



# Town of Poughkeepsie Zoning Department

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Poughkeepsie, NY 12603

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## DECISION AGENDA TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS November 13, 2023 - 6:00 PM

A public meeting of the Town of Poughkeepsie Zoning Board of Appeals was held on November 13, 2023, at 6:00 PM. The meeting was held in a hybrid format, with the public, applicants and consultants able to participate in person at Town Hall, 1 Overocker Road, Poughkeepsie, or remotely via Zoom videoconferencing and via telephone.

### OLD BUSINESS

1. **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 ZBA meeting on December 11, 2023.***

<b>Motion:</b>	<b>Paul Lahey</b>
<b>Second:</b>	<b>Arthur Grace</b>
<b>Vote:</b>	<b>6-0-0</b>

### NEW BUSINESS

2. **Public Hearing – Fence Height Variance – Sharon Lopez, 10 Hollow Lane, Grid # 6160-03-461217-0000**, Zoned R-20. The applicant is seeking a variance from §210-69 of the Town Code, which limits fences in a front yard to a height of 3.5 feet, to permit the installation of a six-foot-tall fence in a front yard. **Type II Action.**

***The Board voted to deny the requested fence height variance.***

***Motion: Arthur Grace***  
***Second: Christine Soricelli***  
***Vote: 6-0-0***

3. **Public Hearing – Addition Side Line Variance – Amy M Maher, 47 Marple Road, Grid # 6162-20-880089-0000**, Zoned R-20. The applicant is seeking a variance from §210-16(E) of the Town Code, which requires that a front yard setback of not less than 30 feet be maintained. The applicant is proposing an addition on a corner lot having 2 front yards that is 17 feet, 6 inches from a front property line, requiring a variance of 12 feet, 6 inches. Note: The proposed addition will encroach no further to the front property line than the existing house. **Type II Action.**

***The Board voted to grant the requested side yard variance of 12 feet, 6 inches.***

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

4. **Public Hearing – Sign – Area Variance– Owner: Oakwood Partners LLC, 2515 South Road, Grid # 6060-04-956489-0000**, Zoned B-H. The applicant is seeking a variance from §210-60(B) (4) (b) of the Town Code, which requires that signs on multi-story buildings be mounted below the second floor of the building, to permit a sign to be mounted on the fifth floor. **Unlisted Action.**

***The Board classified the matter as 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: Christine Soricelli***  
***Vote: 6-0-0***

***The Board voted to grant the requested variance.***

***Motion: Christine Soricelli***  
***Second: Arthur Grace***  
***Vote: 6-0-0***

5. **Public Hearing – Sign – Area Variance – Owner: Emergency One Urgent Care Center, 2555 South Road, Grid # 6060-02-994630-0000**, Zoned B-H. The applicant is seeking a variance from §210-127(C) of the Town Code, which permits one wall sign for each wall of a business facing a public road, with an area of 25% of the face of the building up to a maximum of 100 square feet. The applicant is proposing a second wall sign of 60 square feet to be located on the north wall, requiring a variance for a sign on a side not facing a public road. **Unlisted Action.**

**The Board voted to adjourn this matter to the ZBA Meeting on December 11, 2023.**

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

**Other Business**

- 6. Lead Agency Request** from the Town of Poughkeepsie Planning Board – Beacon Residential - 297 Violet Avenue (NY State Route 9G) Tax Parcel #: 6163-19-523128 Site Size: ±0.445 acres. Zoning: R-20 (Residence Single Family 20,000 SF) District, proposed for Town Board rezoning to the R-M (Residence Multifamily) District. Project Description and site conditions: The applicant proposes the construction of a multifamily dwelling (four-family residence) on a former single family house lot, subject to Town Board approval of proposed site rezoning from the R-20 (Residence Single Family 20,000 SF) District to the R-M (Residence Multifamily) District.

**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 7:20 pm.

**Motion:** Paul Lahey  
**Second:** Christine Soricelli  
**Vote:** 6-0-0

**PRESENT**

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

**ABSENT**

Member Slomin