



Town of Poughkeepsie

Zoning Department

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DECISION AGENDA

TOWN OF POUGHKEEPSIE ZONING BOARD OF APPEALS

September 12, 2022 - 6:00 PM

Old Business

1. Public Hearing – Self Storage Facility – Owner: Guardian Self Storage East LLC, 20-50 Love Road, Grid # 6261-01-187898-0000, Zoned B-H. The applicant is seeking to construct a self-storage building. Due to proposed site plan modifications, a variance for footcandles at the property line is no longer required and variance No. 2 has been reduced. The applicant is now seeking the following 5 variances from the Town Code:
 1. From §210-35(E), which requires that a front yard setback of 40 feet be maintained. The applicant is proposing the new storage building to be located 28 feet from the front yard lot line, requiring a variance of 12 feet.
 2. From §210-35(E), which requires that a side yard setback of not less than 40 feet be maintained. The applicant is proposing the new storage building to be located 25 feet from a side property line, requiring a variance of 15 feet.
 3. From §210-81(E)(1)(c), which requires that wall-mounted light fixtures not exceed 15 feet in height. The applicant is proposing wall-mounted light fixtures at a height of 29 feet above grade, requiring a variance of 14 feet.
 4. From §210-115, which establishes a parking requirement for storage buildings of 1 space per 2000 square feet of building area. The 71,413 square-foot building requires 36 parking spaces. The applicant is proposing 21 parking spaces, requiring a variance of 15 spaces.
 5. From §210-122(A)(7), which prohibits signs that are not located on the premises to which they refer, to permit a monument sign “D” offsite, in the location noted above. **Unlisted Action. The Planning Board, as Lead Agency, issued a determination of non-significance on May 19, 2022.**

The Board voted to grant Requested variance .

Motion: Phyllis Capone
Second: Christine Soricellie
Vote: 6:0:1

New Business

2. Public Hearing – Chuck-E-Cheese Signs – Owner: South Hills Improvements LLC, Submitted by: Matthew Signs LLC and the Owner, 1895 South Road, Grid # 6158-01-297959-0000, Zoned B-SC. The applicants are seeking four variances from §210-127(C) of the Town Code, which permits only one wall sign on the side of a building facing a public road equal to an area of a maximum of 25% of the face of the building or 100 square feet, whichever is less. The applicants

are seeking to install 4 wall signs on the three sides of the building that do not face South Road, specifically: (1) a logo face art sign (49 square feet) on the south wall (Sign A); (2) a “Chuck E. Cheese” lettering sign (34 square feet) on the same wall (Sign B); (3) a logo face art sign (49 square feet) on the west wall (Sign C); and (4) a logo face art sign (49 square feet) on the north wall (Sign D), requiring variances for all 4 signs because they do not face a public road. **Unlisted Action.**

The Board voted Town of Poughkeepsie Zoning Board of Appeals to be the Lead Agency.

Motion: Paul Lahey
Second: Arthur Grace
Vote: 6-0-1

The Board determined that the proposed action would not have an adverse effect on the environment and thereafter issued a negative declaration

Motion: Paul Lahey
Second: Christine Soricelli
Vote: 6-0-1

The Board voted to grant the requested Variances.

Motion: Anthony Straka
Second: Phyllis Capone
Vote: 6-0-1

3. **Public Hearing –Fence – Owner and Applicant: John Zambrano, 74 Spring Road, Grid # 6159-04-692229-0000, Zoned R-20.** The applicant is seeking a variance from §210-69 of the Town Code, which allows fences in front yards of only 3.5 feet in height. The applicant has a corner lot with two front yards and wishes to install a fence of 6 feet in a front yard, requiring a variance of 2.5 feet. **Type II Action.**

The Board voted to Adjourn the matter to October 17, 2022 ZBA Meeting.

Motion: Paul Lahey
Second: Christine Soricelli
Vote: 6-0-1

4. **Public Hearing – Side Yard – Owner: P J One Enterprises LLC, Presented by: Roland Bloomer, Esq. 14 Cotton Way, Grid # 6262-02-830983-0000, Zoned R-4A.** The applicant is seeking to legalize an extension to a single-family residence which was constructed in the 1990s two feet from a *proposed* side property line (a lot line revision is being sought from the Planning Board) where §210-14(E) of the Town Code requires 50 feet, requiring a variance of 48 feet. **Type II Action.**

The Board voted to grant requested variance conditioned upon:

- i. Planning Board approval for 2 feet from property line after lot line adjustment*

Motion: Sinoma Cohen
Second: Christine Soricelli
Vote: 6:0:1

5. **Public Hearing – Addition/Carport – Owner: Philip Crimi, 35 Beekman Street, Grid # 6162-09-040545-0000**, Zoned R-20. The applicant is seeking variances to legalize the construction of an addition to the residence and a carport. The addition is located 14 feet from the rear property line, where §210-16(E) of the Town Code requires 50 feet, necessitating a variance of 16 feet. The carport is located 7.7 feet from the side property line, where §210-48 of the Town Code requires 10 feet, necessitating a variance of 2.3 feet. **Type II Action.**

The Board voted to grant the requested variance conditioned upon removal of the hot tub and be placed 15 feet from the side property line.

