



# *Town of Poughkeepsie*

## *Zoning Department*

1 Overocker Road  
Poughkeepsie, NY 12603

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### AGENDA

#### TOWN OF POUGHKEEPSI ZONING BOARD OF APPEALS

November 8, 2021 - 6:00 PM

A public meeting of the Town of Poughkeepsie Zoning Board of Appeals will be held on November 8, 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 public may participate in the public hearing via Zoom by clicking the following link:

#### **THE AGENDA IS AS FOLLOWS:**

- ROLL CALL

#### **Old Business**

1. **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.l(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 DECEMBER 13, 2021.**
2. **Public Hearing - Storage Platform - Dawn Gangel, 58 Alda Drive, Zoned R-20, Grid # 6260-03-271123-0000.** The applicant is seeking a variance from §210-48 of the Town Code which mandates that an accessory structure maintain a side yard setback of not less than 10 feet. The applicant wishes to construct a 1 foot high 12'x24' wooden platform for wood storage, located 4.5 feet from side property line, requiring a variance of 5.5 feet. **Type II Action. ADJOURNED UNTIL DECEMBER 13, 2021.**

3. **Public Hearing – Signage Taco Bell – Neptune Capital Investor LLC, Zoned B-H, 2275 South Road, Grid # 6159-01-194942-0000.** The applicant is seeking a variance from §210-127(C) of the Town Code which permits only one wall sign for wall facing public road equal to an area of 25% of the face of the building up to a maximum of 100 square feet. The applicant is proposing a wall sign of 13.6 square feet on the wall facing Route 9 (South Road) for its permitted sign. It is seeking a variance to allow a second wall sign of 27.63 square feet front to be located on the south (front) side of the building which does not face a public road, for a total square footage of 41.3 square feet; requiring a variance for an additional sign.  
**Unlisted Action.**

### New Business

4. **Public Hearing – Verizon Wireless “BOA Micro” Communications Facility – Verizon Wireless of the East LP, Zoned ATC, 9-11 Raymond Avenue, Grid # 6161-08-770792-0000.** The applicant is seeking a use variance from §210-22 of the Town Code to allow the installation of an unmanned wireless communications facility (a “small cell” tower) on an existing structure in the ATC Zoning District where this specific use or similar use is not permitted. **Unlisted Action.**
5. **Public Hearing – Family Patio – Cary Appleyard, 23 Brian Road, Grid # 6158-01-030847-0000.** The applicant is seeking a variance from §210-48 of the Town Code which requires that a side yard setback of 10 feet be maintained for all accessory structures to allow the construction of a covered patio to be located 3.5 feet from the property line, requiring a variance of 6.5 feet.  
**Type II Action.**
6. **Public Hearing – Deck – Steven G. Hawley, 19 James Street, Grid # 6262-02-797506-0000.** The applicant is seeking a variance from §210-16(E) of the Town Code which requires that a side yard setback of 20 feet be maintained to allow the construction of a deck to be located 17 feet from the property line, requiring a variance of 3 feet. **Type II Action.**
7. **Public Hearing – Addition – Anthony Venettozzi, 6 Brady Place, Grid # 6163-19-526155-0000.** The applicant is seeking a variance from §210-16(E) of the Town Code which requires that a side yard setback of 20 feet be maintained to allow the construction of an addition to be located 14 feet from the property line, requiring a variance of 6 feet. **Type II Action.**
8. **Public Hearing – Garage /Kitchen Expansion – Michael and Tina Mignone, 290 Spackenkill Road, Grid # 6260-03-365329-0000.** The applicant is seeking a variance from §210-16(E) of the Town Code which requires that a side yard setback of 20 feet be maintained to allow the construction of a new garage and kitchen expansion to be located 11 feet from the property line, requiring a variance of 9 feet. **Type II Action.**