



**City of Poughkeepsie  
Zoning Board of Appeals  
Meeting Agenda**

Common Council Chambers  
Monday, July 14, 2025

6:00 PM

**I. ROLL CALL**

**II. APPROVAL OF MEETING MINUTES**

1. Approval of June 10, 2025 Meeting Minutes

**III. ADJOURNED APPLICATION REVIEW / PUBLIC HEARINGS**

1. **100 NORTH HAMILTON STREET: USE VARIANCE & AREA VARIANCE**
2. **134 SMITH DRIVE: AREA VARIANCE**

**IV. REVIEW OF RESOLUTIONS**

**1. 709-719 MAIN STREET: AREA VARIANCES**

Application for area variances relative to the placement of a wall sign on the west (Innis Avenue) face of the building at 709-719 Main Street, requiring variances of Section 19-6.4(8)(i)(1) which requires that the bottom of a wall sign be between 8' and 12 feet from grade to allow the bottom to be 18 feet 1½ inches from grade; Section 19-6.4(8)(i)(2) which allows a maximum height of 3 feet for wall signs to allow a 5'3" high sign; and Section 19-6.4(8)(i)(2) which allows a maximum of 60 square feet for wall signs to allow a 101.94 square foot sign. Owner: O'Reilly Auto Enterprises LLC/Jim Riggs Sr Dir Real Estate Dev; Applicant: Jim Polinsky/Signs Ink; Zoning District: MU-5; Grid #6161-25-610876; File #2025-016

**2. 709-719 MAIN STREET: AREA VARIANCES**

Application for area variances relative to the installation of a freestanding sign on the property at 709-719 Main Street, requiring variances of Section 19-6.4(8)(d)(2), which provides that the maximum allowable height for a freestanding sign is 8', to allow 10'7", Section 19-6.4(8)(d)(2) which allows a maximum width of 6 feet, to allow a sign 9'10" wide, and Section 19-6.4(8)(d)(3) which allows no more than three colors per freestanding sign, to allow four colors. Owner: O'Reilly Auto Enterprises LLC/Jim Riggs Sr Dir Real Estate Dev; Applicant: Jim Polinsky/Signs Ink; Zoning District: MU-5; Grid #6161-25-610876; File #2025-017

**3. 709-719 MAIN STREET: AREA VARIANCES**

Application for area variances relative to the placement of a wall sign on the south (Main Street) face of the building at 709-719 Main Street, requiring a variance of Section 19-6.4(8)(i)(1) which requires that the bottom of a wall sign be between 8' and 12' from grade to allow the bottom to be 17'9" from grade; Section 19-6.4(8)(i)(2) which allows a maximum height of 3 feet for wall signs to allow a 5'3" high sign; and Section 19-6.4(8)(i)(2) which allows a maximum of 60 square feet for wall signs to allow a 101.94 square foot sign. Owner: O'Reilly Auto Enterprises LLC/Jim Riggs Sr Dir Real Estate Dev; Applicant: Jim Polinsky/Signs Ink; Zoning District: MU-5; Grid #6161-25-610876; File #2025-018

**V. PUBLIC HEARINGS & DELIBERATIONS**

**1. 121 PARKER AVENUE: AREA VARIANCES**

Application for area variances relative to the proposed installation of a telecommunications facility (cell tower), at 121 Parker Avenue, requiring variances of Sections 19-3.25(8) Table 3.25-2B(D), 19-3.25(8) Table 3.25-2B(G), 19-3.25(10)(o), 19-3.25(11)(d), 19-3.25(13)(b)(4), 19-3.25(14)(c), 19-3.25(14)(d)(1), 19-3.25(4)(d)(2), 19-4.3(5)(b), 19-4.3(5)(C), relative to such mixed use. Owner: Parker Ave Realty, LLC; Applicant: Verizon Wireless of the East LP d/b/a Verizon Wireless; Consultant: Young/Sommer, LLC; Grid #6162-55-257465; Zoning District Formerly Walkway-Gateway Mixed Use Commercial (now Walkway-Gateway); File #ZBA2024-015

**2. 105 ALBANY STREET: AREA VARIANCE**

Application for area variances relative to the proposed construction of a four family dwelling on a lot containing a two family dwelling. The proposal includes addition of a foot of property through subdivision to increase lot width from requiring variances of Section 19-2.3(2)(a) requiring a lot area of 6000 square feet to allow a lot of 3900 square feet; Section 19-2.3(3)(c )

requiring a 5 foot side yard setback to allow a 4 foot south yard setback and a 1 to 2 foot north yard setback; Section 19-2.3(3)(g) requires that accessory structures be a minimum of 5- from a property line to allow the AC units to be 4 feet from the ; and, Section 19-6.2(11)(a) requires that five off-street parking spaces be provided where none are proposed. Owner: Hudson Venture Group LLC; Applicant: Michael Annunziato; Consultant: Studio 90 Design & Planning; Zoning District: RNC; Grid #6062-59-866456; File #2025-012

**3. 4 BOBRICK ROAD: AREA VARIANCES**

Application for area variance relative to the proposed conversion of the existing garage of the single family dwelling at 4 Bobrick Road to a playhouse, resulting in front yard parking, requiring variances Sections 19-2.1(2)(d) and 19-6.2(1)(a) of the Zoning Code to allow front yard parking. Owner/Applicant: Carl Forestieri; Grid #6161-61-107321; Zoning District: RNA; File #2025-011

**4. 22 PERSHING AVENUE: USE VARIANCE**

Application for use variance relative to the proposed use of the property at 22 Pershing Avenue as an automobile sales facility, requiring a variance of Section 19-5.5 of the Zoning Code, which prohibits automobile sales facilities in the MU-5 Zoning District in which the property is located. Owner: MVK Enterprises, Inc; Applicant: Frank Redl; Grid #6161-24-427984; Zoning District: MU-5; File #2025-022

**VI. ADJOURNMENT**

1. August 12, 2025



# The City of Poughkeepsie New York

## Zoning Board of Appeals Meeting Minutes

Tuesday, June 10, 2025

6:00 PM

Common Council Chambers

### I. ROLL CALL

Present

Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson

Staff

Joanna Longcore, Assistant Corporation Council  
Judith Knauss, Deputy Zoning Administrator  
Lor Garcia, Board Administrative Assistant

### II. APPROVAL OF MEETING MINUTES

#### 1. Approval of May 13, 2025 meeting minutes

A motion to Approve was made by Chair Parker and seconded by Member Klug.

CCM Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

### III. ADJOURNED APPLICATION REVIEW / PUBLIC HEARINGS

#### 1. 100 NORTH HAMILTON STREET: USE & AREA VARIANCES

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Klug.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

A motion to Adjourn the Public Hearing was made by Chair Parker and seconded by Member Klug.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

2. 121 PARKER AVENUE: AREA VARIANCES

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Klug.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

A motion to Adjourn the Public Hearing was made by Chair Parker and seconded by Member Patterson.

Minutes of June 10, 2025 - VOICE VOTE

**Yes/Aye:** Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson

**No/Nay:** None

**Abstain:** None

**Absent:** None

**Result:** **Passed**

**IV. REVIEW OF RESOLUTIONS**

**1. LOT 288150 “53” NORTH CLINTON STREET: AREA VARIANCE**

Application for area variances relative to the proposed construction of a four family dwelling on a vacant lot on North Clinton Street, requiring variances of Section 19-2.3(2)(c ) to allow lot coverage of 74.6% where a maximum of 70% is permitted; Section 19-2.3(2)(f) to allow a north side yard set-back of 5 feet and a zero south side yard set-back to the parking area and access, where 10 foot side-yard set-backs are required; Section 19-6.2(1)(c ) to allow a driveway width of 10 feet where 15 feet is required.

Owner/Applicant: 4COPNY LLC; Consultant: Natalie Quinn, KARC Planning Consultants, Inc; Zoning District: RNC; Grid: # 6162-71-288150; File #ZBA2025-007

Presenting: Kelly Libolt, KARC Planning Consultants

A motion to Approve was made by Chair Parker and seconded by Member Phillips.

Minutes of June 10, 2025 - VOICE VOTE

<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

**2. LOT 276969 “149” CANNON STREET: AREA VARIANCE**

Application for area variances relative to the proposed construction of a four family dwelling on a vacant lot on Cannon Street, requiring variances of Section 19-2.3(2)(c ) to allow lot coverage of 70.6%, where a maximum lot coverage of 70% is permitted;

Section 19-2.3(2)(f) to allow a 5 foot west side-yard set back and a 3.2-10.9 east side yard set-back for the parking and access where 10 foot side yard set backs are required; Section 19-2.3(a) to permit an 11 foot front yard set-back where 20 feet is required; Section 19-2.119-6.2(1)(c ) to allow a driveway of 10 feet in width where 15 is required; Section 19-6.2(1)(f) to allow parking spaces 18 feet long where 20 feet is required; and, Section 19-6.2(4)(b) to allow no landscaping along the east property lines where a landscape strip is required. Owner/Applicant: 5COPNY LLC; Consultant: Natalie Quinn, KARC Planning Consultants, Inc; Zoning District: RNC; Grid: #6161-23-276969; File #2025-008

Presenting: Kelly Libolt, KARC Planning Consultants

A motion to Approve was made by Chair Parker and seconded by Member Patterson.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

### 3. 148 FRANKLIN STREET: AREA VARIANCE REVISED

Application for area variances relative to the proposed conversion of the single family dwelling at 148 Franklin Street to a three unit multiple dwelling, requiring variances of Section 19-2.3(2)(c ) which limits lot coverage to 70% to allow lot coverage of 82.5%, Section 19-2.3(4)(f), which requires a minimum side yard set-back of 10 feet for parking areas and access to allow a one foot set-back on the west and a 5 foot set-back on the east, Section 19-2.3(2)(g) which requires a minimum rear yard set-back of 5 feet for parking areas to allow a setback of 2.1 feet, and Section 19-6.2(c ) which requires a driveway at least 15 feet in width be provided while the driveway is proposed to be 9.7 feet wide. Owner/Applicant: S1 Properties LLC; Consultant: Brian Stokosa, Day Stokosa Engineering; Zoning District: RNC; Grid: #6161-29-110801; File #ZBA2025-010

Presenting: Joseph Scala

A motion to Approve was made by Chair Parker and seconded by Member Phillips.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member

	Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

## V. PUBLIC HEARINGS & DELIBERATIONS

### 1. 191 COTTAGE STREET: AREA VARIANCE

Application for area variances relative to the proposed construction of a mixed use building with a craft-beverage manufacturing facility on the first floor and 8 dwelling units on the upper two stories on the vacant lot at 191 Cottage Street, requiring variances of Section 19-3.1(2)(e ) which requires a 10 foot setback for parking areas to allow 8.2 foot setback; Section 19-3.1(2)(f) which requires a side yard set-back of 10 feet for parking areas to allow a 3 foot side yard set-back; and Section 19-6.2(11) which requires 17 off-street parking spaces to allow 11 off-street parking spaces. Owner/Applicant: Cardinal Assets Twenty Fourteen LLC c/o Jim Sullivan; Consultant: LRC Engineering & Surveying, DPC; Zoning District: MU-3; Grid: # 6162-72-452173; File #ZBA2025-006

Presenting:

Jim Sullivan, owner

Shawn Curran, LRC Engineering & Surveying

A motion to Approve was made by Chair Parker and seconded by Member Patterson.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

**2. 105 ALBANY STREET: AREA VARIANCE**

Application for area variances relative to the proposed construction of a four family dwelling on a lot containing a two family dwelling. The proposal includes addition of a foot of property through subdivision to increase lot width from requiring variances of Section 19-2.3(2)(a) requiring a lot area of 6000 square feet to allow a lot of 3900 square feet; Section 19-2.3(3)(c ) requiring a 5 foot side yard setback to allow a 4 foot south yard setback and a 1 to 2 foot north yard setback; Section 19-2.3(3)(g) requires that accessory structures be a minimum of 5- from a property line to allow the AC units to be 4 feet from the ; and, Section 19-6.2(11)(a) requires that five off-street parking spaces be provided where none are proposed. Owner: Hudson Venture Group LLC; Applicant: Michael Annunziato; Consultant: Studio 90 Design & Planning; Zoning District: RNC; Grid #6062-59-866456; File #2025-012

Presenting: Alexander Salvato, Mackey, Butts & Whalen

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Patterson.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

Three (3) minutes per person up to 45 minutes of public comment.  
 Carilyn Link  
 Karla Rauch

A motion to Adjourn the Public Hearing was made by Chair Parker and seconded by Member Klug.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

**3. 134 SMITH STREET: AREA VARIANCES**

Application for area variances relative to the proposed conversion of the former liquor store at 134 Smith Street to a convenience store, requiring variances of Section 19-5.13(7) which requires a minimum distance of 1000 feet to another convenience store to allow a convenience store within 750 feet of another such store; and, Section 19-6.2(11) which requires 7 off street parking spaces to allow one. Owner: Ishan Nesheiwat; Applicant/Consultant: Jay Diesing, RA AIA, Mauri Architects PC; Zoning District: I-M; Grid #6162-72-414248; File #2025-015

Presenting: Brandon Petrella, Mauri Architects

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Patterson.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

A motion to Adjourn the Public Hearing was made by Chair Parker and seconded by Member Phillips.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

**4. 709-719 MAIN STREET: AREA VARIANCES**

Application for area variances relative to the placement of a wall sign on the west (Innis Avenue) face of the building at 709-719 Main Street, requiring variances of Section 19-6.4(8)(i)(1) which requires that the bottom of a wall sign be between 8’ and 12 feet from grade to allow the bottom to be 18 feet 1½ inches from grade; Section 19-6.4(8)(i)(2) which allows a maximum height of 3 feet for wall signs to allow a 5’3” high sign; and Section 19-6.4(8)(i)(2) which allows a maximum of 60 square feet for wall signs to allow a 101.94 square foot sign. Owner: O’Reilly Auto Enterprises LLC/Jim Riggs Sr Dir Real

Estate Dev; Applicant: Jim Polinsky/Signs Ink; Zoning District: MU-5; Grid #6161-25-610876; File #2025-016

Presenting: Esteban Bacarro, Signs Inc.

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Klug.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

A motion to Close the Public Hearing was made by Chair Parker and seconded by Member Vinall.

Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

**5. 709-719 MAIN STREET: AREA VARIANCES**

Application for area variances relative to the installation of a freestanding sign on the property at 709-719 Main Street, requiring variances of Section 19-6.4(8)(d)(2), which provides that the maximum allowable height for a freestanding sign is 8', to allow 10'7", Section 19-6.4(8)(d)(2) which allows a maximum width of 6 feet, to allow a sign 9'10" wide, and Section 19-6.4(8)(d)(3) which allows no more than three colors per freestanding sign, to allow four colors. Owner: O'Reilly Auto Enterprises LLC/Jim Riggs Sr Dir Real Estate Dev; Applicant: Jim Polinsky/Signs Ink; Zoning District: MU-5; Grid #6161-25-610876; File #2025-017

Presenting: Esteban Bacarro, Signs Inc.

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Klug.

Minutes of June 10, 2025 - VOICE VOTE	
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<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

A motion to Close the Public Hearing was made by Chair Parker and seconded by Member Vinall.

**Minutes of June 10, 2025 - VOICE VOTE**

**Yes/Aye:** Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson  
**No/Nay:** None  
**Abstain:** None  
**Absent:** None  
**Result:** **Passed**

**6. 709-719 MAIN STREET: AREA VARIANCES**

Application for area variances relative to the placement of a wall sign on the south (Main Street) face of the building at 709-719 Main Street, requiring a variance of Section 19-6.4(8)(i)(1) which requires that the bottom of a wall sign be between 8' and 12' from grade to allow the bottom to be 17'9" from grade; Section 19-6.4(8)(i)(2) which allows a maximum height of 3 feet for wall signs to allow a 5'3" high sign; and Section 19-6.4(8)(i)(2) which allows a maximum of 60 square feet for wall signs to allow a 101.94 square foot sign. Owner: O'Reilly Auto Enterprises LLC/Jim Riggs Sr Dir Real Estate Dev; Applicant: Jim Polinsky/Signs Ink; Zoning District: MU-5; Grid #6161-25-610876; File #2025-018

Presenting: Esteban Bacarro, Signs Inc.

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Klug.

<b>Minutes of June 10, 2025 - VOICE VOTE</b>	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None

<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

A motion to Close the Public Hearing was made by Chair Parker and seconded by Member Vinall.

**Minutes of June 10, 2025 - VOICE VOTE**

**Yes/Aye:** Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson

**No/Nay:** None

**Abstain:** None

**Absent:** None

**Result:** **Passed**

**7. 209 COTTAGE STREET: AREA VARIANCE**

Application for area variance relative to the conversion of the building at 209 Cottage Street from a mixed use community facility and warehouse to a community center, requiring a variance of Section 19-6.2(11), which requires 40 off-street parking spaces to allow no on-site parking, with 12 spaces provided on an adjoining parcel. Owner: Nubian Directions II, Inc/Robert Wright; Applicant: Robert Wright; Consultant: Justin Brown/MASS Design Group; Zoning District: MU-3; Grid # 6162-72-500144; File #ZBA2025-020

Presenting: Robert Wright, Nubian Direction  
Justin Brown, MASS Design

Member Patterson recused himself from review and voting

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Phillips.

**Minutes of June 10, 2025 - VOICE VOTE**

<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman
<b>No/Nay:</b>	None
<b>Abstain:</b>	Member James Patterson
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

A motion to Close the Public Hearing was made by Chair Parker and seconded by Member Klu.

**Minutes of June 10, 2025 - VOICE VOTE**

**Yes/Aye:** Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman

**No/Nay:** None

**Abstain:** Member James Patterson

**Absent:** None

**Result: Passed**

A motion to Approve was made by Chair Parker and seconded by Member Phillips.

**Minutes of June 10, 2025 - VOICE VOTE**

**Yes/Aye:** Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman

**No/Nay:** None

**Abstain:** Member James Patterson

**Absent:** None

**Result: Passed**

## VI. APPLICATION REVIEW

### 1. "8" SOUTH CLINTON STREET: AREA VARIANCE

Application for area variances relative to the proposed construction of a 16 unit multiple dwelling on South Clinton Street, requiring variances of Section 19-3.4(3)(c ), to allow a south side yard set-back ranging from zero to 5 feet where 15 feet is required when abutting a residential lot line; and Section 19-3.4(3)(d) to allow a rear yard set-back of zero (0) feet where 8 feet is required. : the building appears to abut the property line at the rear. Owner: South Clinton Equities LLC; Consultant/Applicant: Jason Lichwick Architecture; Zoning District: PID-B; Grid: # 6161-22-239997; File #ZBA2024-011

Presenting: Jason Lichwick, Lickwick Architecture

A motion to Approve was made by Chair Parker and seconded by Member Klug.

**Minutes of June 10, 2025 - VOICE VOTE**

<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Phillips, Member Finnerman
<b>No/Nay:</b>	Member Klug, Member Patterson
<b>Abstain:</b>	None

<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

**VII. ADJOURNMENT**

**1. Adjourn meeting to July 8, 2025**

A motion to Adjourn was made by Chair Parker and seconded by Member Phillips.

CCM Minutes of June 10, 2025 - VOICE VOTE	
<b>Yes/Aye:</b>	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
<b>No/Nay:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	None
<b>Result:</b>	<b>Passed</b>

[MIN\_SIGNATURES]



**CITY OF POUGHKEEPSIE  
ZONING BOARD OF APPEALS  
RESOLUTION**

In the matter of the appeal of Jim Polinsky/Signs Ink, on behalf of O'Reilly Auto Enterprises, LLC, regarding the property at 709-719 Main Street, Grid #6161-25-610876, Poughkeepsie, New York, File #2025-016:

At a Regular Meeting of the Zoning Board of Appeals held on the 14<sup>th</sup> day of July 2025, at 6:00pm:

**Present**

Scott Parker, Chair  
Jessica Vinall, Vice-Chair  
Sam Finnerman  
Thomas Klug  
James Patterson  
Justin Phillips

**Recused**

WHEREAS, the Zoning Board of Appeals has received an application for area variances relative to the proposed placement of a wall sign on the west (Innis Avenue) face of the building at 709-719 Main Street, requiring variances of Section 19-6.4(8)(i)(1) which requires that the bottom of a wall sign be between 8' and 12' from grade to allow the bottom to be 18 feet 1½ inches from grade; Section 19-6.4(8)(i)(2) which allows a maximum height of 3 feet for wall signs to allow a 5'3" high sign; and Section 19-6.4(8)(i)(2) which allows a maximum of 60 square feet for wall signs to allow a 101.94 square foot sign.; and,

WHEREAS, the application was prepared by Jim Polinsky of Signs Ink, on behalf of O'Reilly Auto Enterprises, and was accompanied by elevations of the building depicting the sign, prepared by a Phase Zero Design, dated 6/12/2024, a site plan prepared by Jody J. Lounsbury, Professional Land Surveyor, dated 4/11/24, and supplemental materials; and,

WHEREAS, a public hearing was held on June 10, 2025; and,

WHEREAS, the project was classified as an unlisted action for the purposes of SEQRA and the Board has compared the impacts that are likely to result from the action against those in 617.7(c)(1)(i) through (xii) and has determined that there will be no significant adverse environmental impacts and therefore, a draft environmental impact statement will not be prepared; and;

NOW THEREFORE BE IT RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby finds that a consideration of the five factors for area variances weigh in favor of the applicant and grants variances of Section 19-6.4(8)(i)(1) relative to sign placement and Section 19-6.4(8)(i)(2) relative to height and square footage, as follows:

In making its determination on an area variance application, this Board must take into consideration the benefit to the applicant(s) if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. The criteria the Board uses to make that determination are:

(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting an area variance;

The applicant has demonstrated that the granting of the area variances will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties, as the sign proposed is replacing a sign of similar size and placement

(2) whether the benefit sought by the applicant(s) can be achieved by some method, feasible for the applicant(s) to pursue, other than an area variance;

The applicant could propose a sign that meets the zoning code but that sign would likely appear too small given and oddly placed given the construction of the existing building.

(3) whether the requested area variance is substantial;

The variances are substantial mathematically, but the size of this proposed sign will blend nicely into the size and scale of the existing building.

(4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

There is no evidence in the record that these area variances would cause an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. It is also relevant that the ZBA has issued a negative declaration after a review of these variances pursuant to SEQRA.

(5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board, but shall not necessarily preclude the granting of the area variance.

The need for the variances is self-created but does not preclude the granting of the variances given the size of the building, and the fact that the previous signs on the building and property were of a similar size and scale.

Motion:

Second:

Carried:

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Scott Parker  
Chairman  
Zoning Board of Appeals

---

Date



**CITY OF POUGHKEEPSIE  
ZONING BOARD OF APPEALS  
RESOLUTION**

In the matter of the appeal of Jim Polinsky/Signs Ink, on behalf of O'Reilly Auto Enterprises, LLC, regarding the property at 709-719 Main Street, Grid #6161-25-610876, Poughkeepsie, New York, File #2025-017:

At a Regular Meeting of the Zoning Board of Appeals held on the 14<sup>th</sup> day of July 2025, at 6:00pm:

**Present**

Scott Parker, Chair  
Jessica Vinall, Vice-Chair  
Sam Finnerman  
Thomas Klug  
James Patterson  
Justin Phillips

**Recused**

WHEREAS, the Zoning Board of Appeals has received an application for area variances relative to the installation of a freestanding sign on the property at 709-719 Main Street, requiring variances of Section 19-6.4(8)(d)(2), which provides that the maximum allowable height for a freestanding sign is 8', to allow 10'7", Section 19-6.4(8)(d)(2) which allows a maximum width of 6 feet, to allow a sign 9'10" wide, and Section 19-6.4(8)(d)(3) which allows no more than three colors per freestanding sign, to allow four colors; and,

WHEREAS, the application was prepared by Jim Polinsky of Signs Ink, on behalf of O'Reilly Auto Enterprises, and was accompanied by elevations of the building depicting the sign, prepared by a Phase Zero Design, dated 6/12/2024, a site plan prepared by Jody J. Lounsbury, Professional Land Surveyor, dated 4/11/24, and supplemental materials; and,

WHEREAS, a public hearing was held on June 10, 2025; and,

WHEREAS, the project was classified as an unlisted action for the purposes of SEQRA and the Board has compared the impacts that are likely to result from the action against those in 617.7(c)(1)(i) through (xii) and has determined that there will be no significant adverse environmental impacts and therefore, a draft environmental impact statement will not be prepared; and;

NOW THEREFORE BE IT RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby finds that a consideration of the five factors for area variances weigh in favor of the applicant and grants the variances of Section 19-6.4(8)(d)(2) relative to height and width of freestanding signs and Section 19-6.4(8)(d)(3), to allow four colors, as follows:

In making its determination on an area variance application, this Board must take into consideration the benefit to the applicant(s) if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. The criteria the Board uses to make that determination are:

(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting an area variance;

The proposed sign is replacing a sign of similar size in the same location, so it will not cause any undesirable change in the neighborhood.

(2) whether the benefit sought by the applicant(s) can be achieved by some method, feasible for the applicant(s) to pursue, other than an area variance;

The applicant could propose a sign that is in compliance with the zoning code.

(3) whether the requested area variance is substantial;

The height and width variances are not substantial given that it replaces a similar sign. The variances for 4 colors is not substantial in this case given that the color black serves as a background color in the trim and base of the sign only.

(4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

There is no evidence in the record that these area variances would cause an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. It is also relevant that the ZBA has issued a negative declaration after a review of these variances pursuant to SEQRA.

(5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board but shall not necessarily preclude the granting of the area variance.

The variances are self-created but the ZBA does not find that such fact precludes the granting of the variance given the size and corner location of the property and the fact that the previous freestanding sign was of a similar size.

Motion:

Second:

Carried:

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Scott Parker  
Chairman  
Zoning Board of Appeals

---

Date



**CITY OF POUGHKEEPSIE  
ZONING BOARD OF APPEALS  
RESOLUTION**

In the matter of the appeal of Jim Polinsky/Signs Ink, on behalf of O'Reilly Auto Enterprises, LLC, regarding the property at 709-719 Main Street, Grid #6161-25-610876, Poughkeepsie, New York, File #2025-018:

At a Regular Meeting of the Zoning Board of Appeals held on the 14<sup>th</sup> day of July 2025, at 6:00pm:

**Present**

Scott Parker, Chair  
Jessica Vinall, Vice-Chair  
Sam Finnerman  
Thomas Klug  
James Patterson  
Justin Phillips

**Recused**

WHEREAS, the Zoning Board of Appeals has received an application for area variances relative to the proposed placement of a wall sign on the south (Main Street) face of the building at 709-719 Main Street, requiring a variance of Section 19-6.4(8)(i)(1) which requires that the bottom of a wall sign be between 8' and 12' from grade to allow the bottom to be 17'9" from grade; Section 19-6.4(8)(i)(2) which allows a maximum height of 3 feet for wall signs to allow a 5'3" high sign; and Section 19-6.4(8)(i)(2) which allows a maximum of 60 square feet for wall signs to allow a 101.94 square foot sign; and,

WHEREAS, the application was prepared by Jim Polinsky of Signs Ink, on behalf of O'Reilly Auto Enterprises, and was accompanied by elevations of the building depicting the sign, prepared by a Phase Zero Design, dated 6/12/2024, a site plan prepared by Jody J. Lounsbury, Professional Land Surveyor, dated 4/11/24, and supplemental materials; and,

WHEREAS, a public hearing was held on June 10, 2025; and,

WHEREAS, the project was classified as an unlisted action for the purposes of SEQRA and the Board has compared the impacts that are likely to result from the action against those in 617.7(c)(1)(i) through (xii) and has determined that there will be no significant adverse environmental impacts and therefore, a draft environmental impact statement will not be prepared; and;

NOW THEREFORE BE IT RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby finds that a consideration of the five factors for area variances weigh in favor of the applicant and grants variances of Section 19-6.4(8)(i)(1) relative to placement, and Section 19-6.4(8)(i)(2) relative to heights and square footage, as follows:

In making its determination on an area variance application, this Board must take into consideration the benefit to the applicant(s) if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. The criteria the Board uses to make that determination are:

(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting an area variance;

The applicant has demonstrated that the granting of the area variances will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties, as the sign proposed is replacing a sign of similar size and placement

(2) whether the benefit sought by the applicant(s) can be achieved by some method, feasible for the applicant(s) to pursue, other than an area variance;

The applicant could propose a sign that meets the zoning code but that sign would likely appear too small given and oddly placed given the construction of the existing building.

(3) whether the requested area variance is substantial;

The variances are substantial mathematically, but the size of this proposed sign will blend nicely into the size and scale of the existing building.

(4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

There is no evidence in the record that these area variances would cause an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. It is also relevant that the ZBA has issued a negative declaration after a review of these variances pursuant to SEQRA.

(5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board, but shall not necessarily preclude the granting of the area variance.

The need for the variances is self-created but does not preclude the granting of the variances given the size of the building, and the fact that the previous signs on the building and property were of a similar size and scale.

Motion:

Second:

Carried:

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Scott Parker  
Chairman  
Zoning Board of Appeals

---

Date

**Subject to the FCC Shot Clock of 150 days for an Application for Other than a Small Wireless Facility Using a New Structure - 83 Fed Reg 51867 codified at 47 CFR § 1.6003(c)(1)(iv)**

**ZONING BOARD OF APPEALS and PLANNING BOARD  
of the CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK**

In the Matter of the Application of

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**VERIZON WIRELESS OF THE EAST LP d/b/a Verizon Wireless**

Lands n/f of Parker Avenue Realty, LLC  
121 Parker Avenue  
City of Poughkeepsie, Dutchess County, New York  
Grid#: 131300-6162-55-257465

---

**APPLICATION FOR USE AND AREA VARIANCES  
and STATEMENT OF INTENT**

Submitted by:

Verizon Wireless

Kathy Pomponio, Manager – Network Real Estate  
1275 John Street, Suite 100  
West Henrietta, New York 14586  
(585) 321-5435

Tectonic Engineering & Surveying Consultants, P.C.  
Steven Matthews, P.E.  
36 British American Blvd, Suite 101  
Latham, New York 12110  
(518) 783-1630

Airosmith Development  
Steven Grassl, Specialist, Site Acquisition  
318 West Avenue  
Saratoga Springs, New York 12866  
(914) 523-6495

**Please direct all correspondence to:**

Young/Sommer LLC  
Scott P. Olson, Esq.  
Executive Woods  
Five Palisades Drive  
Albany, New York 12205  
(518) 438-9907

Dated: August 8, 2024



**THE CITY OF POUGHKEEPSIE  
NEW YORK  
PLANNING & ZONING**  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$1000.00
CODE: A2112
ID# _____
IPS# _____

**ZONING BOARD OF APPEALS USE VARIANCE APPLICATION**

**PROPERTY ADDRESS:** 121 Parker Ave., Poughkeepsie, NY

**ZONING DISTRICT:** WALKWAY - Gateway district / Gateway Commercial mixed use subdistrict

**OWNER INFORMATION:**

Name: Parker Ave. Realty, LLC

Address: 47 Marie Ct.

Wappinger Falls, NY 12550

Phone: TBD

Email: TBD

**APPLICANT INFORMATION:**

Name: Verizon Wireless of the East LP d/b/o Verizon Wireless

Address: 1275 John St., Suite 100

West Henrietta, NY 14586

Phone: 585-321-5435

Email: clg@solson@youngjanner.com

**CONSULTANT INFORMATION:**

Name: Young Janner LLC (ATTN: SCOTT OLSON)

Address: 5 Palisades Dr.

Albany, N.Y. 12205

Phone: 518-527-6813

Email: solson@youngjanner.com

**SUBJECT OF APPEAL**

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Scott Olson, Attorney for Applicant

Date of decision/determination/violation: July 5, 2024

*Please note that a copy of the communication must be attached with this application.*

ZONING BOARD OF APPEALS USE VARIANCE APPLICATION  
 PROPERTY ADDRESS: 121 Parker Ave., Pouykeepsie, NY

**USE VARIANCE REQUESTS**

SECTION	PROHIBITING	TO ALLOW
<u>19-325(4)</u>	<u>Cell tower facilities</u>	<u>cell tower facility</u>

**VARIANCE REQUEST JUSTIFICATION**

Pursuant to Section 19-8.4 (2) (c) of the Zoning Ordinance, **no use variance shall be granted by the Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship.** In order to prove such unnecessary hardship, the applicant shall demonstrate to the Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

- 1) The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence (The applicant must demonstrate, by competent financial evidence, that they cannot realize a reasonable financial return on their property for any of the currently permitted uses in the Zoning District. The financial statement should relate only to the subject property and not to the applicant's personal finances);
- 2) The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood (Please explain how the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. For example, does the subject property have unique constraints or characteristics not found in other properties in the district or neighborhood?);
- 3) The requested use variance, if granted, will not alter the essential character of the neighborhood. Explain fully how the character of the neighborhood will not be altered and the intent of the Zoning Ordinance will not be adversely affected.
- 4) The alleged hardship has not been self-created (An applicant cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property in a position to know the conditions for which the applicant is seeking relief). Explain fully how the hardship is not self-created.

Responses to the above questions shall be attached to and submitted with the application. **Use as many sheets as necessary.**

ZONING BOARD OF APPEALS USE VARIANCE APPLICATION  
PROPERTY ADDRESS: 121 Parker Ave., Poughkeepsie, NY

**LIST OF REQUIRED ATTACHMENTS**

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short Environmental Assessment Form. Please note that in some instances it may be determined that a Full EAF is required.
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):

RF Justification; Health and Safety Certification; Site Selection  
Analysis; and other materials attached hereto.

**SIGNATURE AND VERIFICATION**

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.

Scott Olson  
SIGNATURE OF APPLICANT

7/29/2024  
DATE

Scott Olson, Attorney for Applicant



**THE CITY OF POUGHKEEPSIE  
NEW YORK  
PLANNING & ZONING  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4055 Fax: (845) 451-4006**

FEE: \$350.00
CODE: A2112
ID# _____
IPS# _____

**ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION**

PROPERTY ADDRESS: 121 PARKER AVE  
ZONING DISTRICT: MIXED USE COMMERCIAL (G-CM)

**OWNER INFORMATION:**

Name: Parker Ave Realty, LLC  
Address: 47 Marie Ct  
Wappinger Falls, NY 12596  
Phone: TRD  
Email: TRD

**APPLICANT INFORMATION:**

Name: Verizon Wireless of the East LP d/b/k Verizon Wireless  
Address: 1275 John St., Suite 100  
West Henrietta, NY 14586  
Phone: 585-321-5435  
Email: clo.sollen@youngjammr.com

**CONSULTANT INFORMATION:**

Name: Young Jammr LLC (Attn: Scott Olson)  
Address: 5 Pelicados Dr.  
Albany, NY 12205  
Phone: 518-527-6813  
Email: solson@youngjammr.com

**SUBJECT OF APPEAL**

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Scott Olson, Attorney for Applicant  
Date of decision/determination/violation: July 5, 2024

*Please note that a copy of the communication must be attached with this application.*

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION  
 PROPERTY ADDRESS: 121 Parker Ave., Poughkeepsie, NY

**AREA VARIANCE REQUESTS**

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-3.25(8)</u>	<u>max front set back is 12'</u>	<u>Proposing 134' set back (122' variance)</u>
<u>19-3.25(8)</u>	<u>min. front occupancy 70%</u>	<u>None proposed - 100% variance</u>
<u>19-3.25(10)(c)</u>	<u>Chain link fence prohibited</u>	<u>Chain link fence (9' tall)</u>
<u>19-3.25(14)(c)</u>	<u>Landscaping required</u>	<u>Landscaping not proposed</u>

**VARIANCE REQUEST JUSTIFICATION**

Pursuant to Section 19-8.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION  
PROPERTY ADDRESS: 121 Parker Ave., Poughkeepsie, NY

LIST OF REQUIRED ATTACHMENTS

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):

RF Justification  
Health and Safety Certification  
Site Detection Analysis  
Other

SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.

Scott Olson  
SIGNATURE OF APPLICANT

7/29/24  
DATE

Scott Olson  
Print Name Attorney for Applicant

Subject to the 150-day FCC Shot Clock Timeframe Set Forth in 47 CFR § 1.6003(c)(1)(iv)

**ZONING BOARD OF APPEALS and PLANNING BOARD  
of the CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK**

In the Matter of the Application of

---

**VERIZON WIRELESS OF THE EAST LP  
d/b/a Verizon Wireless**

Premises: Lands n/f of Parker Avenue Realty, LLC  
121 Parker Avenue  
City of Poughkeepsie, Dutchess County, New York  
Grid #: 131300-6162-55-257465

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**STATEMENT OF INTENT and  
APPLICATION FOR USE AND AREA VARIANCES**

**I. Introduction**

VERIZON WIRELESS OF THE EAST LP d/b/a Verizon Wireless (“Verizon Wireless” or the “Applicant”) proposes the construction of an unmanned public utility/personal wireless service facility (a “communications facility”) on a portion of lands n/f owned by Parker Avenue Realty, LLC and located at 121 Parker Avenue in the City of Poughkeepsie, County of Dutchess, State of New York (the “premises”).

Verizon Wireless is considered a public utility for purposes of zoning under New York decisional law (*Cellular Telephone Company v. Rosenberg*, 82 N.Y.2d 364 (1993)) [EXHIBIT 1], and a provider of “personal wireless services” under the federal Telecommunications Act of 1996 (the “TCA”) [EXHIBIT 2]. Verizon Wireless’ equipment will be in operation twenty-four (24) hours a day, seven (7) days a week, three hundred sixty-five (365) days a year. Copies of the applicable Verizon Wireless FCC licenses are included herewith [EXHIBIT 3].

The proposed communications facility consists of a 100± ft. monopole tower (104± ft. when including a 4± ft. lightning rod), a ground mounted equipment platform and all associated antennas, improvements and access/utilities, all of which will be located within a secure 50’ by 50’ fenced communications compound. The project is located in the Walkway-Gateway district, Gateway commercial mixed use subdistrict (“G-CM”) zoning district. According to §19-3.25(4) of the Poughkeepsie Code, communications facilities are not permitted in the G-CM zoning district. A use variance is, therefore, required.

**II. Purpose of DC Youth Bureau Communications Facility**

This project is part of a multi-million dollar comprehensive upgrade of the Verizon Wireless network in Dutchess County and serves as a suitable platform for future advanced

wireless services expansion at the proposed site. The proposed site/facility will resolve existing significant service gaps in Verizon Wireless' network which will be a benefit to the general public and emergency services agencies that routinely rely on wireless communications to serve the public.

The purpose of the Project (referred to internally as the "DC Youth Bureau" communications facility) is to expand Verizon Wireless services to the northern portion of the City of Poughkeepsie which is currently not adequately served. Verizon Wireless' RF Justification Report is included as **EXHIBIT 4**.

**EXHIBIT 4** also contains RF propagation maps that further illustrate the significant gaps in service in the target area that this facility is designed to resolve. The RF propagation maps are based on current data concerning existing signal strength/service in the target area as well as relevant topographical data. The RF Justification Report clearly illustrates that significant gaps in service exist in the target area and that the proposed facility will resolve those gaps.

Enclosed in **EXHIBIT 5** is a Site Selection Analysis prepared by Tectonic Engineering describing the overall site selection process that was followed to identify the proposed location for the facility.