Motion: Christine Soricelli

Second: Arthur Grace

Vote: 6:0:1

6. **Public Hearing – Side Yard Setback – Owner: Camelot Village NY, LLC, 589-621 Sheafe Road, Grid # 6159-03-175445-0000**, Zoned R-MH. In the R-MH District, pursuant to Town Code §210-19(D), new mobile homes must maintain a minimum side yard of 10 feet, therefore requiring at least 20 feet between homes. The applicant is seeking to legalize the installation of a mobile home (117) that is wider than the mobile home it replaced, such that it was placed 13 feet from a mobile home on one side (116), requiring a variance of 7 feet, and 19.6 feet from the mobile home on the other side (118), requiring a variance of .4 feet. **Type II Action.**

The Board voted to grant the requested variances.

Motion: Christine Soricelli

Second: Arthur Grace

Vote: 6:0:1

7. **Public Hearing – Deck – Owner: Jeffrey and Kelly Carter, 19 Toomey Drive, Grid # 6260-01-427839-0000**, Zoned R-20. The applicants are seeking a variances from §210-16(E) of the Town Code, which requires that a side yard setback of 20 feet be maintained, to permit the construction of a deck, attached to the house, to be located 15 feet from the side yard, requiring a variance of 5 feet. **Type II Action.**

The Board voted to grant the requested variances.

Motion: Arthur Grace

Second: Christine Soricelli

Vote: 6:0:1

8. **Public Hearing –Special Use Permit – Accessory Apartment – Owners: Kristen Makous and Joseph Flores, 83 King George Road, Grid # 6159-02-737991-0000**, Zoned R-20. The applicant is seeking a special use permit pursuant to §210-16(C) and §210-47 of the Town Code to legalize an existing accessory apartment. **Unlisted Action.**

The Board voted Town of Poughkeepsie Zoning Board of Appeals to be the Lead Agency.

Motion: Paul Lahey

Second: Arthur Grace

Vote: 6:0:1

The Board determined that the proposed action would not have an adverse effect on the environment and thereafter issued a negative declaration

*Motion: Paul Lahey
Second: Christine Soricelli
Vote: 6:0:1*

The Board voted to grant the requested Special Use Permit.

*Motion: Arthur Grace
Second: Christine Soricelli
Vote: 6:0:1*

9. **Public Hearing – Variances – Planet Wings of Poughkeepsie, 661 Dutchess Turnpike, Zoned B-SC, Grid # 6261-01-119864-000.** The applicant is seeking the following variances: (1) a variance from §210-36(E) which requires that a side yard of not less than 100 feet be maintained. The applicant proposes a building addition to be located 11.2 feet from the side property line, requiring a variance of 88.8 feet. (2) a variance from §210-36(E) which requires that a front yard of not less than 100 feet be maintained. The applicant proposes a building addition to be located 51 feet from the front property line, requiring a variance of 49 feet. (3) a variance from §210-36(E) which requires that a rear yard of not less than 100 feet be maintained. The applicant proposes a building addition to be located 73.6 feet from the rear property line, requiring a variance of 26.4 feet. And (4) a variance from §210-81(E)(1)(a) which mandates that illumination shall not exceed 0.2 footcandles at the property line. The applicant is proposing lighting of a maximum of 5.8 footcandles at the property line, requiring a variance of 5.6 footcandles. Note: These variances previously were granted by the Zoning Board of Appeals on November 18, 2018 and renew on April 14, 2022, but have since expired due to lack of construction. **Unlisted Action.**

The Board voted to grant the requested variances.

*Motion: Paul Lahey
Second: Arthur Grace
Vote: 6::0:1*

Other Business

10. **Lead Agency Request** from the Planning Board – BP4 – Westerly House – 45 Springside Avenue, Grid # 6161-08-791929, Zoned ATC. The applicant proposes a four-story multifamily structure of 20 residential units with associated on-site parking and other improvements, and road access via easement over another lot.

The Board voted to consent to Town of Poughkeepsie Planning Board’s Lead Agency request for Storage Depot Expansion

Motion: Paul Lahey

Second: Christine Soricelli
Vote: 6:0:1

The meeting adjourned at 7:44 pm.

Motion: Paul Lahey
Second: Arthur Grace
Vote: 6:0:1

PRESENT

Chairman Lahey
Member Capone
Member Grace
Member Soricelli
Member Straka
Alternate Member Cohen

ABSENT

Member Slomin
Member Gates