



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
REGULAR MEETING
APRIL 9, 2018
6:00 PM**

New Business

- 1. Public Hearing – Lauren and Matthew Korz, 25 Claudia Lane, Zone R-20, Grid #6259-01-074667-0000.** The requested Area Variance involves relief from §210-48 to allow a shed of greater than 100 square feet to be located only 2 feet from the property line where 10 feet is required, necessitating a variance of 8 feet. Type II Action.

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

Motion: Christine Soricelli

Second: Art Grace

Vote: 7:0:0

- 2. Public Hearing – Richard and Jessica Gerbeth, Jr., 10 Oakwood Drive, Zone R-20, Grid #6058-02-962736-0000.** The requested Area Variance involves relief from §210-107 which requires pools to be set back from a side or rear lot line by 15 feet, to permit the installation of a pool located 7 feet from the property line, requiring a variance of 8 feet. 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: Art Grace

Vote: 7:0:0

- 3. Public Hearing – Bryan and Laura Fulmer, 40 Homer Place, Zone R-20, Grid #6261-03-370034-0000.** The requested Area Variance involves relief from §210-16(E) to allow the installation of a deck attached to the house to be located 10 feet from the side lot line where 20 feet is required, requiring a variance of 10 feet; and relief from §210-107(c) to legalize an existing pool located 14 feet 10 inches from the side lot line where 15 feet is required, requiring a variance of 2 inches. Type II Action.

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

Motion: Art Grace

Second: Paul Lahey

Vote: 7:0:0

4. **Public Hearing – Mary Krieger, 3 Anthony Drive, Zone R-20, Grid #6060-04-982052-0000.** The applicant is seeking a Special Use Permit pursuant to §210-74(c)(2), to permit the operation of a home occupation, specifically a boutique home spa, with associated retail sales. Unlisted Action. Uncoordinated Review.

The Board voted to grant the special use permit for the reasons set forth in the resolution of the Board.

Motion: James Challey

Second: Christine Soricelli

Vote: 7:0:0

5. **Public Hearing – Mary Krieger, 3 Anthony Drive, Zone R-20, Grid #6060-04-982052-0000.** The applicant is seeking the following interpretations; 1) whether the prohibition found in §210-74(A)(8) (“No stock-in-trade shall be permitted”) would bar the in-person sale of products to customers of a home-occupation service business; 2) whether the prohibition found in §210-74(A)(8) (“No stock-in-trade shall be permitted”) would bar the online sale of products to customers of a home-occupation service business; 3) whether the prohibition found in §210-74(B) against “retail sales or rental business” would bar the in-person sale of products to customers of a home-occupation service business; 4) whether the prohibition found in §210-74(B) against “retail sales or rental business” would bar the online sale of products to customers of a home-occupation service business. Type II Action.

The Board voted to modify the determination of the Zoning Administrator for the reasons set forth in the resolution of the Board.

Motion: Anthony D’Aquanni

Second: Art Grace

Vote: 7:0:0

6. **Public Hearing – Ready Coffee, LLC, 1810 South Road Zone B-SC, Grid #6158-01-484850-0000 & 6158-02-506817-0000.** The requested Area Variances involve relief from the following: 1) §210-36(E) to permit the construction of the kiosk 58 feet from the front lot line where 100 feet is required, requiring a variance of 42 feet; 2) §210-36(E) to permit the kiosk to be located 27 feet from the side lot line where 100 feet is required, necessitating a variance of 73 feet, but where the side yard distance is measured from an internal lot line; and 3) §210-128(c)(3)(a) to allow the installation of 3 wall signs, where one sign is permitted, but where the cumulative square footage of all three sign is less than the allowed total signage amount permitted for the one allowed wall sign. Type II 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: Christine Soricelli

Vote: 7:0:0

The Board voted to grant items 1 & 2 for the reasons forth in the resolution of the Board.

Motion: Larry Slomin

Second: Art Grace

Vote: 7:0:0

The Board voted to grant item 3 for the reasons forth in the resolution of the Board.

Motion: Anthony D'Aquanni

Second: Art Grace

Vote: 7:0:0

Correspondence

SEQR Lead Agency – Town of Poughkeepsie Planning Board is requesting Lead Agency on **Marist College – McCann Center Addition II**, 11-21 Champagnat Way, 37-41 Half Moon Walk, 5 Edvard Bech Drive.

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

Motion: Jim Challey

Second: Art Grace

Vote: 7:0:0

Meeting adjourned at 7:48 PM

MOVED: Art Grace

SECONDED: Christine Soricelli

CARRIED: 7:0:0

PRESENT:

Member Buckey
Member Capone (Alternate)
Chairman Challey
Member D'Aquanni
Member Grace
Member Lahey
Member Slomin
Member Soricelli

ABSENT: