



Town of Poughkeepsie

Planning & Zoning

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Poughkeepsie, NY 12603

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
JULY 13, 2009
7:00 PM**

Old Business

1. 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.

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 September 14, 2009.

Motion: Betty Bomba

Second: Art Grace

Vote: 6:0:0

2. 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. (Applicant has withdrawn a requested variance to allow one additional 59.65 square foot sign to be attached to a fence where only one freestanding sign identifying the name of the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 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: 6:0:0

New Business

3. Public Hearing – **JOSEPH SALAMONE**, 27 Peacock Lane, Zone R-20,000, Grid #6159-01-230703-0000. Requesting an Area Variance for relief from Article VIII, §210-107(C) of the Town Code to allow an above ground pool to be located 3 feet from the side yard line where 15 feet is required. Type II Action.

The applicant did not appear. The public hearing was adjourned to August 10, 2009.

Motion: Art Grace

Second: Karmen Buckey

Vote: 6:0:0

4. Public Hearing – **OAKWOOD COMMONS**, 2507 South Road, Zone B-H, Grid #6060-04-976470-000. Requesting an Area Variance for relief from Article IX, §210-127(C) of the Town Code to allow a wall mounted sign of 36.76 square feet where a wall sign of not more than 24 square feet is permitted. Type II Action.

The Board was advised by Staff that it cannot take action on the application until the Architectural Review was completed by the Planning Board. On the recommendation of staff the public hearing was adjourned to August 10, 2009.

Motion: Betty Bomba

Second: Art Grace

Vote: 6:0:0

5. Public Hearing – **FRANK BASSO**, 19 Peacock Lane, Zone R-20,000, Grid #6159-01-196704-0000. Requesting Special Use Permit approval pursuant to Article VIII, §210-47 of the Town Code to permit establishment of an accessory apartment unit within an existing single family residential dwelling. Unlisted Action. Uncoordinated review.

The public hearing was convened. The Board asked applicant to come back with a detailed plans showing adequate parking. Public hearing was adjourned for August 10, 2009.

Motion: Betty Bomba

Second: Art Grace

Vote: 6:0:0

6. Public Hearing – **RICHARD O. KPOBI**, 88 Sunset Avenue, Zone R-20,000, Grid #6162-05-121935-0000. Requesting an Area Variance for relief from Article IV, §210-16(E) of the Town Code to permit an attached deck to be located 4.09 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: Betty Bomba

Second: Jim Santoro

Vote: 6:0:0

7. Public Hearing – **JAEL ESPANDA**, 244 Salt Point Turnpike, Zone SPC, Grid #6260-01-075860-0000. Requesting an Area Variance for relief from Article VIII, §210-107(C) of the Town Code to allow an above ground swimming pool to be located 9 feet from a side lot line where 15 feet is required. Type II Action.

The Applicant appeared but the Board would like to take a field trip to the property. The public hearing was adjourned to August 10, 2009.

Motion: Betty Bomba

Second: Jim Santoro

Vote: 6:0:0

8. Public Hearing – **PAUL LAHEY**, 44 Overocker Road, Zone R-20,000, Grid #6261-01-218722-0000. Requesting an Area Variance for relief from Article IV, §210-16(E) of the Town Code to allow the principal structure (residence) to be located 29.5 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: Jim Santoro

Second: Betty Bomba

Recused: Paul Lahey

Vote: 5:0:1

9. Public Hearing – **HAIFA HOLDINGS**, 819 Main Street, Zone ATC, Grid #6161-08-871823-0000. Requesting an Interpretation regarding Article X, §210-134(B) of the Town Code as to

whether the use of the site for automotive repair ceased for a period of one (1) year or more such that the use of the site for automotive repair is no longer permitted. Type II Action.

The Board closed the public hearing and requested that Legal Counsel prepare a draft resolution for the Board's consideration at the August 10, 2009 meeting denying the applicant's requested interpretation.

Motion: Art Grace

Second: Betty Bomba

Vote: 6:0:0

10. Public Hearing – **JOHN & JAMES EVANS**, 51 Eileen Boulevard, Zone R-20,000, Grid #6262-04-884373-0000. Requesting an Area Variance for relief from Article VIII, §210-48 of the Town Code to allow a garage 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: Betty Bomba

Second: Art Grace

Vote: 6:0:0

11. Public Hearing – **LAURA & DAVID BLODGETT**, 26 Lincoln Drive, Zone R-20,000, Grid #6158-02-605880-0000. Requesting an Area Variance for relief from Article IV, §210-16(E) of the Town Code to legalize an existing garage that is located 2.7 feet from the side lot 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: Art Grace

Second: Betty Bomba

Vote: 6:0:0

12. Public Hearing – **JOHN MCKEE**, 2264-2270 South Road, Zone B-H, Grid #6159-01-243942-0000. Requesting an Area Variance for relief from Article IX, §210-122(2) and §210-127(B) of the Town Code to allow a roof sign and a second freestanding sign. Type II Action.

The Board closed the public hearing as to the roof sign variance and voted to deny the requested variance.

Motion: Art Grace

Second: Betty Bomba

Vote: 6:0:0

The Board adjourned the public hearing as to the second freestanding sign variance and directed the applicant to clarify location and size of the freestanding sign.

Motion: Art Grace

Second: Betty Bomba

Vote: 6:0:0

13. Public Hearing – **VERONICA FRIJA**, 33 Patricia Road, Zone R-20,000, Grid #6263-03-375193-0000. Requesting an Area Variance for relief from Article VIII, §210-48 of the Town Code to legalize an existing shed that is located 6 feet from the side yard line where 10 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: Art Grace

Second: Betty Bomba

Vote: 6:0:0

Correspondence

14. None.