way boundary, requiring a variance of 9.5 feet;
- iii. From § 210-126(B), which permits only one freestanding sign at each driveway entrance of a site, to permit Monolith sign 2, which is not located at a driveway entrance;
- iv. From § 210-126(C), which permits one wall sign for each wall of a business facing a public road to permit a wall sign (Building ID Sign 4 - “The Crossroads”) to be located on a wall not facing a public road; and
- v. From § 210-131(F), which permits directional signs not exceeding three square feet per face, to permit a “wayfinding” sign (Sign 3) of 13.5 feet, requiring a variance of 10.5 feet. **Unlisted Action.**

The Board classified the matter as 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: Anthony Gates
Second: Christine Soricelli
Recused: Paul Lahey
Vote: 6-0-1***

The Board voted to grant the requested variances for item i, iv and v.

***Motion: Phyllis Capone
Second: Arthur Grace
Recused: Paul Lahey
Vote: 6-0-1***

The Board voted to adjourn the public hearing for items ii and iii to the meeting on October 16, 2023.

***Motion: Anthony Gates
Second: Christine Soricelli
Recused: Paul Lahey
Vote: 6-0-1***

Other Business

- 7. Lead Agency Request** from the Planning Board – Habitat for Humanity Sub-Division- Sunset Ave and Sunset Avenue Rear, Grid #s 6162-05-085925-0000, and 6162-05-092918. ±4.54 acres and ±0.15 acres. Zoned R20.

The applicant proposes a cluster subdivision of one or two undeveloped parcels into five single-family parcels, an open space lot, a road, associated improvements, and a connection to Town water and sewer services.

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

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

- 8. Lead Agency Request** from the Planning Board – Lands of Albano Subdivision –40 Peach Road, Grid # 6263-04-690180-0000. ±43.98 acres. Zoned R4A. The applicant proposes the subdivision of one existing residential lot into three residential lots, including the construction of wells, wastewater treatment systems, driveways, and utilities for each new

lot. A Town aquatic resource permit may be required for crossing a Town regulated wetland.

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

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

The meeting adjourned at 7:25 pm.

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

PRESENT

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

ABSENT