### **III. Description of Land Use**

Verizon Wireless' communications facility will consist of the following general components: nine (9) antennas mounted at the top position of a proposed 100± ft. monopole tower; an unmanned equipment platform and related equipment; cabling connecting the antennas to the equipment platform; and associated cabling and all related ground equipment and utility services (power and telephone/fiberoptic services) [see, Zoning Site Plans prepared by Tectonic Engineering, included herewith at EXHIBIT 6].

Access to the facility from Parker Ave (US RT 9G) will be provided via an existing curb cut through the existing paved parking lot. Utilities will be installed underground from an existing overhead utility pole. A nine foot (9') chain link safety fence (with three strands of barbed wire on top) will be installed to secure the tower site and protect the tower and Verizon Wireless' telecommunications equipment from unauthorized access.

The proposed communications facility will be unmanned and will be visited for routine maintenance purposes approximately 1 - 3 times per year. The project will not require water or sanitary sewer services installed. As such, the project will not have any impact on existing public water and sewage services. In addition, neither pedestrian nor vehicular access will be significantly impacted as a result of the proposed facility.

### **IV. Need For Area Variance**

Section 19.3.25(4) prohibits the proposed facility in the G-cm zoning district. A use variance is, therefore, required. Additional area variances are also required.

In addition to the need for a use variance, the following area variances are required:

1. Variance from maximum allowable front yard of 12', when 134' is proposed (§19-3.25(8));
2. Variance from minimum frontage requirement of 70% when the cell tower is not proposed to be located in the front yard (§19-3.25(8));
3. Variance from prohibition of use of chain link fence and maximum height of 6' when the proposed fence is 9' (§19-3.25(10)(o)); and
4. Variance from the requirement to provide landscaping to improve the aesthetics of the area (§19-3.25(14)(c)).

According to a July 5, 2024 letter from the Poughkeepsie Building Department, it has also been suggested that additional area variances are required from: (i) Section 19-3.25(14)(d)(1) concerning landscaping for parking lots greater than ½ acre; (ii) Section 19-4.3(5)(b) regarding the length of the existing parking spaces; and (iii) Section 19-4.3(5)(c) which requires lighting for parking areas. Verizon Wireless does not believe that variances from the above sections are required for this application since the requirements do not relate to Verizon Wireless' proposed improvements. It appears that these requirements apply to the underlying, existing use.

The request for variance relief is subject to the long standing public utility variance standard as discussed in *Cellular Tel. Co. v. Rosenberg*, 82 N.Y.2d 364 (1993).

In *Rosenberg*, the New York Court of Appeals determined that cellular telephone companies are public utilities for purposes of zoning. The Court held that proposed cellular telephone installations are subject to the traditional standard afforded to public utilities, rather than the standards generally required for non-public utility uses:

It has long been held that a zoning board may not exclude a utility from a community where the utility has shown a need for its facilities. There can be no question of [the carrier's] need to erect the cell site to eliminate service gaps in its cellular telephone service area. The proposed cell site will also improve the transmission and reception of existing service. Application of our holding in *Matter of Consolidated Edison* to sitings of cellular telephone companies, such as [the applicant], permits those companies to construct structures necessary for their operation which are prohibited because of existing zoning laws and to provide the desired services to the surrounding community. . . . Moreover, the record supports the conclusion that [the applicant] sustained its burden of proving the requisite public necessity. [The applicant] established that the erection of the cell site would enable it to remedy gaps in its service area that currently prevent it from providing adequate service to its customers in the . . . area.

*Id.* at 372-74 (citing *Consolidated Edison Co. v. Hoffman*, 43 NY2d 598 [1978]).

This special treatment of a public utility stems from the essential nature of its service, and the fact that a public utility transmitting facility must be located in a particular area in order to provide service to such area. For instance, water towers, electric switching stations, water pumping stations and telephone poles must be in particular locations (including within residential districts) in order to provide the utility to a specific area:

[Public] utility services are needed in all districts; the service can be provided only if certain facilities (for example, substations) can be located in commercial and even in residential districts. To exclude such use would result in an impairment of an essential service.

Anderson, *New York Zoning Law Practice*, 3d ed., p. 411 (1984) (hereafter "Anderson"). *See also*, *Cellular Tel. Co. v. Rosenberg*, 82 NY2d 364 [1993]; *Payne v. Taylor*, 178 AD2d 979 [4th Dept 1991].

Accordingly, the law in New York is that a municipality may not prohibit facilities, including towers, from any portion or area in the municipality if location of the facility is determined to be necessary for the transmission of public utility services. In *Rosenberg*, 82 N.Y.2d at 371, the court found that "the construction of an antenna tower... to facilitate the supply of cellular telephone service is a 'public utility building' within the meaning of a zoning ordinance." *See also Long Island Lighting Co. v. Griffin*, 272 AD 551 [2d Dept 1947] (a municipal corporation may not prohibit the expansion of a public utility where such expansion is necessary to the maintenance of essential services).

The requirements from which Verizon Wireless seeks variances are requirements that would typically not be applied to a cell tower facility. For example, the minimum front yard occupancy of 70% and the maximum setback of 12' are two requirements that, if followed, would place the proposed cell tower facility extremely close to the right of way. This is widely known to be antithetical to proper design and placement of cell tower facilities. Most municipalities and design experts call for large tower setbacks and for them not to be located in the front yard.

While the use of smallish fences may be appropriate for certain uses, such small fences without security features such as barbed wire do not provide the necessary security needed for a cell tower facility.

[ADDRESS LANDSCAPING]

To assist the ZBA with the review of the use and area variance application, the Applicant has provided the following additional materials in support of the Application:

1. Completed Full Environmental Assessment Form in **EXHIBIT 7**;
2. Verizon Wireless has completed a balloon test to determine the visibility of the proposed tower from various locations surrounding the site. The results of the balloon test are memorialized in the Visual Resource Evaluation ("VRE") provided in **EXHIBIT 8**. Significantly, the tower will be visible from only three (3) of the twenty-seven (27) locations analyzed in the VRE;

3. Letter confirming that Verizon Wireless will permit collocation on/at this tower site in **EXHIBIT 9**;
4. RF Emissions Compliance Report dated July 26, 2024 prepared by SiteSafe, which confirms that the facility will be fully compliant with applicable FCC emissions requirements, is provided in **EXHIBIT 10**; and
5. Non-interference report dated July 30, 2024 which demonstrates that the proposed facility will not interfere with local electronic devices or other FCC-licensed frequencies is provided in **EXHIBIT 11**.

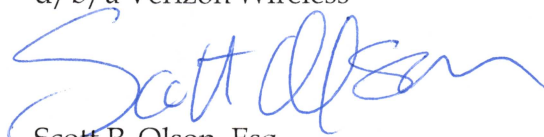
**V. Conclusion**

Approval of the DC Youth Bureau communications facility will enable Verizon Wireless to provide an adequate and safe level of hand-held wireless telephone service to the identified area of the City of Poughkeepsie and surrounding environs, within the confines of applicable technological and land use limitations. Such approval will also be in the public interest, in that it will allow Verizon Wireless to comply with its statutory mandate to build out its network and provide local businesses, residents and public service entities with safe and reliable wireless communications services. Based upon the foregoing, Verizon Wireless respectfully requests the City of Poughkeepsie Zoning Board of Appeals grant the requested use and area variances and the Planning Board to issue site plan approval.

Thank you for your consideration.

Respectfully submitted,

VERIZON WIRELESS OF THE EAST LP  
d/b/a Verizon Wireless



Scott P. Olson, Esq.  
Regional Local Counsel

Dated: August 8, 2024

**DOCUMENTATION OF PUBLIC UTILITY STATUS  
and  
OVERVIEW OF ROSENBERG DECISION**

In *Cellular Tel. Co. v Rosenberg*, 82 NY2d 364 [1993], the New York Court of Appeals determined that cellular telephone companies are public utilities. The Court held that proposed cellular telephone installations are to be reviewed by zoning boards pursuant to the traditional standard afforded to public utilities, rather than the standards generally required for the necessary approvals:

It has long been held that a zoning board may not exclude a utility from a community where the utility has shown a need for its facilities. There can be no question of [the carrier's] need to erect the cell site to eliminate service gaps in its cellular telephone service area. The proposed cell site will also improve the transmission and reception of existing service. Application of our holding in *Matter of Consolidated Edison* to sitings of cellular telephone companies, such as [the applicant], permits those companies to construct structures necessary for their operation which are prohibited because of existing zoning laws and to provide the desired services to the surrounding community. . . . Moreover, the record supports the conclusion that [the applicant] sustained its burden of proving the requisite public necessity. [The applicant] established that the erection of the cell site would enable it to remedy gaps in its service area that currently prevent it from providing adequate service to its customers in the . . . area.

*Rosenberg*, 82 NY2d at 372-74 (citing *Consolidated Edison Co. v Hoffman*, 43 NY2d 598 [(1978)]).

This special treatment of a public utility stems from the essential nature of its service, and the fact that a public utility transmitting facility must be located in a particular area in order to provide service. For instance, water towers, electric switching stations, water pumping stations and telephone poles must be in particular locations (including within residential districts) in order to provide the utility to a specific area:

[Public] utility services are needed in all districts; the service can be provided only if certain facilities (for example, substations) can be located in commercial and even in residential districts. To exclude such use would result in an impairment of an essential service.

Anderson, *New York Zoning Law Practice*, 3d ed., p. 411 (1984) (hereafter “Anderson”). See also, *Cellular Tel. Co. v Rosenberg*, 82 NY2d 364 [1993]; *Payne v Taylor*, 178 AD2d 979 [4th Dept 1991].

Accordingly, the law in New York is that a municipality may not prohibit facilities, including towers, necessary for the transmission of a public utility. In *Rosenberg*, 82 NY2d at 371, the court found that "the construction of an antenna tower... to facilitate the supply of cellular telephone service is a 'public utility building' within the meaning of a zoning ordinance." See also *Long Island Lighting Co. v Griffin*, 272 AD 551 [2d Dept 1947] (a municipal corporation may not prohibit the expansion of a public utility where such expansion is necessary to the maintenance of essential services).

In the present case, Verizon Wireless does not have reliable service capacity in the City. The communications facility proposed is necessary to remedy this service problem and to provide adequate and reliable wireless telecommunications service coverage to this area. Therefore, Verizon Wireless satisfies the requisite showing of need for the facility under applicable New York law.

**DOCUMENTATION OF PERSONAL WIRELESS SERVICE FACILITY STATUS  
and  
FEDERAL TELECOMMUNICATIONS ACT OF 1996**

In addition to being considered a public utility under New York decisional law, Verizon Wireless is classified as a provider of “personal wireless services” under the federal Telecommunications Act of 1996 (the “TCA”).

As stated in the long title of the Act, the goal of the TCA is to “promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies.” *Telecommunications Act of 1996, Pub. LA. No. 104-104, 110 Stat. 56 (1996)*.

The TCA mandates a process designed to achieve competitive telecommunications markets. In keeping with the central goals of the TCA, the authors specify in Section 253(a) that “[n]o State or local statute or regulation...may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.” *TCA Section 253(a), emphasis added*.

Section 332(c) of the TCA preserves the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction and modification of personal wireless service facilities, subject to several important limitations:

- the “regulation of the placement...of personal wireless service facilities by any State or local government or instrumentality thereof shall not unreasonably discriminate among providers of functionally equivalent services” (*TCA §332(c)(7)(B)(i)(I)*);
- the “regulation of the placement...of personal wireless service facilities by any State or local government or instrumentality thereof shall not prohibit or have the effect of prohibiting the provision of personal wireless services” (*TCA §332(c)(7)(B)(i)(II)*);
- Applications must be processed within a reasonable period of time, and any decision to deny a request for placement of personal wireless service facilities must be in writing and supported by substantial evidence contained in a written record (*TCA §§332(c)(7)(B)(ii) and (iii)*); and
- regulations based upon the perceived environmental effects of radio frequency emissions are prohibited, so long as the proposed personal wireless service facility complies with FCC regulations concerning such emissions (*TCA §332(c)(7)(B)(iv)*).

A reference copy of the Telecommunications Act of 1996 is included herewith.

TELECOMMUNICATIONS ACT OF 1996

JANUARY 31, 1996. Ordered to be printed

Mr. BILEY, from the committee of conference,  
submitted the following

CONFERENCE REPORT

[To accompany S. 652]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 652), to provide for a pro-competitive, de-regulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

**SECTION 1. SHORT TITLE; REFERENCES.**

(a) **SHORT TITLE.**—*This Act may be cited as the “Telecommunications Act of 1996”.*

(b) **REFERENCES.**—*Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Communications Act of 1934 (47 U.S.C. 151 et seq.).*

**SEC. 2. TABLE OF CONTENTS.**

*The table of contents for this Act is as follows:*

- Sec. 1. Short title; references.*
- Sec. 2. Table of contents.*
- Sec. 3. Definitions.*

22-327

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~~The owner shall provide written notification of such attachment to any entity that has obtained an attachment to such conduit or right-of-way so that such entity may have a reasonable opportunity to add to or modify its existing attachment. Any entity that adds to or modifies its existing attachment after receiving such notification shall bear a proportionate share of the costs incurred by the owner in making such pole, duct, conduit, or right-of-way accessible.~~

~~Any entity that obtains an attachment to a pole, conduit, or right-of-way shall not be required to bear any of the costs of rearranging or replacing its attachment if such rearrangement or replacement is required as a result of an additional attachment or the modification of an existing attachment sought by any other entity (including the owner of such pole, duct, conduit, or right-of-way).~~

**SEC. 704. FACILITIES SITING; RADIO FREQUENCY EMISSION STANDARDS.**

(a) NATIONAL WIRELESS TELECOMMUNICATIONS SITING POLICY.—Section 332(c) (47 U.S.C. 332(c)) is amended by adding at the end the following new paragraph:

“(7) PRESERVATION OF LOCAL ZONING AUTHORITY.—

“(A) GENERAL AUTHORITY.—Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

“(B) LIMITATIONS.—

“(i) The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof—

“(I) shall not unreasonably discriminate among providers of functionally equivalent services; and

“(II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

“(ii) A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.

“(iii) Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

“(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.

"(v) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.

"(C) DEFINITIONS.—For purposes of this paragraph—

"(i) the term 'personal wireless services' means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services;

"(ii) the term 'personal wireless service facilities' means facilities for the provision of personal wireless services; and

"(iii) the term 'unlicensed wireless service' means the offering of telecommunications services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services (as defined in section 303(v))."

(b) RADIO FREQUENCY EMISSIONS.—Within 180 days after the enactment of this Act, the Commission shall complete action in ET Docket 93-62 to prescribe and make effective rules regarding the environmental effects of radio frequency emissions.

(c) AVAILABILITY OF PROPERTY.—Within 180 days of the enactment of this Act, the President or his designee shall prescribe procedures by which Federal departments and agencies may make available on a fair, reasonable, and nondiscriminatory basis, property, rights-of-way, and easements under their control for the placement of new telecommunications services that are dependent, in whole or in part, upon the utilization of Federal spectrum rights for the transmission or reception of such services. These procedures may establish a presumption that requests for the use of property, rights-of-way, and easements by duly authorized providers should be granted absent unavoidable direct conflict with the department or agency's mission, or the current or planned use of the property, rights-of-way, and easements in question. Reasonable fees may be charged to providers of such telecommunications services for use of property, rights-of-way, and easements. The Commission shall provide technical support to States to encourage them to make property, rights-of-way, and easements under their jurisdiction available for such purposes.

~~SEC. 706. MOBILE SERVICES SHOULD NOT BE REQUIRED TO BEING DISTRICT~~  
**RIERS.**

Section 332(c) (47 U.S.C. 332(c)) is amended by adding at the end the following new paragraph:

"(8) MOBILE SERVICES ACCESS.—A person engaged in the provision of commercial mobile services, insofar as such person is engaged, shall not be required to provide equal access to common carriers for the provision of commercial mobile services."

portionate share of the costs incurred by the owner in making such conduit or right-of-way accessible.

*Conference agreement*

The conference agreement adopts the Senate provision with modifications. The conference agreement amends section 224 of the Communications Act by adding new subsection (e)(1) to allow parties to negotiate the rates, terms, and conditions for attaching to poles, ducts, conduits, and rights-of-way owned or controlled by utilities. New subsection 224(e)(2) establishes a new rate formula charged to telecommunications carriers for the non-useable space of each pole. Such rate shall be based upon the number of attaching entities. The conferees also agree to three additional provisions from the House amendment. First, subsection (g) requires utilities that engage in the provision of telecommunications services or cable services to impute to its costs of providing such service an equal amount to the pole attachment rate for which such company would be liable under section 224. Second, new subsection 224(h) requires utilities to provide written notification to attaching entities of any plans to modify or alter its poles, ducts, conduit, or rights-of-way. New subsection 224(h) also requires any attaching entity that takes advantage of such opportunity to modify its own attachments shall bear a proportionate share of the costs of such alterations. Third, new subsection 224(i) prevents a utility from imposing the cost of rearrangements to other attaching entities if done solely for the benefit of the utility.

SECTION 704—FACILITIES SITING; RADIO FREQUENCY EMISSION STANDARDS

*Senate bill*

No provision.

*House amendment*

Section 108 of the House amendment required the Commission to issue regulations within 180 days of enactment for siting of CMS. A negotiated rulemaking committee comprised of State and local governments, public safety agencies and the affected industries were to have attempted to develop a uniform policy to propose to the Commission for the siting of wireless tower sites.

The House amendment also required the Commission to complete its pending Radio Frequency (RF) emission exposure standards within 180 days of enactment. The siting of facilities could not be denied on the basis of RF emission levels for facilities that were in compliance with the Commission standard.

The House amendment also required that to the greatest extent possible the Federal government make available to use of Federal property, rights-of-way, easements and any other physical instruments in the siting of wireless telecommunications facilities.

*Conference agreement*

The conference agreement creates a new section 704 which prevents Commission preemption of local and State land use decisions and preserves the authority of State and local governments over

zoning and land use matters except in the limited circumstances set forth in the conference agreement. The conference agreement also provides a mechanism for judicial relief from zoning decisions that fail to comply with the provisions of this section. It is the intent of the conferees that other than under section 332(c)(7)(B)(iv) of the Communications Act of 1934 as amended by this Act and section 704 of the Telecommunications Act of 1996 the courts shall have exclusive jurisdiction over all other disputes arising under this section. Any pending Commission rulemaking concerning the preemption of local zoning authority over the placement, construction or modification of CMS facilities should be terminated.

When utilizing the term “functionally equivalent services” the conferees are referring only to personal wireless services as defined in this section that directly compete against one another. The intent of the conferees is to ensure that a State or local government does not in making a decision regarding the placement, construction and modification of facilities of personal wireless services described in this section unreasonably favor one competitor over another. The conferees also intend that the phrase “unreasonably discriminate among providers of functionally equivalent services” will provide localities with the flexibility to treat facilities that create different visual, aesthetic, or safety concerns differently to the extent permitted under generally applicable zoning requirements even if those facilities provide functionally equivalent services. For example, the conferees do not intend that if a State or local government grants a permit in a commercial district, it must also grant a permit for a competitor’s 50-foot tower in a residential district.

Actions taken by State or local governments shall not prohibit or have the effect of prohibiting the placement, construction or modification of personal wireless services. It is the intent of this section that bans or policies that have the effect of banning personal wireless services or facilities not be allowed and that decisions be made on a case-by-case basis.

Under subsection (c)(7)(B)(ii), decisions are to be rendered in a reasonable period of time, taking into account the nature and scope of each request. If a request for placement of a personal wireless service facility involves a zoning variance or a public hearing or comment process, the time period for rendering a decision will be the usual period under such circumstances. It is not the intent of this provision to give preferential treatment to the personal wireless service industry in the processing of requests, or to subject their requests to any but the generally applicable time frames for zoning decision.

The phrase “substantial evidence contained in a written record” is the traditional standard used for judicial review of agency actions.

The conferees intend section 332(c)(7)(B)(iv) to prevent a State or local government or its instrumentalities from basing the regulation of the placement, construction or modification of CMS facilities directly or indirectly on the environmental effects of radio frequency emissions if those facilities comply with the Commission’s regulations adopted pursuant to section 704(b) concerning such emissions.

The limitations on the role and powers of the Commission under this subparagraph relate to local land use regulations and are not intended to limit or affect the Commission's general authority over radio telecommunications, including the authority to regulate the construction, modification and operation of radio facilities.

The conferees intend that the court to which a party appeals a decision under section 332(c)(7)(B)(v) may be the Federal district court in which the facilities are located or a State court of competent jurisdiction, at the option of the party making the appeal, and that the courts act expeditiously in deciding such cases. The term "final action" of that new subparagraph means final administrative action at the State or local government level so that a party can commence action under the subparagraph rather than waiting for the exhaustion of any independent State court remedy otherwise required.

With respect to the availability of Federal property for the use of wireless telecommunications infrastructure sites under section 704(c), the conferees generally adopt the House provisions, but substitute the President or his designee for the Commission.

It should be noted that the provisions relating to telecommunications facilities are not limited to commercial mobile radio licensees, but also will include other Commission licensed wireless common carriers such as point to point microwave in the extremely high frequency portion of the electromagnetic spectrum which rely on line of sight for transmitting communication services.

~~SECTION 705 MOBILE SERVICE DIRECT ACCESS TO LONG DISTANCE CARRIERS~~

*Senate bill*

Subsection (b) of section 221 of the Senate bill, as passed, states that notwithstanding the MFJ or any other consent decree, no CMS provider will be required by court order or otherwise to provide long distance equal access. The Commission may only order equal access if a CMS provider is subject to the interconnection obligations of section 251 and if the Commission finds that such a requirement is in the public interest. CMS providers shall ensure that its subscribers can obtain unblocked access to the interexchange carrier of their choice through the use of interexchange carrier identification codes, except that the unblocking requirement shall not apply to mobile satellite services unless the Commission finds it is in the public interest.

*House amendment*

Under section 109 of the House amendment, the Commission shall require providers of two-way switched voice CMS to allow their subscribers to access the telephone toll services provider of their choice through the use of carrier identification codes. The Commission rules will supersede the equal access, balloting and prescription requirements imposed by the MFJ and the AT&T-McCaw consent decree. The Commission may exempt carriers or classes of carriers from the requirements of this section if it is consistent with the public interest, convenience, and necessity, and the

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Federal Communications Commission  
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: CELLCO PARTNERSHIP

ATTN: REGULATORY  
CELLCO PARTNERSHIP  
5055 NORTH POINT PKWY, NP2NE NETWORK ENGINEERING  
ALPHARETTA, GA 30022

<b>Call Sign</b> WQJQ689	<b>File Number</b> 0008587211
<b>Radio Service</b> WU - 700 MHz Upper Band (Block C)	

FCC Registration Number (FRN): 0003290673

<b>Grant Date</b> 09-11-2019	<b>Effective Date</b> 09-11-2019	<b>Expiration Date</b> 06-13-2029	<b>Print Date</b> 09-13-2019
<b>Market Number</b> REA001	<b>Channel Block</b> C	<b>Sub-Market Designator</b> 0	
<b>Market Name</b> Northeast			
<b>1st Build-out Date</b> 06-13-2013	<b>2nd Build-out Date</b> 06-13-2019	<b>3rd Build-out Date</b>	<b>4th Build-out Date</b>

Waivers/Conditions:

If the facilities authorized herein are used to provide broadcast operations, whether exclusively or in combination with other services, the licensee must seek renewal of the license either within eight years from the commencement of the broadcast service or within the term of the license had the broadcast service not been provided, whichever period is shorter in length. See 47 CFR §27.13(b).

License renewal granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

This authorization is conditioned upon compliance with section 27.16 of the Commission's rules

**Conditions:**  
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: CELLCO PARTNERSHIP

Call Sign: WQJQ689

File Number: 0008587211

Print Date: 09-13-2019

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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**Federal Communications Commission  
Wireless Telecommunications Bureau**

**RADIO STATION AUTHORIZATION**

LICENSEE: VERIZON WIRELESS OF THE EAST LP

ATTN: REGULATORY  
VERIZON WIRELESS OF THE EAST LP  
5055 NORTH POINT PKWY, NP2NE NETWORK ENGINEERING  
ALPHARETTA, GA 30022

<b>Call Sign</b> KNKA580	<b>File Number</b>
<b>Radio Service</b> CL - Cellular	
<b>Market Numer</b> CMA144	<b>Channel Block</b> B
<b>Sub-Market Designator</b> 0	

FCC Registration Number (FRN): 0007609324

<b>Market Name</b> Orange County, NY
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<b>Grant Date</b> 12-19-2017	<b>Effective Date</b> 01-09-2020	<b>Expiration Date</b> 01-22-2028	<b>Five Yr Build-Out Date</b>	<b>Print Date</b> 01-10-2020
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**Site Information:**

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
1	41-12-35.0 N	074-21-09.0 W	442.9	70.7	1003029

**Address:** WARWICK BRADY ROAD

**City:** WARWICK **County:** ORANGE **State:** NY **Construction Deadline:**

**Antenna: 2**

<b>Maximum Transmitting ERP in Watts:</b> 140.820								
Azimuth(from true north)	0	45	90	135	180	225	270	315
<b>Antenna Height AAT (meters)</b>	313.500	264.400	247.600	294.300	238.400	133.000	253.100	356.100
<b>Transmitting ERP (watts)</b>	0.200	0.200	0.200	0.200	0.200	2.710	20.110	8.700

**Antenna: 3**

<b>Maximum Transmitting ERP in Watts:</b> 140.820								
Azimuth(from true north)	0	45	90	135	180	225	270	315
<b>Antenna Height AAT (meters)</b>	315.600	266.500	249.800	296.500	240.600	135.100	255.200	358.200
<b>Transmitting ERP (watts)</b>	20.110	8.700	0.200	0.200	0.200	0.200	0.200	2.710

**Antenna: 4**

<b>Maximum Transmitting ERP in Watts:</b> 140.820								
Azimuth(from true north)	0	45	90	135	180	225	270	315
<b>Antenna Height AAT (meters)</b>	315.600	266.500	249.800	296.500	240.600	135.100	255.200	358.200
<b>Transmitting ERP (watts)</b>	0.200	0.200	0.330	0.460	52.890	37.600	0.570	0.200

**Conditions:**

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

Licensee Name: VERIZON WIRELESS OF THE EAST LP

Call Sign: KNKA580

File Number:

Print Date: 01-10-2020

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
1	41-12-35.0 N	074-21-09.0 W	442.9	70.7	1003029

Address: WARWICK BRADY ROAD

City: WARWICK County: ORANGE State: NY Construction Deadline:

Antenna: 5

Maximum Transmitting ERP in Watts:	140.820							
Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	315.600	266.500	249.800	296.500	240.600	135.100	255.200	358.200
Transmitting ERP (watts)	0.200	0.450	11.730	18.090	1.550	0.200	0.200	0.200

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
2	41-25-36.3 N	074-34-52.6 W	381.3	58.5	

Address: FINCHVILLE - 0.5 MILE FROM THE INTERSECTION OF GUYMARD TURNPIKE AND MOUNTAIN ROA

City: FINCHVILLE County: ORANGE State: NY Construction Deadline:

Antenna: 4

Maximum Transmitting ERP in Watts:	140.820							
Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	145.900	219.500	227.500	263.500	189.100	243.000	176.700	52.500
Transmitting ERP (watts)	48.980	100.000	43.650	6.920	0.950	0.220	1.100	8.510

Antenna: 5

Maximum Transmitting ERP in Watts:	140.820							
Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	145.900	219.500	227.500	263.500	189.100	243.000	176.700	52.500
Transmitting ERP (watts)	0.200	1.260	12.880	61.660	95.500	32.360	4.470	0.620

Antenna: 6

Maximum Transmitting ERP in Watts:	140.820							
Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	145.900	219.500	227.500	263.500	189.100	243.000	176.700	52.500
Transmitting ERP (watts)	17.380	2.290	0.210	0.200	2.240	22.910	83.180	75.860

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
3	41-22-03.3 N	074-40-55.6 W	137.2	40.0	

Address: (Port Jervis site) 160 EAST MAIN ST.

City: PORT JERVIS County: ORANGE State: NY Construction Deadline:

Antenna: 2

Maximum Transmitting ERP in Watts:	140.820							
Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	-218.200	-76.200	-105.700	-94.600	-216.300	-45.200	-191.400	-96.900
Transmitting ERP (watts)	162.690	437.890	100.310	2.460	0.890	0.890	0.890	8.740

Antenna: 3

Maximum Transmitting ERP in Watts:	140.820							
Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	-218.200	-76.200	-105.700	-94.600	-216.300	-45.200	-191.400	-96.900
Transmitting ERP (watts)	0.960	0.960	2.160	35.100	38.800	2.320	0.960	0.960

Licensee Name: VERIZON WIRELESS OF THE EAST LP

Call Sign: KNKA580

File Number:

Print Date: 01-10-2020

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
3	41-22-03.3 N	074-40-55.6 W	137.2	40.0	

Address: (Port Jervis site) 160 EAST MAIN ST.  
City: PORT JERVIS County: ORANGE State: NY Construction Deadline:

Antenna: 4  
Maximum Transmitting ERP in Watts: 140.820  
Azimuth(from true north) 0 45 90 135 180 225 270 315  
Antenna Height AAT (meters) -218.200 -76.200 -105.700 -94.600 -216.300 -45.200 -191.400 -96.900  
Transmitting ERP (watts) 7.130 0.980 0.980 0.980 0.980 0.980 32.460 241.190

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
4	41-33-04.8 N	074-05-01.0 W	196.3	47.5	1014196

Address: OFF VALLEY VIEW DRIVE  
City: Newburgh County: ORANGE State: NY Construction Deadline:

Antenna: 4  
Maximum Transmitting ERP in Watts: 140.820  
Azimuth(from true north) 0 45 90 135 180 225 270 315  
Antenna Height AAT (meters) 68.300 95.800 164.400 145.900 123.900 104.800 113.800 116.300  
Transmitting ERP (watts) 0.200 3.090 31.620 14.790 0.270 0.200 0.200 0.200

Antenna: 5  
Maximum Transmitting ERP in Watts: 140.820  
Azimuth(from true north) 0 45 90 135 180 225 270 315  
Antenna Height AAT (meters) 68.300 95.800 164.400 145.900 123.900 104.800 113.800 116.300  
Transmitting ERP (watts) 0.200 0.200 0.200 0.200 9.550 34.670 5.620 0.200

Antenna: 6  
Maximum Transmitting ERP in Watts: 140.820  
Azimuth(from true north) 0 45 90 135 180 225 270 315  
Antenna Height AAT (meters) 68.300 95.800 164.400 145.900 123.900 104.800 113.800 116.300  
Transmitting ERP (watts) 85.110 23.440 3.160 0.280 0.200 1.410 17.380 72.440

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
5	41-23-22.3 N	073-58-50.5 W	301.5	43.0	

Address: ATOP SKI SLOPE, 0.8 MILE NE OF THE INT. OF ROUTES 9W AND 293  
City: WEST POINT County: ORANGE State: NY Construction Deadline:

Antenna: 4  
Maximum Transmitting ERP in Watts: 140.820  
Azimuth(from true north) 0 45 90 135 180 225 270 315  
Antenna Height AAT (meters) 306.700 148.900 183.200 234.300 267.000 63.800 54.400 214.100  
Transmitting ERP (watts) 2.690 22.390 66.070 47.860 9.120 0.710 0.200 0.410

Antenna: 5  
Maximum Transmitting ERP in Watts: 140.820  
Azimuth(from true north) 0 45 90 135 180 225 270 315  
Antenna Height AAT (meters) 306.700 148.900 183.200 234.300 267.000 63.800 54.400 214.100  
Transmitting ERP (watts) 0.590 0.200 1.230 7.240 51.290 95.500 40.740 5.010

Licensee Name: VERIZON WIRELESS OF THE EAST LP

Call Sign: KNKA580

File Number:

Print Date: 01-10-2020

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
5	41-23-22.3 N	073-58-50.5 W	301.5	43.0	

Address: ATOP SKI SLOPE, 0.8 MILE NE OF THE INT. OF ROUTES 9W AND 293  
City: WEST POINT County: ORANGE State: NY Construction Deadline:

Antenna: 6  
Maximum Transmitting ERP in Watts: 140.820  
Azimuth(from true north) 0 45 90 135 180 225 270 315  
Antenna Height AAT (meters) 306.700 148.900 183.200 234.300 267.000 63.800 54.400 214.100  
Transmitting ERP (watts) 83.180 22.910 2.140 0.230 0.210 1.820 15.850 74.130

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
6	41-18-12.3 N	074-06-51.5 W	432.8	27.7	

Address: Arden House Road  
City: Woodbury County: ORANGE State: NY Construction Deadline:

Antenna: 4  
Maximum Transmitting ERP in Watts: 140.820  
Azimuth(from true north) 0 45 90 135 180 225 270 315  
Antenna Height AAT (meters) 225.700 204.000 315.400 275.600 135.500 217.200 239.900 260.800  
Transmitting ERP (watts) 40.240 79.460 36.390 2.570 0.200 0.200 0.200 3.310

Antenna: 5  
Maximum Transmitting ERP in Watts: 140.820  
Azimuth(from true north) 0 45 90 135 180 225 270 315  
Antenna Height AAT (meters) 225.700 204.000 315.400 275.600 135.500 217.200 239.900 260.800  
Transmitting ERP (watts) 0.200 0.200 0.200 3.310 40.240 79.460 36.390 2.570

Antenna: 6  
Maximum Transmitting ERP in Watts: 140.820  
Azimuth(from true north) 0 45 90 135 180 225 270 315  
Antenna Height AAT (meters) 225.700 204.000 315.400 275.600 135.500 217.200 239.900 260.800  
Transmitting ERP (watts) 25.120 0.740 0.200 0.200 0.200 0.830 30.200 100.000

Control Points:

Control Pt. No. 1

Address: 500 West Dove Road

City: Southlake County: TARRANT State: TX Telephone Number: (800)264-6620

Waivers/Conditions:

Special Condition for AU/name change (6/4/2016): Grant of the request to update licensee name is conditioned on it not reflecting an assignment or transfer of control (see Rule 1.948); if an assignment or transfer occurred without proper notification or FCC approval, the grant is void and the station is licensed under the prior name.

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**Federal Communications Commission  
Wireless Telecommunications Bureau**

**RADIO STATION AUTHORIZATION**

LICENSEE: CELLCO PARTNERSHIP

CELLCO PARTNERSHIP  
5055 NORTH POINT PKWY, NP2NE NETWORK ENGINEERING  
ALPHARETTA, GA 30022

<b>Call Sign</b> WQGA801	<b>File Number</b> 0009761479
<b>Radio Service</b> AW - AWS (1710-1755 MHz and 2110-2155 MHz)	

FCC Registration Number (FRN): 0003290673

<b>Grant Date</b> 12-14-2021	<b>Effective Date</b> 12-14-2021	<b>Expiration Date</b> 11-29-2036	<b>Print Date</b> 12-14-2021
<b>Market Number</b> CMA144	<b>Channel Block</b> A	<b>Sub-Market Designator</b> 0	
<b>Market Name</b> Orange County, NY			
<b>1st Build-out Date</b>	<b>2nd Build-out Date</b>	<b>3rd Build-out Date</b>	<b>4th Build-out Date</b>

**Waivers/Conditions:**

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

**Conditions:**  
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: CELLCO PARTNERSHIP

Call Sign: WQGA801

File Number: 0009761479

Print Date: 12-14-2021

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: CELLCO PARTNERSHIP

CELLCO PARTNERSHIP
5055 NORTH POINT PKWY, NP2NE NETWORK ENGINEERING
ALPHARETTA, GA 30022

Table with Call Sign (WQGA906), File Number (0009773259), and Radio Service (AW - AWS (1710-1755 MHz and 2110-2155 MHz))

FCC Registration Number (FRN): 0003290673

Table with columns: Grant Date, Effective Date, Expiration Date, Print Date, Market Number, Channel Block, Sub-Market Designator, Market Name, 1st Build-out Date, 2nd Build-out Date, 3rd Build-out Date, 4th Build-out Date

Waivers/Conditions:

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS).

Licensee Name: CELLCO PARTNERSHIP

Call Sign: WQGA906

File Number: 0009773259

Print Date: 12-21-2021

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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**Federal Communications Commission  
Wireless Telecommunications Bureau**

**RADIO STATION AUTHORIZATION**

LICENSEE: CELLCO PARTNERSHIP

ATTN: REGULATORY  
CELLCO PARTNERSHIP  
5055 NORTH POINT PKWY, NP2NE NETWORK ENGINEERING  
ALPHARETTA, GA 30022

<b>Call Sign</b> WRNE581	<b>File Number</b>
<b>Radio Service</b> PM - 3.7 GHz Service	

**FCC Registration Number (FRN):** 0003290673

<b>Grant Date</b> 07-23-2021	<b>Effective Date</b> 07-23-2021	<b>Expiration Date</b> 07-23-2036	<b>Print Date</b>
<b>Market Number</b> PEA001	<b>Channel Block</b> A1	<b>Sub-Market Designator</b> 0	
<b>Market Name</b> New York, NY			
<b>1st Build-out Date</b> 07-23-2029	<b>2nd Build-out Date</b> 07-23-2033	<b>3rd Build-out Date</b>	<b>4th Build-out Date</b>

**Waivers/Conditions:**

Operation for this combination license grants both interim and final rights for this PEA and is not impacted by the relocation process pursuant to 47 CFR ? 27.1412(g).

License is conditioned on compliance with all applicable FCC rules and regulations, including licensee making payments required by 47 C.F.R. §§ 27.1401- 27.1424 as described in FCC 20-22. See FCC 20-22, paras. 178-331.

**Conditions:**  
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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Licensee Name: CELLCO PARTNERSHIP

Call Sign: WRNE581

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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**Federal Communications Commission  
Wireless Telecommunications Bureau**

**RADIO STATION AUTHORIZATION**

LICENSEE: CELLCO PARTNERSHIP

ATTN: REGULATORY  
CELLCO PARTNERSHIP  
5055 NORTH POINT PKWY, NP2NE NETWORK ENGINEERING  
ALPHARETTA, GA 30022

<b>Call Sign</b> WRNE582	<b>File Number</b>
<b>Radio Service</b> PM - 3.7 GHz Service	

**FCC Registration Number (FRN):** 0003290673

<b>Grant Date</b> 07-23-2021	<b>Effective Date</b> 07-23-2021	<b>Expiration Date</b> 07-23-2036	<b>Print Date</b>
<b>Market Number</b> PEA001	<b>Channel Block</b> A2	<b>Sub-Market Designator</b> 0	
<b>Market Name</b> New York, NY			
<b>1st Build-out Date</b> 07-23-2029	<b>2nd Build-out Date</b> 07-23-2033	<b>3rd Build-out Date</b>	<b>4th Build-out Date</b>

**Waivers/Conditions:**

Operation for this combination license grants both interim and final rights for this PEA and is not impacted by the relocation process pursuant to 47 CFR ? 27.1412(g).

License is conditioned on compliance with all applicable FCC rules and regulations, including licensee making payments required by 47 C.F.R. §§ 27.1401- 27.1424 as described in FCC 20-22. See FCC 20-22, paras. 178-331.

