



Town of Poughkeepsie

Zoning Department

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DECISION AGENDA

TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS REGULAR MEETING

JANUARY 11, 2021 - 6:00 PM

Old Business

- 1. Public Hearing – Vassar College, 124 Raymond Avenue, Cuddy & Feder LLP, consultants, Zoned (IN), Grid # 6161-12-795630.** The applicant is appealing the November 18, 2019 determination of the Zoning Administrator which concluded that the proposed hotel and restaurant uses are not permitted accessory uses to the existing educational use. The applicant seeks an interpretation Town Code §210-38 that the proposed “Inn & Institute” is a permitted principal use or, in the alternative, that it is a permitted accessory use. **Type II Action. TO BE ADJOURNED AT THE REQUEST OF THE APPLICANT UNTIL FEBRUARY 8, 2021.**

On the Applicant’s request, the Board voted to adjourn the matter to the February 8, 2021 meeting.

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

- 2. Public Hearing – Stewarts Shops Corp, 2245 South Road, Zoned B-H, Grid # 6159-01-249880.** The applicant requests relief from the following sections of the Town Code: (i) §210-35(E) to allow a building to be set back 15 feet from the front yard along South Gate Drive, where 40 feet is required, necessitating a variance of 25 feet; (ii) §210-35(E) to allow a building to be set back 25 feet from the rear lot line where 40ft is required, necessitating a variance of 15feet; (iii) from §210-130(A) to allow a proposed pricing pump topper signs to be 2.15 square feet where one square foot is permitted; (iv) From §210-90(E) which prohibits gasoline service facilities from being located within 500 feet of any property developed for residential use which is located in a residential district to permit the construction of the proposed Stewart's Shop to be 73 feet from nearest residential district, requiring a variance of 427 feet; (v) §210-123.l(B), which provides that no more than 30% of the total square footage of any sign may be devoted to EMD signage to allow the pump topper signs proposed to be 2.15 square feet to have 0.68 square foot, or 31.6%, of the sign devoted to EMD signage; and (vi) from §210-90(A) which requires a minimum lot size of 30,000 square feet, unless district regulations require a larger lot area. District regulations require a minimum of 2 acres. The lot is 0.949 acres, requiring a variance of 1.051 acres. **Unlisted Action. The Planning Board, as Lead Agency, issued a Determination of Non-Significance (neg dec) on October 15, 2020. TO BE ADJOURNED UNTIL FEBRUARY 8, 2021.**

The Board voted to adjourn the matter to February 8, 2021 meeting.

Motion: Paul Lahey

Second: Arthur Grace
Vote: 7:0:0

New Business

3. **Public Hearing – Existing Free-Standing Sign – Redhead Properties LLC (Craig O’Donnell), 667-669 Sheafe Road, Zoned RM, Grid # 6159-01-283578-0000.**The applicant is seeking a variance from §210-124 of the Town Code, which allows a free-standing sign in a residential district to be a maximum of 4 square feet, to allow a sign of 32 square feet to remain on the property, requiring an area variance of 28 square feet. **Unlisted Action.**

The Board voted Town of Poughkeepsie Zoning Board of Appeals to be the Lead Agency.

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

The Board voted to grant the requested variance.

Motion: Arthur Grace
Second: Christine Soricelli

Roll was called by the Chair

Chairman Lahey	Nay
Member D’Aquanni	Nay
Member Grace	Yes
Member Soricelli	Yes
Member Levitt	Yes
Member Capone	Nay
Member Straka	Yes

Vote: 4:3:0

4. **Public Hearing – Existing Structure Height and Lot Coverage – Kathleen Cullen, as Trustee of the Kathleen Cullen Trust, 18 River Road, New Hamburg, Zoned R-NH, Grid # 6057-11-522724-0000.** The applicant is seeking the following variances: (1) from §210-18(E) of the Town Code, which allows building heights of not more than 35 feet or 2.5 stories, to allow an existing observation tower of 42 feet and 3 stories to remain on the property, requiring a variance of 7 feet and 0.5 story; (2) from §210-18(E) of the Town Code, which requires that lot coverage of not more than 25% must be maintained, where existing lot coverage is 28.3%, requiring a variance of 3.3%; and (3) from §210-69 of the Town Code, which prohibits electric fences, to allow an existing electric fence to remain on the property, without power. **Type II Action.**

The Board voted to grant the requested variances.

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

5. **Public Hearing – Existing Deck– KTP RE Properties, 238 Innis Avenue, Zoned R-20, Grid # 6162-15-745439-0000.** The applicant is seeking a variance from §210-16(E) of the Town Code, which mandates that primary structures be located at least 20 feet from the side property line, to legalize and allow the reconstruction of a deck that is located 8 feet, 9 inches from the side property line, requiring a variance of 11 feet, 3 inches. **Type II Action.**

The Board voted to grant the requested variance, conditioned upon removal of non-compliant existing shed.

Motion: Anthony D’Aquanni
Second: Christine Soricelli
Vote: 7:0:0

Other Business

Lead Agency Request from the Planning Board – Friendly Ford – 220 South Road, Zoned BH, Grid # 6159-01-273908. Applicant proposed to demolish an existing service area of 2,840 square feet and construct a new bay addition of 6,800 square feet. Lot Size 2.87 acres.

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

Motion: Paul Lahey
Second: Anthony D’Aquanni
Vote: 7:0:0

The meeting was adjourned at 7:15 pm.

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

PRESENT

Chairman Lahey
Member D’Aquanni
Member Grace
Member Soricelli
Member Levitt
Member Capone
Member Straka

ABSENT

Member Slomin