



Town of Poughkeepsie

Planning & Zoning

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**DECISION AGENDA SUMMARY
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
June 8, 2009
7:00 PM**

Old Business

1. Adjourned Public Hearing – **ASHTON PARK**, 2055 South Road, Zone B-NH, Grid# 6159-03-375410-0000, & 6159-03-36369-0000. Requesting area variances from Article IX, §210-126(B) of Chapter 210, Zoning for: 1) Installation of a freestanding sign of 92 square feet where a single freestanding sign is not allowed to exceed 50 square feet; and 2) Installation of two additional freestanding monument signs where only a single freestanding sign is allowed. Requesting Special Use Permits for two outdoor restaurant dining areas and two drive-in drive-thru windows. Unlisted Action. Coordinated Review. Town of Poughkeepsie Planning Board is the designated Lead Agency.

The applicant withdrew the variance request for a freestanding sign of 92 square feet. The Board was advised that the Lead Agency had issued a Negative Declaration for the project. The public hearings on the variance and special use permit applications were closed.

The Board voted to grant the variances to allow two freestanding monument signs of not more than 10.67 square feet each. The vote included a supermajority override of the Dutchess County Planning Department recommendation.

Motion: Betty Bomba
Second: Jim Santoro
Vote: 7:0:0

The Board voted to grant the Special Use Permits for the two drive-thru window facilities as shown on the proposed site plan.

Motion: Betty Bomba
Second: Jim Santoro
Vote: 6:1:0

The Board voted to grant the Special Use Permits for the two outdoor dining areas as shown on the proposed site plan.

Motion: Betty Bomba
Second: Jim Santoro
Vote: 7:0:0

2. Adjourned Public Hearing. **RJG PROPERTIES, INC/PRECISION TUNE**, 2555 South Road, Zone B-H, Grid#6060-02-994630-0000. Hearing to consider whether to revoke a Special Use Permit pursuant to Article IX, §210-137.E(1) of the Town of Poughkeepsie Zoning Code, issued to Precision Tune on October 23, 1989 to establish a motor vehicle service facility on the premises on the grounds that at least three violations of the Special Use Permit have occurred and exist. Type II Action.

The Board was advised by Staff that negotiations on a new license agreement with the Town were still on-going. The Board voted to adjourn the Public Hearing to August 10, 2009.

Motion: Betty Bomba
Second: Jim Santoro
Vote: 7:0:0

3. Public Hearing – **ARLINGTON ANIMAL HOSPITAL**, 688 Dutchess Turnpike, Zone B-N, Grid# 6261-01-279882-0000. Requesting an Area Variance for relief from Article VIII, §210-92(O), Zoning, to allow 38 on-site parking spaces where 52 parking spaces are required and also requesting a Special Use Permit approval made pursuant to Article VI, §210-33(C), Zoning, to allow the expansion of the Animal Hospital. Unlisted Action. The Town of Poughkeepsie Planning Board is the designated Lead Agency. No action on SEQRA has been taken by the Lead Agency.

This project involves a coordinated environmental review under which the Town Planning Board is the designated Lead Agency. The Board was advised by Staff that it cannot take action on the application until the Lead Agency has issued a Determination of Significance pursuant to SEQRA. On the recommendation of staff the public hearing was adjourned to July 13, 2009.

Motion: Jim Santoro
Second: Art Grace
Vote: 7:0:0

4. Public Hearing – **LAKEVIEW PLAZA DEVELOPMENT**, 14 & 16 Creek Road, Zone I-H, Grid# 6162-02-666530-0000 and 6162-02-649538-0000. Requesting an Area Variance for relief from Article VIII, §210-60(B) (2) (a) of Chapter 210, Zoning, to allow the development of a business park having a lot size of ±1.72 acres where 5 acres is required. Unlisted Action. Uncoordinated review.

The Board closed the public hearing and voted to approve the area variance request to allow the establishment of a Business Park on a lot of ±1.72 acres. The vote included a supermajority override of the Dutchess County Planning Department recommendation.

Motion: Betty Bomba
Second: Jim Santoro
Vote: 7:0:0

New Business

5. Public Hearing – **DOMINICK NARDIS**, 30 Darlene Drive, Zone R-20, Grid# 6059-08-900827-0000. Requesting an Area Variance for relief from Article VIII, §210-48 of Chapter 210, Zoning, to allow a shed to be located 2 feet from a side yard line and 2 feet from a rear yard line where a minimum of 10 feet is required from both lot lines. Type II Action.

The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.