**Conditions:**  
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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Licensee Name: CELLCO PARTNERSHIP

Call Sign: WRNE582

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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**Federal Communications Commission  
Wireless Telecommunications Bureau**

**RADIO STATION AUTHORIZATION**

LICENSEE: CELLCO PARTNERSHIP

ATTN: REGULATORY  
CELLCO PARTNERSHIP  
5055 NORTH POINT PKWY, NP2NE NETWORK ENGINEERING  
ALPHARETTA, GA 30022

<b>Call Sign</b> WRNE583	<b>File Number</b>
<b>Radio Service</b> PM - 3.7 GHz Service	

**FCC Registration Number (FRN):** 0003290673

<b>Grant Date</b> 07-23-2021	<b>Effective Date</b> 07-23-2021	<b>Expiration Date</b> 07-23-2036	<b>Print Date</b>
<b>Market Number</b> PEA001	<b>Channel Block</b> A3	<b>Sub-Market Designator</b> 0	
<b>Market Name</b> New York, NY			
<b>1st Build-out Date</b> 07-23-2029	<b>2nd Build-out Date</b> 07-23-2033	<b>3rd Build-out Date</b>	<b>4th Build-out Date</b>

**Waivers/Conditions:**

Operation for this combination license grants both interim and final rights for this PEA and is not impacted by the relocation process pursuant to 47 CFR ? 27.1412(g).

License is conditioned on compliance with all applicable FCC rules and regulations, including licensee making payments required by 47 C.F.R. §§ 27.1401- 27.1424 as described in FCC 20-22. See FCC 20-22, paras. 178-331.

**Conditions:**  
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: CELLCO PARTNERSHIP

Call Sign: WRNE583

File Number:

Print Date:

700 MHz Relicensed Area Information:

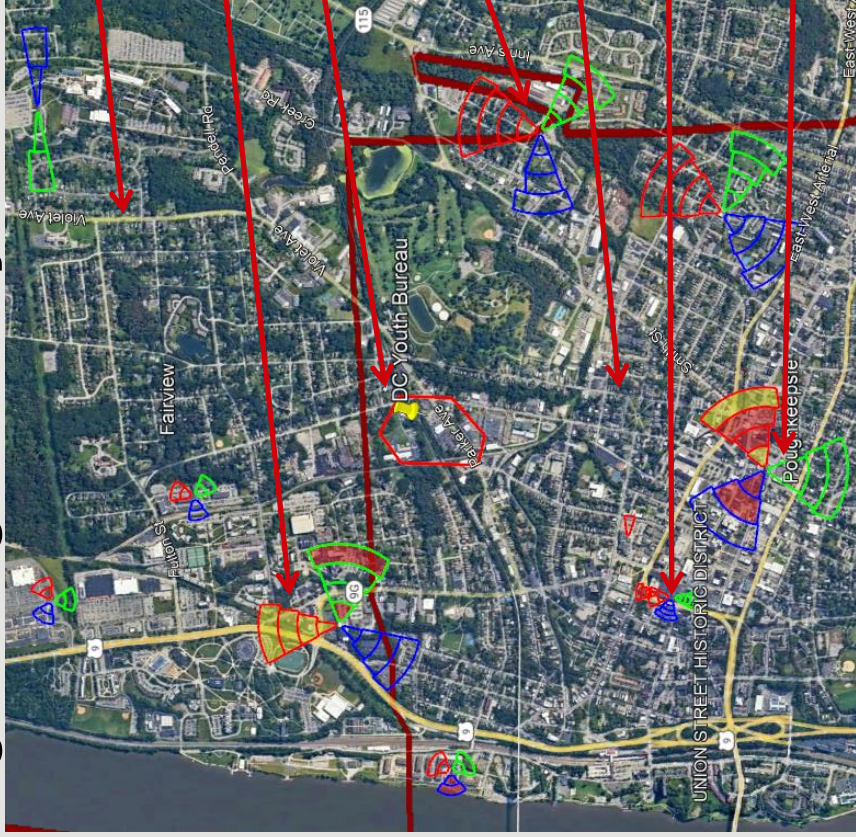
Market	Market Name	Buildout Deadline	Buildout Notification	Status
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Reference Copy

# Verizon Wireless

## Communications Facility

### Engineering Necessity Case – “DC Youth Bureau”



Town of Poughkeepsie

Existing Marist Site

Proposed “DC Youth Bureau” Site & Search Area

Existing Poughkeepsie Transfer Site

City of Poughkeepsie

Existing Mid Hudson Civic Center Site

Existing Poughkeepsie DT Site

Prepared by: **Brendan Hennessy, RF Engineer III, Verizon Wireless**

**Project: The project is the installation and operation of a new tower co-located wireless telecommunications site in the City of Poughkeepsie (the “Project Facility”).**



July 30<sup>th</sup>, 2024

# Introduction

The purpose of this subsequent analysis is to summarize and communicate the technical radio frequency (RF) information used in the justification of this new site.

Coverage and/or capacity deficiencies are the two main drivers that prompt the need for a new wireless communications facility/site. All sites provide a mixture of both capacity and coverage for the benefit of the end user.

**Coverage** can be defined as the existence of signal of usable strength and quality in an area, including but not limited to in-vehicles or in-buildings.

The need for improved coverage is identified by RF Engineers that are responsible for developing and maintaining the network. RF Engineers utilize both theoretical and empirical data sets (propagation maps and real world coverage measurements). Historically, coverage improvements have been the primary justification of new sites.

**Capacity** can be defined as the amount of traffic (voice and data) a given site can process before significant performance degradation occurs.

When traffic volume exceeds the capacity limits of a site serving a given area, network reliability and user experience degrades. Ultimately this prevents customers from making/receiving calls, applications cease functioning, internet connections time out and data speeds fail. This critical condition is more important than just a simple nuisance for some users. Degradation of network reliability and user experience can affect emergency responders and to persons in a real emergency situation can literally mean life or death.

*\*Note that, while Verizon Wireless provides sufficient evidence to establish the existence of a coverage gap and capacity need in this case, the FCC has confirmed that federal law does not require a provider to establish the existence of a coverage/capacity gap to establish the need for a site. There are several ways by which an applicant can establish site need. See Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment,” FCC 18-133, 85 FR 51867, at ¶ 37 (October 15, 2018) (confirming that the test for establishing an effective prohibition is whether “a state or local legal requirement materially inhibits a provider’s ability to engage in any of a variety of activities related to its provision of a covered service,” and this test is met “not only when filling a coverage gap but also when densifying a wireless network, introducing new services or otherwise improving service capabilities”) (emphasis added).*

# Project Need Overview

The project area, located in the northern portion of the City of **Poughkeepsie** is currently served by three sites. These sites are overloaded requiring capacity relief. Additionally the project area is subject to significant terrain and or foliage challenges for RF (signal) propagation. This terrain and or foliage combined with long distance prevent effective propagation of Verizon's RF signals into this area compounding the capacity issue with areas of variable coverage creating significant gaps in coverage.

The first serving site is **Marist**, located in the Town of Poughkeepsie, is approximately one half mile northwest (of the project location) situated on an existing rooftop on the Marist College campus. While this site provides weak/variable coverage in portions of the project area, it does so from a terrain and or foliage + distance challenged position making the site not capable of efficiently or effectively providing adequate coverage or capacity.

The second serving site is **Poughkeepsie Transfer**, located in the City of Poughkeepsie, is approximately three quarters of a mile east (of the project location) on an existing smoke stack off of Howard Street. While this site provides weak/variable coverage in portions of the project area, it does so from a terrain and or foliage + distance challenged position making the site not capable of efficiently or effectively providing adequate coverage or capacity.

The third serving site is **Poughkeepsie DT**, located in the City of Poughkeepsie, is approximately one mile south (of the project location) situated on an existing rooftop tower off of South Hamilton Ave. While this site provides weak/variable coverage in portions of the project area, it does so from a terrain and or foliage + distance challenged position making the site not capable of efficiently or effectively providing adequate coverage or capacity.

Available (mid band AWS) carriers at these and other area sites are not capable of effectively serving/offloading the project area due to inherent propagation losses from distance, challenging terrain and in building coverage losses negatively impacting mid band coverage and capacity offload capabilities. There are other Verizon sites in this general area but due to distance and terrain they also do not provide any significant overlapping coverage in the area in question that could allow for increased capacity and improved coverage from other sources.

The primary objectives for this project are to increase capacity and provide and or improve coverage throughout the northern portion of the City of Poughkeepsie and southern portion of the Town of Poughkeepsie, more specifically portions of Rt. 9G, Fairview Ave, Buckingham Ave, E Cedar St, Fulton St, Clark St, N Hamilton St, N Clinton St, High St, Garden St, Inwood Ave, as well as neighboring secondary roads and residential and commercial areas along and near these roads. In order to offload capacity from Marist, Poughkeepsie DT and Poughkeepsie Transfer, a new dominant server must be created. This new dominant coverage will effectively offload the existing overloaded sites/cells as well as provide improved coverage where significant gaps exist today.

Following the search for co-locatable structures to resolve the aforementioned challenges and finding none available, Verizon proposes to attach the necessary antenna(s) to a new 104' tower located at 121 Parker Ave, Poughkeepsie, NY 12601. Verizon's antennas will utilize 95' for the ACL (Antenna Center Line) with a top of antenna height of 99'. This solution is the minimum height necessary to provide the coverage and capacity improvements needed.

# Wireless LTE (Voice and Data) Growth

Wireless smart city solutions are being used to track available parking and minimize pollution and wasted time.

These same solutions are being used to track pedestrian and bike traffic to help planning and minimize accidents.

Smart, wireless connected lighting enables cities to control lighting remotely, saving energy and reducing energy costs by 20%.

4G technology is utilized to track and plan vehicle deliveries to minimize travel, maximize efficiency, and minimize carbon footprint.

4G technology is also used to monitor building power usage down to the circuit level remotely, preventing energy waste and supporting predictive maintenance on machines and equipment.

Wireless sensors placed in shipments are being used to track temperature-sensitive medications, equipment, and food. This is important for preventing the spread of food-borne diseases that kill 3,000 Americans each year.

Source: Verizon Innovation Center, February, 2018

Wireless is a critical component in schools and for today's students.

**20,000** learning apps are available for iPads. 72% of iTunes top selling educational apps are designed for preschoolers and elementary students.

**600+** school districts replaced text books with tablets in classrooms.

**77%** of parents think tablets are beneficial to kids.

**74%** of school administrators feel digital content increases student engagement.

**70%** of teens use cellphones to help with homework.

Source: CITA's Infographics Today's Wireless Family, October, 2017

A wireless network is like a highway system...



U.S. mobile data traffic was 1.3 Exabytes per month in 2016, the equivalent of 334 million DVDs each month or 3,687 million text messages each second according to Cisco VNI Mobile Forecast Highlights, 2016-2021, Feb 2017

**Wireless facilities and property values.**

Cell service in and around the home has emerged as a critical factor in home-buying decisions.



75%

83%

90%

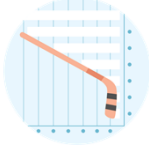
National studies demonstrate that most home buyers value good cell service over many other factors including the proximity of schools when purchasing a home.

More than 75% of prospective home buyers said a good cellular connection was important to them.<sup>1</sup>

The same study showed that 83% of Millennials (those born between 1982 and 2004) said cell service was the most important factor in purchasing a home.

90% of U.S. households use wireless service. Citizens need access to 911 and reverse 911 and wireless may be their only connection.<sup>2</sup>

The average North American smartphone user will consume 48 GB of data per month in 2023, up from just 5.2 GB per month in 2016 and 7.1 GB per month in 2017.<sup>1</sup>



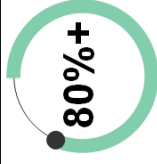
Of American homes are wireless only.<sup>2</sup>



In North America, the average household has 13 connected devices with smartphones outnumbering tablets 6 to 1.<sup>3</sup>



With over 80% of 9-1-1 calls now coming from cellphones...<sup>1</sup>



911 calls are made annually in many areas, 80% or more are from wireless devices.<sup>1</sup>

**240 million**

1. Ericsson Mobility Report, November 2017  
2. CDC's 2018 Wireless Substitution: Early Release of Estimates From the National Health Interview Survey, January-July, 2018  
3. IHS Market Connected Device Market Monitor, Q1 2016 - June 7, 2016

1. National Emergency Number Association, Enhancing 9-1-1 Operations With Automated-Abandoned Callback & Location Accuracy, Motorola Solutions (August 23, 2018)

1. ProPublica/Money, The Surprising Thing Home Buyers Care About More Than Schools, June 2, 2015

2. CITA, June 2015

# Explanation of Wireless Capacity



**Capacity** in this analysis is evaluated with up to three metrics further explained below. These metrics assist in determining actual usage for a given site as well as are used to project when a site is expected to run out of capacity (i.e. reach a point of exhaustion where it can no longer process the volume of voice and data requested by local wireless devices, thus no longer providing adequate service).

- Forward Data Volume (“**FDV**”), is a measurement of usage (data throughput) on a particular site over a given period of time.
- Average Schedule Eligible User (“**ASEU**”), is a measurement of the loading of the control channels and systems of a given site.
- Average Active Connections (“**AvgAC**”) is a measurement of the number of devices actively connected to a site in any given time slot.

Verizon Wireless uses proprietary algorithms developed by a task force of engineers and computer programmers to monitor each site in the network and accurately project and identify when sites will approach their capacity limits. Using a rolling two-year window for projected exhaustion dates allows enough time, in most cases, to develop and activate a new site. It is critical that these capacity approaching sectors are identified early and the process gets started and completed in time for new solutions (sites) to be on air before network issues impact the customers.

# Capacity Utilization FDV (Marist Beta)



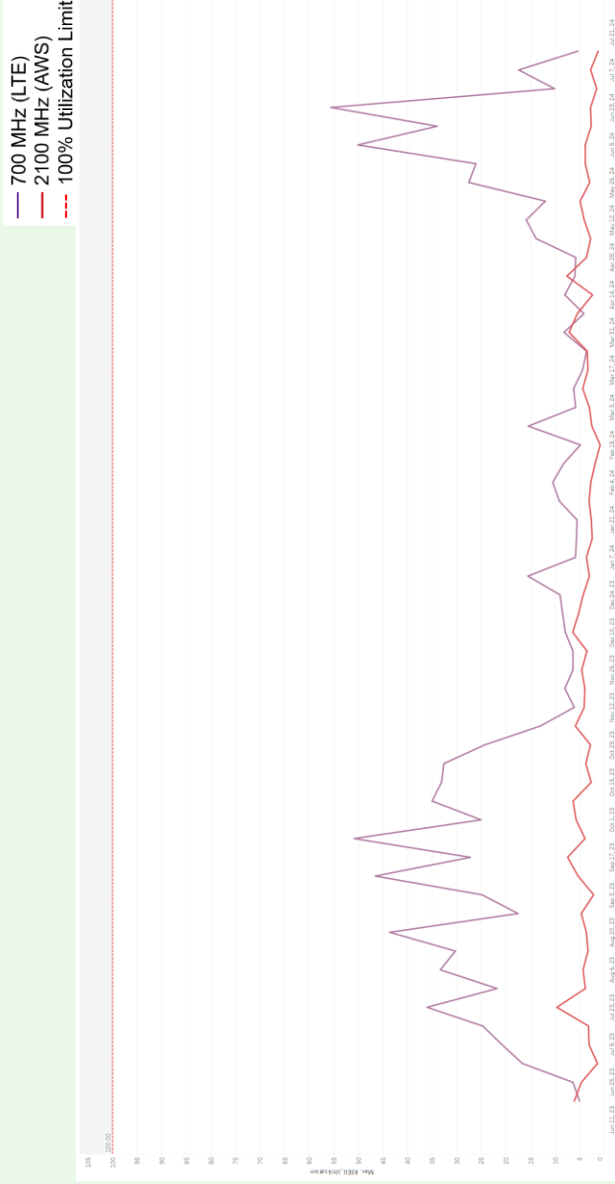
**Summary:** This graph shows FDV (Forward Data Volume) which is a measurement of the customer data usage that this sector currently serves. As this limit is approached, data rates slow to unacceptable levels, potentially causing unreliable service for Verizon Wireless customers.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the Beta sector of the Marist site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

**Detail:** The existing Marist sector shown above periodically exceeds its capability of supporting FDV requirements as shown by the purple and dark red lines exceeding the max utilization threshold (red dashed line). In order to provide adequate and reliable service to DC Youth Bureau and the surrounding project area, network densification is required.



# Capacity Utilization ASEU (Marist Beta)



**Summary:** This graph shows ASEU (Average Schedule Eligible User). ASEU is a measurement of the loading of the control channels and systems of a given site. The ASEU load is heavily impacted by distant users or those in poor RF conditions.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the **Beta** sector of the **Marist** site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

**Detail:** The existing **Marist** sector shown above is operating normally for this metric. **ASEU** is one of three capacity metrics used in this document.

# Capacity Utilization AvgAC (Marist Beta)

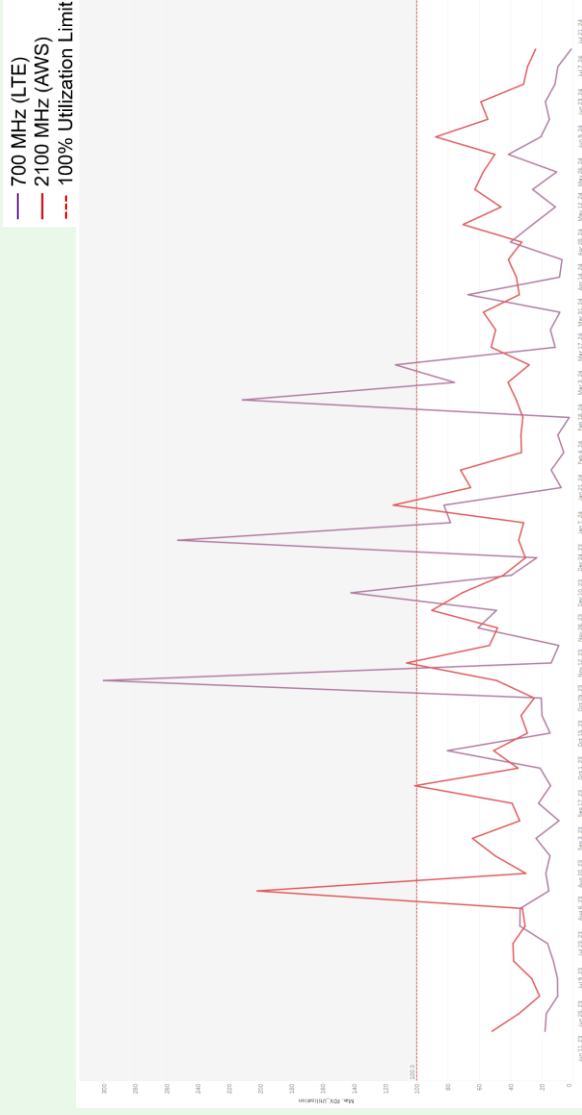


**Summary:** This graph shows AvgAC (Average Active Connections). AvgAC utilization by carrier is a measurement of max active connection capacity per sector in any given time slot. When this limit is reached, no additional devices will be able to connect to the site, resulting in connection failures and dropped calls.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the **Beta** sector of the **Marist** site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

**Detail:** The existing **Marist** sector shown above is operating normally for this metric. **AvgAC** is one of three capacity metrics used in this document.

# Capacity Utilization FDV (Poughkeepsie Transfer Gamma)

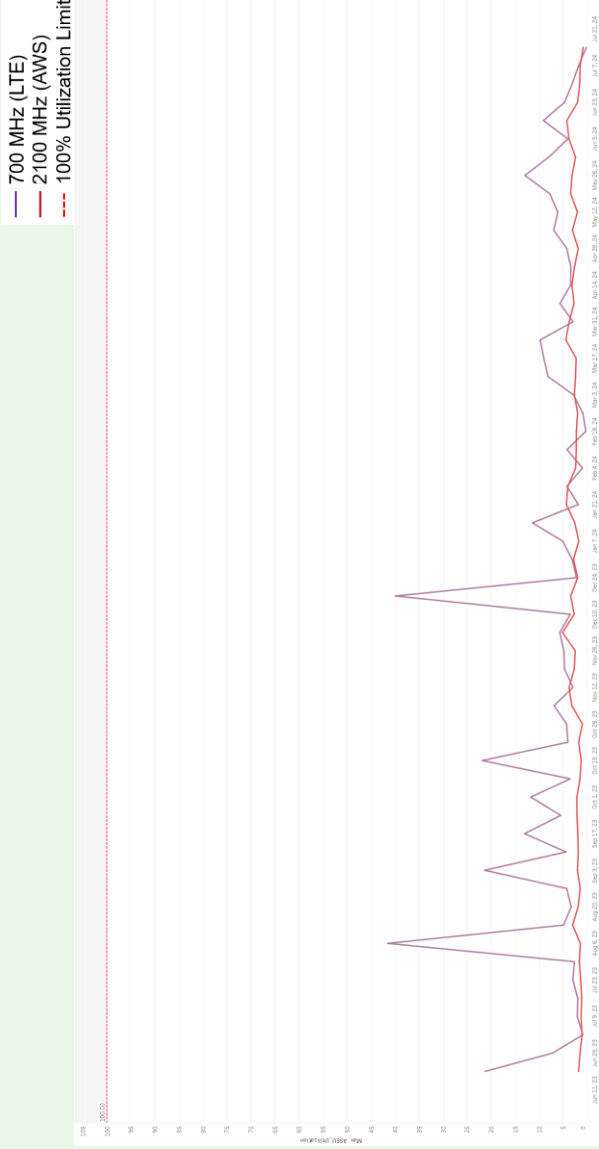


**Summary:** This graph shows FDV (Forward Data Volume) which is a measurement of the customer data usage that this sector currently serves. As this limit is approached, data rates slow to unacceptable levels, potentially causing unreliable service for Verizon Wireless customers.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the **Gamma** sector of the **Poughkeepsie Transfer** site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

**Detail:** The existing **Poughkeepsie Transfer** sector shown above has exceeded its capability of supporting FDV requirements as shown by the purple and dark red lines exceeding the max utilization threshold (red dashed line). In order to provide adequate and reliable service to **DC Youth Bureau** and the surrounding project area, network densification is required.

# Capacity Utilization ASEU (Poughkeepsie Transfer Gamma)



**Summary:** This graph shows ASEU (Average Schedule Eligible User). ASEU is a measurement of the loading of the control channels and systems of a given site. The ASEU load is heavily impacted by distant users or those in poor RF conditions.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the Gamma sector of the **Poughkeepsie Transfer** site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

**Detail:** The existing **Poughkeepsie Transfer** sector shown above is operating normally for this metric. **ASEU** is one of three capacity metrics used in this document.

# Capacity Utilization AvgAC (Poughkeepsie Transfer Gamma)

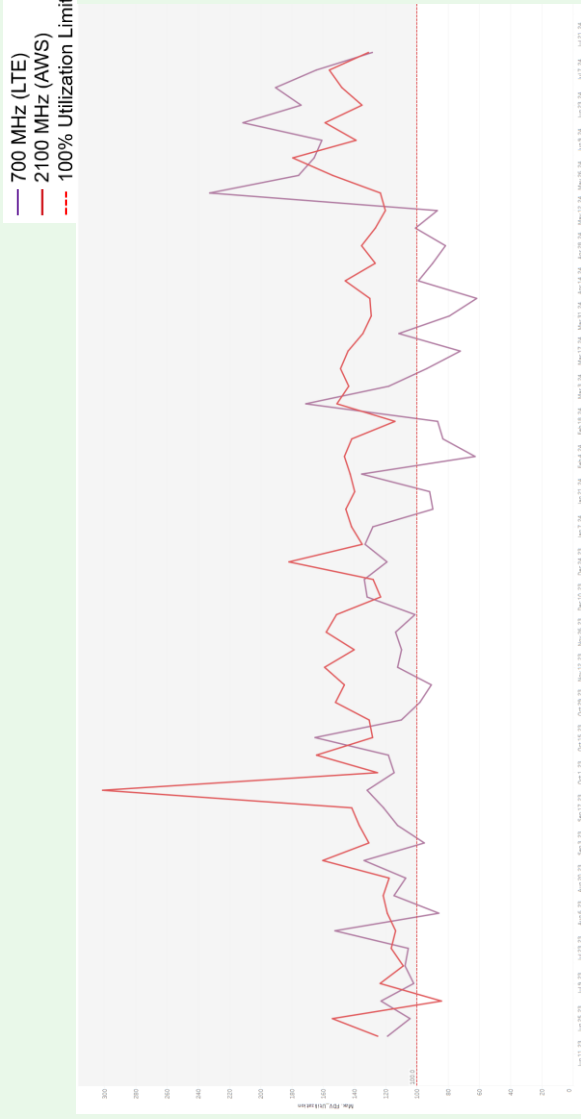


**Summary:** This graph shows AvgAC (Average Active Connections). AvgAC utilization by carrier is a measurement of max active connection capacity per sector in any given time slot. When this limit is reached, no additional devices will be able to connect to the site, resulting in connection failures and dropped calls.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the **Gamma** sector of the **Poughkeepsie Transfer** site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

**Detail:** The existing **Poughkeepsie Transfer** sector shown above is operating normally for this metric. **AvgAC** is one of three capacity metrics used in this document.

# Capacity Utilization FDV (Poughkeepsie DT Alpha)

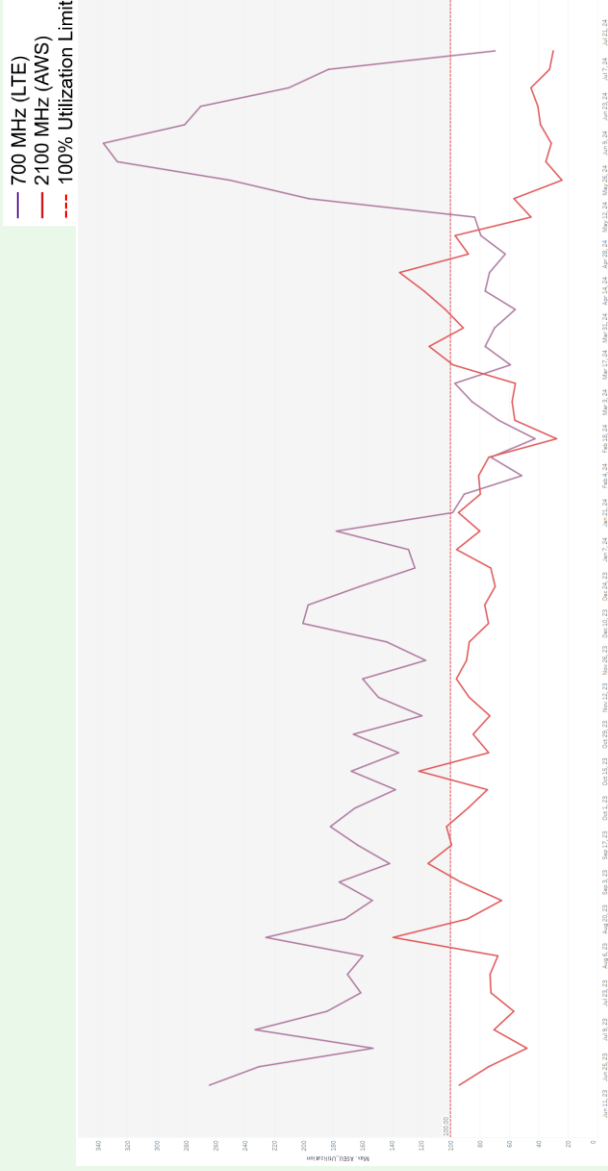


**Summary:** This graph shows FDV (Forward Data Volume) which is a measurement of the customer data usage that this sector currently serves. As this limit is approached, data rates slow to unacceptable levels, potentially causing unreliable service for Verizon Wireless customers.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the **Alpha** sector of the **Poughkeepsie DT** site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

**Detail:** The existing **Poughkeepsie DT** sector shown above has exceeded its capability of supporting FDV requirements as shown by the purple and dark red lines exceeding the max utilization threshold (red dashed line). In order to provide adequate and reliable service to **DC Youth Bureau** and the surrounding project area, network densification is required.

# Capacity Utilization ASEU (Poughkeepsie DT Alpha)



**Summary:** This graph shows ASEU (Average Schedule Eligible User). ASEU is a measurement of the loading of the control channels and systems of a given site. The ASEU load is heavily impacted by distant users or those in poor RF conditions.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the **Alpha** sector of the **Poughkeepsie DT** site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

**Detail:** The existing **Poughkeepsie DT** sector cannot support the traffic demand throughout the extent of the dense geographic area it covers. **Poughkeepsie DT** is overloaded, as shown by the purple and dark red actual use lines exceeding the red dashed exhaustion threshold. In order to provide adequate and reliable service to **DC Youth Bureau** and the surrounding project area, network densification is required.

# Capacity Utilization AvgAC (Poughkeepsie DT Alpha)

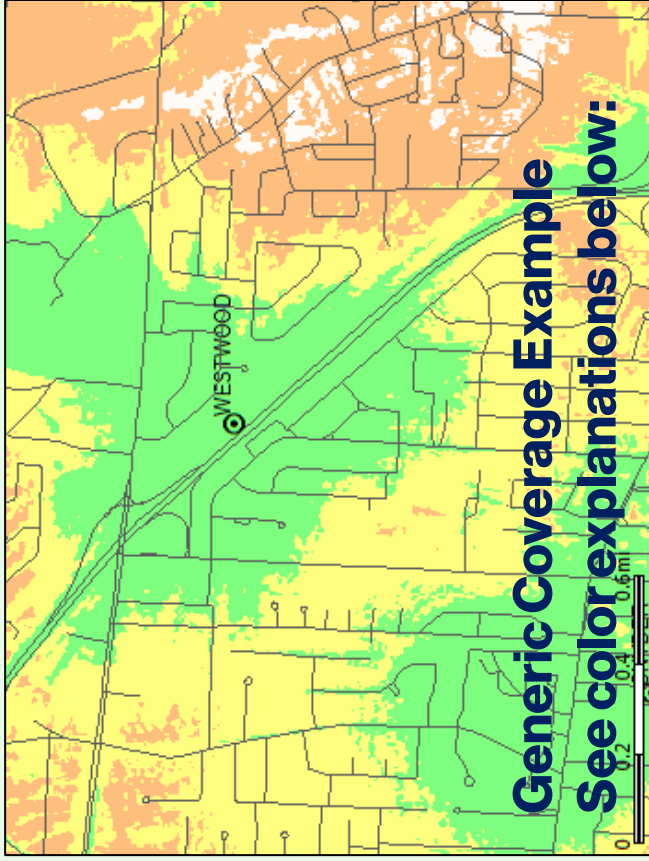


**Summary:** This graph shows AvgAC (Average Active Connections). AvgAC utilization by carrier is a measurement of max active connection capacity per sector in any given time slot. When this limit is reached, no additional devices will be able to connect to the site, resulting in connection failures and dropped calls.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the **Alpha** sector of the **Poughkeepsie DT** site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

**Detail:** The existing **Poughkeepsie DT** sector shown above is operating normally for this metric. AvgAC is one of three capacity metrics used in this document.

# Explanation of Wireless Coverage



Note the affect of clutter on the predicted coverage footprint above

- \*\*Dark Green  $\geq$  -75dBm RSRP, typically serves dense urban areas as well as areas of substantial construction (colleges, hospitals, dense multi family etc.)
- Green  $\geq$  -85dBm RSRP, typically serves suburban single family residential and light commercial buildings
- Yellow  $\geq$  -95dBm RSRP, typically serves most rural/suburban-residential and in car applications
- Orange  $\geq$  -105dBm RSRP, rural highway coverage, subject to variable conditions including fading and seasonality gaps
- White =  $<$ -105dBm RSRP, variable to no reliable coverage gap area

More detailed, site-specific coverage slides are later in the presentation

\*Signal strength requirements vary as dictated by specific market conditions

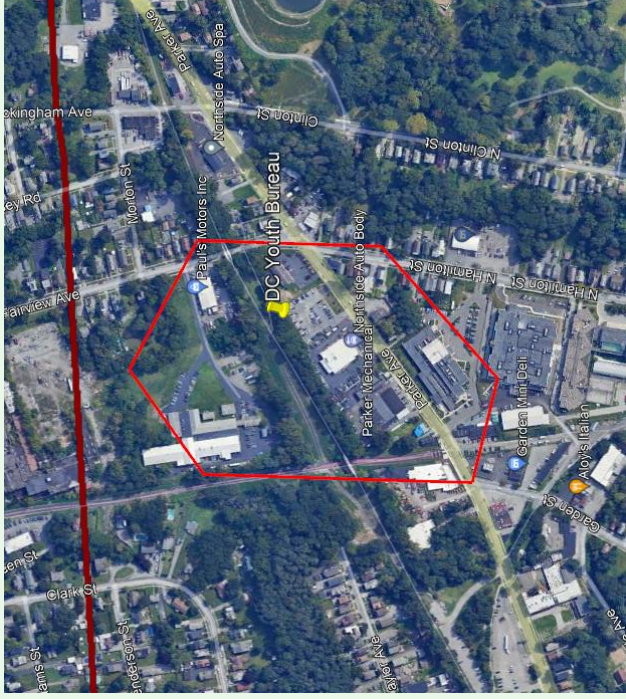
\*\* Not displayed in example map, layer not used in all site justifications

**Coverage** is best shown via coverage maps. RF engineers use computer simulation tools that take into account terrain, vegetation, building types, and site specifics to model the RF environment. This model is used to simulate the real world network and assist engineers to evaluate the impact of a proposed site (along with industry experience and other tools).

Many Verizon Wireless sites provide 4G LTE at 700 MHz and 850MHz. As capacity requirements increase, higher frequency (and bandwidth) PCS (1900 MHz) and AWS (2100 MHz) carriers are added. In some mountaintop or long distance situations the mid band (higher frequency) AWS and PCS carriers are not fully effective due to excessive distance (path loss) from the user population.

Coverage provided by a given site is affected by the frequencies used. Lower frequencies propagate further distances, and are less attenuated by clutter than higher frequencies. To provide similar coverage levels at higher frequencies, a denser network of sites is required (network densification).

# Explanation of DC Youth Bureau Search Area



## DC Youth Bureau Search Area

To resolve the coverage and capacity deficiencies previously detailed, Verizon Wireless is seeking to add one new cell facility within this area to improve wireless service capacity and coverage. By providing a new dominant signal area and offloading weak and distant traffic from **Marist, Poughkeepsie Transfer and Poughkeepsie DT** with the proposed site, adequate and reliable service will be restored. The new **DC Youth Bureau** site will provide dominant and dedicated signal to the identified portions of the Town and City of **Poughkeepsie**. This helps to improve not only the **DC Youth Bureau** project area but will also result with significant improvements to the above mentioned overloaded sites ultimately improving community wide areas in and around the **DC Youth Bureau** project area.

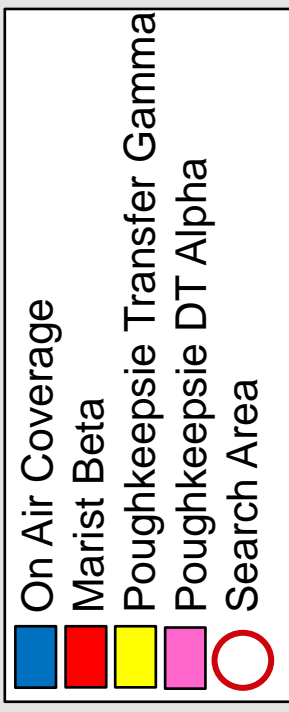
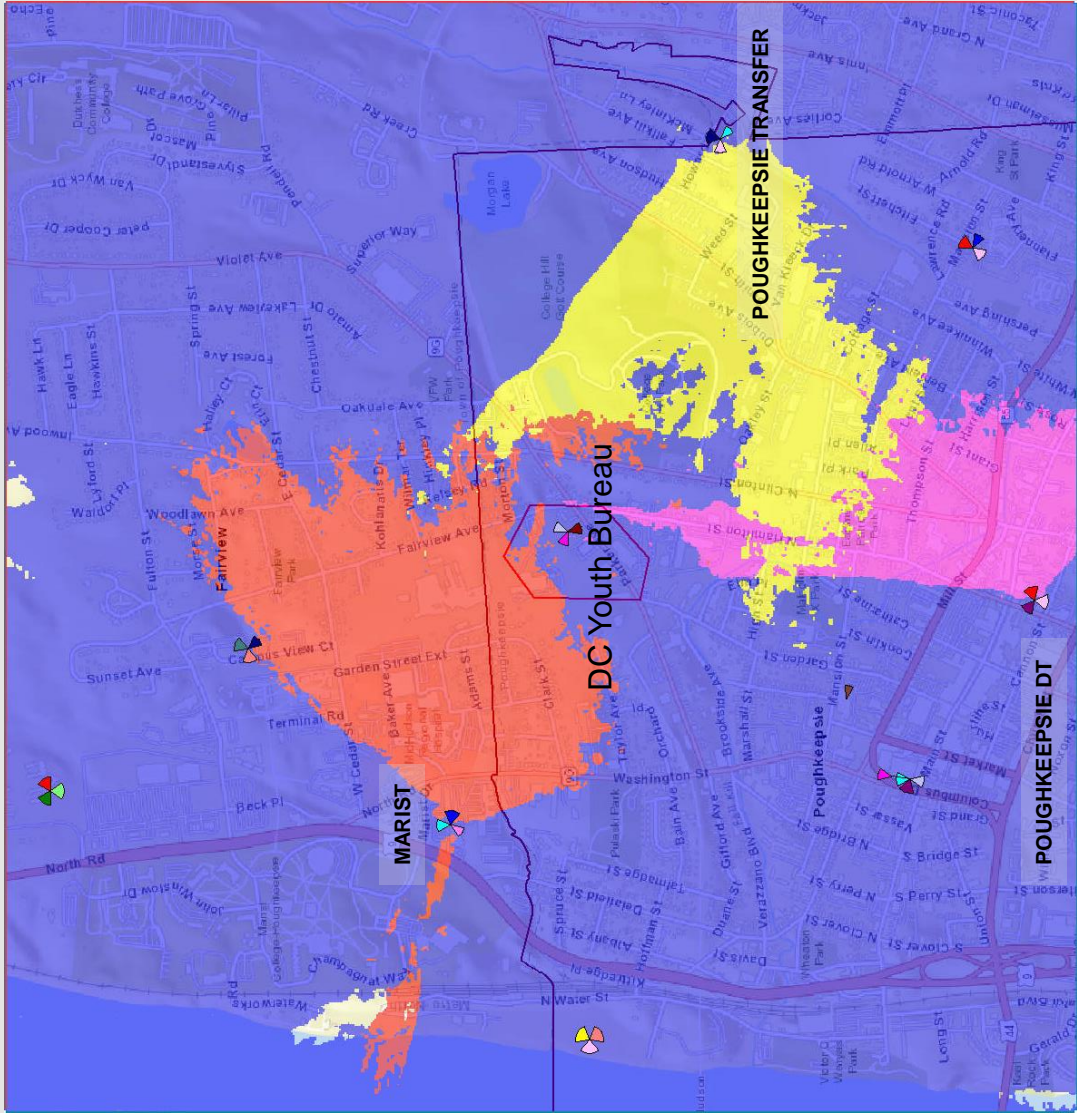


A **Search Area** is the geographical area within which a new site is targeted to solve a coverage or capacity deficiency. Three of the factors taken into consideration when defining a search area are topography, user density, and the existing network.

