



Town of Poughkeepsie

Zoning Department

1 Overocker Road
Poughkeepsie, NY 12603

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AGENDA

TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS

August 9, 2021 - 6:00 PM

A public meeting of the Town of Poughkeepsie Zoning Board of Appeals will be held on August 9, 2021, at 6:00 PM.

The meeting will be held in a hybrid format, with the public able to participate in person at Town Hall, 1 Overocker Road, Poughkeepsie, or remotely via Zoom videoconferencing and via telephone.

THE AGENDA IS AS FOLLOWS:

- ROLL CALL

Old Business

1. **Public Hearing - Vassar College, 124 Raymond Avenue, zoned (IN), Grid # 6161-12-795630.** The applicant is appealing the November 18, 2019 determination of the Zoning Administrator which concluded that the proposed hotel and restaurant uses are not permitted accessory uses to the existing educational use. The applicant seeks an interpretation Town Code §210-38 that the proposed “Inn & Institute” is a permitted principal use or, in the alternative, that it is a permitted accessory use. **Type II Action. WITHDRAWN BY THE APPLICANT - August 2, 2021.**

The Chair informed that he was in receipt of a letter from Vassar dated August 2, 2021, informing ZBA of their decision to withdraw this application.

2. **Public Hearing - Stewart’s Shops Corp., 2245 South Road, zoned B-H, Grid # 6159-01-249880.** The applicant requests relief from the following sections of the Town Code: (i) §210-35(E) to allow a building to be set back 15 feet from the front yard along South Gate Drive, where 40 feet is required, necessitating a variance of 25 feet; (ii) §210-35(E) to allow a building to be set back 25 feet from the rear lot line where 40ft is required, necessitating a variance of 15feet; (iii) from §210-130(A) to allow a proposed pricing pump topper signs to be 2.15 square feet where one square foot is permitted; (iv) From §210-90(E) which prohibits gasoline service facilities from being located within 500 feet of any property developed for residential use which is located in a residential district to permit the construction of the proposed Stewart’s Shop to

be 73 feet from nearest residential district, requiring a variance of 427 feet; (v) §210-123.1(B), which provides that no more than 30% of the total square footage of any sign may be devoted to EMD signage to allow the pump topper signs proposed to be 2.15 square feet to have 0.68 square foot, or 31.6%, of the sign devoted to EMD signage; and (vi) from §210-90(A) which requires a minimum lot size of 30,000 square feet, unless district regulations require a larger lot area. District regulations require a minimum of 2 acres. The lot is 0.949 acres, requiring a variance of 1.051 acres. **Unlisted Action. The Planning Board, as Lead Agency, issued a Determination of Non-Significance (neg dec) on October 15, 2020. TO BE ADJOURNED UNTIL SEPTEMBER 13, 2021.**

On the Applicant's request, the Board voted to adjourn the matter to the September 13, 2021 meeting.

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

- 3. Public Hearing - Electronic Sign - Poughkeepsie United Methodist Church, 2381 New Hackensack Road, zoned R-20, Grid # 6261-03-228048-0000.** The applicant is proposing to install a new electronic message display sign and 9 square foot top portion to an existing 70 square foot sign, making it 79 square feet in total. Section 210-131(V) of the Town Code provides that signs or bulletin boards customarily incidental to places of worship, schools, libraries, museums, social clubs or societies are exempt from the provisions of the Code provided that signs or bulletin boards do not exceed 15 square feet in area and are located on the premises of such institutions. The proposed sign requires a variance of 64 square feet. **Unlisted Action.**

The Board voted to adjourn the matter to the September 13, 2021 meeting.

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

New Business

- 4. Public Hearing - Carport - Cody Wilkinson, 55 Henmond Blvd., Zoned R-20, Grid # 6261-04-510400-0000.** The applicant is seeking a variance from Town Code §210-48 which requires an accessory shall be 10 feet from side and rear property lines. The applicant wishes to build a carport 8 feet from side property line, requiring a variance of 2 feet. **Type II Action.**

The Board voted to grant the requested variance of 2 feet to build a carport.

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

5. **Public Hearing - Enclosure of Existing Porch - Joseph Montalto, 48 Treetop Lane, Zoned R-20, Grid # 6260-01-439687-0000.** The applicant is seeking variance from Town Code §210-16(E), which mandates a side yard setback of not less than 20 feet. The applicant is proposing to enclose an existing porch located 5.32 feet from the side property line, requiring a side yard variance of 14.68 feet. **Type II Action.**

The Board voted to adjourn the matter to the September 13, 2021 meeting.

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

6. **Public Hearing - Addition - O'Neil Baker, 49 Oakdale Ave., Zoned R-20, Grid # 6162-10-374574-0000.** The applicants are seeking a variance from §210-16 (E) of the Town Code, which mandates a side yard setback of not less than 20 feet. The applicant is proposing an addition to be located 4 feet from the side property line, requiring a side yard variance of 16 feet. **Type II Action.**

The Board voted to grant the requested variances of 16 feet for an addition.

Motion: Arthur Grace
Second: Christina Soricelli
Vote: 7:0:0

7. **Public Hearing - Existing Carport - Robert Richardson, 10 Sparrow Lane, Zoned R-20 and bearing Grid No. 6159-01-219722-0000.** Pursuant to §210-16(E) of the Town Code, side yards of not less than 20 feet must be maintained. A preexisting Carport was constructed without a building permit, located 4 feet from the side property line, requiring a variance of 16 feet. **Type II Action.**

The Board voted to grant the requested variance of 16 feet for an existing Carport..

Motion: Anthony D'Aquanni
Second: Christina Soricelli
Vote: 7:0:0

8. **Public Hearing - Wall Sign Chipotle - Owner: EFG/DRA Heritage LLC, Applicant: Action Sign Company, 3532 North Road, Zoned HRDD and bearing Grid No. 6163-03-011149-0000.** Pursuant to §210-125.2 (B) of the Town Code, one wall sign per public business entrance is allowed. The applicant is proposing an additional "Chipotle" brand sign on a wall that is not a public entrance. **Unlisted Action.**

The Board voted to adjourn the matter to the September 13, 2021 meeting.

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

9. **Public Hearing - Zoning Change - Owner: Mid-Hudson Development Corporation LLC, Applicant: Day Stokosa Engineering PC, Route 9D, Zoned RMF and bearing Grid Nos. 6158-01-261673-0000 and 6158-01-237655-0000.** Pursuant to §210-17 (E) of the Town Code, 200 feet of frontage must be maintained for multifamily lot in the R-M district. The applicant is proposing to construct unites on a lot 197.97 feet of frontage. Requiring a variance of 2.03 feet. Also Pursuant to §210-17 (E) of the Town Code, 200 feet of width must be maintained for multifamily lot in the R-M district. The applicant is proposing a lot width of 192.6 feet. Requiring a variance of 7.4 feet **The Planning Board, as Lead Agency, issued a Determination of Non-Significance (neg dec) on May 20, 2021. Zoning Change approved by the Town Board, July 21, 2021.**

The Board voted to grant variances requested.

*Motion: Anthony Straka
Second: Arthur Grace
Vote: 7:0:0*

*Motion to adjourn: Paul Lahey
Seconded: Christina Soricelli
Vote: 7:0:0*

Meeting ended at 655 pm

PRESENT

Chairman Lahey
Member Levitt
Member D'Aquanni
Member Grace
Member Soricelli
Member Capone
Alternate Member Straka

ABSENT

Member Slomin
Alternate Member Cohen