Motion: Betty Bomba
Second: Jim Santoro
Vote: 7:0:0

6. Public Hearing – **ANTHONY BRUNO**, 605 Dutchess Turnpike, Zone B-SC, Grid# 6261-01-029840-0000. Requesting an Area Variance for relief from Article IX, § 210-128(B) of Chapter 210, Zoning, to allow one 24 square foot freestanding sign that does not identify the name of the shopping center only, and one additional 59.65 square foot sign to be attached to a fence where only one freestanding sign identifying the name of the shopping center is permitted. Unlisted Action. Uncoordinated review.

The applicant withdrew the variance request for one additional 59.65 square foot sign to be attached to a fence.

The Board closed the public hearing. The Board was advised by Staff that a response from the Dutchess County Department of Planning had not yet been received and that the Board could not take action. The Board voted to adjourn the matter to August 10, 2009.

Motion: Betty Bomba

Second: Jim Santoro

Vote: 7:0:0

7. Public Hearing – **ANNE MURRAY**, 2 Vassar View Road, Zone R-20, Gird# 6261-01-282576-0000. Requesting an Area Variance for relief from Article IV, §210-16(E) of Chapter 210, Zoning, to allow a front step to be located 24.4 feet from the front yard line where 30 feet is required. Type II Action.

The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.

Motion: Betty Bomba

Second: Jim Santoro

Vote: 7:0:0

8. Public Hearing – **JAMES & LUCINDA TOWLE**, 27 Twin Hills Road, Zone R-20, Grid# 6160-04-851285-0000. Requesting an Area Variance from relief from Article IV, §210-16(E), of Chapter 210, Zoning, to allow an attached deck to be located 23 feet from the rear yard line where 30 feet is required, and relief from Article VIII, §210-48 of the Town Code to allow a shed to be located in front of the principal structure where an accessory building or structure shall not be constructed in front of the principal building or structure. Type II Action.

The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.

Motion: Art Grace

Second: Jim Santoro

Vote: 7:0:0

9. Public Hearing – **CRYSTAL PINE & TONY OSTRANDER**, 32 Van Wyck Drive, Zone R-20, Grid# 6162-07-612908-0000. Requesting an Area Variance for relief from Article VIII, §210-107(C), Chapter 210, Zoning, to allow an above ground pool to be located 5 feet from the side yard line where 15 feet is required. Type II Action.

The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.

Motion: Betty Bomba

Second: Jim Santoro

Vote: 7:0:0

10. Public Hearing – **JOHANNA KORBY & JAMES JOLLY**, 9 River Road, Zone R-20, Grid# 6057-07-508831-0000. Requesting an Area Variance for relief from Article IV, §210-18(E), Chapter 210, Zoning, to allow a second story addition to be located 2 feet from the front yard line where 30 feet is required. Type II Action.

The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.

Motion: Betty Bomba

Second: Jim Santoro

Vote: 7:0:0

11. Public Hearing – **MICHAEL PAINO**, 16 Twin Road, Zone R-20, Grid# 6057-07-715978-0000. Requesting an Area Variance for relief from Article IV, §210-16(E), Chapter 210, Zoning, to allow an attached deck to be located 13 feet 3 inches from the front yard line where 30 feet is required and 27 feet from the rear yard line where 30 feet is required. Type II Action.

The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.

Motion: Betty Bomba

Second: Jim Santoro

Vote: 7:0:0

12. Public Hearing – **JASON WILCOX**, 350 Van Wagner Road, Zone R-20, Grid# 6262-03-378382-0000. Requesting an Area Variance for relief from Article VIII, §210-69, Chapter 210, Zoning, to allow a fence greater than 3 ½ feet in height to be located within the front yard. Type II Action.

The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.

Motion: Betty Bomba

Second: Art Grace

Vote: 7:0:0

13. Public Hearing – **KIMBERLY BRENNAN**, 33 Crestwood Boulevard, Zone R-20, Grid# 6162-20-825185-0000. Requesting an Area Variance for relief from Article VIII, §210-107(C), Chapter 210, Zoning, to allow a swimming pool to be located 14 feet 6 inches from the side yard lines where 15 feet is required. Type II Action.

The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.

Motion: Jim Santoro

Second: Betty Bomba

Vote: 7:0:0

14. Public Hearing – **ERNEST & ARLENE KOVARI**, 20 Marino Road, Zone R-20, Grid# 6159-01-013964-0000. Requesting an Area Variance for relief from Article IV, §210-16(E), Chapter 210, Zoning, to allow a garage addition to be located 15 feet from the side yard line where 20 feet is required. Type II Action.

The Board closed the public hearing and voted to approve the application for the reasons set forth in the resolution of the Board.

Motion: Jim Santoro

Second: Betty Bomba

Vote: 7:0:0

Correspondence