- **Topography** must be considered to minimize the obstacles between the proposed site and the target coverage area. For example, a site at the bottom of a ridge will not be able to cover the other side from a certain height.
- In general, the farther from a site the **User Population** is, the weaker the RF conditions are and the worse their experience is likely to be. These distant users also have an increased impact on the serving site's capacity. In the case of a multi-sector site, centralized proximity is essential to allow users to be evenly distributed and allow efficient utilization of the site's resources.
- The existing **Network Conditions** also guide the design of a new site. Sites placed too close together create interference due to overlap and are an inefficient use of resources. Sites that are too tall or not properly integrated with existing sites cause interference and degrade service for existing users.
- Existing co-locatable structures inside the search area as well as within a reasonable distance of the search area are submitted by site acquisition and reviewed by RF Engineering. If possible, RF will make use of existing or nearby structures before proposing to build new towers.

# Existing 700MHz Best Server -105dBm RSRP

Best Server plots depict the actual footprint of each sector in question at one threshold so the viewer can accurately evaluate the area offloaded by the new sites dominant signal area.

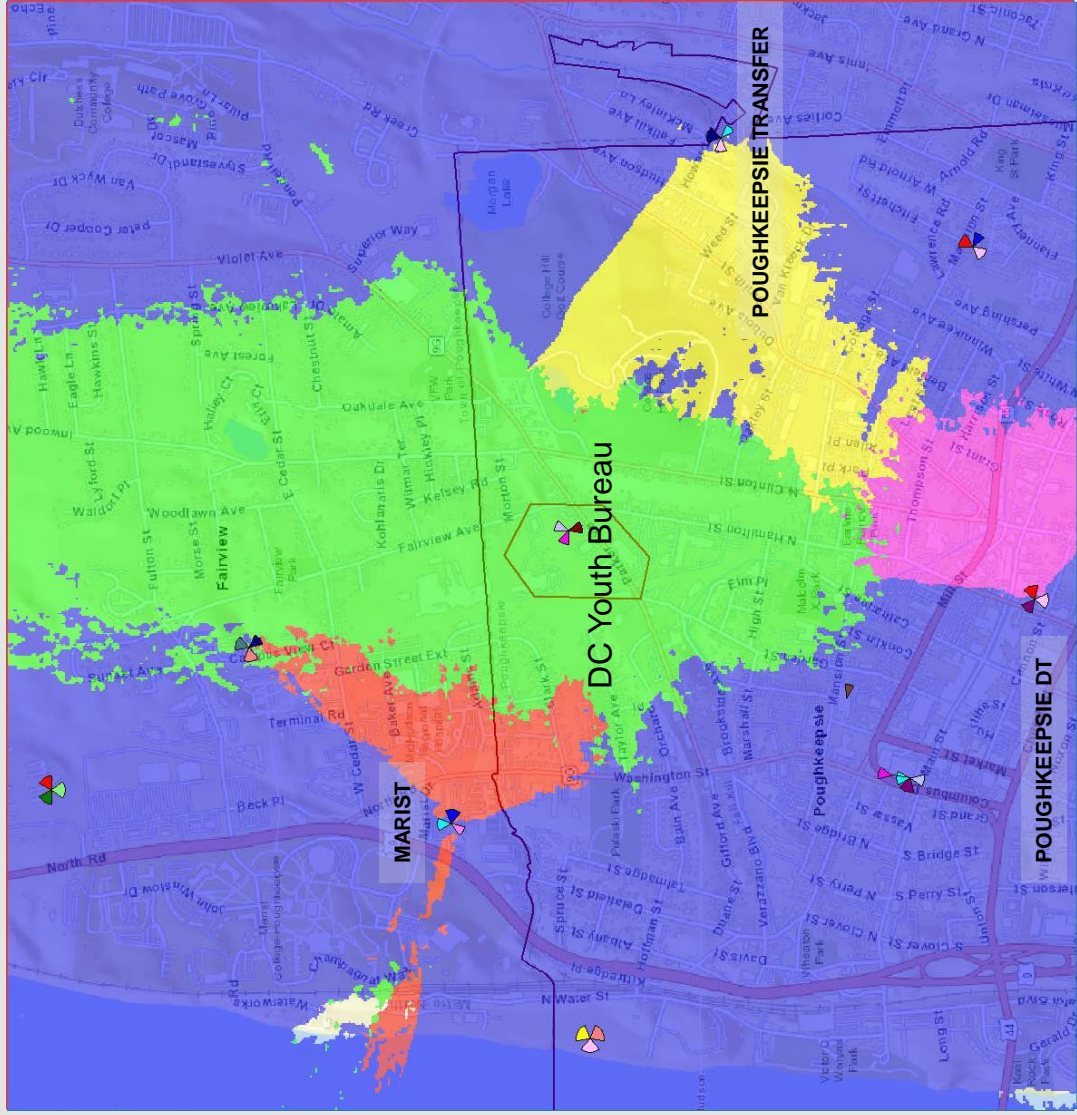


The map above represents coverage from existing sites, with the sites in need of capacity offload detailed in the legend above. Blue coverage is from other on air (Low Band) sites.



# Proposed 700MHz Best Server -105dBm RSRP

Best Server plots depict the actual footprint of each sector in question at one threshold so the viewer can accurately evaluate the area offloaded by the new sites dominant signal area.



- On Air Coverage
- Marist Beta
- Poughkeepsie Transfer Gamma
- Poughkeepsie DT Alpha
- Proposed Coverage
- Search Area

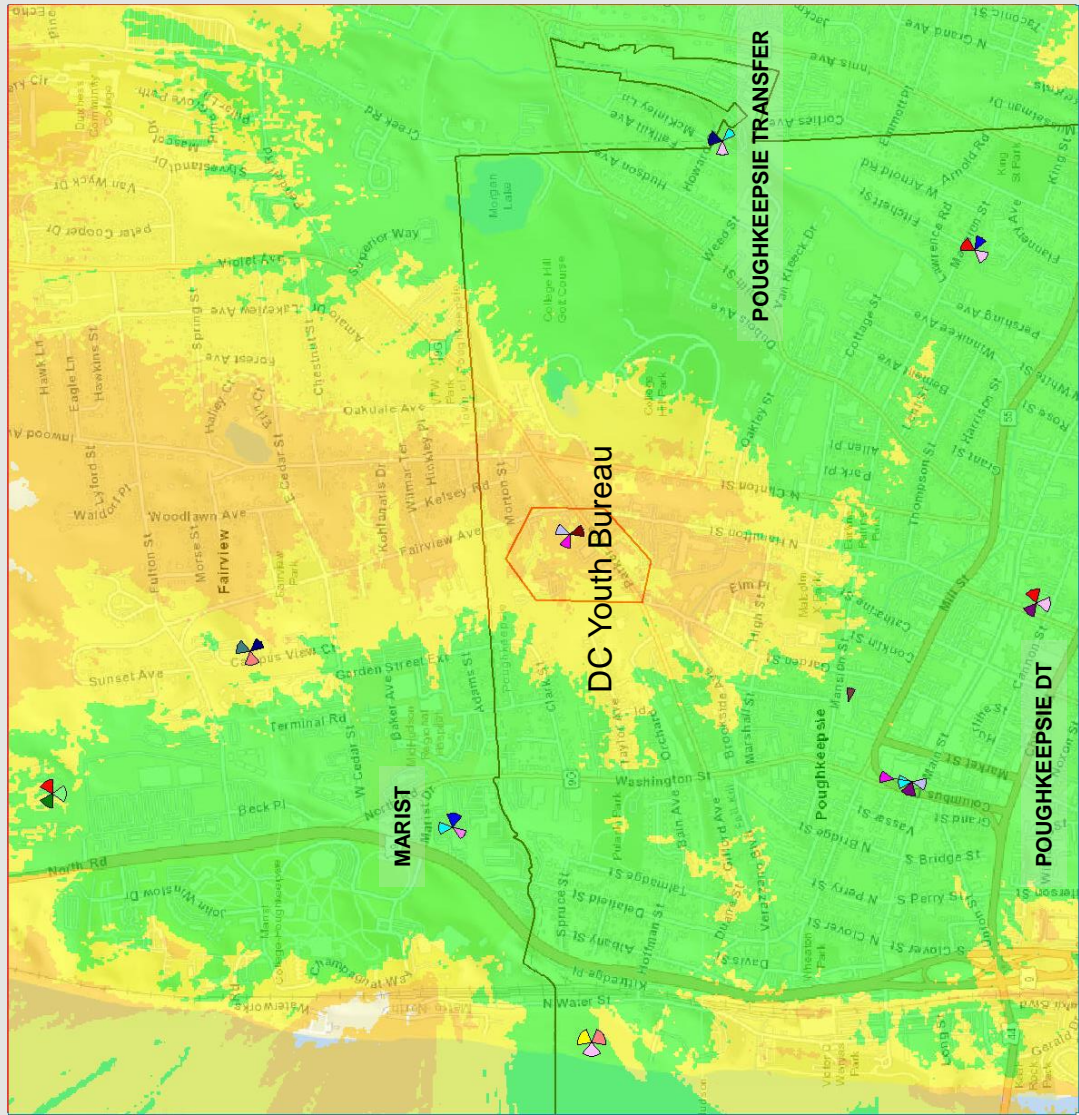
The map above adds the footprint of the proposed DC Youth Bureau site in green. The green best server footprint provides improved coverage and capacity throughout the identified significant gap area. This will help to resolve the coverage and capacity issues impacting the existing overloaded sectors identified in the image above.



# Existing 700MHz Coverage (signal strength)

This coverage map shows how weak the RF conditions are in portions of the Town and City of Poughkeepsie and surrounding area. Refer to slide 15 for further explanation of these color thresholds

	Best Signal Level (dBm) >= -85
	Best Signal Level (dBm) >= -95
	Best Signal Level (dBm) >= -105



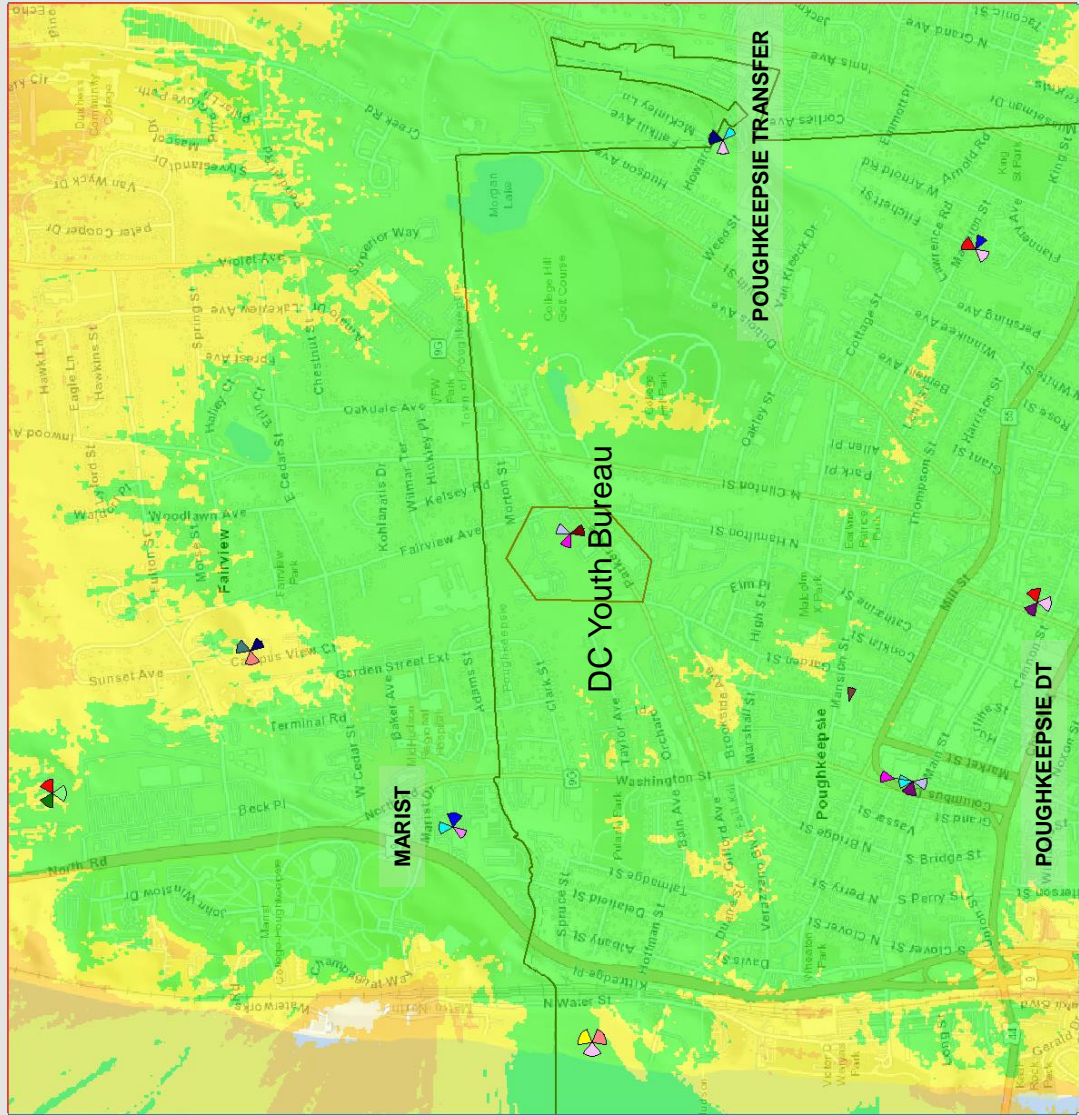
The map above represents existing low band signal strength coverage from existing sites.



# Proposed 700MHz Coverage (signal strength)

This coverage map shows how improved the RF conditions will be in portions of the Town and City of Poughkeepsie and surrounding area. Refer to slide 15 for further explanation of these color thresholds

	-85	Best Signal Level (dBm) >= -85
	-95	Best Signal Level (dBm) >= -95
	-105	Best Signal Level (dBm) >= -105

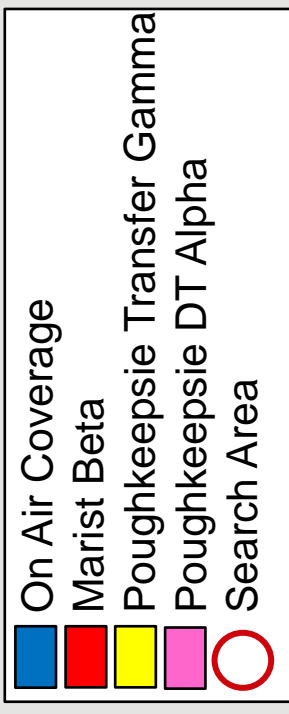
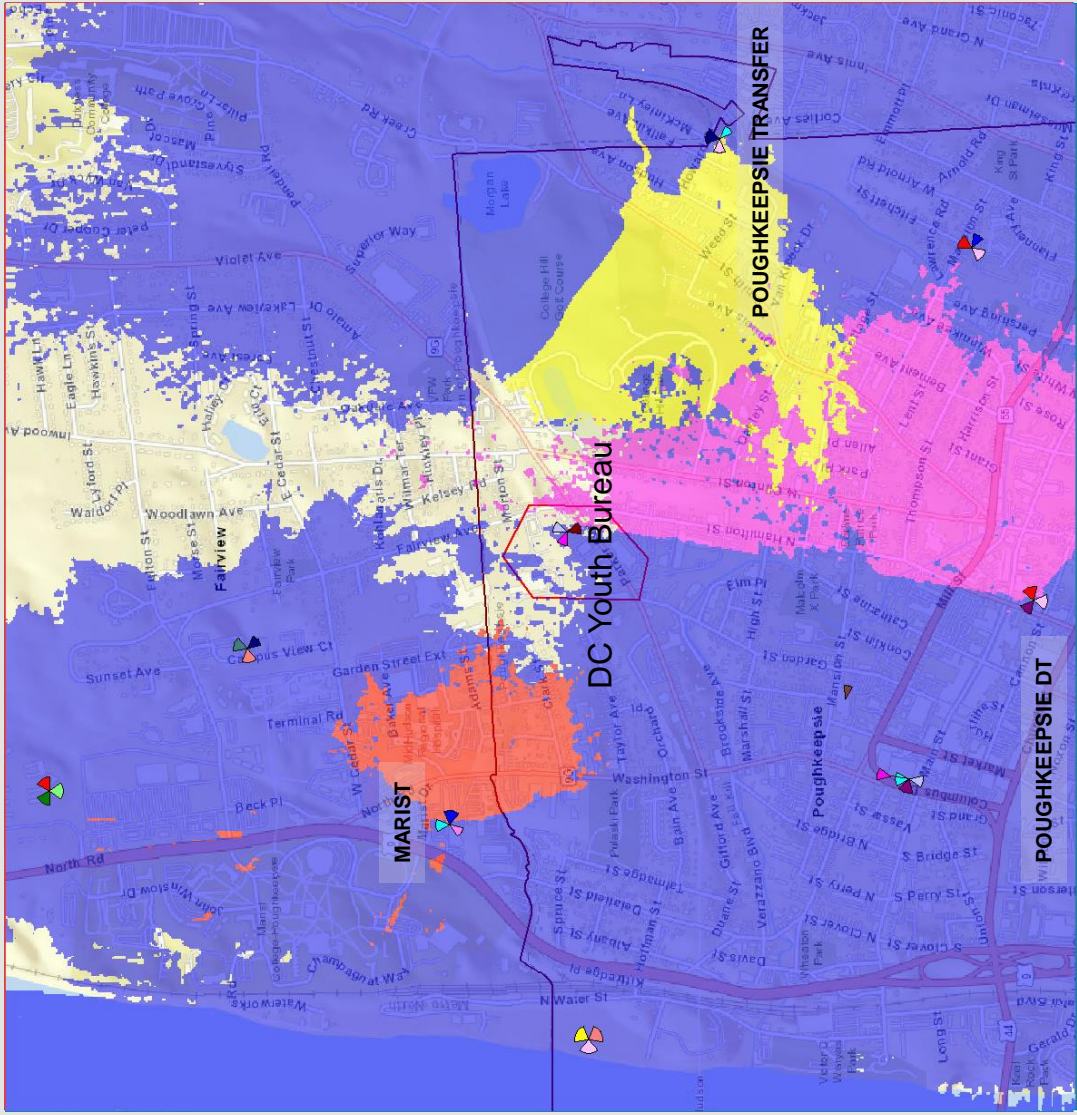


The map above adds low band of the DC Youth Bureau site to the existing signal strength. The significantly improved signal strength corresponds to improved coverage and capacity throughout the identified significant gap areas. This will help to resolve the coverage and capacity issues impacting portions of the Town and City of Poughkeepsie.



# Existing 2100MHz Best Server -105dBm RSRP

Best Server plots depict the actual footprint of each sector in question at one threshold so the viewer can accurately evaluate the area offloaded by the new sites dominant signal area.

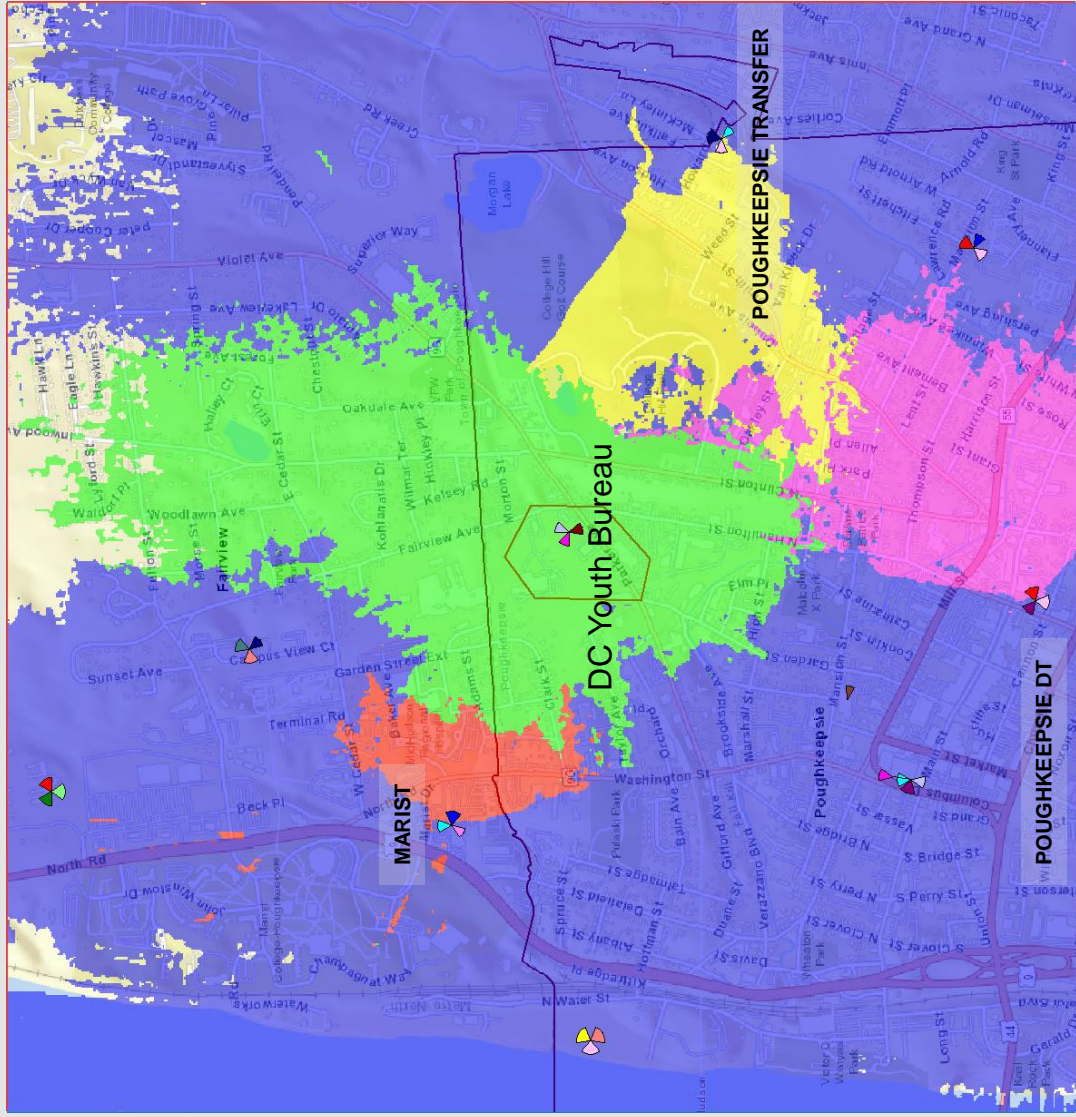
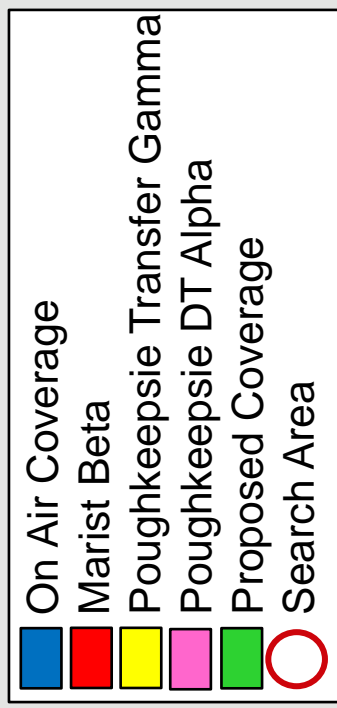


The map above represents coverage from existing sites, with the sites in need of capacity offload detailed in the legend above. Blue coverage is from other on air (Mid Band) sites.



# Proposed 2100MHz Best Server -105dBm RSRP

Best Server plots depict the actual footprint of each sector in question at one threshold so the viewer can accurately evaluate the area offloaded by the new sites dominant signal area.



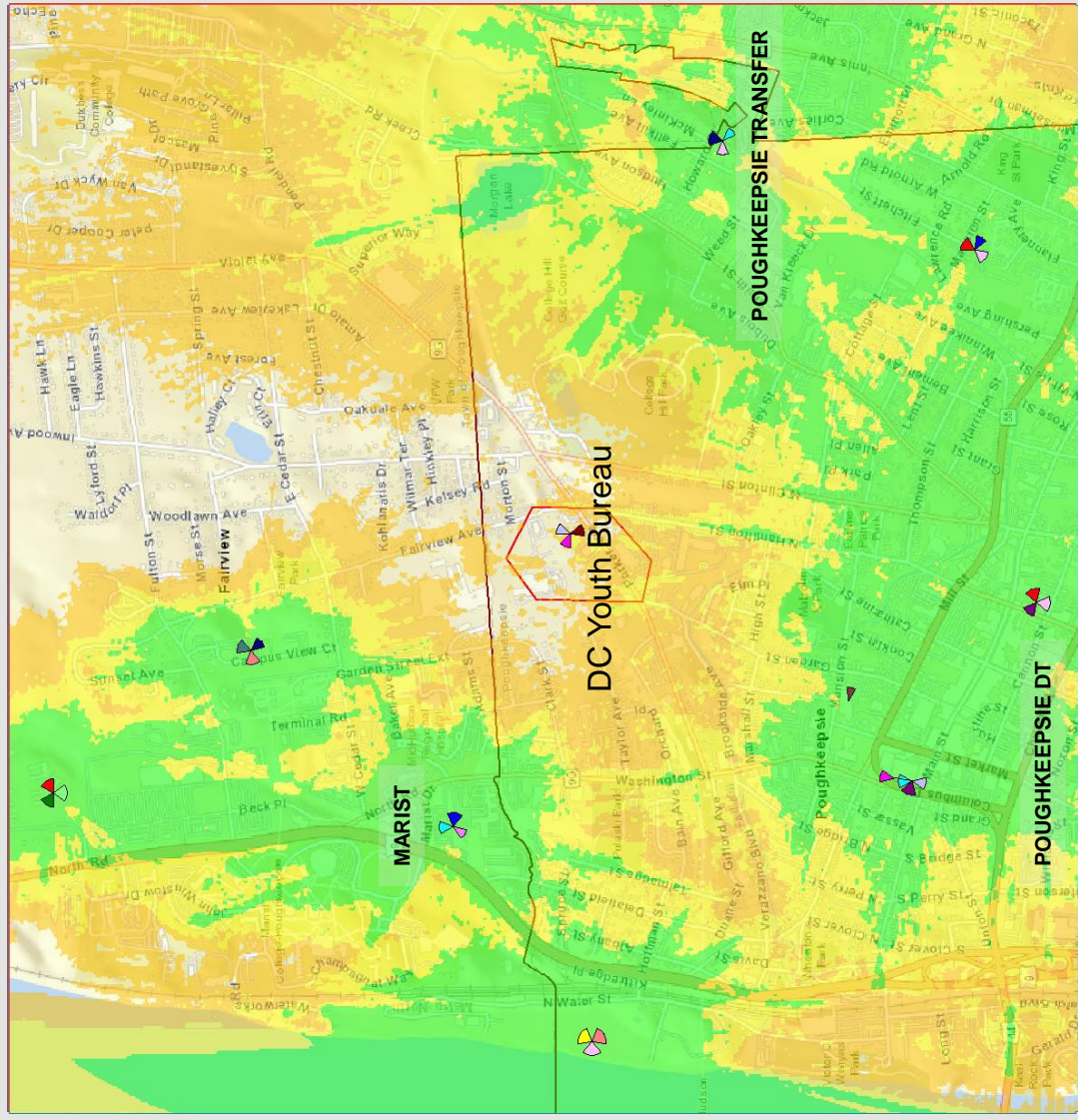
The map above adds the footprint of the proposed DC Youth Bureau site in green. The green best server footprint provides improved coverage and capacity throughout the identified significant gap area. This will help to resolve the coverage and capacity issues impacting the existing overloaded sectors identified in the image above.



# Existing 2100MHz Coverage (signal strength)

This coverage map shows how weak the RF conditions are in portions of the Town and City of Poughkeepsie and surrounding area. Refer to slide 15 for further explanation of these color thresholds

	-85	Best Signal Level (dBm) >= -85
	-95	Best Signal Level (dBm) >= -95
	-105	Best Signal Level (dBm) >= -105



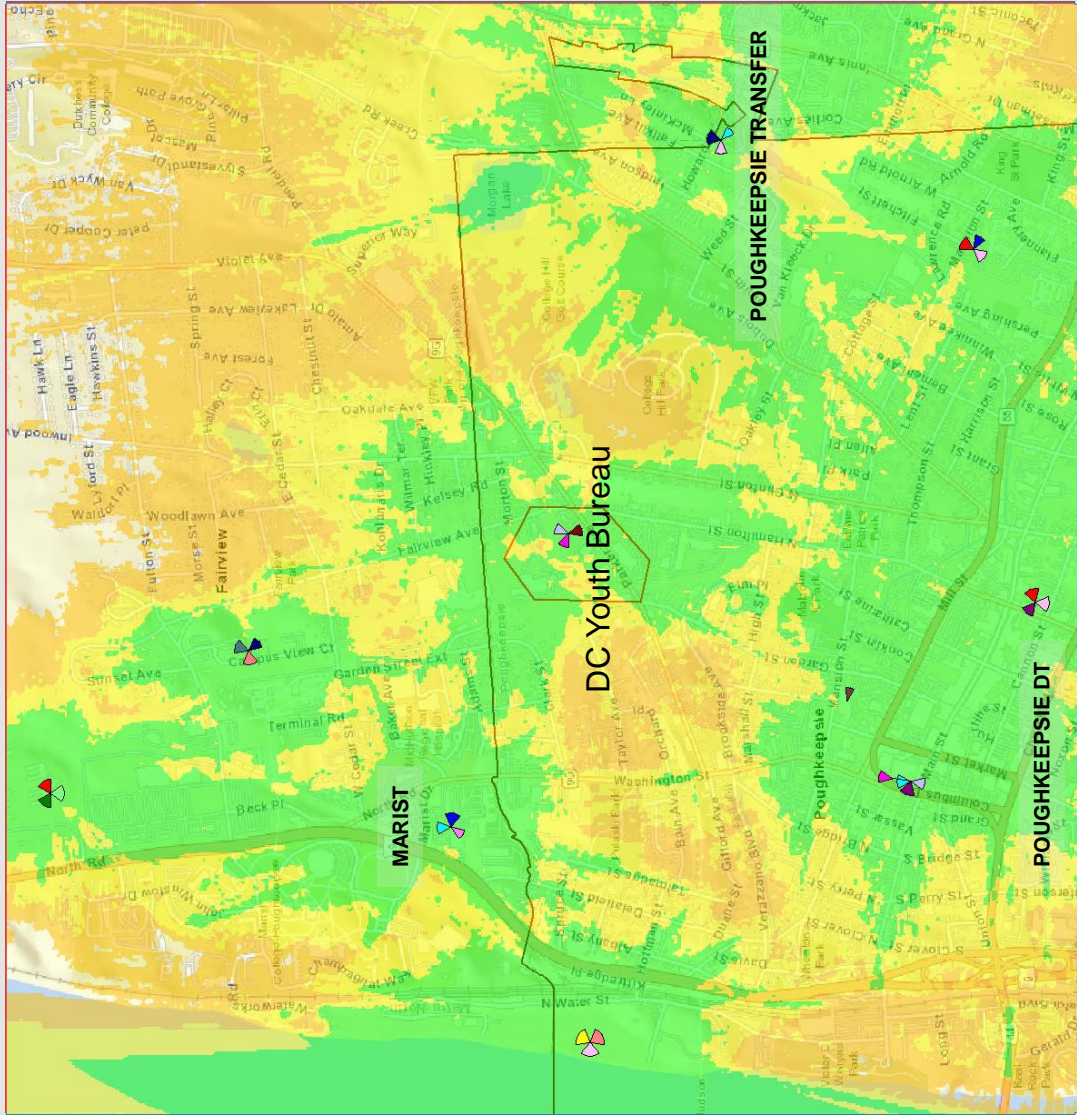
The map above represents mid band coverage from existing sites. This 2100MHz signal is very weak throughout the project area. Additional mid band network densification is required to resolve these conditions.



# Proposed 2100MHz Coverage (signal strength)

This coverage map shows how improved the RF conditions will be in portions of the Town and City of Poughkeepsie and surrounding area. Refer to slide 15 for further explanation of these color thresholds

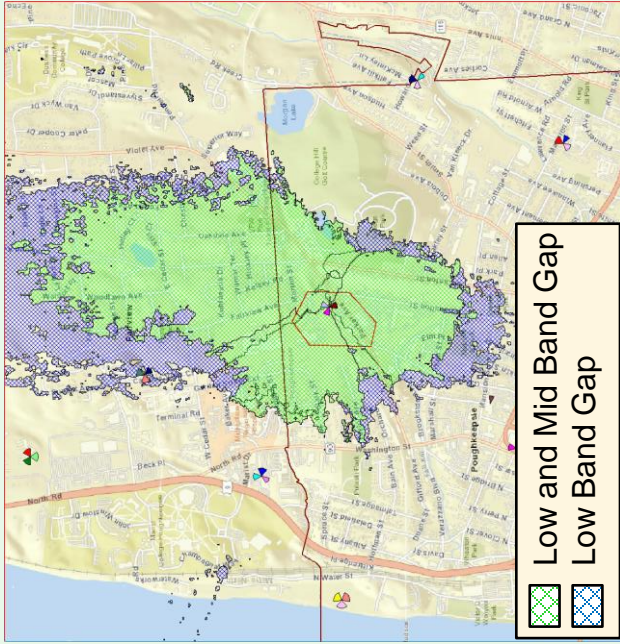
	-85	Best Signal Level (dBm) >= -85
	-95	Best Signal Level (dBm) >= -95
	-105	Best Signal Level (dBm) >= -105



The map above adds mid band of the DC Youth Bureau site to the existing signal strength. The significantly improved signal strength corresponds to improved coverage and capacity throughout the identified significant gap areas. This will help to resolve the coverage and capacity issues impacting portions of the Town and City of Poughkeepsie.



# RF Justification Summary



The proposed site resolves the substantial and significant gaps in coverage and capacity impacting the Town and City of Poughkeepsie. These gaps are shown above: The green shaded area represent the gaps in coverage and capacity that the proposed DC Youth Bureau site with 95' ACL will resolve.

The network was analyzed to determine whether there is sufficient **RF coverage and capacity** in the **Town and City of Poughkeepsie**. It was determined that there are significant gaps in adequate LTE service for Verizon Wireless in the representative 700 and 2100MHz frequency bands. In addition to the coverage deficiencies, Verizon Wireless' network does not have sufficient capacity (low band or mid band) to handle the existing and projected LTE voice and data traffic in the area near and neighboring the proposed facilities ("targeted service improvement area"). Based on the need for additional coverage and capacity while considering the topography and specific area requiring service, any further addition of capacity to distant existing sites does not remedy Verizon's significant gap in reliable service. Therefore, the proposed facilities are also needed to provide "**capacity relief**" to the existing nearby Verizon Wireless sites, allowing the proposed facilities and those neighboring sites to adequately serve the existing and projected capacity demand in this area.

With the existing network configuration there are significant gaps in service which restricts Verizon Wireless customers from originating, maintaining or receiving reliable calls and network access. It is our expert opinion that the proposed site will satisfy the coverage and capacity needs of Verizon Wireless and its subscribers in these portions of the **Town and City of Poughkeepsie** and this project area. The proposed location depicted herein satisfies the identified service gaps and is proposed at the minimum height necessary for adequate and reliable service.

*Brendan Hennessy*

Brendan Hennessy  
 Engineer III – RF Design  
 Verizon Wireless



**VERIZON WIRELESS OF THE EAST LP  
d/b/a  
VERIZON WIRELESS**

**DC Youth Bureau Site**

**121 Parker Avenue  
Poughkeepsie, New York**

**SITE SELECTION ANALYSIS  
JULY 24, 2024**

Verizon Wireless  
1275 John Street, Suite #100  
West Henrietta, New York 14586

4238332.v2

## SITE SELECTION ANALYSIS

Verizon Wireless proposes to install and operate a new wireless telecommunications facility, including a new tower structure, which would include associated antennas, equipment platform and related appurtenances at 121 Parker Avenue, in the City of Poughkeepsie, Dutchess County, New York. The property, which is located in the City's's Walkway-Gateway District (W-G) and the G-CM: Mixed Use & Commercial Zoning Subdistrict, is approximately 1 acre. The property is owned by **Parker Avenue Realty LLC** and is a vacant commercial lot that is currently being used as a parking lot for the Northside Autobody Shop next door.

### 1. NEED FOR FACILITY

#### (a) Problem

The process of identifying a technologically appropriate location, as well as the need for this communications facility are as provided in the Engineering Necessity Case prepared by Verizon Wireless' Radio Frequency ("RF") Engineer. As indicated in that report, when a Verizon Wireless RF Engineer identifies coverage gaps in the system or sites that have or will reach data capacity exhaustion, they issue a "search area." A search area is a geographical area located within the inadequately serviced area, and it is designed such that if a wireless telecommunications facility is located within the search area, and at an appropriate height, it will likely provide the required coverage. For the most part, locations outside of the search area will fail to provide adequate service to the cell. Due to technological constraints, there is limited flexibility as to where a new facility can be located, and still function properly. The goal of the search area is to define the permissible location for placement of a cell site that will provide adequate service in the subject cell, and also work properly as part of the overall network.

#### (b) Solution

A search area was developed based on the problems identified in the Engineering Necessity Case, a copy of which is attached to the application . As discussed in the RF materials, the proposed facility will provide much needed capacity relief to surrounding network sites which cannot properly serve the project area due to excessive customer / network demand. The capacity relief to be provided, in the form of mid band frequency densification, will have the added benefit of also increasing and improving wireless coverage to the area. Specifically, areas along Parker Ave, Buckingham Ave, Clinton St, Fairview Ave, Hamilton St, Clark St, Henderson St, as well as businesses and residences along these roadways will see a large improvement in service. The capacity offload provided by this project will also benefit the areas currently served by the existing, overloaded sites in the Verizon network, resulting in a large area of improved service.

### 2. SEARCH RING ANALYSIS

#### (a) Geography & Topography

The DC Youth Bureau ring is located in a relatively flat commercial area with the highest terrain located slightly southeast of the search ring's center. There is a hill that goes up to roughly 375' AMSL which is 0.3 miles to the southeast of 121 Parker Avenue.

#### (b) Land Use

The Search Ring is made up of predominately commercial, industrial and residential areas. **Attachment 1** is an overlay of the Search Ring and the tax map on an aerial photograph of the area.

### **3. ZONING CONSIDERATIONS**

#### **(a) Collocation**

Verizon Wireless routinely seeks to install its antennas and equipment on existing communications towers or other tall structures (“collocation”). Local communities universally favor collocations because they can minimize the number of wireless telecommunications towers in an area and many municipalities even provide for a streamlined application review process. Collocation is often listed as the highest sitting priority in a local municipality’s Zoning Law. In addition to the streamlined zoning application process, collocation is preferred by wireless providers because it is generally a less expensive and more efficient option, compared to installation of a new tower facility.

#### **(b) New Structure on Municipally-owned Property**

As its next priority, Verizon Wireless generally seeks to locate wireless telecommunication facilities on municipally-owned property. These locations are often preferred by municipalities as the second preference behind collocation as it allows municipalities to benefit from a rental stream for the leased premises.

#### **(c) New Structure on Privately-owned Property**

When it is not feasible to collocate on an existing tower or tall structure, and there are no feasible municipally-owned properties in the area, Verizon Wireless must find a privately-owned site which is appropriate for and can accommodate a new communications structure. In doing so, the Site Acquisition Specialist attempts to identify properties in the search area large enough to accommodate the facility and which also meet any required area requirements such as set back and fall zone. In addition, other characteristics such as existing compatible land use and existing mature vegetation that can screen the facility are considered. Access, land use, constructability, the presence of wetlands, floodplains and other contributing factors are also examined.

### **4. ZONING ANALYSIS**

Our Primary Candidate at 121 Parker Avenue is located within the City’s Gateway-Walkway District (G-W) and the G-CM: Mixed Use & Commercial Zoning Subdistrict. The entire search area is located within the Gateway-Walkway district but it extends into the Office Manufacturing (G-OM), Mixed-Use Residential (G-RM) and Central Medium Density Residential (R-3A) subdistricts. According to the City of Poughkeepsie Code, only roof – mounted and utility pole – mounted wireless telecommunications antennas are permitted with the G-CM subdistrict. Attachment 4 is an overlay of the search area and zoning map. New tower facilities, such as that proposed are not allowed in any of the zoning districts within the search area. Such facilities, assuming they are deemed “public utility installations” are specifically permitted in the C-2A, C-3, I-1 and I-2 zoning districts. As a result and as confirmed by the Poughkeepsie Building Department, a use variance for the proposed facility at the chosen property will be required..

## 5. CANDIDATE/ALTERNATIVES ANALYSIS

Five (5) parcels were identified as being potential candidates for a new communications facility. These parcels are identified on **Attachment 3**. A summary of each of these properties located within the vicinity of search area is detailed below.

**(a) Dutchess County – 108 Parker Avenue (Tax Parcel ID# 1313000-6162-54-236411-0000)**

Candidate A is the Dutchess County Law Enforcement Center. A recently renovated building housing the Sherriff's Department and associated county offices. There is a self-support tower on the property that may have been suitable for collocation. The Sherrif initially expressed some interest in working with Verizon Wireless. However, after several conversations about Verizon's proposal, the County decided they did not want to allow collocation on the existing tower. This candidate was, therefore, deemed not to be viable.

**(b) Parker Avenue Realty LLC – 121 Parker Avenue (Tax Parcel ID# 6162-55-257465-000) Primary Candidate**

This parcel, located at 121 Parker Ave, is a vacant commercial property large enough to accommodate the telecommunications compound but not enough to meet appropriate setback requirements so an area variance will be needed. Also, this property is located in the City of Poughkeepsie's W-G / G-CM Zoning District, which does not permit the proposed facility. Therefore a use variance is required as well.

**(c) Darin Page – 27 High Street (Tax Parcel ID# 6162-62-192294-0000)**

This parcel has a 3-story building with county offices. Unfortunately, Verizon Wireless' RF Engineer previously determined that the 3-story building was too low to provide the required service to the surrounding area.

**(d) Dutchess County Lot – 150 N Hamilton St (Tax Parcel ID# 6162-62238330-0000)**

Candidate D is a 7.64 acre property adjacent to the railroad tracks. It contains several county offices as well as the Dutchess County Jail. This property was brought to Verizon's attention when it was determined that collocation at the Dutchess County Law Enforcement Center was not feasible. Commissioner Robert Balkind said that they would be open to working with Verizon... Unfortunately, at just under 40', the building would not have the height necessary to meet RF objectives. Once it was determined that this property would not work, Verizon began negotiations with their Primary Candidate at 121 Parker Avenue.

**(e) Schatz Land Company – 10 Fairview Ave (Tax Parcel ID# 6162-46-214505-000)**

This parcel is an industrial property bounded by railroad tracks to the west and residential properties to the east. During its initial canvassing of the area, representatives of Verizon Wireless attempted to contact the owner of the property via telephone calls and letters of interest. The owner, however, never responded to Verizon Wireless' inquiries so Verizon Wireless moved on to other potential candidates.

## 6. CONCLUSION

Based on existing parcel sizes, zoning, landlord interest and land use, five (5) parcels or locations were identified for consideration. For the reasons mentioned in the Candidate Analysis above it was determined that the most appropriate candidate was 121 Parker Avenue.

**Prepared by:**

*Steve Grassl*

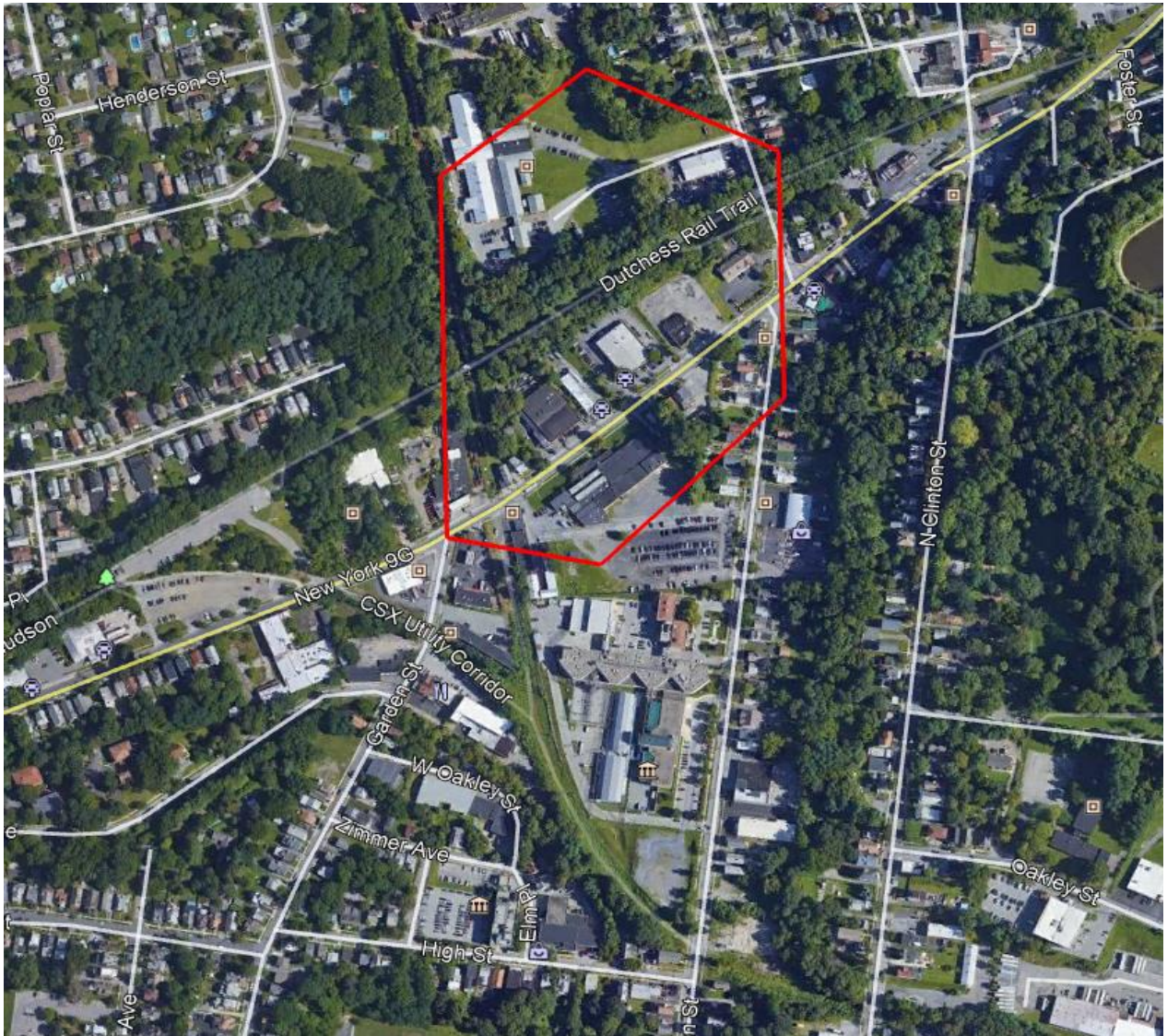
Steven Grassl  
Airosmith Development  
Consultant to Verizon Wireless

*Brendan Hennessy*

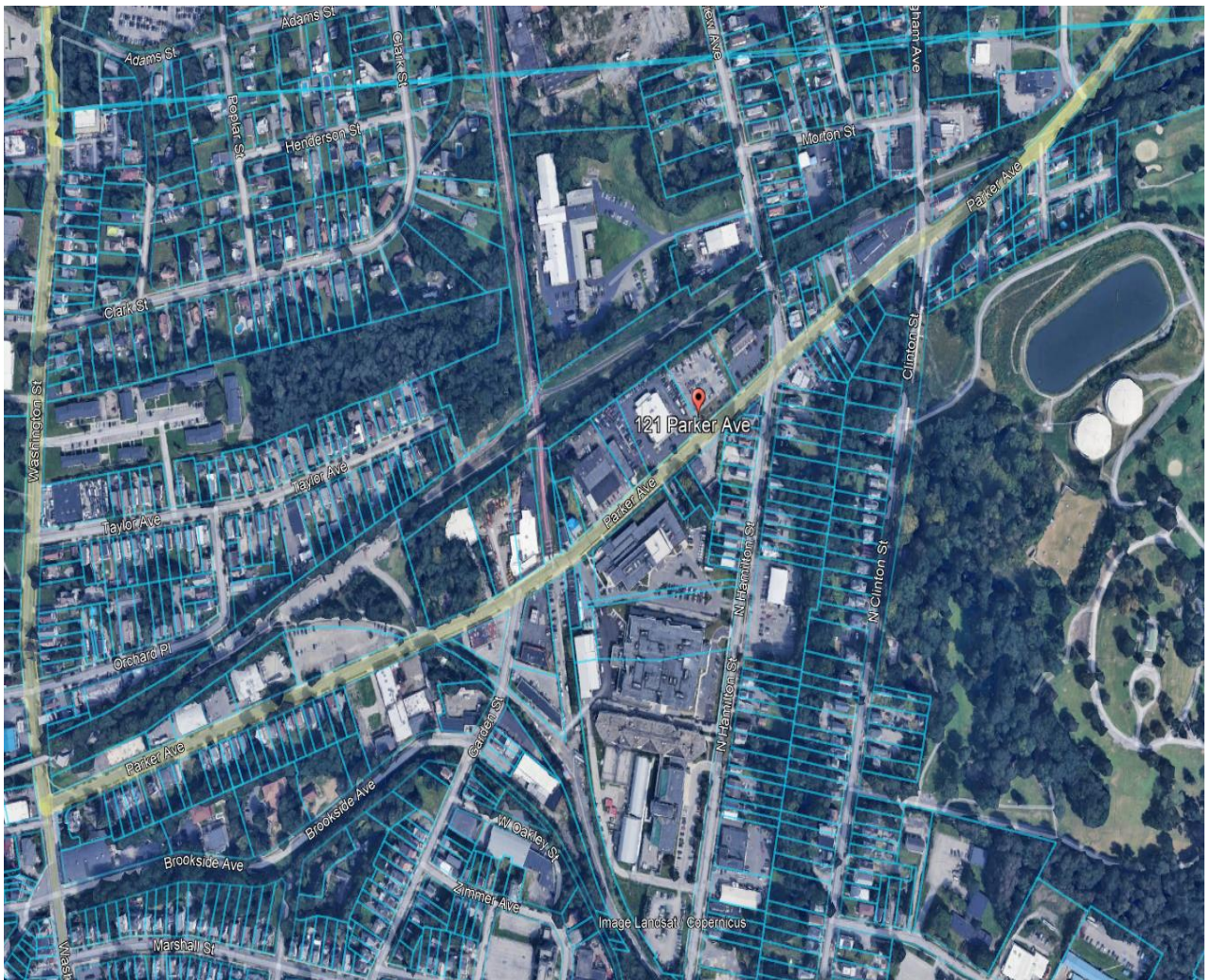
Brendan Hennessy  
Radio Frequency (RF) Design Engineer  
Verizon Wireless

# ATTACHMENT 1

## VERIZON WIRELESS DC YOUTH BUREAU SEARCH AREA



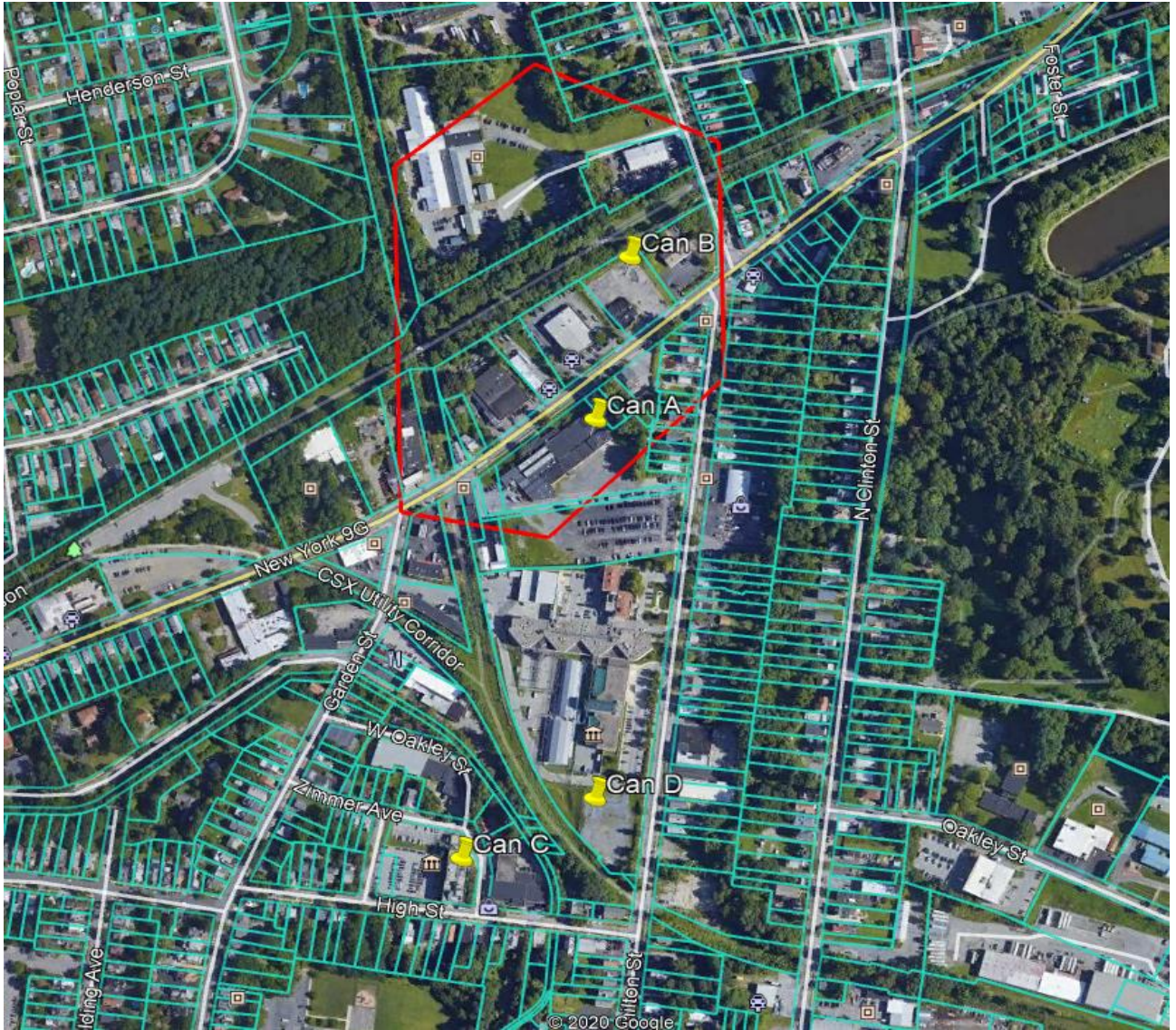
## ATTACHMENT 2 VERIZON WIRELESS OVERLAY – , TAX MAP, AERIAL



### ATTACHMENT 3

## VERIZON WIRELESS

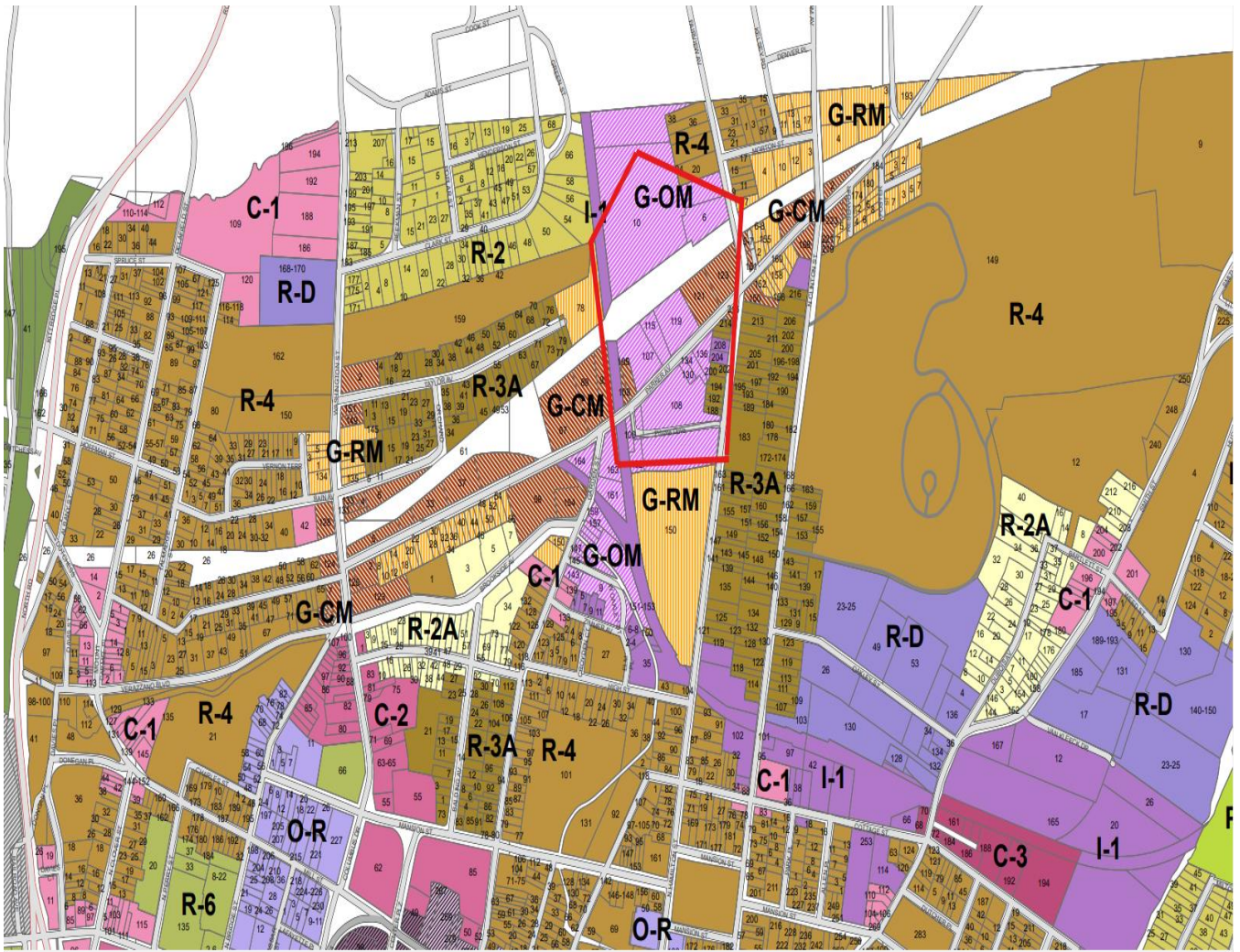
### PARCELS IDENTIFIED & INVESTIGATED



# ATTACHMENT 4

## VERIZON WIRELESS

### OVERLAY – SEARCH AREA, ZONING MAP



**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Verizon Wireless of the East LP, d/b/a Verizon Wireless - Unmanned Wireless Communications Facility - "DC Youth Bureau"		
Project Location (describe, and attach a general location map): 121 Parker Ave, City of Poughkeepsie, Dutchess County, New York 12601		
Brief Description of Proposed Action (include purpose or need): Verizon Wireless of the East LP, d/b/a Verizon Wireless ("Verizon Wireless" or the "Applicant") proposes the installation of an unmanned wireless communications facility located on the existing property. Said property being located on Parker Ave 0.03 miles Southwest of Hamilton St. Access to the proposed facility will originate from existing driveway/parking lot of property on Parker Ave.  In general, the installation will consist of the following: a 100' tall monopole (104' including 4' lightning rod), nine (9) antennas and related equipment to be mounted to the tower at a center-line heights of 95' and 97.8', cellular and utility equipment at grade in a proposed 50'x50' fenced compound. The project also includes the installation of power and fiber utilities to service the facility.		
Name of Applicant/Sponsor: Verizon Wireless of the East LP, d/b/a Verizon Wireless	Telephone: (585) 321-5435	E-Mail: kathy.pomponio@verizonwireless.com
Address: 1275 John Street, Suite 100		
City/PO: West Henrietta	State: NY	Zip Code: 14586
Project Contact (if not same as sponsor; give name and title/role): Young/Sommer LLC, attn: Scott Olson	Telephone: (518) 438-9907	E-Mail: solson@youngsommer.com
Address: Executive Woods, Five Palisades Drive		
City/PO: Albany	State: New York	Zip Code: 12205
Property Owner (if not same as sponsor): Parker Ave Reality, LLC	Telephone:	E-Mail:
Address: 47 Marie Ct		
City/PO: Wappingers Falls	State: NY	Zip Code: 12590

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board - Site Plan approval/Special use permit	TBD
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Zoning Board of Appeals - Use Variance/area variance	TBD
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Building department - Zoning Review Request, Building Permit	TBD
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
G-CM (Mixed Use Commercial)

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? (131300) Poughkeepsie City School District

b. What police or other public protection forces serve the project site?  
Dutchess County Sheriff, City of Poughkeepsie Police Department.

c. Which fire protection and emergency medical services serve the project site?  
Poughkeepsie Fire Department, Fairview Fire District, City of Poughkeepsie Fire Department

d. What parks serve the project site?  
College Hill Park, Morgan Lake Park, Mansion Square Park, Malcolm X Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Unmanned telecommunications facility

b. a. Total acreage of the site of the proposed action? 0.881 acres  
b. Total acreage to be physically disturbed? 0.08 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.057 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: 2 months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures 1 (tower)

ii. Dimensions (in feet) of largest proposed structure: 104' height; 5' width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ 0 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  Yes  No  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
If Yes:  
• acres of aquatic vegetation proposed to be removed: \_\_\_\_\_  
• expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_  
• purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_  
• proposed method of plant removal: \_\_\_\_\_  
• if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:  
i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:  
• Name of district or service area: \_\_\_\_\_  
• Does the existing public water supply have capacity to serve the proposal?  Yes  No  
• Is the project site in the existing district?  Yes  No  
• Is expansion of the district needed?  Yes  No  
• Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:  
• Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
• Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:  
• Applicant/sponsor for new district: \_\_\_\_\_  
• Date application submitted or anticipated: \_\_\_\_\_  
• Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:  
i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:  
• Name of wastewater treatment plant to be used: \_\_\_\_\_  
• Name of district: \_\_\_\_\_  
• Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No  
• Is the project site in the existing district?  Yes  No  
• Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 N/A  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 Construction equipment  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 Backup generator  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

---

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

---

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
Minimal increase in electrical power usage as necessary to operate the facility. \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):  
Local utility \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 8am-5pm _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 24 hours _____</li> <li>• Saturday: _____ 24 hours _____</li> <li>• Sunday: _____ 24 hours _____</li> <li>• Holidays: _____ 24 hours _____</li> </ul>
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:  
 During construction, noise associated with the operation of construction equipment, once construction of the proposed facility is complete, the on-site generator will be the only contributing factor to noise levels.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 One (1) switch operated LED light fixture attached to the h-frame at grade, designed to illuminate the area in and around the Verizon equipment only.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)
- Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)
- Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.72	0.72	0.00
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.16	0.16	0.00
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
\_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
N/A  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): B00036, B00020, C314131, 3144074  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
B00036 - Standard Gage and Coal storage site, B00020 - complete, C314131 - complete, 3144074 - complete  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
\_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 7+ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: DxB \_\_\_\_\_ 100 %  
\_\_\_\_\_ %  
\_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 7+ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 100.0 % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 100 % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
If Yes, describe: \_\_\_\_\_  
\_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
\_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
If Yes:  
i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site:		
Rabbits _____	Squirrels _____	Skunks _____
Chipmunks _____	Opposums _____	Foxes _____
Birds _____	Raccoons _____	Deer _____
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. Describe the habitat/community (composition, function, and basis for designation): _____		
ii. Source(s) of description or evaluation: _____		
iii. Extent of community/habitat:		
• Currently: _____ acres		
• Following completion of project as proposed: _____ acres		
• Gain or loss (indicate + or -): _____ acres		
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. Species and listing (endangered or threatened): _____		
_____		
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. Species and listing: _____		
_____		
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If yes, give a brief description of how the proposed action may affect that use: _____		
_____		
<b>E.3. Designated Public Resources On or Near Project Site</b>		
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes, provide county plus district name/number: _____		
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
i. If Yes: acreage(s) on project site? _____		
ii. Source(s) of soil rating(s): _____		
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature		
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____		
_____		
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
If Yes:		
i. CEA name: _____		
ii. Basis for designation: _____		
iii. Designating agency and date: _____		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: <u>College Hill Park, Morgan Lake Park, Mansion Square Park, Malcolm X Park</u>	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>State Recreation, Designated Greenway Trails</u>	
<i>iii.</i> Distance between project and resource: _____ <u>5</u> miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

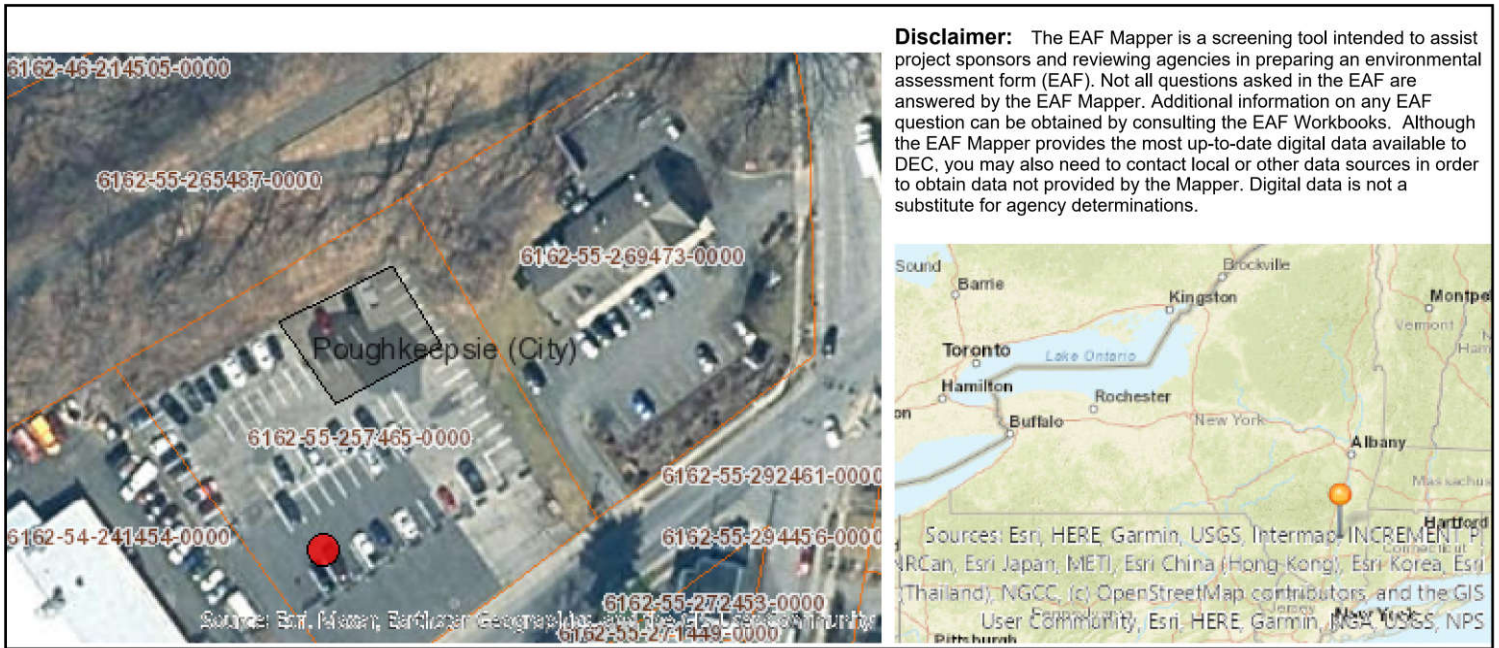
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Steven Matthews, agent on behalf of applicant      Date 7/30/24

Signature Steven Matthews      Title Director of Engineering



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	B00036, B00020, C314131, 314074
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]  
 Project :   
 Date :

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency’s reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**  
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)  NO  YES  
*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**  
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)  NO  YES  
*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

l. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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**4. Impact on groundwater**  
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)  
*If "Yes", answer questions a - h. If "No", move on to Section 5.*

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**5. Impact on Flooding**  
 The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)  
*If "Yes", answer questions a - g. If "No", move on to Section 6.*

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b>			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b>			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b>			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b>			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**  
 The proposed action may result in a change to existing transportation systems.  NO  YES  
 (See Part 1. D.2.j)  
*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**  
 The proposed action may cause an increase in the use of any form of energy.  NO  YES  
 (See Part 1. D.2.k)  
*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**15. Impact on Noise, Odor, and Light**  
 The proposed action may result in an increase in noise, odors, or outdoor lighting.  NO  YES  
 (See Part 1. D.2.m., n., and o.)  
*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**16. Impact on Human Health**

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)  
*If "Yes", answer questions a - m. If "No", go to Section 17.*

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>		
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>		
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>		
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>		
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

**PRINT FULL FORM**

Project : Date : 

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:  Type 1  Unlisted

Identify portions of EAF completed for this Project:  Part 1  Part 2  Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person:

Address:

Telephone Number:

E-mail:

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**

# **VISUAL RESOURCE EVALUATION**

## **PROPOSED 100' TALL TELECOMMUNICATIONS STRUCTURE SITE NAME: DC YOUTH BUREAU**

**121 Parker Ave  
City of Poughkeepsie,  
Dutchess County  
New York, 12601**

Submitted by:

**verizon**

1275 John Street, Suite 100  
West Henrietta, NY 14586

Prepared by:

**Tectonic**

36 British American Blvd., Suite 101  
Latham, New York 12110  
518-783-1630  
845-567-8703 FAX

**July 30, 2024**

## VISUAL RESOURCE EVALUATION

Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C., was contracted by Verizon Wireless to conduct a “Visual Resource Evaluation” to determine which areas within the City of Poughkeepsie will contain views of the proposed 100-foot-tall wireless telecommunications structure.

### **Setting:**

The proposed site is located 3/4<sup>th</sup> of a mile southeast of Marist College on Parker Ave in the Town of Poughkeepsie, Dutchess County, New York. The surrounding land use is a mix residential and commercial use properties with some wooded park areas. The predominant forest species are mixed deciduous and coniferous, with an estimated height of 40 to 60 feet. The field study for this visual resource evaluation was conducted during the summer season with 100% leaf on conditions.

### **Methodology:**

On Wednesday July 17, 2024, Tectonic conducted a field investigation for the purpose of evaluating the viewshed associated with the proposed installation of the 100-foot tower. Conditions were partly cloudy with a temperature of approximately 80°, and with wind speeds of approximately 6-8 mph. The study area consisted of a 2-mile radius from the project site.

The methodology utilized during this field investigation is referred to as a “balloon test.” The height of the proposed structure was simulated by floating a 4’ diameter, helium-filled weather balloon at 100-feet above ground level (AGL). The balloons provided reference points for height as well as location and also provides a known dimension that later aids in the production of photo simulations.

Prior to the field study, Tectonic assessed the potential visibility in the study area by creating desktop viewshed maps using ESRI ArcGIS Desktop 10.8 in conjunction with a USGS 7.5 Minute Series Topographic Quadrangles Map and aerial base maps and street maps. A viewshed map was created delineating areas where visibility would be blocked by topography and areas where visibility would be blocked by vegetation.

Tectonic drove the study area to confirm the potential visibility of the structure. During the “in field” review the participants reviewed and documented those areas from which views of the structure may be “visible” and those which are blocked by topography and vegetation. The resulting data from this analysis was reviewed and referenced on the “Photo Log” and “Viewshed Map” attached. The colors on the map delineate which areas have a line of sight to the structure. The viewshed analysis resulted in the discovery the proposed structure will be visible from clear and elevated areas southeast and northwest up to a quarter mile away on Parker Ave, Garden Ave and High St.

Photographs were taken from various vantage points within the study area to document the actual view towards the proposed structure, as well as the general character of the viewshed. Each photograph attached includes a brief description of the location and orientation from which it was taken, and the photo number corresponds to the key number on the photo log map.

**Process:**

Photographs of the weather balloon from the viewpoints noted were taken with a Nikon D5300 Digital 24-megapixel camera using a 55mm focal length lens to mimic the view as observed from the human eye.

In order to analyze the potential visual impacts of the proposed structure, Tectonic took photographs of the balloon from locations within the search area for the purpose of preparing simulations of the proposed structure. Photographs for which there is a corresponding simulated view (#20, #21, & #27) of the proposed structure were produced by first photographing an existing similar type structure, then photographing the view towards the proposed site where the marker balloon was set to a height of 100-feet AGL. The digital images of the balloon and similar structure was then merged and scaled with digital image editing software. With this process, the structure is scaled to the correct height and width by scaling the similar type of structure using measurements from the marker balloon. The similar type of structure used has an antenna array that spans eight feet (8'). By measuring the balloon width of 4', one can determine the proper width of the antenna array by multiplying the balloon width by a factor of 2. The composite is printed out to a PDF file, producing the final image.

We note that the simulations provided are artistic renderings of views from chosen locations and should not be interpreted to be the actual view of the tower following construction. While we utilize best efforts to simulate the view of the proposed tower from a particular location, some variance between simulations, manufacturer products and final installed towers is to be expected.

**Conclusion:**

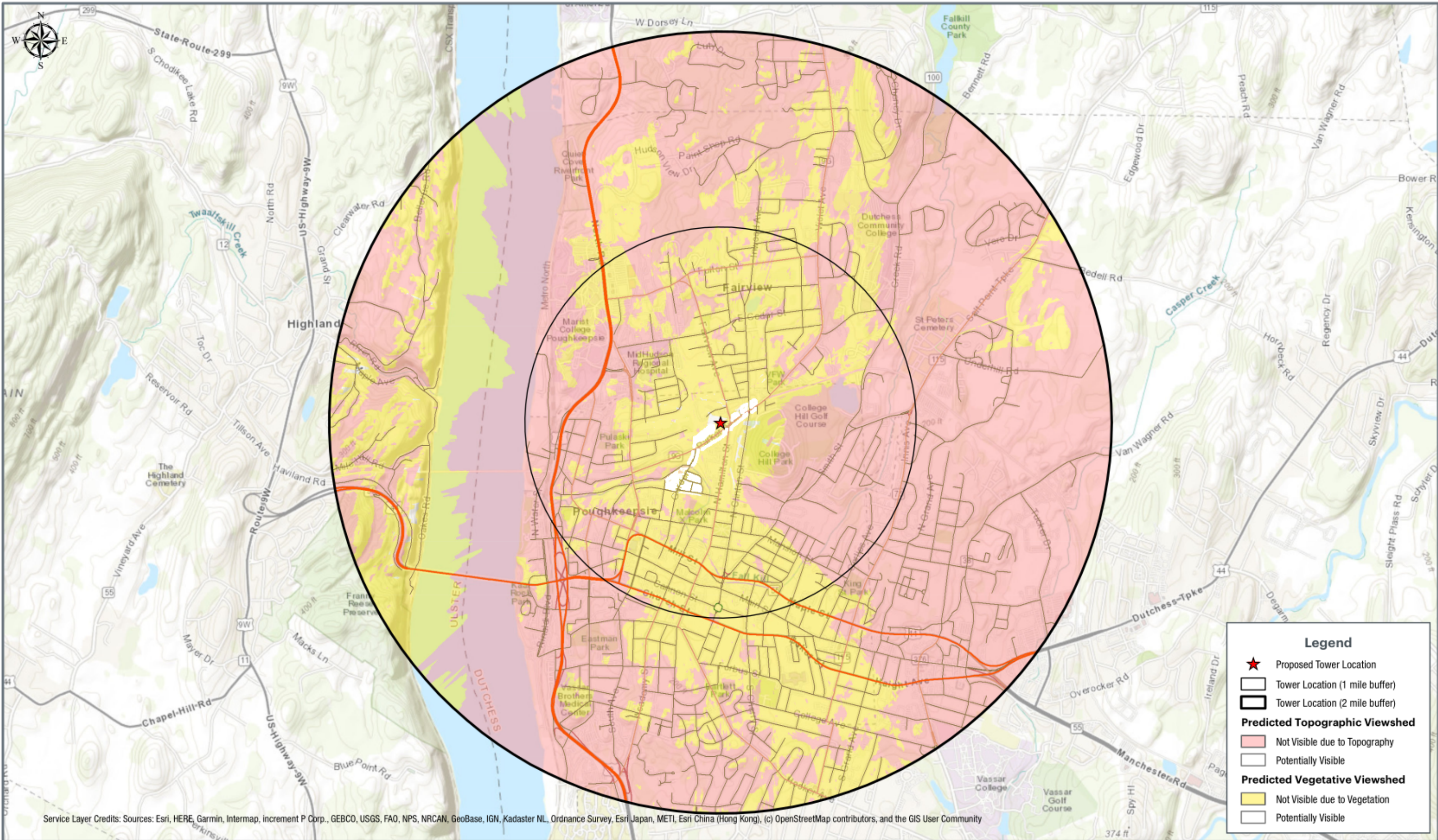
The Viewshed Analysis Map presents a conservative delineation of the viewshed within the study area along public roadways. The photo slides have been prepared per the methodology described above and provide a general depiction of the appearance of the structure from the photographed viewpoints.

Sincerely,

TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C.



