



# Town of Poughkeepsie

## Zoning Department

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### DECISION AGENDA TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS REGULAR MEETING JUNE 10, 2019 - 6:00 PM

#### Old Business

1. **Public Hearing - Aldi Inc, 1830 South Road, Zone B-SC, 6158-01-484850-0000.** The requested area variance involves relief from §210-128(C)(3)(a) to permit the installation of a wall sign of 120.7 square feet, where 100 square feet is permitted. Unlisted Action. Uncoordinated Review.

*The Board voted to grant the requested area variance of 20.7 square feet for a wall sign, for the reasons set forth during meeting.*

**Motion:** Christine Soricelli  
**Second:** Paul Lahey  
**Vote:** 7:0:0

2. **Public Hearing - Submitted by Stephen Burns on behalf of Beacon Residential LLC, 297 Violet Avenue, Zone R-M, 6163-19-523128-0000.** The requested area variance involves relief from §210-17(E) to permit construction of a 4-unit project which would result in a lot density of 4,846 square feet per unit where 7,260 per unit is required. (The Board granted this variance on October 19, 2015. It has since expired. It was unintentionally overlooked when the applicant sought re-approval for other variances received in October 2015.) In addition, the applicant seeks a variance from §210-17(E)(note d) to permit three parking spaces to be located within in a required setback, two proposed to be five (5) feet from the eastern property line and one proposed to be located 15.5 feet from the south property line. Planning Board, acting as Lead Agency, adopted a negative declaration on June 2, 2015, reaffirmed September 14, 2017.

*The Board voted to grant area variances requested as shown on the plans, for the reasons set forth during the meeting.*

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

## New Business

3. **Public Hearing – Mary Vallo, 18 Meadow Drive, Zone R-20, Grid # 6158-10-385736-0000.** The requested area variance involves relief from §210-16(E) of the Town Code, which mandates a setback of 20 feet from the side lot line, to permit the construction of a garage to be located 5.7 feet from the side lot line, requiring a variance of 14.3 feet. Type II Action.

*The Board voted to grant area variance requested for a garage as shown on the plans, for the reasons set forth during the meeting.*

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

4. **Public Hearing – Ready Coffee, 1810, 1816-1840 South Road, Zone B-SC, Grid # 6158-01-484850-0000 and Grid # 6158-02-506817-0000.** The requested area variance involves relief from §210-36(E) of the Town Code which mandates a setback of 100 feet from the side lot line. The applicant previously received a variance of 73 feet, to allow a side yard setback of 27 feet. However, the “as built” survey for the refuse enclosure shows that it is located 26.3 from the side lot line, necessitating a variance of 73.7 feet. (The side yard setback is measured from a lot line internal to the shopping center.) Type II Action.

*The Board voted to grant area variance requested, for the reasons set forth during the meeting.*

**Motion:** James Challey  
**Second:** Arthur Grace  
**Vote:** 7:0:0

5. **Public Hearing – Elizabeth and John McCabe, 10 Oak Bend Road, Zone R-20, Grid # 6159-02-974760-0000.** The requested area variance involves relief from §210-69 of the Town Code which provides that within required front yards, no hedge, fence or wall shall exceed 3 1/2 feet. The applicant wishes to replace an existing six-foot fence in their front yard with a fence of the same height. Type II Action.

*The Board voted to grant area variance requested for a 6 feet fence, for the reasons set forth during the meeting.*

**Motion:** Anthony D'Aquanni  
**Second:** Arthur Grace  
**Vote:** 7:0:0

6. **Public Hearing – Benito Garcia, 34 Phyllis Road, Wappingers Falls, Zone R-20, Grid # 6058-20-863035-0000.** The requested area variance involves relief from §210-16(E) of the Town Code, which mandates a setback of 20 feet from the side lot line, to permit the replacement of a deck located 13.4 feet from the side lot line, requiring a variance of 6.6 feet. Type II Action.

*The Board voted to grant area variance requested for 6.6 feet for a deck, for the reasons set forth during the meeting.*

**Motion:** James LaRosa  
**Second:** Paul Lahey  
**Vote:** 7:0:0

7. **Public Hearing – Brian Ricks, 25 Horizon Hill Drive, Zoned R-20, Grid # 6160-04-860100-0000.** The requested area variance involves relief from §210-16(E) of the Town Code, which mandates a setback of 20 feet from the side lot line, to permit the construction of a deck located 17 feet from the side lot line, requiring a variance of 3 feet. Type II Action.

*The Board voted to grant area variance requested for 3 feet for a deck, for the reasons set forth during the meeting.*

**Motion:** Phyllis Capone  
**Second:** Paul Lahey  
**Vote:** 7:0:0

8. **Public Hearing – Troy and Corrine Campbell, 1021 Dutchess Turnpike, Zone R-20, Grid # 6262-02-872502-0000.** The requested area variance involves relief from §210-69 of the Town Code which provides that within required front yards, no hedge, fence or wall shall exceed 3 1/2 feet. The applicant wishes to replace an existing six-foot fence one of their front yards with a fence of the same height. (The property is a corner lot and has two front yards.) Type II Action.

