



Town of Poughkeepsie

Zoning Department

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**DECISION AGENDA
TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS
REGULAR MEETING
September 10, 2012
7:00 PM**

Old Business

1. **Public Hearing Adjourned – Robert Germano on behalf of Germano’s Auto Center, 2255 South Road, Zone B-H, Grid #6060-02-994630-0000.** Request for a Special Use Permit pursuant to Article VIII, §210-87 of the Town Code to allow an automotive repair facility. Unlisted Action. **Matter Adjourned until 10/15/12.**
2. **Public Hearing Adjourned – Anthony Leo, 13 Spring Street, Zone R-20, Grid #6162-05-239816-0000.** Request for an area variance from Article IV, Section 210-16(E) of the Town Code to allow a proposed home to be located 6 feet from the east side lot line and 16 feet from the west side lot line where 20 feet is required; and a variance pursuant to Section 280-a of NYS Town Law for the construction of a single family dwelling on an existing lot with no frontage on an improved public street. Type II Action.

The Board voted to deny the variance for the reasons set forth in the resolution of the Board.

**Motion: Jim Challey
Second: Betty Bomba
Vote: 7:0:0**

3. **Public Hearing Adjourned – Wegman Companies, 254 Spackenkill Road, Zone R-20, Grid #6362-01-204547.** Application for Special Use Permit approval pursuant to Article VIII, Section 210-91 of the Town Code to allow an assisted living facility. Proposed action also involves a zoning amendment by the Town Board and site plan approval by the Planning Board. Type II Action. Coordinated review. **Matter Adjourned until 10/15/12.**
4. **Public Hearing Adjourned – Patrick & Jeannie Clark, 81 Bedell Road, Zone R-4A, Grid #6262-01-267884.** The requested Area Variance involves relief from Article IV, Section 210-14(E) of the Town Code to allow the construction of a principal structure (residence) to be located 20 feet from the west side lot line and 32 feet from the east side lot line where setbacks of 50 feet each are required, and 50 feet from the front lot line where 100 feet is required. Type II Action.

The Board voted to grant the variance for the reasons set forth in the resolution of the Board.

**Motion: Betty Bomba
Second: Art Grace
Vote: 7:0:0**

5. **Public Hearing Adjourned – Jean Guo, 41 Flower Hill Road, Zone R-20, Grid #6160-03-241352.** Application for Special Use Permit approval pursuant to Article VIII, Section 210-47 of the Town Code to allow the establishment of an accessory apartment within an existing single family dwelling. Unlisted Action. **Matter Adjourned until 10/15/12.**
6. **Public Hearing Adjourned – Post Road Development on Behalf of PetSmart Store, 2534 South Road, Zone B-SC, Grid #6160-01-075610-0000.** Request for an Area Variance for relief from Article IX, Section 210-128(C)(2)(a) of the Town Code to allow the installation of a wall sign of 169.21 square feet where only one wall sign of 100 square feet is permitted; and 2) to allow the installation of a second and third wall sign where only one wall sign is allowed. Unlisted Action.

The Board determined that the proposed action would not have a significant environmental impact and thereafter issued a Negative Declaration.

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

The Board voted to grant a 100 square foot wall sign and to allow the installation of a second and third wall sign for the reasons set forth in the resolution of the Board.

Motion: Phyllis Capone
Second: Betty Bomba
Vote: 7:0:0

New Business

7. **Public Hearing – Applebee’s, 3450 North Road, Zone F-C, Grid #6062-02-990867-0000.** Request for Area Variances from: 1) Article IX, Section 210-127(C) of the Town Code to allow the installation of twelve wall signs (canopy) where only one wall sign of 24 square feet is allowed; and 2) Article IX, Section 210-123(F) of the Town Code to allow wall signs not to be affixed flat against the building façade. Unlisted Action.

The Board determined that the proposed action would not have a significant environmental impact and thereafter issued a Negative Declaration.

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

The Board voted to grant the variance for the reasons set forth in the resolution of the Board.

Motion: Phyllis Capone
Second: Betty Bomba
Vote: 7:0:0

8. **Public Hearing – First Niagara Bank, 1 LaGrange Avenue, Zone ATC, Grid #6161-12-812719-0000.** Request for Area Variances from Article IX, Section 210-125(B) of the Town Code to allow the installation of two wall signs (canopy) of 35 square feet where only one wall sign of 12 square feet is allowed; and 2) Article IX, Section 210-123(F) of the Town Code to allow wall signs not to be affixed flat against the building façade. Unlisted Action.

The Board determined that the proposed action would not have a significant environmental impact and thereafter issued a Negative Declaration.

Motion: Jim Challey
Second: Art Grace

Vote: 7:0:0

The Board voted to grant one wall sign of 33 square feet for the reasons set forth in the resolution of the Board.

Motion: Jim Challey

Second: Paul Lahey

Vote: 7:0:0

9. **Public Hearing – Mike Arteaga, 234 North Road, Zone B-N, Grid #6062-02-975581-0000.** The requested Area Variance involves relief from Article IV, Section 210-33(E) of the Town Code to allow a proposed addition to be located 11 feet 10 inches from the side lot line where 25 feet is allowed. Type II Action.

The Board voted to grant the variance for the reasons set forth in the resolution of the Board.

Motion: Paul Lahey

Second: Betty Bomba

Vote: 7:0:0

10. **Public Hearing – Hand & Stone, 1895 South Road, Zone SHC, Grid #6158-01-297959-0000.** The requested Area Variance involves relief from Article IX, Section 210-127(C) of the Town Code to allow the installation of a wall sign of 47.89 square feet where only one wall sign of up to 24 square feet is allowed. Unlisted Action.

The Board determined that the proposed action would not have a significant environmental impact and thereafter issued a Negative Declaration.

Motion: Jim Challey

Second: Betty Bomba

Vote: 7:0:0

The Board voted to grant the variance for the reasons set forth in the resolution of the Board.

Motion: Art Grace

Second: Anthony Cuchelo

Vote: 7:0:0

11. **Public Hearing – Damien Patrick, 210 Innis Avenue, Zone R-20, Grid #6162-15-737355-0000.** The requested Area Variance involves relief from Article IV, Section 210-16(E) of the Town Code to allow the construction of a principal structure (residence) to be located 10.5 feet from both side lot lines where a setback of 20 feet each is required. Type II Action.

The Board voted to grant the variance for the reasons set forth in the resolution of the Board.

Motion: Betty Bomba

Second: Art Grace

Vote: 7:0:0

Correspondence

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on Key Bank, 44 Plaza, Burnett Boulevard.

The Board voted to consent to the Town of Poughkeepsie Planning Board acting as Lead Agency on this matter.

Motion: Jim Challey

Second: Art Grace
Vote: 7:0:0

Meeting adjourned at 9:33 PM
MOVED: Art Grace
SECONDED: Paul Lahey
CARRIED: 7:0:0

PRESENT:

Member Bomba

Member Buckey

Member Capone

Chairman Challey

Member Cuchelo

Member Grace

Member Lahey (Alternate)

ABSENT:

Member Marlow