Steven M. Matthews, PE  
Managing Director - Engineering

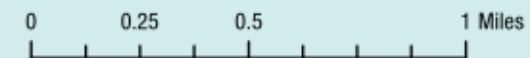


Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

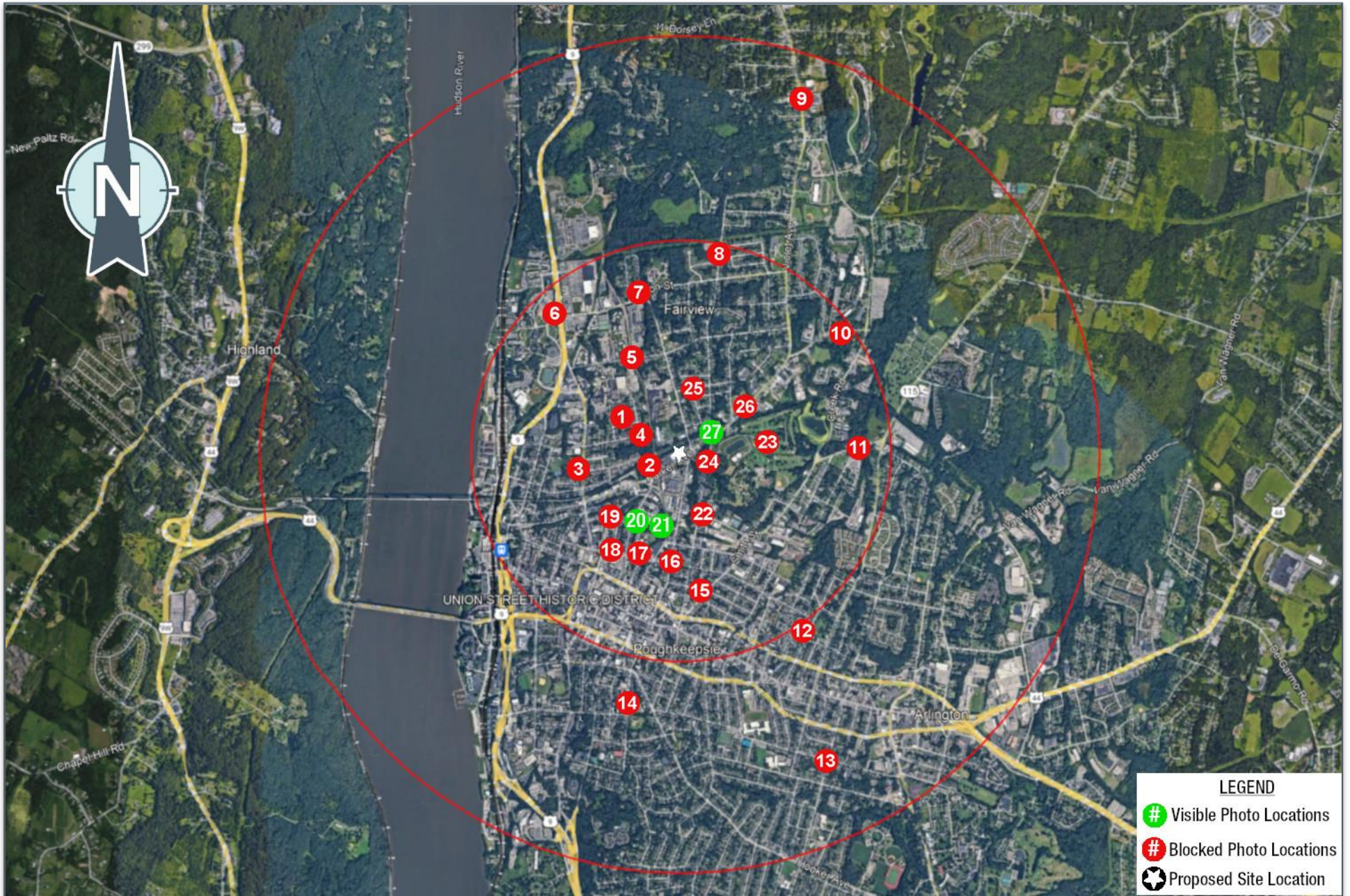


100ft Tower  
 25ft High Density Development  
 60ft Mixed Forests & 20ft Woody Wetlands

DC Youth Bureau  
 121 Parker Avenue  
 Poughkeepsie, New York 12601



Field Verified  
 Viewshed Map































































July 31, 2024

City of Poughkeepsie  
62 Civic Center Plaza, 2<sup>nd</sup> Floor  
Poughkeepsie, NY 12601

RE: Verizon Wireless of the East LP d/b/a Verizon Wireless  
Application for 121 Parker Avenue

Ladies and Gentlemen:

With respect to the above application, Verizon Wireless of the East LP d/b/a Verizon Wireless (“Verizon Wireless”) agrees to construct a public utility / personal wireless service facility that is designed with capacity for collocation (shared use) by up to three (3) additional wireless providers having panel antenna arrays comparable to those of Verizon Wireless. Should the public utility / personal wireless service facility be approved and constructed, Verizon Wireless, as the facility owner, will negotiate in good faith with other licensed wireless service providers for future shared use of the subject structure. All future collocations shall be subject to the involved parties reaching agreement on reasonable terms and conditions, in accordance with all then-applicable agreements, customs and procedures in the wireless industry, and there being adequate structural capacity and space to accommodate such collocation.

The applicant’s proposed wireless telecommunications facility shall be maintained in a safe manner and in compliance with all conditions of the site plan and special use permit without exception, unless specifically granted relief by the Board, in writing, as well as all applicable local codes, ordinances and regulations, including any and all applicable county, state and federal laws, rules and regulations.

The construction of the wireless telecommunications facility is legally permissible, including but not limited to the fact that the applicant is authorized to do business in New York State.

Verizon Wireless (or the then-current tower owner) agrees to remove the telecommunications tower and all related facilities (footings and foundations excluded) if the communications facility becomes obsolete or ceases to be used for its intended purpose by all existing collocators for a period exceeding twelve (12) consecutive months. In such event, Verizon Wireless (or the then-current tower owner) will remove the tower and all communications facility equipment, and the land shall be restored to its previous condition within six (6) months.

Thank you for considering our application.

**Writer’s Direct Number:**  
**Tel: 518-321-5435**

Very truly yours,

*Kathy Pomponio*

Kathy Pomponio  
Principal Engineer – Real Estate/Regulatory

## RF EMISSIONS COMPLIANCE REPORT

### Verizon Wireless

**Verizon Wireless Site ID:** 17099955-442761

**Verizon Wireless Site Name:** DC Youth Bureau

**Verizon Wireless Site Address:** 121 Parker Avenue  
Poughkeepsie, NY 12601

**Verizon Wireless Assessment Purpose:** MCR

**Report generated date:** 2024/07/26

### Report Status:

**Verizon Wireless is Compliant**



## **Engineering Statement in Re: Electromagnetic Energy Analysis**

My signature on the cover of this document indicates:

That I am registered as a Professional Engineer in the jurisdiction indicated; and That I have extensive professional experience in the wireless communications engineering industry; and

That I am providing professional engineering services on behalf of QualTek Engineering, P.C., and am an employee of QualTek Wireless, LLC, sister company to Site Safe, LLC (both under the parent company QualTek); and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission ("the FCC" and "the FCC Rules" both in general and specifically as they apply to the FCC's Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields; and

That the technical information serving as the basis for this report was supplied by Verizon Wireless (see attached Site Summary and Carrier documents and that's installation involves communications equipment, antennas and associated technical equipment at a location referred to as "DC Youth Bureau" ("the site")); and

Verizon Wireless proposes to operate at the site with transmit antennas listed in the Equipment Installed at this Site section and with a maximum effective radiated power as specified by Verizon Wireless and shown on the worksheet; and

That this analysis has been performed with the assumption that the ground immediately surrounding the tower is primarily flat or falling; and

That at this time, the FCC requires that certain licensees address specific levels of radio frequency energy to which workers or members of the public might possibly be exposed (at §1.1307(b) of the FCC Rules; and

That such consideration of possible exposure of humans to radio frequency energy must utilize the standards set by the FCC, which is the federal agency having jurisdiction over communications facilities; and

That the FCC rules define two tiers of permissible exposure guidelines: 1 "uncontrolled environments," which defines situations in which persons may not be aware of (the "general public", or may not be able to control their exposure to a transmission facility; and 2 "controlled environments," which defines situations in which persons are aware of their potential for exposure (industry personnel; and

That this statement specifically addresses the uncontrolled environment (which is more conservative than the controlled environment and the limit set forth in the FCC rules for operations such as Verizon Wireless' as shown on the attached antenna worksheet; and

That when applying the uncontrolled environment standards, the predicted Maximum Power Density at six feet above ground level from the proposed Verizon Wireless operation is no more than 0.43% of the maximum permissible exposure limits in any accessible area on the ground; and

That it is understood per FCC Guidelines in OET65 Appendix A, that regardless of the existent radio frequency environment, only those licenses whose contributions exceed 5% of the exposure limit pertinent to their operation(s) bear any responsibility for bringing any non-compliant area(s) into compliance; and

That when applying the uncontrolled environment standards, the cumulative predicted energy density from the proposed operation is no more than 0.43% of the maximum permissible exposure in any accessible area up to six feet above the ground; and

That the calculations provided in this report are based on data provided by the client and antenna pattern data supplied by the antenna manufacturer, in accordance with FCC guidelines listed in OET 65. Horizontal and vertical antenna patterns are combined for modeling purposes to accurately reflect the energy six feet above ground level where on-axis energy refers to maximum energy six feet above the ground along the azimuth of the antenna and where area energy refers to the maximum energy anywhere six feet above the ground regardless of the antenna azimuth, accounting for cumulative energy from multiple antennas for the carrier(s) and frequency range(s) indicated; and

That the Occupational Safety and Health Administration has policies in place which address worker safety in and around communications sites, thus individual companies will be responsible for their employees' training regarding Radio Frequency Safety.

In summary, it is stated here that the proposed operation at the site would not result in exposure of the Public to excessive levels of radio-frequency energy as defined in the FCC Rules and Regulations, specifically 47 CFR 1.1307 and that Verizon Wireless' proposed operation is completely compliant.

Finally, it is stated that access to the tower should be restricted to communication industry professionals, and approved contractor personnel trained in radio-frequency safety; and that the instant analysis addresses exposure levels at six feet above ground level and does not address exposure levels on the tower, or in the immediate proximity of the antennas.

If you have any questions or comments in regard to this report, please do not hesitate to contact Sitesafe's Customer Support Department at (703) 276-1100.

## Emissions on Ground level

Environmental Slice values (% of FCC OET 65 General Public limit)	
This is a list of the Environmental Slices that were specified and the value it measured	
Composite Contribution	0.43%
Verizon Wireless Contribution	0.43%

## Equipment Installed at this Site

Report Ref	Owner	Type/Make/Model	h (ft)	Az (°)	System/Frequency	Power (Watts)
1	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	20	LTE 700	80
1	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	20	LTE 850	40
1	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	20	5G 850	40
1	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	20	LTE 1900	160
1	VZW (Proposed)	COMMSCOPE NHHSS-45C-R2BT4	95	20	CBRS 3550	20
2	VZW (Proposed)	SAMSUNG SON_MT6413-77A_UEbeam_32port_8_2 05.17.23 VZW	97.8	20	C-Band 3700	320
3	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	20	LTE 700	80
3	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	20	LTE 850	40
3	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	20	5G 850	40
3	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	20	LTE 2100	160
4	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	165	LTE 700	80
4	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	165	LTE 850	40
4	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	165	5G 850	40
4	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	165	LTE 1900	160
4	VZW (Proposed)	COMMSCOPE NHHSS-45C-R2BT4	95	165	CBRS 3550	20
5	VZW (Proposed)	SAMSUNG SON_MT6413-77A_UEbeam_32port_8_2 05.17.23 VZW	97.8	165	C-Band 3700	320
6	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	165	LTE 700	80
6	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	165	LTE 850	40
6	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	165	5G 850	40
6	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	165	LTE 2100	160
7	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	290	LTE 700	80
7	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	290	LTE 850	40

Report Ref	Owner	Type/Make/Model	h (ft)	Az (°)	System/Frequency	Power (Watts)
7	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	290	5G 850	40
7	VZW (Proposed)	COMMSCOPE SON_NHHSS-45C-R2BT4	95	290	LTE 1900	160
7	VZW (Proposed)	COMMSCOPE NHHSS-45C-R2BT4	95	290	CBRS 3550	20
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9	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	290	LTE 700	80
9	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	290	LTE 850	40
9	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	290	5G 850	40
9	VZW (Proposed)	COMMSCOPE SON_NHH-45C-R2B	95	290	LTE 2100	160

**NOTE:** For Verizon Wireless, appropriate Duty Cycle per FDD(100%)/TDD(80%) and Maximum Total Power Output based on inputs



7/30/2024

To: Honorable members of the board

Transmitted via email to [sgrassl@airosmithdevelopment.com](mailto:sgrassl@airosmithdevelopment.com)

RE: Verizon Macro Site Located at: 121 Parker Ave, Poughkeepsie, NY 12601

**Honorable members of the board,**

This is in response to your inquiry to Verizon concerning interference to your existing telecommunications devices and services related to Verizon’s proposed facilities at 121 Parker Ave, Poughkeepsie, NY 12601. Verizon provides Commercial Mobile Radio Services (CMRS) under licenses granted by the Federal Communication Commission (FCC). Pursuant to these licenses, Verizon is authorized to operate its CMRS network in many geographic areas throughout the nation, including the above noted location.

The FCC exclusively regulates all technical aspects of Verizon operations and network and preempts all state and local regulation of radiofrequency transmissions. The FCC rules protect co-channel and adjacent licensees against harmful interference.

The above noted proposed Verizon facility is compliant with all applicable FCC requirements. The points below cover Verizon’s practices pertinent to complying with the FCC requirements:

1. Verizon locates its transmitting antenna(s) in order to maximize vertical and horizontal separation from other operator’s systems to minimize interference potential.
2. All equipment at the proposed facility is designed and certified to operate within the frequencies licensed to Verizon by the FCC, and to operate in a manner approved by the FCC.
3. The power levels generated by the facility’s radios and corresponding effective radiated power (ERP) from the transmitting antenna(s) are within the limitations specified by Part 22 (for cellular), Part 24 (for PCS), Part 27 (for 700 MHz, AWS or C-Band), Part 96 (for CBRS), Part 30 (UMFUS/mmWave) or Part 101 (for microwave) of the Commission’s Rules.

Verizon is committed to providing state of the art wireless services that benefit your community. In the unlikely event that interference does occur, Verizon agrees to fully cooperate with the entity experiencing interference to identify and correct, to the extent reasonably possible, any issues caused by the Verizon installation.

Please contact your local Verizon resource below if you have additional site-specific questions.

Contact Name	Contact Email	Contact Phone
Brendan Hennessy	Brendan.hennessy@verizonwireless.com	518-764-2449

Sincerely,

Shawn Flynn  
Manager-RF System Design  
Verizon

# Young / Sommer LLC

ATTORNEYS AT LAW

---

Main Office (for all mail): 500 Federal Street, 5<sup>th</sup> floor, Troy, New York 12180  
Albany Office: 41 State Street, Ste 604-12, Albany, New York 12207

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Phone: 518-438-9907 • Fax: 518-438-9914

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www.youngsommer.com  
Writer's Telephone Extension: 258  
solson@youngsommer.com

June 27, 2025

Via E-Mail

Lori Garcia  
Board Administrative Assistant  
Planning & Zoning  
City of Poughkeepsie  
62 Civic Center Plaza, 2nd Floor  
Poughkeepsie, NY 12601


RE: Application of Verizon Wireless of the East LP d/b/a Verizon Wireless – 121 Parker Ave,  
Tax Map Parcel No.: 6162-55-257465

Dear Ms. Garcia:

Enclosed please find seven (7) sets of revised site plans for the referenced application. The plans have been revised to include additional landscaping to three of the four edges of the property. Specifically, additional landscaping is proposed to be in the front island and along the eastern and rear property lines. We concluded that it was not feasible to provide landscaping along the western portion of the property since that area is currently a parking area with an existing solid fence that currently screens this portion of the property. Please note that some of the landscaping along the eastern side of the property encroaches slightly on the adjoining property, which is under common ownership as the referenced property owner. The owner of the adjoining property and Verizon Wireless have agreed to enter into a landscaping easement to allow for the placement of landscaping on the adjoining property. The draft easement has been agreed upon by the parties and will be executed once the revised plans are approved by the city.

Please kindly place us on the July 10, 2025 Zoning Board of Appeals agenda for further discussion and, I believe, continued public hearing. Please also advise if new notices for the continued hearing will be required. Thank you.

Very truly yours,  
YOUNG SOMMER, LLC

By:   
Scott Olson

Enclosures

VERIZON WIRELESS OF THE EAST LP,  
d/b/a

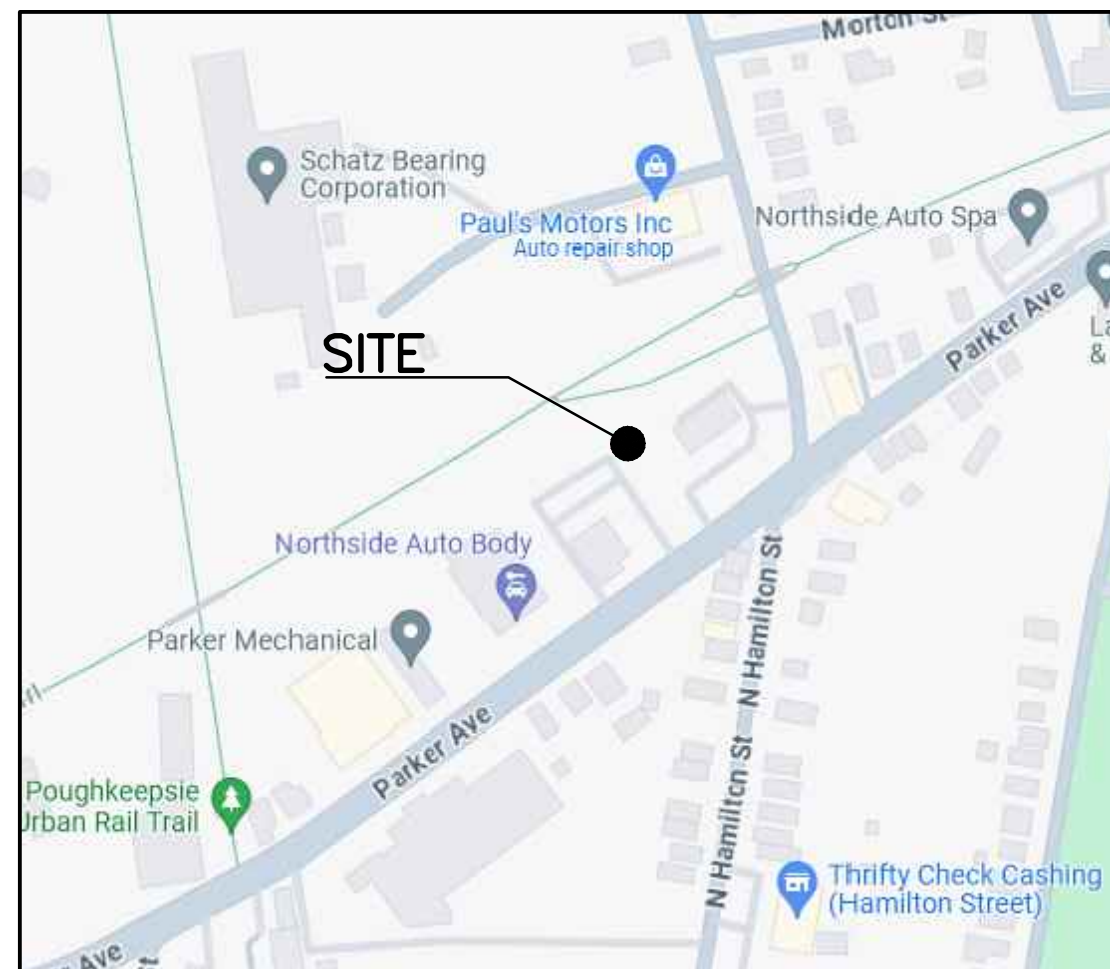


SITE NAME:  
**121 PARKER AVE**

FUZE ID#: 17099955  
MDG#: 5000350891



VICINITY MAP (TAX MAP)



VICINITY MAP

**DIRECTIONS**

DIRECTIONS TO SITE:  
FROM NORTH GREENBUSH, HEAD EAST ON JORDAN RD 0.3 MI.  
TURN RIGHT ONTO US-4 S/N GREENBUSH RD 1.5 MI.  
TURN RIGHT ONTO NY-43 W 1.1 MI. USE THE RIGHT 2 LANES TO  
MERGE ONTO I-90 W VIA THE RAMP TO ALBANY. 0.2 MI. MERGE ONTO  
I-90 W 1.2 MI. TAKE EXIT 6A TO MERGE ONTO I-787 S TOWARD  
ALBANY 3.4 MI. USE THE RIGHT 2 LANES TO TAKE EXIT 1 TO MERGE  
ONTO I-87 S. TOLL ROAD 67.1 MI. TAKE EXIT 18 TO MERGE ONTO  
NY-299 E TOWARD POUGHKEEPSIE. TOLL ROAD 0.9 MI.  
MERGE ONTO NY-299 E 5.1 MI. USE THE RIGHT 2 LANES TO TURN  
RIGHT ONTO RTE 9W S 2.3 MI. USE THE RIGHT LANE TO TAKE THE  
RAMP TO MID HUDSON BRIDGE/POUGHKEEPSIE 0.4 MI. CONTINUE ONTO  
US-44 E TOLL ROAD 2.4 MI. TURN LEFT ONTO S HAMILTON ST 1.0 MI.  
SHARP LEFT ONTO PARKER AVE 190 FT TURN RIGHT. DESTINATION  
WILL BE ON THE RIGHT

SITE ADDRESS:	121 PARKER AVE POUGHKEEPSIE, NY 12601
MUNICIPALITY:	TOWN OF POUGHKEEPSIE
COUNTY:	DUTCHESS
TAX MAP NUMBER:	131300-6162-55-257465-0000
ZONING DISTRICT:	G-CM (MIXED USE COMMERCIAL)
STRUCTURE COORDINATES:	41.714019° -73.920667°
GROUND ELEVATION:	172.8'± AMSL
PROPERTY OWNER:	PARKER AVE REALTY, LLC 47 MARIE CT WAPPINGERS FALLS, NY 12590
APPLICANT:	VERIZON WIRELESS 1275 JOHN STREET, SUITE 100 WEST HENRIETTA, NY 14586
CONTACT PERSON:	KATHY POMPONIO
CONTACT PHONE:	(585) 321-5435

**PROJECT SUMMARY**

**PROJECT DESCRIPTION**

THE PROPOSED WORK CONSISTS OF INSTALLING CELLULAR ANTENNAS AND RELATED EQUIPMENT ON A PROPOSED MONOPOLE AND THE INSTALLATION OF EQUIPMENT AT GRADE WITHIN A PROPOSED FENCED COMPOUND.

SHT. NO.	DESCRIPTION	REV NO	REVISION DATE
T-1	TITLE SHEET	3	6/4/25
AD-1	ADJOINERS PLAN	3	6/4/25
SB-1	SETBACK PLAN	3	6/4/25
C-1	OVERALL SITE PLAN	3	6/4/25
C-2	SITE DETAIL PLAN	3	6/4/25
C-3	ELEVATION & ORIENTATION PLAN	3	6/4/25
C-4A	SITE DETAILS	3	6/4/25
C-4B	SITE DETAILS	3	6/4/25
C-4C	SITE DETAILS	3	6/4/25
C-5	EQUIPMENT ELEVATIONS	3	6/4/25

**SHEET INDEX**

THIS SET OF PLANS SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ALL ITEMS OF CONCERN HAVE BEEN ADDRESSED AND EACH OF THE DRAWINGS HAS BEEN REVISED AND ISSUED "FOR CONSTRUCTION".

**SITE PLAN DESIGN NOTES:**

1. THE APPLICANT HAS SUFFICIENT CAPITAL TO FUND THE DEVELOPMENT AND CONSTRUCTION OF THIS PROJECT.
2. THERE ARE NO EASEMENTS, RIGHTS-OF-WAY, SETBACKS, RESERVATIONS AND REARS FOR PUBLIC USE, EXISTING COVENANTS, OR DEED RESTRICTIONS RECORDED FOR THIS PARCEL OR IMMEDIATELY ADJACENT TO THIS PARCEL.
3. THERE ARE NO SCENIC OR AESTHETIC RESOURCES THAT ARE VISIBLE FROM THIS PARCEL. THE POUGHKEEPSIE URBAN RAIL TRAIL, EMPIRE STATE TRAIL, AND WALKWAY OVER THE HUDSON ARE IN CLOSE PROXIMITY TO THIS PARCEL.
4. THERE ARE NO WATERCOURSES, MARSHES, ROCK OUTCROPS, OR ISOLATED TREES WITHIN THE PROPOSED FACILITY PROJECT LOCATION. WOODED AREA AT THE NORTH END OF THE PARCEL AND CURBS, SIDEWALKS AND STREETS ARE SHOWN THROUGHOUT THIS PLAN SET.
5. THE SITE IS NOT WITHIN NOR IMMEDIATELY ADJACENT TO A FLOOD PLAIN.
6. THERE ARE NO FIRE ALARM SYSTEMS OR KNOX BOXES PROPOSED FOR THIS PROJECT.
7. PRIOR TO START OF CONSTRUCTION OR EXCAVATION, TREES TO BE RETAINED SHALL BE PROTECTED BY SILT FENCE, SNOW FENCE, CONSTRUCTION FENCE, OR EQUAL, PLACED AT THE DRIP LINE OR SEVERAL FEET BEYOND. HOWEVER, NO FENCE SHALL CROSS PUBLIC SIDEWALKS AND NO STORAGE OR STOCKPILING OF CONSTRUCTION MATERIALS, DEBRIS OR EQUIPMENT SHALL OCCUR WITHIN FENCED AREA.
8. STORMWATER MEASURES TO ADDRESS RUNOFF QUANTITY OR QUALITY ARE NOT APPLICABLE FOR THIS PROJECT AND THEREFORE NOT INCLUDED. THIS IS NOT APPLICABLE SINCE THE EXISTING PROJECT AREA WAS DEVELOPED AND CONSTRUCTED IN COMPLIANCE WITH CURRENT STORMWATER REGULATIONS. SINCE THE EXISTING CONDITIONS AT THE PROJECT AREA ARE IMPERVIOUS (ASPHALT PARKING AREA) AND WILL BE CHANGED TO PERVIOUS (SAWCUT AND REMOVE ASPHALT AND REPLACE WITH LOOSE CRUSHED STONE) THE RATE OF STORMWATER RUNOFF FOR THE PARCEL WILL BE DECREASED RENDERING STORMWATER IMPROVEMENTS MOOT.

Before You Dig, Drill Or Blast!

UNDERGROUND FACILITIES  
PROTECTIVE ORGANIZATION  
CALL US TOLL FREE 811 OR 1-800-962-7962  
NY industrial code rule 753 requires no less than two working days notice, but not more than ten days notice.

UDIGNY - NEW YORK

**DO NOT SCALE DRAWINGS**

THESE DRAWINGS ARE FORMATTED FOR 22"x34" FULL SIZE AND 11"x17" HALF SIZE. OTHER SIZED VERSIONS ARE NOT PRINTED TO THE SCALE SHOWN. CONTRACTOR SHALL VERIFY ALL PLANS, EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



1275 JOHN STREET, SUITE 100  
WEST HENRIETTA, NY 14586



PRACTICAL SOLUTIONS. EXCEPTIONAL SERVICE.  
Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C.  
Project Contact Info  
36 British American Blvd. Phone: (518) 783-1630  
Suite 101 (800) 829-8531  
Latham, NY 12110 www.tectonicengineering.com

WORK ORDER NUMBER	11860.077	DRAWN BY	MQ
NO.	DATE	ISSUE	
0	6/14/24	FOR COMMENT	
1	7/30/24	FOR ZONING	
2	12/3/24	PER CITY COMMENTS	
3	6/4/25	ADD LANDSCAPING	

RELEASED BY: \_\_\_\_\_ DATE: \_\_\_\_\_



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ORIGINAL SIZE IN INCHES

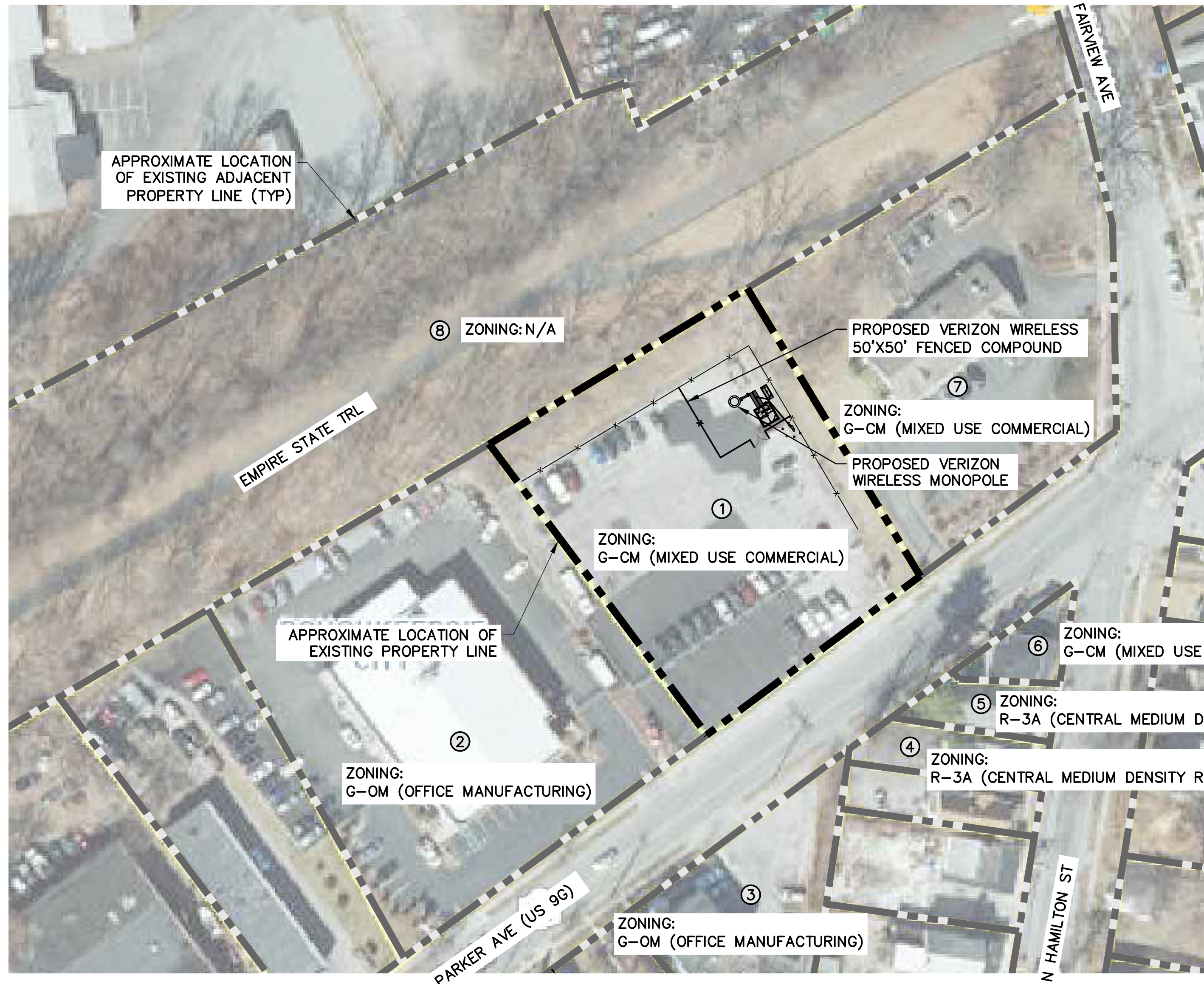
**SITE INFORMATION**  
121 PARKER AVE  
FUZE ID#: 17099955  
MDG#: 5000350891

**SITE ADDRESS**  
121 PARKER AVE  
CITY OF POUGHKEEPSIE  
DUTCHESS COUNTY  
NY 12601

**SHEET TITLE**  
TITLE SHEET

**SHEET NUMBER**

**T-1**



① ADJOINERS PLAN  
SCALE: 1" = 200' (11x17 SIZE)  
1" = 100' (22x34 SIZE)

SBL	OWNER	ADDRESS
1	131300-6162-5 5-257465-0000 Parker Avenue Realty LLC	47 Marie Ct Wappingers Falls, NY 12590
2	131300-6162-5 4-241454-0000 Parker Avenue Realty LLC	47 Marie Ct Wappingers Falls, NY 12590
3	131300-6162-5 5-257435-0000 DNH Valley LLC	28 Sherwood Hts Wappingers Falls, NY 12590
4	131300-6162-5 5-268446-0000 Lory Properties Corp	PO Box 235 Stormville, NY 12582
5	131300-6162-5 5-271449-0000 214 Hamilton LLC	214 N Hamilton St Poughkeepsie, NY 12601
6	131300-6162-5 5-272453-0000 Soto, Robert	19 Vervalen Dr Poughkeepsie, NY 12603
7	131300-6162-5 5-269473-0000 Parker Avenue Realty LLC	47 Marie Ct Wappingers Falls, NY 12590
8	131300-6162-5 5-265487-0000 County of Dutchess	22 Market St Poughkeepsie, NY 12601

② ADJOINERS LIST  
SCALE: NTS

**verizon**

1275 JOHN STREET, SUITE 100  
WEST HENRIETTA, NY 14586

**Tectonic**

PRACTICAL SOLUTIONS. EXCEPTIONAL SERVICE.  
Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C.  
Project Contact Info  
36 British American Blvd. Phone: (518) 783-1630  
Suite 101 (800) 829-6531  
Latham, NY 12110 www.tectonicengineering.com

WORK ORDER NUMBER 11860.077 DRAWN BY MQ

NO.	DATE	ISSUE
0	6/14/24	FOR COMMENT
1	7/30/24	FOR ZONING
2	12/3/24	PER CITY COMMENTS
3	6/4/25	ADD LANDSCAPING

RELEASED BY DATE



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NY 12601

SHEET TITLE  
ADJOINERS PLAN

SHEET NUMBER  
AD-1

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PROTECTIVE ORGANIZATION  
CALL US TOLL FREE 811 OR 1-800-962-7962  
NY industrial code rule 753 requires no less than two working days notice, but not more than ten days notice.