*The Board voted to grant area variance requested for 6 foot fence in the front yard, for the reasons set forth during the meeting.*

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

9. **Public Hearing – Barbara and Patrick Adams, 49 Overlook Road, Zoned R20, Grid # 6261-02-665949-0000.** The requested area variance seeks relief from §210-48 of the Town Code, which prohibits the construction of accessory structures in a front yard. The applicants seek permission to install a shed in their front yard. Type II Action.

*The Board voted to grant area variance requested to place a shed in the front yard, for the reasons set forth during the meeting.*

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

**10. Public Hearing – Verizon Wireless, 15 Channingville Road, Poughkeepsie NY 12590.** Zoned R-20, Grid # 6058-04-694049-0000. Orange County-Poughkeepsie Limited Partnership d/b/a Verizon Wireless. Requested area variance seeks relief from §210-48 of the Town Code, which provides that within required front yards, no hedge, fence or wall shall exceed 3 ½ feet. Applicant wishes to construct a 6-foot fence in the front yard to enclose a proposed small cell communications facility, which will include a pole having a height of 50’, which exceeds the maximum height of 35’ allowed by §210-16(E). Planning Board Unlisted Action.

*The Board voted to adjourn the application till July 8, 2019, as requested by Verizon Wireless.*

**Motion:** James Challey  
**Second:** Arthur Grace  
**Vote:** 7:0:0

**11. Public Hearing – Mobil, 3480 North Road, Zone FC, Grid # 6062-02-992924-0000.** The applicant seeks to install a freestanding “wave” sign structure, containing a total of ten signs, and having signs on three sides of the structure, at each of the three gasoline dispensing pumps. The requested area variances seek relief from §210-127(B), which permits one freestanding sign with a landscaped monument base at each driveway entrance. The site has an existing freestanding sign, so variances are required for each additional freestanding sign, for the location (not at a driveway entrance), for the absence of a landscaped monument base, and for ten signs per structure. In addition, a variance is needed from §210-123(G) which provides that no sign shall have more than two sides. Unlisted Action. Uncoordinated Review.

*The Board voted to adjourn the application till July 8, 2019. As requested by the Applicant.*

**Motion:** James Challey  
**Second:** Paul Lahey  
**Vote:** 7:0:0

**12. Public Hearing – Mobil, 2605, South Road, Zone BH, Grid # 6160-01-008762-0000.** The applicant seeks to install a freestanding “wave” sign structure, containing a total of ten signs, and having signs on three sides of the structure, at each of the two gasoline dispensing pumps. The requested area variances seek relief from §210-127(B), which permits one freestanding sign with a landscaped monument base at each driveway entrance. The site has an existing freestanding sign, so variances are required for each additional freestanding sign, for the location (not at a driveway entrance), for the absence of a landscaped monument base, and for ten signs per structure. In addition, a variance is needed from §210-123(G) which provides that no sign shall have more than two sides. Unlisted Action. Uncoordinated Review.

*The Board voted to adjourn the application till July 8, 2019. As requested by the Applicant.*

**Motion:** James Challey  
**Second:** Paul Lahey  
**Vote:** 7:0:0

**13. Public Hearing – Mobil, 2646, South Road, Zone BH, Grid # 6160-01-041865-0000.** The applicant seeks to install a freestanding “wave” sign structure, containing a total of ten signs, and having signs on three sides of the structure, at each of the three gasoline dispensing pumps. The requested area variances seek relief from §210-127(B), which permits one freestanding sign with a landscaped monument base at each driveway entrance. The site has an existing freestanding sign, so variances are required for each additional freestanding sign, for the location (not at a driveway entrance), for the absence of a landscaped monument base, and for ten signs per structure. Unlisted Action. Uncoordinated Review.

*The Board voted to adjourn the application till July 8, 2019. As requested by the Applicant.*

**Motion:** James Challey  
**Second:** Paul Lahey  
**Vote:** 7:0:0

**14. Public Hearing – Mobil, 2063, New Hackensack Road, Zone ROMNSC, Grid # 6260-04-514358-0000.** The applicant seeks to install a freestanding “wave” sign structure, containing a total of ten signs, and having signs on three sides of the structure, at each of the three gasoline dispensing pumps. The requested area variances seek relief from §210-127(B), which permits one freestanding sign with a landscaped monument base at each driveway entrance. The site has an existing freestanding sign, so variances are required for each additional freestanding sign, for the location (not at a driveway entrance), for the absence of a landscaped monument base, and for ten signs per structure. In addition, a variance is needed from §210-123(G) which provides that no sign shall have more than two sides. Unlisted Action. Uncoordinated Review.

*The Board voted to adjourn the application till July 8, 2019. As requested by the Applicant.*

**Motion:** James Challey  
**Second:** Paul Lahey  
**Vote:** 7:0:0

**15. The Board voted to change August 12, 2019 ZBA meeting to be held on August 5, 2019.**

**Motion:** James Challey  
**Second:** Paul Lahey  
**Vote:** 7:0:0

The meeting was adjourned at 7:25 pm.

**Motion:** James Challey  
**Second:** Art Grace  
**Vote:** 7:0:0

**PRESENT**

Chairman Challey  
Member D’Aquanni  
Member Grace  
Member Lahey  
Member LaRosa  
Member Soricelli  
Alternate Member Capone

**ABSENT**

Member Slomin