



Town of Poughkeepsie Zoning Department

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DECISION AGENDA TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS October 16, 2023 - 6:00 PM

OLD BUSINESS

1. **Public Hearing – Area Variance – Sign – Owner: Arthur May Redevelopment Holdings LLC, GNS Group, Applicant; (no number) Raymond Avenue (Grid # 6161-12-778723-0000) (“Lot 4”), Zoned ATC.** The applicant previously was granted a variance for a monument sign at 21 Raymond Avenue for the same development, and now is seeking a variance from §210-125.2(B) of the Town Code which allows signs not exceeding 12 square feet, to permit the installation of a monument sign measuring 13 feet, 6 inches at its widest and 6 feet, 9 inches at its tallest (9 feet including the base), for a total sign area of 77.6 square feet, requiring a variance of 65.6 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:	Paul Lahey
Second:	Arthur Grace
Vote:	7-0-0

The Board voted to grant a variance of 11.1 square feet to permit a revised sign of 23.1 square feet.

Motion:	Anthony Straka
Second:	Christine Soricelli
Vote:	7-0-0

2. **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:
 - a. 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.

- b. 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.
- c. 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 Planning Board is Lead Agency.

The Board voted to adjourn this matter to the November 13, 2023 ZBA Meeting.

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

3. Public Hearing – Signs – Area Variances – Owner: Vassar College, 157-165 College Avenue, Grid # 6161-12-795630-0000, Zoned IN. The applicant previously received variances for other signs and now is seeking the following variances from the cited provisions of the Town Code:

- a. 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;
- b. 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.

Unlisted Action.

The request for the remaining variances was withdrawn by the applicant.

4. Public Hearing – Signs - DASC Eastdale LLC – Owner: Eastdale Residential I, LLC, 325 Founders Way, Grid # 6262-04-769361-0000, Zoned MHC. The applicant is seeking a variance from §210-131(F) of the Town Code, which permits the installation of directional signs of not more than 3 square feet per face, to permit the installation of a sign of 13.5 square 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: Paul Lahey
Second: Christine Soricelli
Vote: 7-0-0

The Board voted to grant a variance of 5.5 feet to allow a revised sign of 8.5 square feet with a maximum height of 44 inches.

Motion: Christine Soricelli
Second: Arthur Grace
Nay: Paul Lahey
Vote: 6-1-0

NEW BUSINESS

5. **Public Hearing – Setback Variances – Hudson Valley Animal Rescue & Sanctuary (HVARs), Owner: Celeste Wiltse, 9 and 15 Barnes Drive, Grid #s 6262-04-662287-0000, -667251-0000, Zoned R-20.** The applicant is seeking variances from §210-52(A)(1) of the Town Code, which requires that all exterior exercise/training areas, dog runs, and any building housing animals be located at least 200 feet from any property line (however, if soundproof construction is used for buildings, the normal district setbacks shall apply).
- The applicant has an existing kennel located 13.7 feet from a front yard property line. The applicant is proposing to install soundproofing, requiring a variance of 16.3 feet.
 - The applicant also has an existing dog run located 50 feet from the property line, requiring a variance of 150 feet.
 - The applicant also has an existing barn to be used as part of the animal rescue that is 128.9 feet from the property line, requiring a variance of 71.1 feet. No soundproofing is proposed.
 - An existing Rescue/Wildlife/Rehab/Vet Services building is located 33.1 feet from a property line, which will require a variance of 166.9 feet unless soundproof construction is utilized, in which case no variance would be required.

Unlisted Action. The Planning Board, as Lead Agency, issued a determination of non-significance (a negative declaration) on September 21, 2023.

The Board voted to grant requested variances.

<i>Motion:</i>	<i>Christine Soricelli</i>
<i>Second:</i>	<i>Arthur Grace</i>
<i>Vote:</i>	<i>7-0-0</i>

6. **Public Hearing – Garage – Area Variance – Owner: Christine and Cole Bender, 49 Honey Lane, Grid # 6057-07-711926-0000, Zoned R-20.** The applicants are seeking variances from §210-48 of the Town Code, which prohibits accessory structures from being constructed in front of a principal building to allow the construction of a garage in a front yard, in front of the principal building. Note: the property is a corner lot and has 2 front yards. The applicant also is proposing a new 14-foot-wide driveway from DelBalso Boulevard to the garage. Section §210-92(Q)(1), which prohibits the parking or storage of motor vehicles in the front yard of any property located in a residential district, unless said front yard is crossed by a duly constructed driveway extending through the front yard to a garage, carport, or properly surfaced parking area located beyond the front yard line. For uses requiring four or fewer parking spaces, the driveway shall not be less than eight feet nor more than 15 feet in width. The proposed driveway does not extend beyond the front yard line, requiring a variance. In addition, that code section provides that, “[f]or uses requiring four or fewer parking spaces, said driveway shall not be less than eight feet nor more than 15 feet in width.” The preexisting non-conforming driveway is 20 feet in width, making the combined driveway width of 34 feet, requiring a variance of 19 feet. **Type II Action.**

The Board voted to deny requested variances.

Motion: Arthur Grace
Second: Christine Soricelli
Recused: Anthony Straka
Vote: 6-0-1

7. **Public Hearing – Generator – Area Variance – Owner: Herbert Walter Schanck Jr. 17 Hickory Lane, Grid # 6057-08-778991-0000**, Zoned R-20. The applicant is seeking a variance from §210-48 of the Town Code, which prohibits accessory structures from being constructed in front of a principal building. The applicant is proposing to locate a generator in a front yard, in front of the principal building. Note: the property is a corner lot and has 2 front yards. **Type II Action**

The Board voted to grant requested variance.

Motion: Arthur Grace
Second: Phyllis Capone
Vote: 7-0-0

8. **Public Hearing – Minimum Lot Size Area Variance – Owner: Camelot Village MHP, 589-621 Sheafe Road, Grid # 6159-03-175445-0122, Lot # 122**, Zoned R-MH. The applicant is seeking a variance from §210-19(D) of the Town Code, which requires a minimum lot area for a mobile home (double-wide) of 6000 square feet. On each lot, the applicant is proposing to replace a single-wide mobile home with a double-wide on a 4959 square foot lot, requiring a variance of 1041 square feet for each lot. **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 requested variance.

Motion: Phyllis Capone
Second: Arthur Grace
Vote: 7-0-0

9. **Public Hearing – Minimum Lot Size Area Variance – Owner: Camelot Village MHP, 589-621 Sheafe Road, Grid # 6159-03-175445-0011, Lot # 11**, Zoned R-MH. The applicant is seeking a variance from §210-19(D) of the Town Code, which requires a minimum lot area for a mobile home (double-wide) of 6000 square feet. On each lot, the applicant is proposing to replace a single-wide mobile home with a double-wide on a 4959 square foot lot, requiring a variance of 1041 square feet for each lot. **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 requested variance.

Motion: Phyllis Capone
Second: Arthur Grace
Vote: 7-0-0

10. Public Hearing – Sign – Area Variance– Owner: Crossix LLC, 1829 South Road, Grid # 6158-01-434827-0000, Zoned B-H. The applicant is seeking a variance from §210-129(C) of the Town Code, which permits wall signs only on the sides of buildings that face a public road. The applicant is seeking to install an 80 square-foot sign on a side of a building that does not face a public road. **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: Christine Soricelli
Vote: 7-0-0

The Board voted to grant requested variance conditioned upon removal any other wall sign. The decision was made considering the fact that the sign has been here for 40 plus years and is visible from a distance.

Motion: Lawrence Slomin
Second: Arthur Grace
Nays: Paul Lahey, Anthony Straka
Vote: 5-2-0

11. Public Hearing – Alteration to Building Façade – Owner: 1839 South Road LLC, 1839-621 South Road, Grid # 6158-01-418838-0000, Zoned B-H. The applicant is seeking a variance from §210-35(E) of the Town Code, which requires that a side-yard setback of forty feet to be maintained, to permit the installation of a skillion roof on a building located 4 feet, 5 inches from the property boundary, requiring a variance of 45 feet, 7 inches. **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: Christine Soricelli
Vote: 7-0-0

The Board voted to grant requested variance.

Motion: Anthony Gates
Second: Christine Soricelli
Vote: 7-0-0

Other Business

12. Lead Agency Request from the Town of Poughkeepsie Town Board – Schatz Property Redevelopment - Petitioner requests zoning amendments to the Town of Poughkeepsie Zoning Ordinance to allow for the creation of a new zoning district in the Fairview area of the Town currently zoned IL-Light Industrial. The zoning amendments would allow for the proposed mixed residential, commercial and community gathering development, which is not currently a permitted use. The zoning amendments would allow for the redevelopment and adaptive re-use of a 17.74-acre property which is currently a vacant, dilapidated former industrial property, the Schatz Federal Bearings Property. The mixed-use development would include: 282 residential units of varying types and sizes (250 rent regulated units, 32 market rate units) and a total of 29,000 square feet of commercial space in two renovated and two new buildings. The proposed commercial uses would serve both the new residences and the existing Fairview neighborhood and may include restaurants, arts venues, banking services, health clubs and retail.

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

Motion: Paul Lahey
Second: Arthur Grace
Vote: 7-0-1

The meeting adjourned at 8:25 pm.

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

PRESENT

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

ABSENT