UDIGNY - NEW YORK



BULK REQUIREMENTS			
CITY OF POUGHKEEPSIE			
ZONING DISTRICT: G-CM (MIXED USE COMMERCIAL)			
	REQUIRED	EXISTING	PROPOSED
MINIMUM YARDS (TOWER)			
FRONT:	TBD	-	162 FT
SIDE:	TBD	-	33 FT
REAR:	TBD	-	50 FT
MINIMUM YARDS (COMPOUND)			
FRONT:	TBD	-	134 FT
SIDE:	TBD	-	6 FT
REAR:	TBD	-	25 FT
MAXIMUM TOWER HEIGHT:	PER RF REQUIREMENTS	-	104 FT



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DRAWN BY: MQ

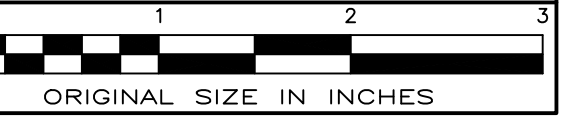
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RELEASED BY: \_\_\_\_\_ DATE: \_\_\_\_\_



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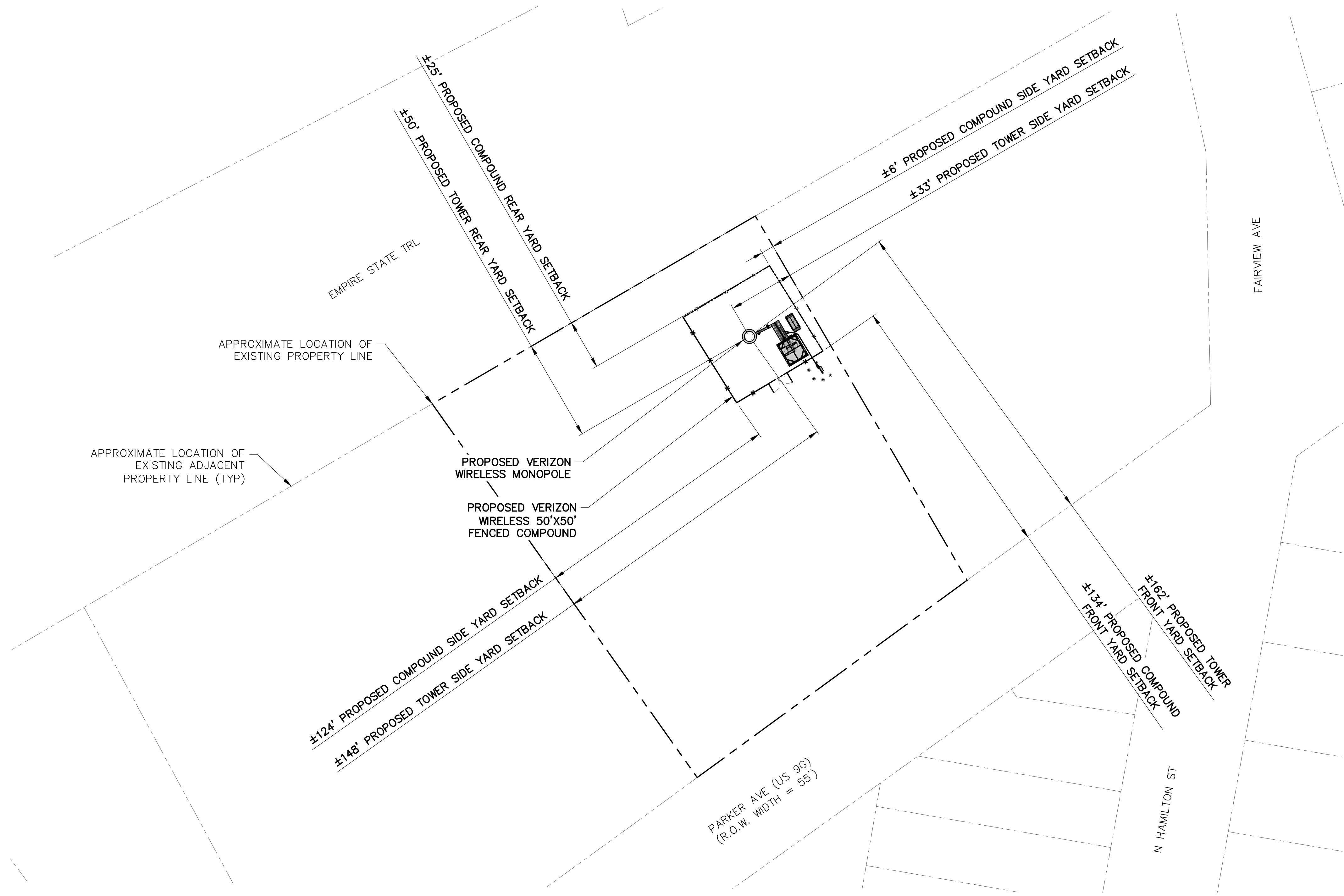
121 PARKER AVE  
CITY OF POUGHKEEPSIE  
DUTCHESS COUNTY  
NY 12601

SHEET TITLE

SETBACK PLAN

SHEET NUMBER

**SB-1**

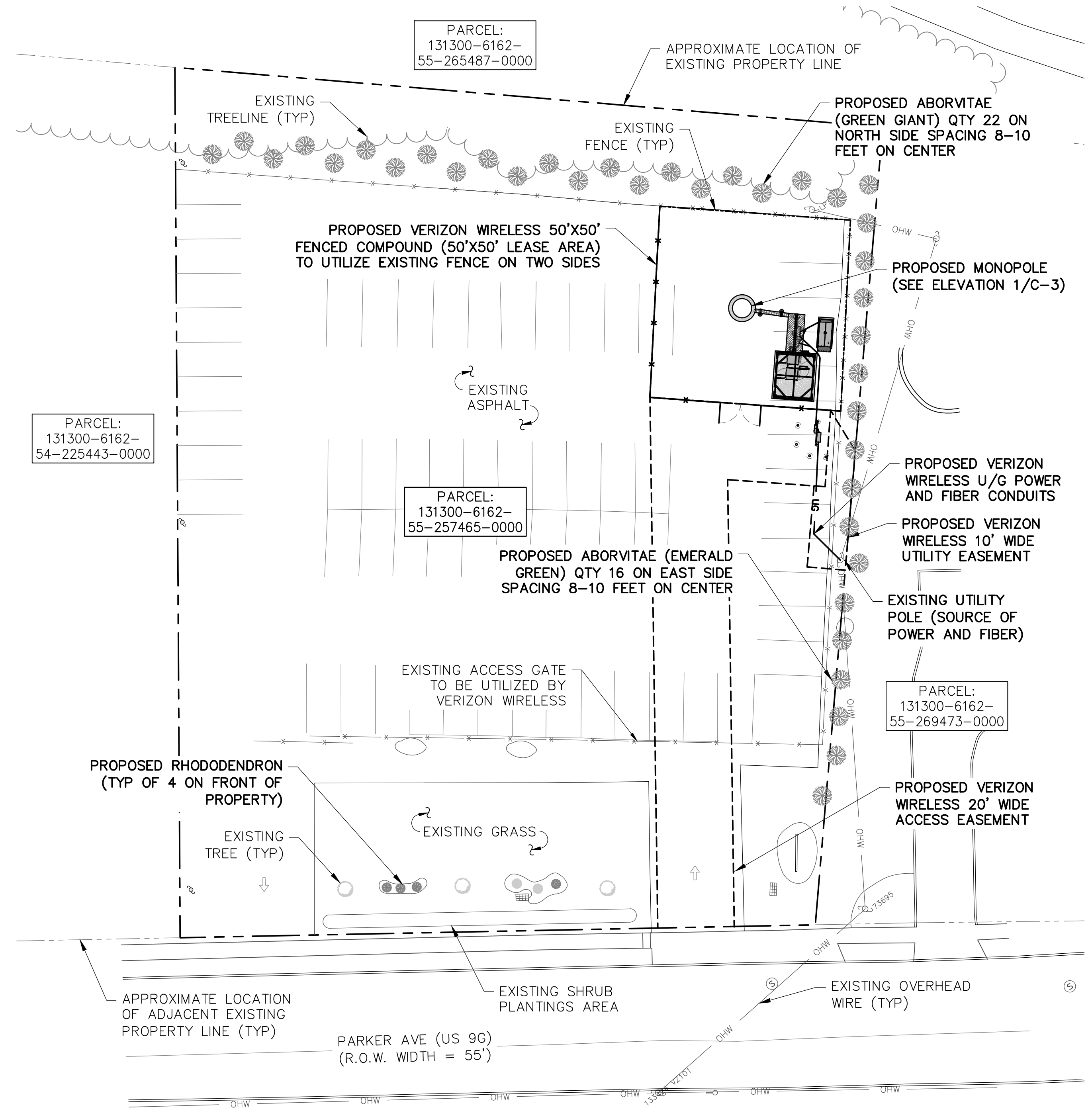
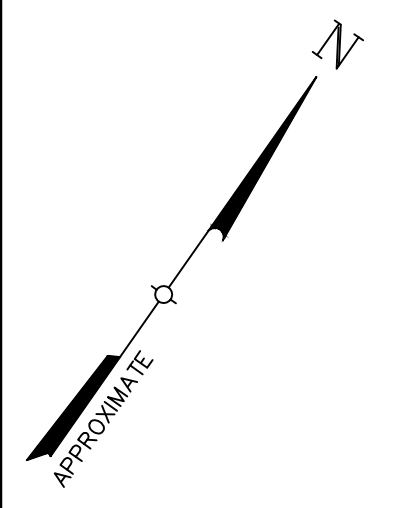


**1** SETBACK PLAN  
SB-1  
SCALE: 1" = 60' (11x17 SIZE)  
1" = 30' (22x34 SIZE)

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**1** PROPOSED SITE PLAN  
 C-1 SCALE: 1" = 40' (11x17 SIZE)  
 1" = 20' (22x34 SIZE)

PLANTING SCHEDULE		
SPECIES	PLANTING TIME	QTY
ARBORVITAE 'EMERALD GREEN'	EARLY SPRING (APRIL - EARLY MAY) & EARLY FALL (LATE AUGUST - SEPTEMBER)	16
ARBORVITAE 'GREEN GIANT'	EARLY SPRING (APRIL - EARLY MAY) & EARLY FALL (LATE AUGUST - SEPTEMBER)	22
RHODODENDRONS (SMALL SHRUB VARIETIES)	EARLY SPRING (MID-APRIL - MID-MAY) & EARLY FALL (SEPTEMBER - MID-OCTOBER)	4

- SITE PLAN DESIGN NOTES:**
- THE APPLICANT HAS SUFFICIENT CAPITAL TO FUND THE DEVELOPMENT AND CONSTRUCTION OF THIS PROJECT.
  - THERE ARE NO EASEMENTS, RIGHTS-OF-WAY, SETBACKS, RESERVATIONS AND REARS FOR PUBLIC USE, EXISTING COVENANTS, OR DEED RESTRICTIONS RECORDED FOR THIS PARCEL OR IMMEDIATELY ADJACENT TO THIS PARCEL.
  - THERE ARE NO SCENIC OR AESTHETIC RESOURCES THAT ARE VISIBLE FROM THIS PARCEL. THE POUGHKEEPSIE URBAN RAIL TRAIL, EMPIRE STATE TRAIL, AND WALKWAY OVER THE HUDSON ARE IN CLOSE PROXIMITY TO THIS PARCEL.
  - THERE ARE NO WATERCOURSES, MARSHES, ROCK OUTCROPS, OR ISOLATED TREES WITHIN THE PROPOSED FACILITY PROJECT LOCATION. WOODED AREA AT THE NORTH END OF THE PARCEL AND CURBS, SIDEWALKS AND STREETS ARE SHOWN THROUGHOUT THIS PLAN SET.
  - THE SITE IS NOT WITHIN NOR IMMEDIATELY ADJACENT TO A FLOOD PLAIN.
  - THERE ARE NO FIRE ALARM SYSTEMS OR KNOX BOXES PROPOSED FOR THIS PROJECT.
  - PRIOR TO START OF CONSTRUCTION OR EXCAVATION, TREES TO BE RETAINED SHALL BE PROTECTED BY SILT FENCE, SNOW FENCE, CONSTRUCTION FENCE, OR EQUAL, PLACED AT THE DRIP LINE OR SEVERAL FEET BEYOND. HOWEVER, NO FENCE SHALL CROSS PUBLIC SIDEWALKS AND NO STORAGE OR STOCKPILING OF CONSTRUCTION MATERIALS, DEBRIS OR EQUIPMENT SHALL OCCUR WITHIN FENCED AREA.
  - STORMWATER MEASURES TO ADDRESS RUNOFF QUANTITY OR QUALITY ARE NOT APPLICABLE FOR THIS PROJECT AND THEREFORE NOT INCLUDED. THIS IS NOT APPLICABLE SINCE THE EXISTING PROJECT AREA WAS DEVELOPED AND CONSTRUCTED IN COMPLIANCE WITH CURRENT STORMWATER REGULATIONS. SINCE THE EXISTING CONDITIONS AT THE PROJECT AREA ARE IMPERVIOUS (ASPHALT PARKING AREA) AND WILL BE CHANGED TO PERVIOUS (SAWCUT AND REMOVE ASPHALT AND REPLACE WITH LOOSE CRUSHED STONE) THE RATE OF STORMWATER RUNOFF FOR THE PARCEL WILL BE DECREASED RENDERING STORMWATER IMPROVEMENTS MOOT.

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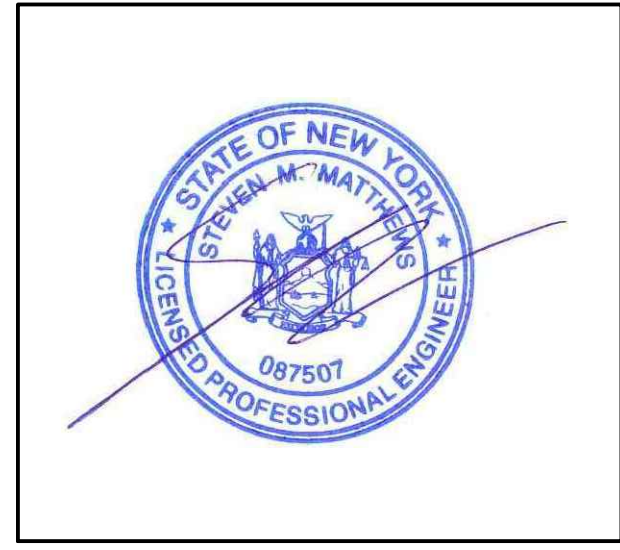


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 Project Contact Info: 36 British American Blvd. Phone: (518) 783-1630 Suite 101 (800) 829-8531 Latham, NY 12110 www.tectonicengineering.com

WORK ORDER NUMBER 11860.077 DRAWN BY MQ

NO.	DATE	ISSUE
0	6/14/24	FOR COMMENT
1	7/30/24	FOR ZONING
2	12/3/24	PER CITY COMMENTS
3	6/4/25	ADD LANDSCAPING

RELEASED BY DATE



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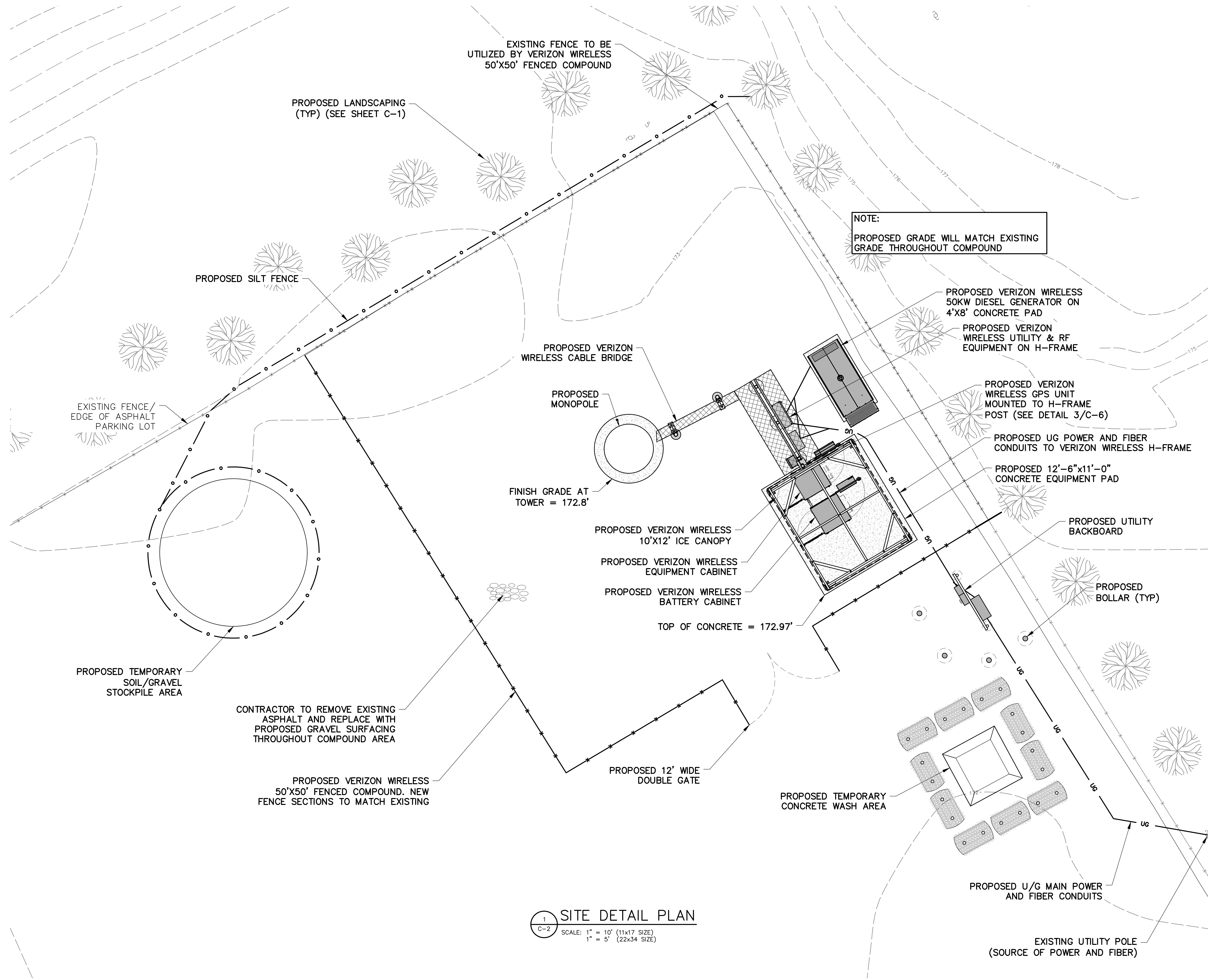
ORIGINAL SIZE IN INCHES

**SITE INFORMATION**  
 121 PARKER AVE  
 FUZE ID#: 17099955  
 MDG#: 5000350891

**SITE ADDRESS**  
 121 PARKER AVE  
 CITY OF POUGHKEEPSIE  
 DUTCHESS COUNTY  
 NY 12601

**SHEET TITLE**  
 OVERALL SITE PLAN

**SHEET NUMBER**  
 C-1



**SITE DETAIL PLAN**  
 SCALE: 1" = 10' (11x17 SIZE)  
 1" = 5' (22x34 SIZE)

**verizon**

1275 JOHN STREET, SUITE 100  
 WEST HENRIETTA, NY 14586

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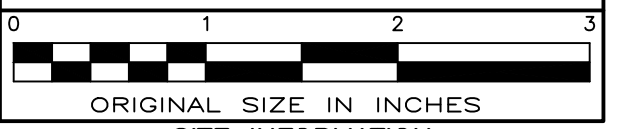
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**SITE ADDRESS**  
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 CITY OF POUGHKEEPSIE  
 DUTCHESS COUNTY  
 NY 12601

**SHEET TITLE**  
 SITE DETAIL PLAN

**SHEET NUMBER**

**C-2**



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MDG#: 5000350891

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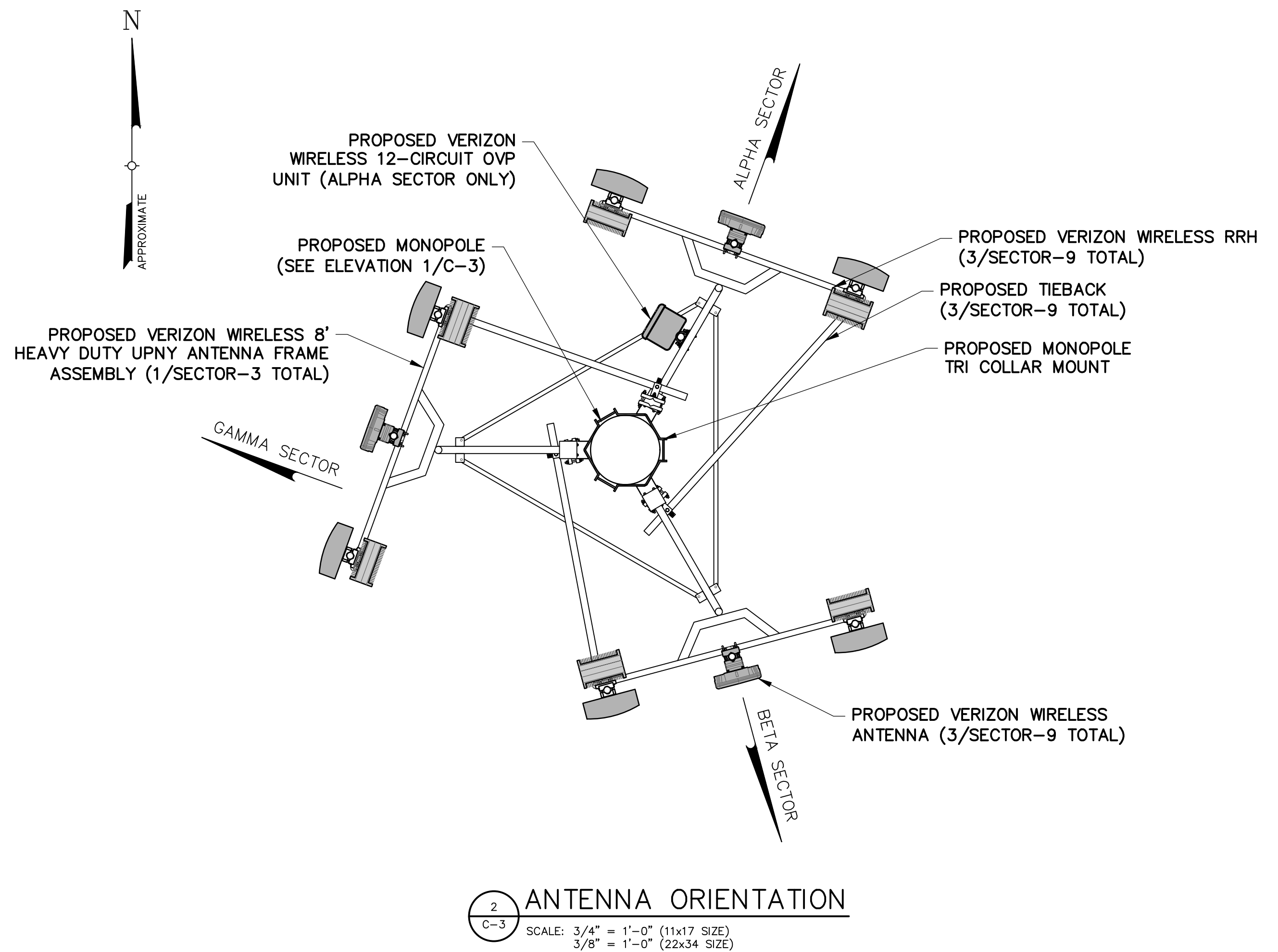
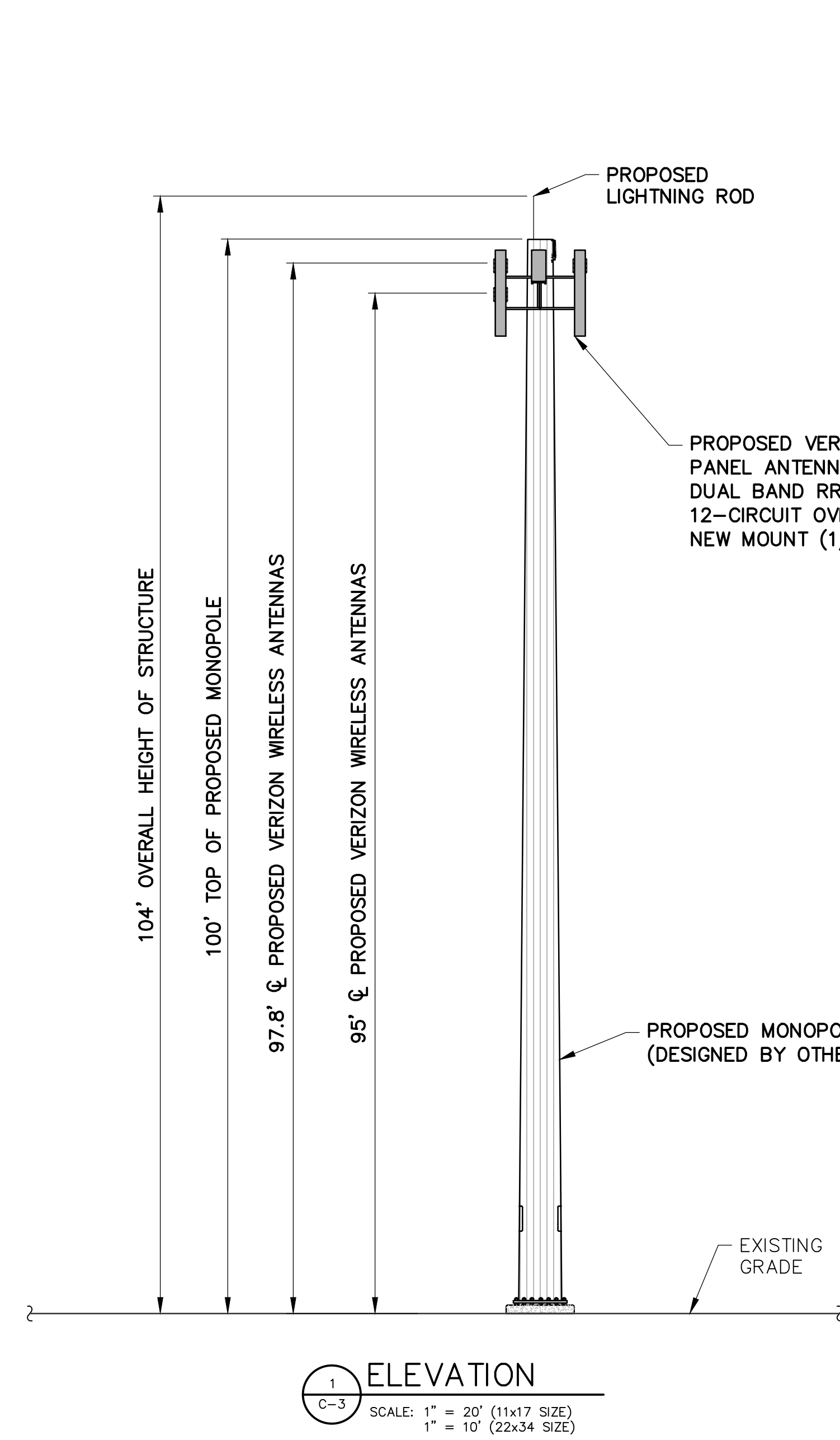
121 PARKER AVE  
CITY OF POUGHKEEPSIE  
DUTCHESS COUNTY  
NY 12601

SHEET TITLE

ELEVATION &  
ORIENTATION PLAN

SHEET NUMBER

C-3



WORK ORDER NUMBER	DRAWN BY
11860.077	MQ

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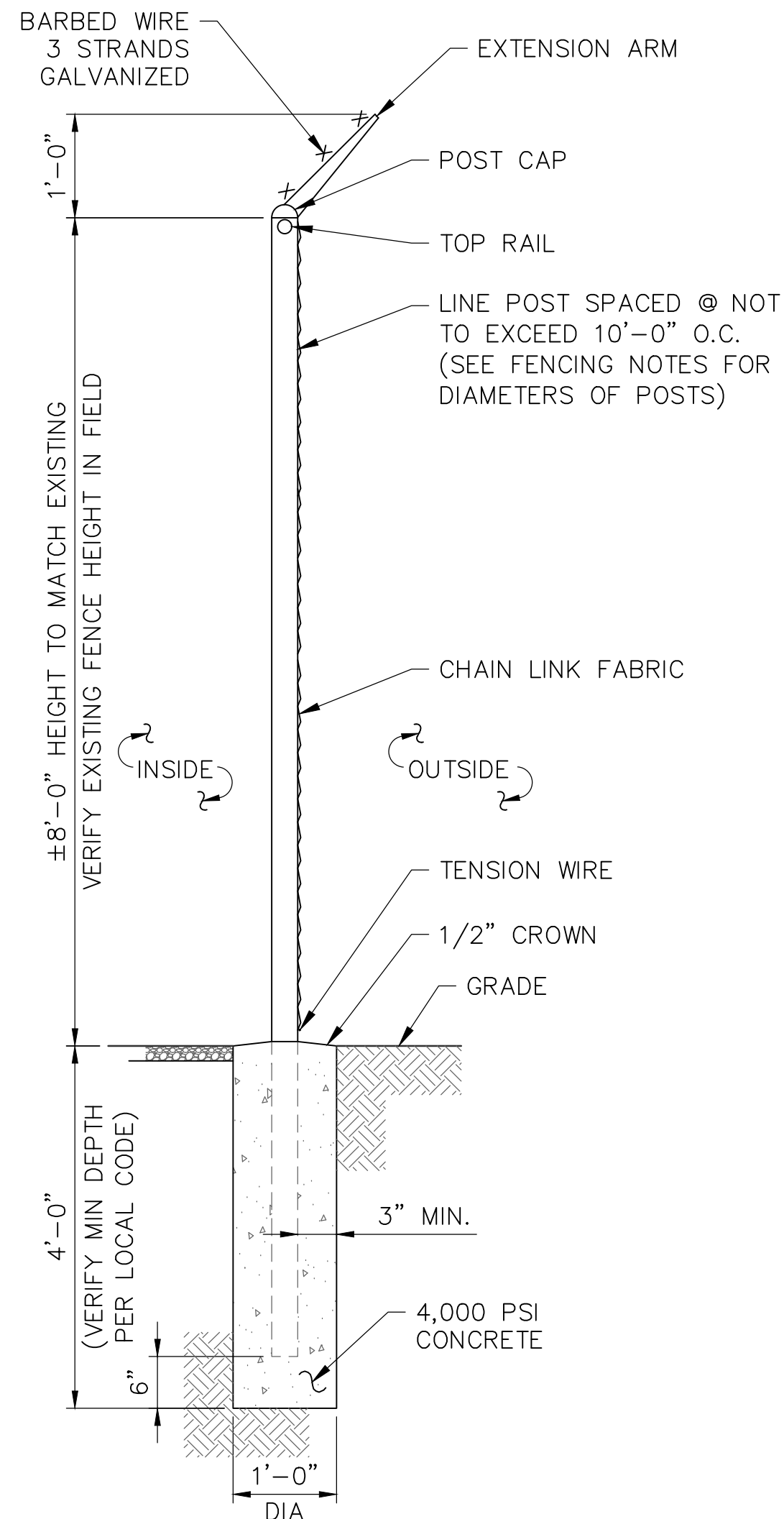
121 PARKER AVE  
CITY OF POUGHKEEPSIE  
DUTCHESS COUNTY  
NY 12601

SHEET TITLE

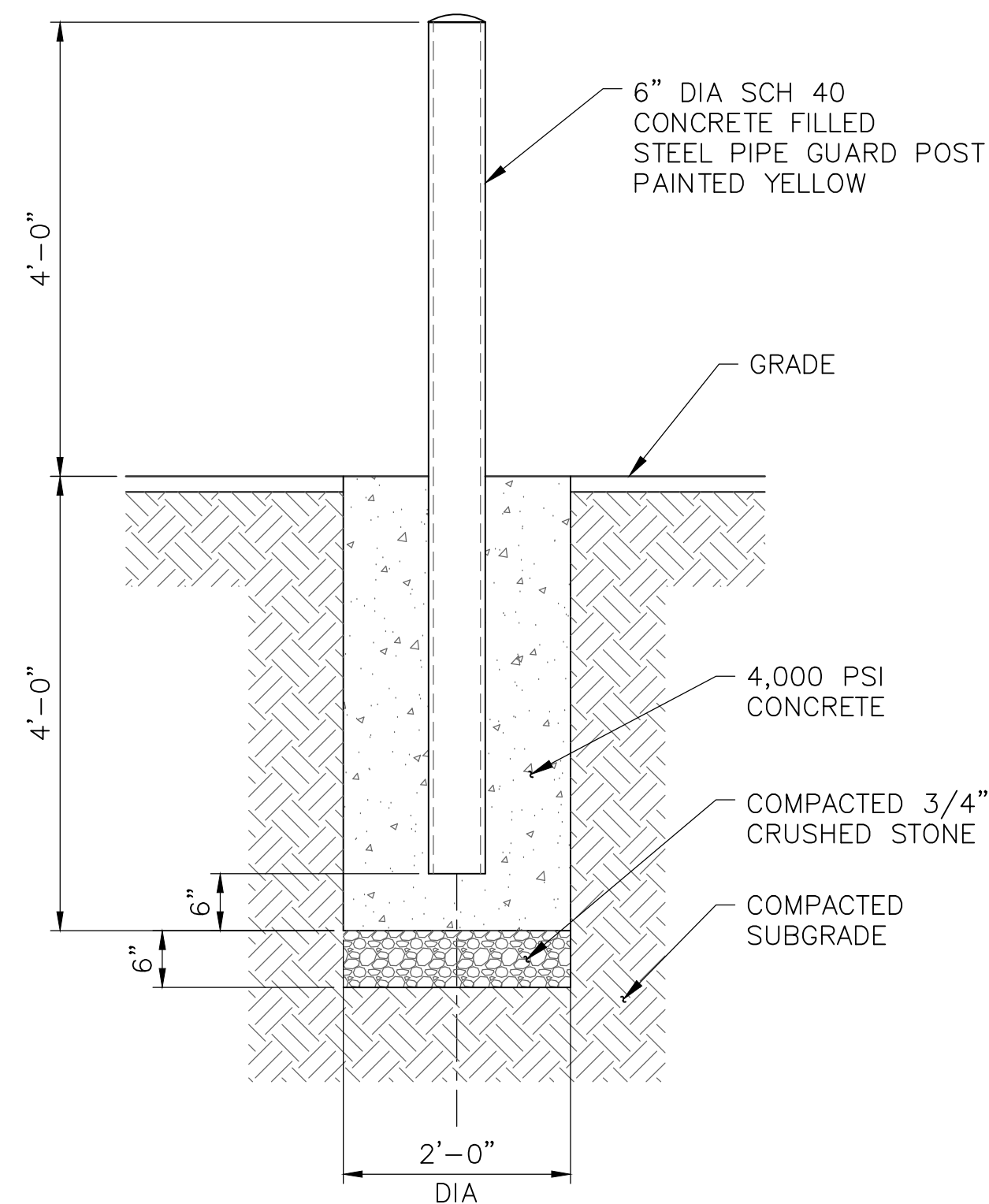
SITE DETAILS

SHEET NUMBER

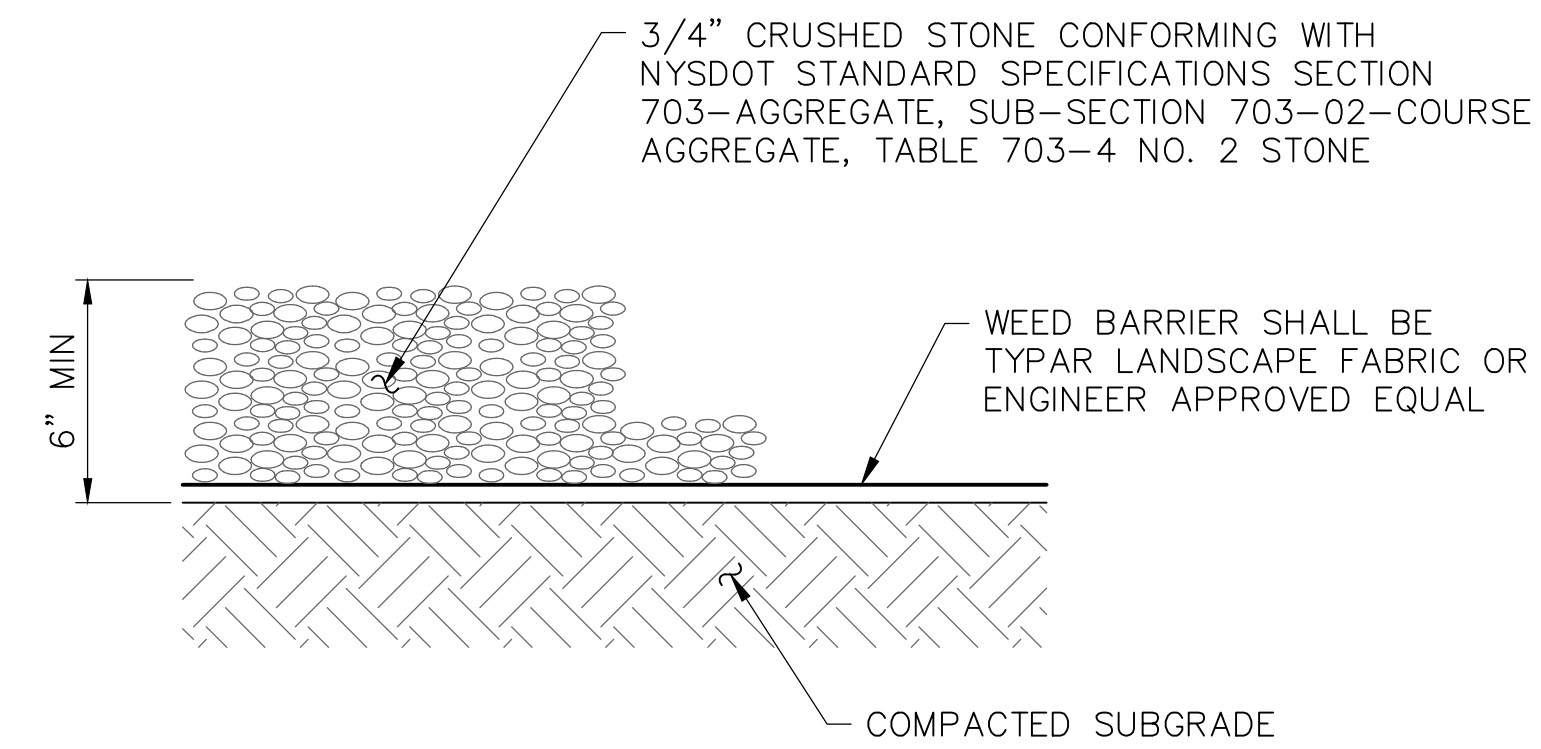
**C-4A**



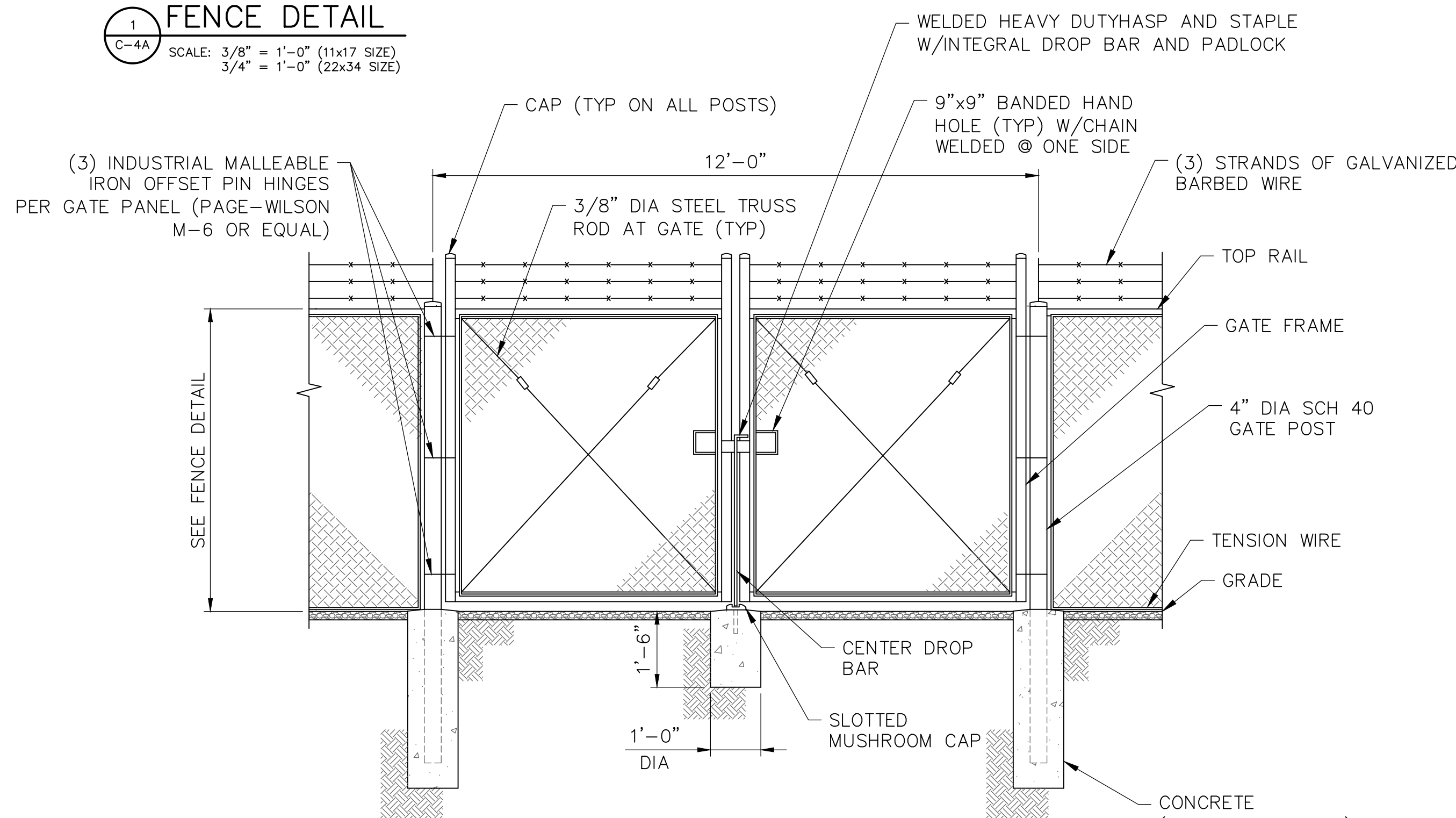
**1 FENCE DETAIL**  
SCALE: 3/8" = 1'-0" (11x17 SIZE)  
3/4" = 1'-0" (22x34 SIZE)



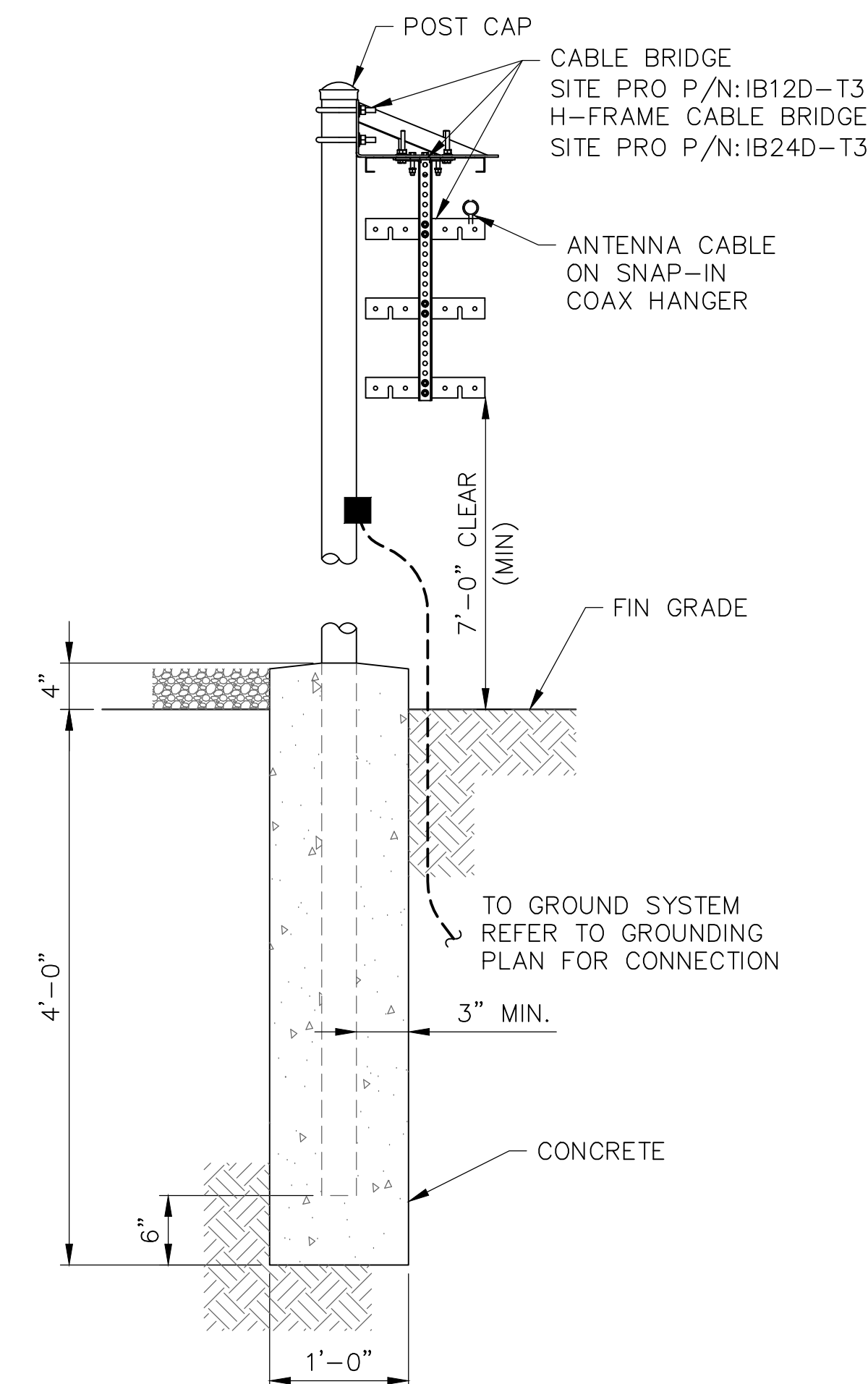
**2 BOLLARD DETAIL**  
SCALE: 3/8" = 1'-0" (11x17 SIZE)  
3/4" = 1'-0" (22x34 SIZE)



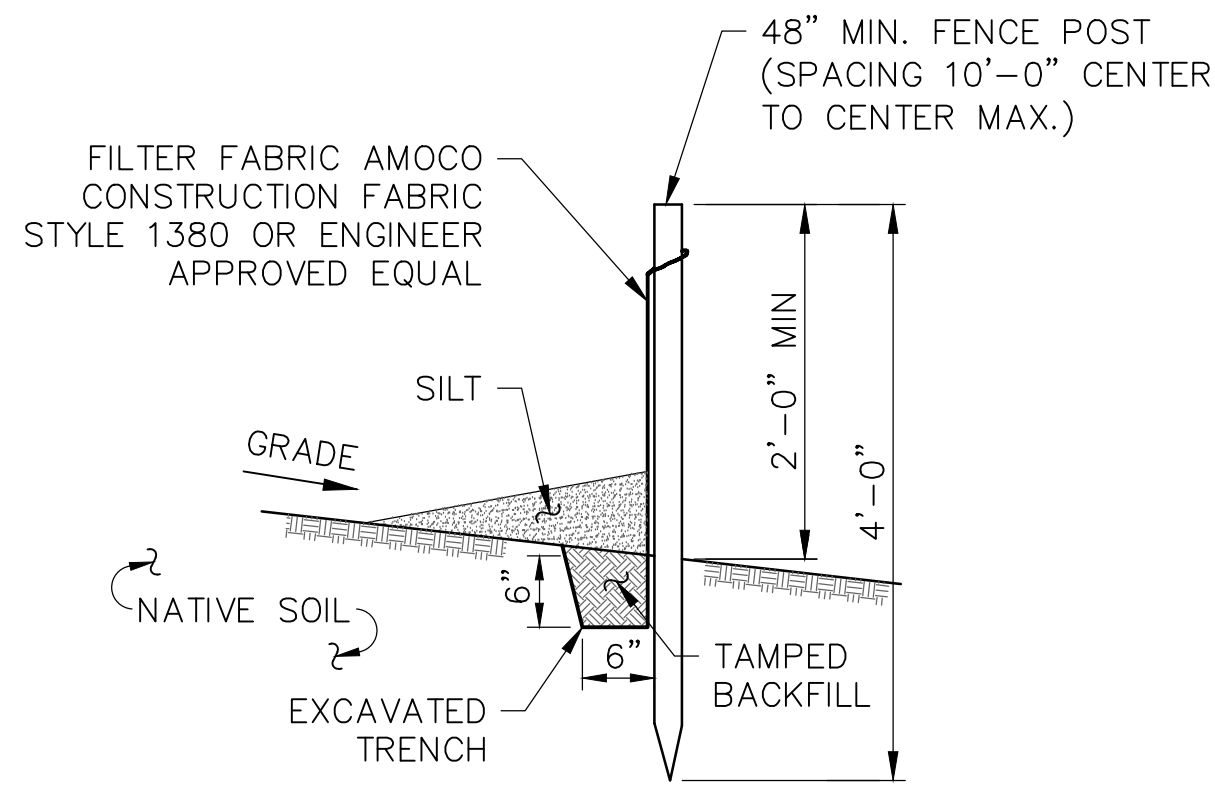
**3 GRAVEL SURFACING TREATMENT**  
SCALE: 1/2" = 1'-0" (11x17 SIZE)  
1 1/2" = 1'-0" (22x34 SIZE)



**4 DOUBLE GATE DETAIL**  
SCALE: 1/4" = 1'-0" (11x17 SIZE)  
1/2" = 1'-0" (22x34 SIZE)



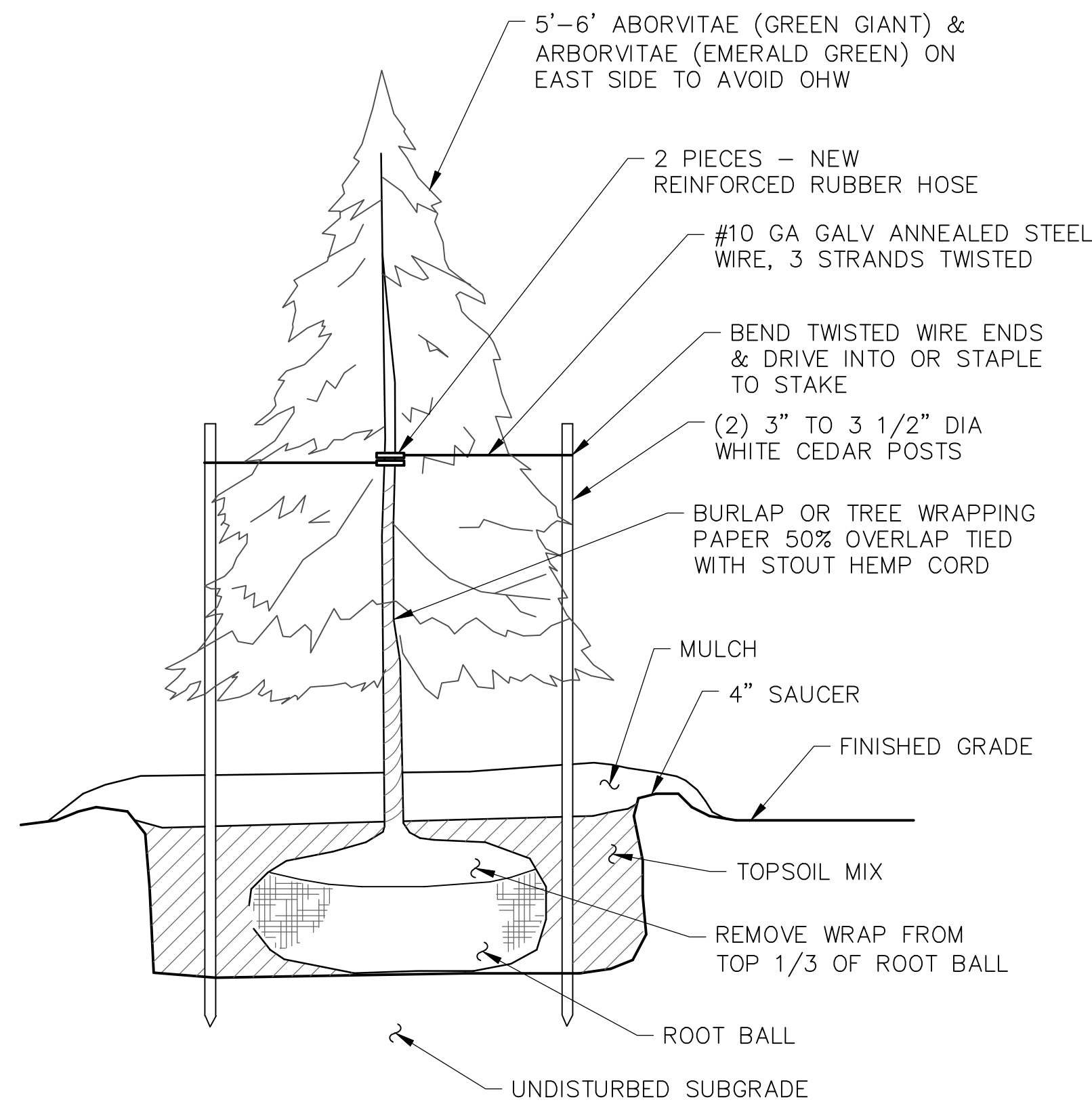
**5 CABLE BRIDGE**  
SCALE: 1/2" = 1'-0" (11x17 SIZE)  
1" = 1'-0" (22x34 SIZE)



**NOTES:**

- SILT FENCE SHALL BE MAINTAINED IN PLACE DURING CONSTRUCTION AND SOIL STABILIZATION PERIOD.
- CONTRACTOR SHALL CONSTRUCT SILT FENCE IN ACCORDANCE WITH MANUFACTURER'S REQUIREMENTS.
- EXCAVATE TRENCH 6" WIDE X 6" DEEP. BURY BOTTOM 12" OF FABRIC AND TAMP IN PLACE.
- WHEN FENCE IS NO LONGER NEEDED, THE ACCUMULATED SILT, ALL THE POSTS AND FABRIC SHALL BE REMOVED AND TRENCH BACK FILLED WITH TOPSOIL AND SEEDED.

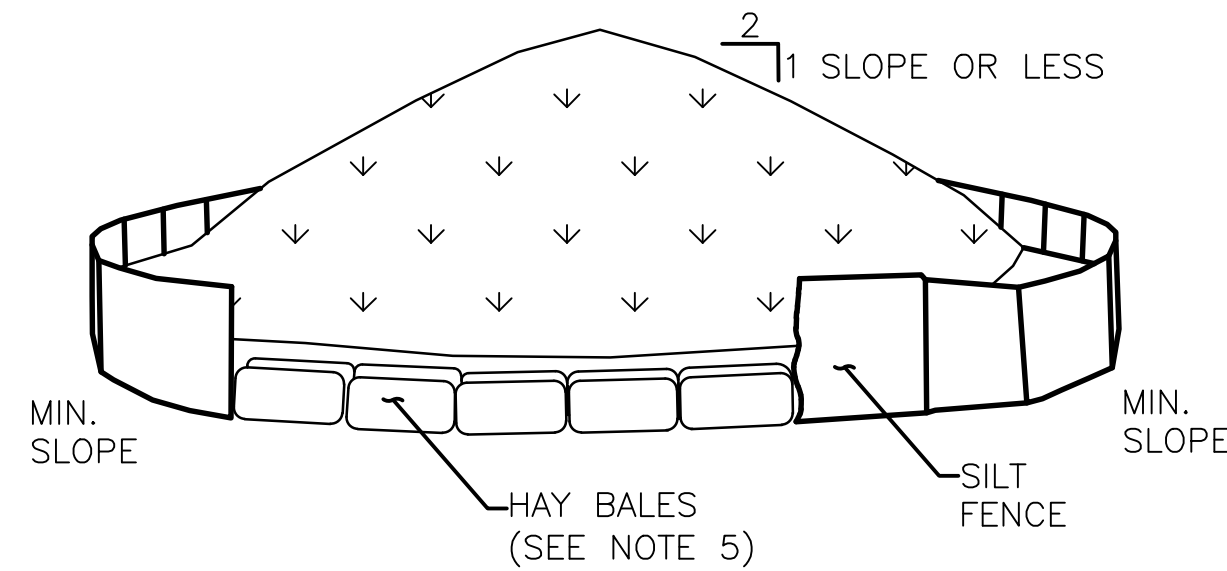
**1 SILT FENCE DETAIL**  
C-4B SCALE: NTS



**ELEVATION**

NOTE:  
FOR TREES 2'-5' HIGH, USE 2 STAKES, 1/2 HT. OF TREE + 1-1/2'.  
FOR TREES 6'-9' HIGH, USE 2 STAKES, 1/2 HT. OF TREE + 2'.

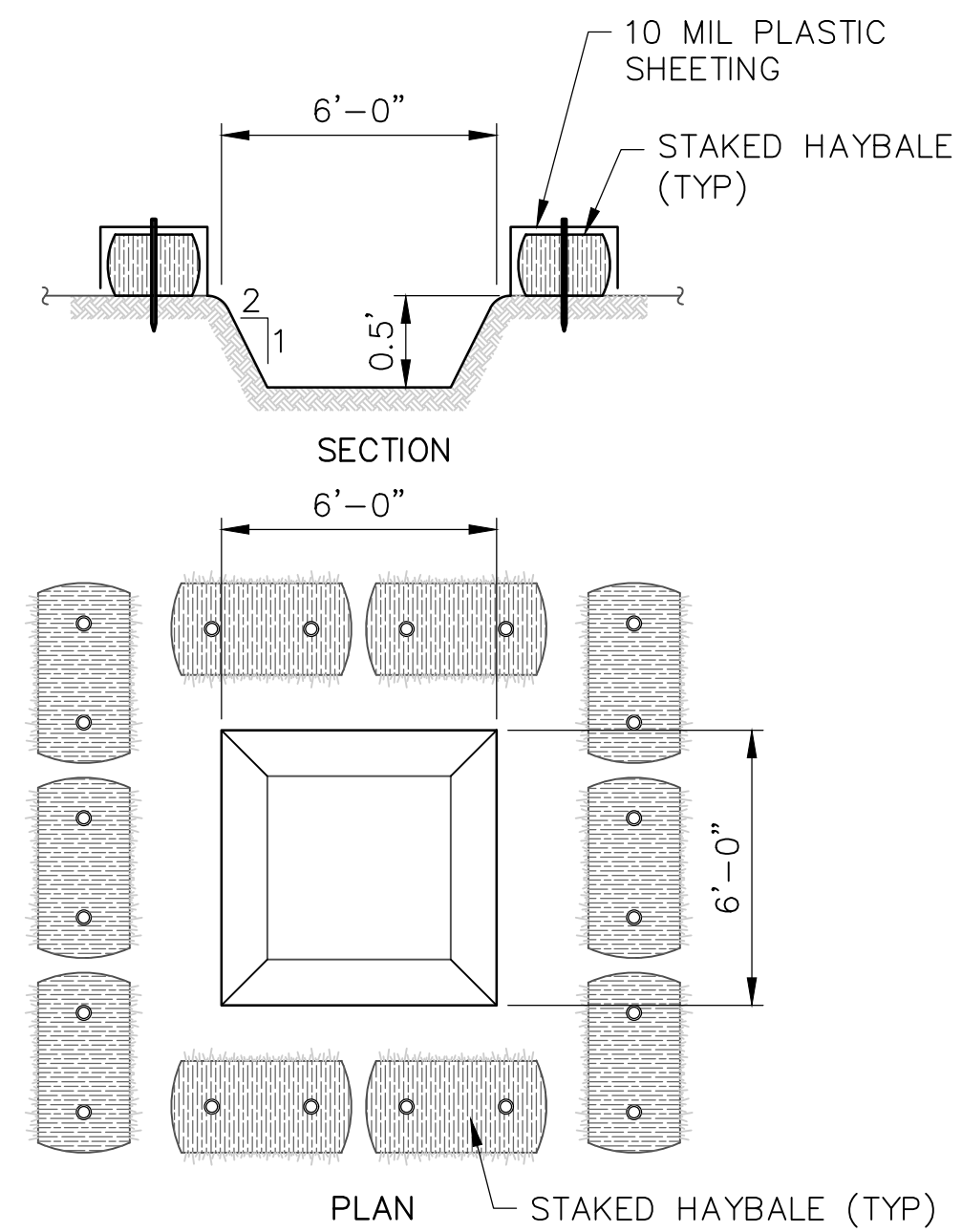
**4 TREE/SHRUB PLANTING DETAILS**  
C-4B SCALE: NTS



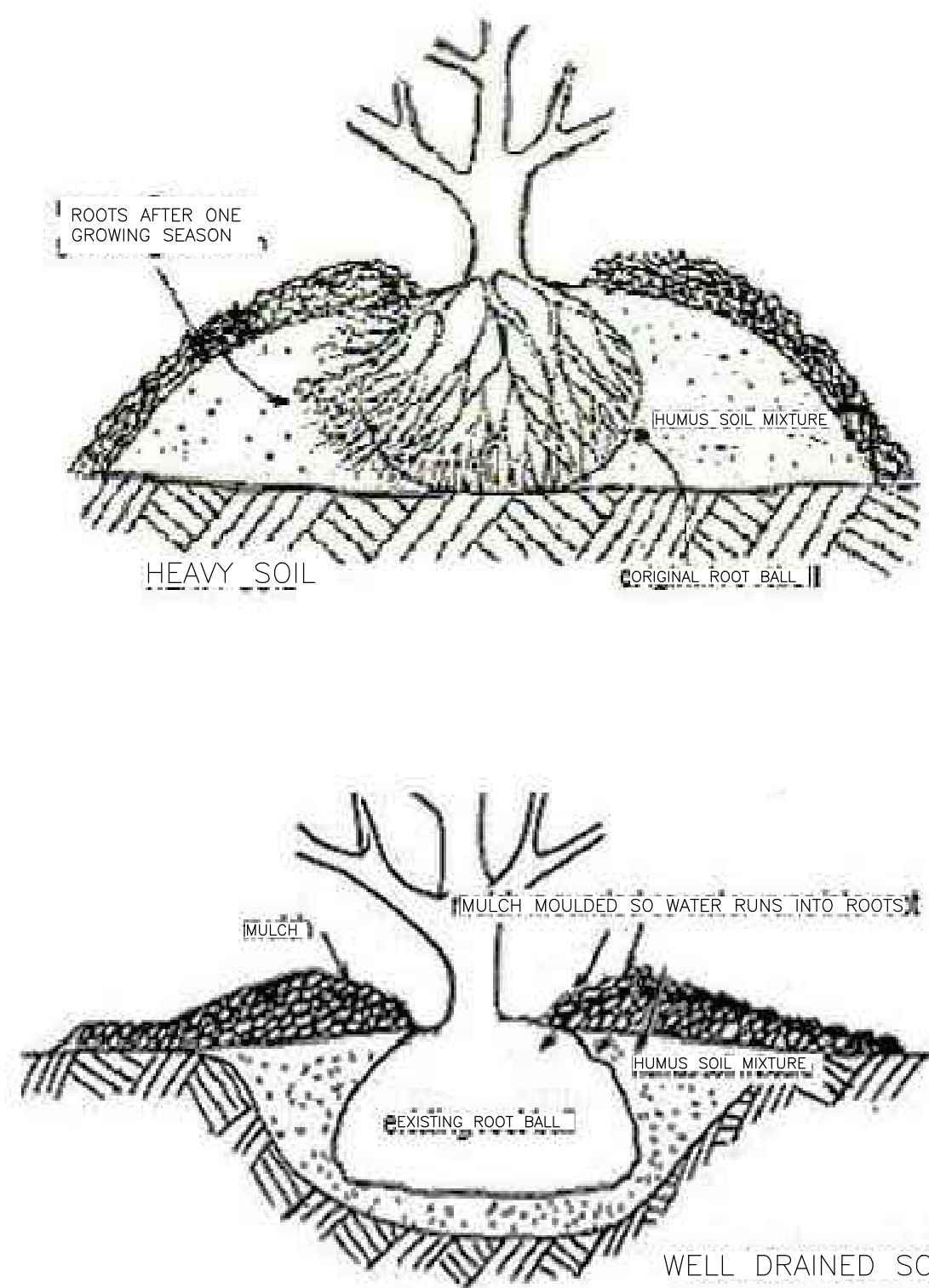
**NOTES:**

- AREA CHOSEN FOR STOCKPILING OPERATIONS SHALL BE DRY AND STABLE.
- MAXIMUM SLOPE OF STOCKPILE SHALL BE 1V:2H.
- UPON COMPLETION OF SOIL STOCKPILING, EACH PILE SHALL BE SURROUNDED WITH SILT FENCING, THEN STABILIZED WITH VEGETATION OR COVERED.
- SEE SPECIFICATIONS FOR INSTALLATION OF SILT FENCE.
- HAYBALES TO BE USED WHERE STOCKPILES ARE LOCATED ON PAVED AREAS.

**2 TEMPORARY SOIL STOCKPILE DETAIL**  
C-4B SCALE: NTS



**3 TEMPORARY CONCRETE WASH**  
C-4B SCALE: NTS



**RHODODENDRON PLANTING**

**verizon**

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WEST HENRIETTA, NY 14586

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ORIGINAL SIZE IN INCHES

**SITE INFORMATION**

121 PARKER AVE  
FUZE ID#: 17099955  
MDG#: 5000350891

**SITE ADDRESS**

121 PARKER AVE  
CITY OF POUGHKEEPSIE  
DUTCHESS COUNTY  
NY 12601

**SHEET TITLE**

SITE DETAILS

**SHEET NUMBER**

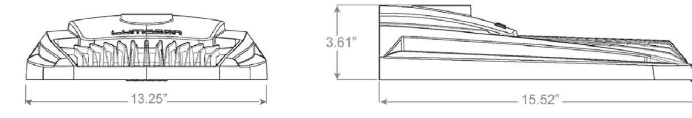
**C-4B**



**Catalog Number:**  
**Project:**  
**Comments:**  
**Prepared By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Dimensions & Weights**

Model	Width	Length	Height	Weight
LDS-LFC	13.25"	15.52"	3.61"	13 lbs



**Description**

The LDS-LFC large full cutoff is the first of its kind in Lumecon's LED Detroit Series. Combining a sleek fixture design with energy efficient performance allows this fixture to be used for building facades, general security, storage areas, tunnel and entry door applications requiring existing fixtures up to 600W HID one-for-one.

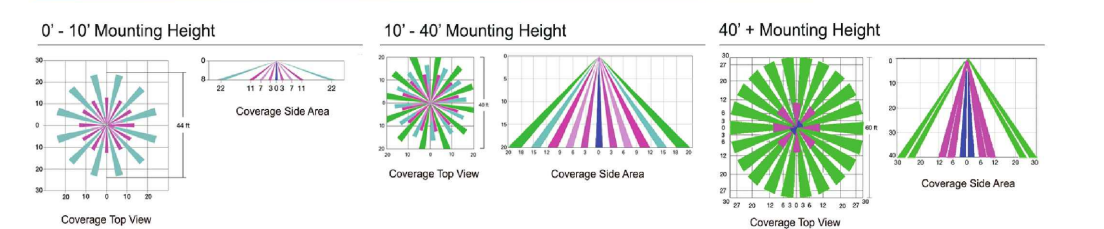
**Technical Specifications**

**Input Voltage:** 120-277V or 347-480V.  
**Housing:** Die-cast aluminum housing with 60% gloss polyester powder coat finishes for maximum durability. The base aluminum material is prepared using an environmentally-friendly non-chrome 2-step surface cleaning and passivation process. The process results in a more durable conversion layer than traditional chrome conversion coatings and allows maximum adhesion of the powder coating to the aluminum substrate. Housing features an integrated heat sink and driver compartment built into the fixture design.  
**Mounting:** Wall mount bracket standard.  
**Split Circuit:** Optional.  
**Effective Projected Area (EPA):** 0.83 ft<sup>2</sup>  
**Color Temperature:** 2200K, 2700K, 3000K, 4000K (standard), 5000K.  
**LED Lifetime:** All LEDs are rated for a minimum of 100,000 hours of continuous operation at ambient temperatures from -40°F to 140°F to 95°F/35°C.  
**Color Rendering Index (CRI):** Minimum of 80 or higher. CRI 90+ available upon request. CRI 90+ not available in 2200K.  
**Dimming:** 0-10V standard dimming capability.  
**Custom Optics:** Lumecon meticulously engineered premium acrylic optical lenses to maximize the distribution and uniformity of light while minimizing cost. Our arrays distribute light at least 21% further and with 20% more uniformity than leading competitors. Lumecon custom lenses create a uniform, well-defined environment that mitigates glare and "hot spots" and use less wattage than typical LED area lights.  
**Surge Protection:** Thermally protected 40kV varistor type surge protector is included and meets ANSI C136.2-2015, Extreme Level. Also meets ENEC1643-11 Class II if EN61851-1 Type 2, and US Dept of Energy MSCC Model Spec for surge protection. The device is wired in series with the luminaire input power in order to interrupt power to the luminaire when consumed, protecting the LED power supply and circuit boards from additional electrical surges.  
**Dimulator Photo-Control:** Maximize the cost-saving benefits of your outdoor LED light fixtures with the stand-alone dimming solution. All Dimulators (designed for C0 and C0-3 versions) have three selectable dimming levels (50%, 50%, 70%) with three different start times (10:00 pm, Midnight, or 2:02 am), which are selectable through the fan position selector switch located on the bottom of the base. All dimming schedules will return to full brightness at 6:00 am. The stand-alone unit is made to work with the ANSI C136.41 receptacle and will provide dimming of LED fixtures.  
**DesignLights Consortium® (DLC) Qualified Product:** Unless noted, not all versions of this product may be DLC® qualified. For a complete list of Lumecon DLC® Qualified Products visit: www.designlights.org.  
**Manufacturing Origin:** US Manufactured and Assembled.  
**Buy American:** Meets Buy American requirements within the ARRA.  
**Warning:** 10 Year L70 performance based warranty. For full warranty terms, please visit our website: www.lumecon.com  
**Ubiquiti® Wireless Controls:** Ubiquiti Ubiquiti Wireless Node allows for advanced light control via Ubiquiti Control Platform. All nodes are self-provisioning on power-up and are great Corner LTE compatible with no Gateways or Concentrators required. Single 900 MHz to 4000 MHz, 22 Simultaneous GPS and Central Clock, Simultaneous Metering for Line and Load, High Accuracy I/O and Vibration Sensor, 10 second Last Gasp and Non-Volatile Memory, OTA Updates and a 10 year warranty. Ask your local Lumecon Representative for more information.  
**Dimulator Photo-Control:** Maximize the cost-saving benefits of your outdoor LED light fixtures with the stand-alone dimming solution. All Dimulators (designed for C0 and C0-3 versions) have three selectable dimming levels (50%, 50%, 70%) with three different start times (10:00 pm, Midnight, or 2:02 am), which are selectable through the fan position selector switch located on the bottom of the base. All dimming schedules will return to full brightness at 6:00 am. The stand-alone unit is made to work with the ANSI C136.41 receptacle and will provide dimming of LED fixtures.

Email: sales@lumecon.com Website: www.lumecon.com Phone: 248-477-5009  
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 Note: Specifications and photometric data are subject to change at any time without notice. Please see www.lumecon.com for current specifications and documentation.



**Occupancy Sensor Patterns**



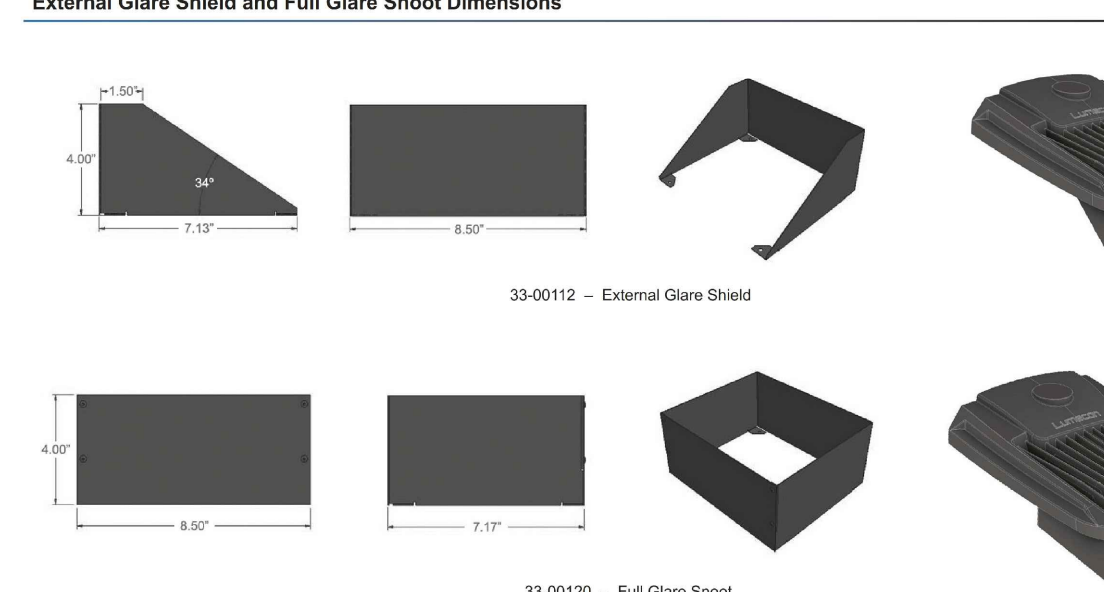
Option	Dimmed State (Unoccupied)	High Level (When occupied)	Photozell Operation (OC4 Option Only)	Dwell Time (Occupancy time delay)	Ramp-up Time (From unoccupied to occupied)	Ramp-up Time (From occupied to unoccupied)
OC2 and OC4	Approx. 20% Output	100% Output	Enabled @ 1.5 FC*	5 Minutes	Disabled	Disabled

\*Note: OC2 and OC4 settings including photozell set point, highflow dim rates, and occupancy sensor time delay are all configurable by using the Wattsoppper® App. If any other settings are desired to be set at the factory, please note those changes on Purchase Order.

**Mounting Method Dimensions**



**External Glare Shield and Full Glare Snoot Dimensions**



Email: sales@lumecon.com Website: www.lumecon.com Phone: 248-477-5009  
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 Note: Specifications and photometric data are subject to change at any time without notice. Please see www.lumecon.com for current specifications and documentation.

**Ordering Information**

LDS-LFC - Options / Ordering Example: LDS-LFC-110-DB-TS-150-WM

Wattage	Color	Distribution	Voltage	Color Temperature	Mounting Methods
30 - 30 Watts	DB - Dark Bronze	T2 - Type II	1 - 120V-277v	22 - 2200K*	WM - Wall Mount Bracket*
45 - 45 Watts	WH - White	T3 - Type III	2 - 347V-480v	27 - 2700K*	
60 - 60 Watts	BL - Black	T4 - Type IV		30 - 3000K*	
80 - 80 Watts	GR - Gray	T5 - Type V		40 - 4000K*	
110 - 110 Watts	CC - Custom	NR - Narrow		50 - 5000K	
125 - 125 Watts	AF - Automotive Finish				
160 - 160 Watts					

**Options & Accessories**

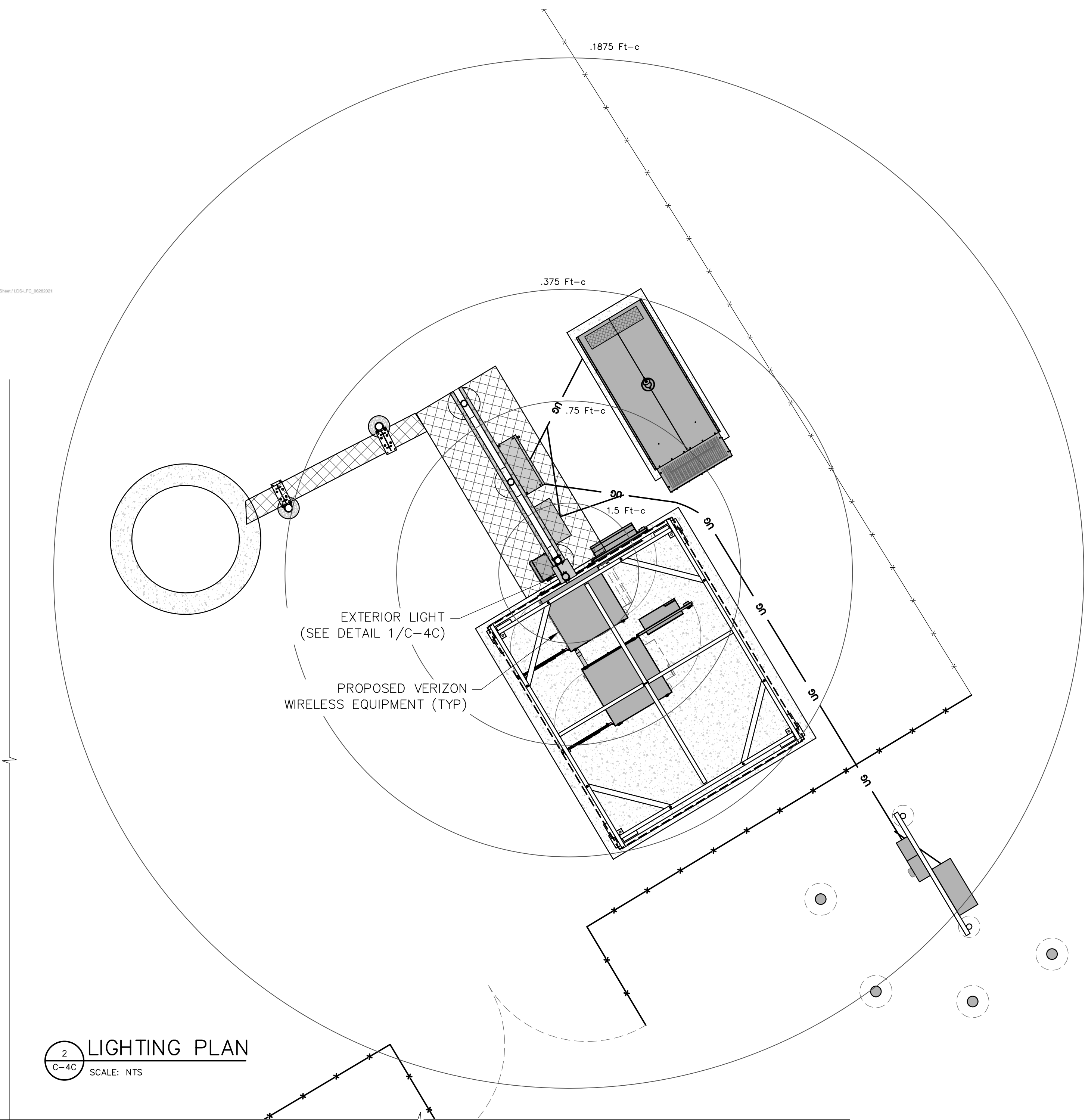
- R - Receptacle Only
- RS - Receptacle Only with Shorting Clip
- 7P - Seven-pin Twist Lock Photozell Receptacle Only\*
- PC1 - 120v-277v Button Eye Photozell\*
- PC2 - 347v 480v Button Eye Photozell\*
- OC1 - On/Off\*
- OC2 - Dim/High\*
- OC3 - On/Off w/Photozell\*\*
- OC4 - Dim/High w/Photozell\*\*
- UB1 - Ubiquiti Wireless Controls\*
- BB - Battery Back-Up (only available on the 30W - 80W models and on 120/277v models)
- SC - Split Circuit\*\*
- CNWB - Cosmetics Wall Mount Bracket
- DM4 - 105-305 VAC, 50/60 Hz with 10 position field adjustable selector switch
- DM4-HV - High Voltage 312-530 VAC, 50/60 Hz with 10 position field adjustable selector switch
- DM4-CD - Constant all-night Dimming
- DM4-CD-HV - Constant all-night Dimming, 315-530 VAC 50/60Hz
- DM4-CLL - 120 VAC, 50/60 Hz, cUL, certified version with gray cover
- DM4-ALC - Adaptive Lighting Control with 2% per year incremental increase to compensate for aging fixture
- DM3-XX - Factory set dimming schedule (10 position selector switch not available)
- BSS - Bird Spikes (Field Installed)

**Notes:**  
 1. For units with 7P the mounting must be restricted to +14° from horizontal aim per ANSI C136.10-2010. If more than a 4° tilt, use PC1 or PC2.  
 2. Cannot be combined with Occupancy Sensor, Use OC3 or OC4 when Occupancy Sensor and Photozell are needed and aiming greater than 4° from horizontal.  
 3. Must note on PO Mounting Height for proper lens application.  
 4. See Occupancy Sensor Default Settings Table.  
 5. UB1 requires the 7P option be selected. OC1 or OC2 are optional.  
 6. Split circuit is only available for 20K, 40K, 60K, and 80W models.  
 7. Split circuit is not compatible with Occupancy warning our photo-zell control.  
 8. Split Circuit and Battery Back-up cannot both fit in the same housing. Battery Back-up will require external. Battery Backup will only control one of the circuits.  
 9. 3000K or warmer, and fixed mounts must be ordered for ICA certification compliance.

If OCC Sensor Option is selected, mounting height specifications need to be clarified:  
 Mounting height between 0' - 10'  
 Mounting height between 10' - 20'  
 Mounting height over 20'

Email: sales@lumecon.com Website: www.lumecon.com Phone: 248-477-5009  
 Copyright © 2021 Lumecon LLC. All Rights Reserved.  
 Note: Specifications and photometric data are subject to change at any time without notice. Please see www.lumecon.com for current specifications and documentation.

NOTE:  
 CONTRACTOR SHALL INSTALL 60W BLACK TYPE IV 3000K  
 FIXTURE. (MAX KELVIN RATING ALLOWED = 3000K)



1 LIGHT DETAILS  
 C-4C SCALE: NTS

2 LIGHTING PLAN  
 C-4C SCALE: NTS



1275 JOHN STREET, SUITE 100  
 WEST HENRIETTA, NY 14586



PRACTICAL SOLUTIONS. EXCEPTIONAL SERVICE.  
 Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C.  
 Project Contact Info  
 36 British American Blvd. Phone: (518) 783-1630  
 Suite 101 (800) 829-6531  
 Latham, NY 12110 www.tectonicengineering.com

WORK ORDER NUMBER 11860.077 DRAWN BY MQ

NO.	DATE	ISSUE
0	6/14/24	FOR COMMENT
1	7/30/24	FOR ZONING
2	12/3/24	PER CITY COMMENTS
3	6/4/25	ADD LANDSCAPING

RELEASED BY DATE



UNAUTHORIZED ALTERATION OR ADDITIONS TO A PLAN BEARING THE SEAL OF A LICENSED ENGINEER OR LAND SURVEYOR IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

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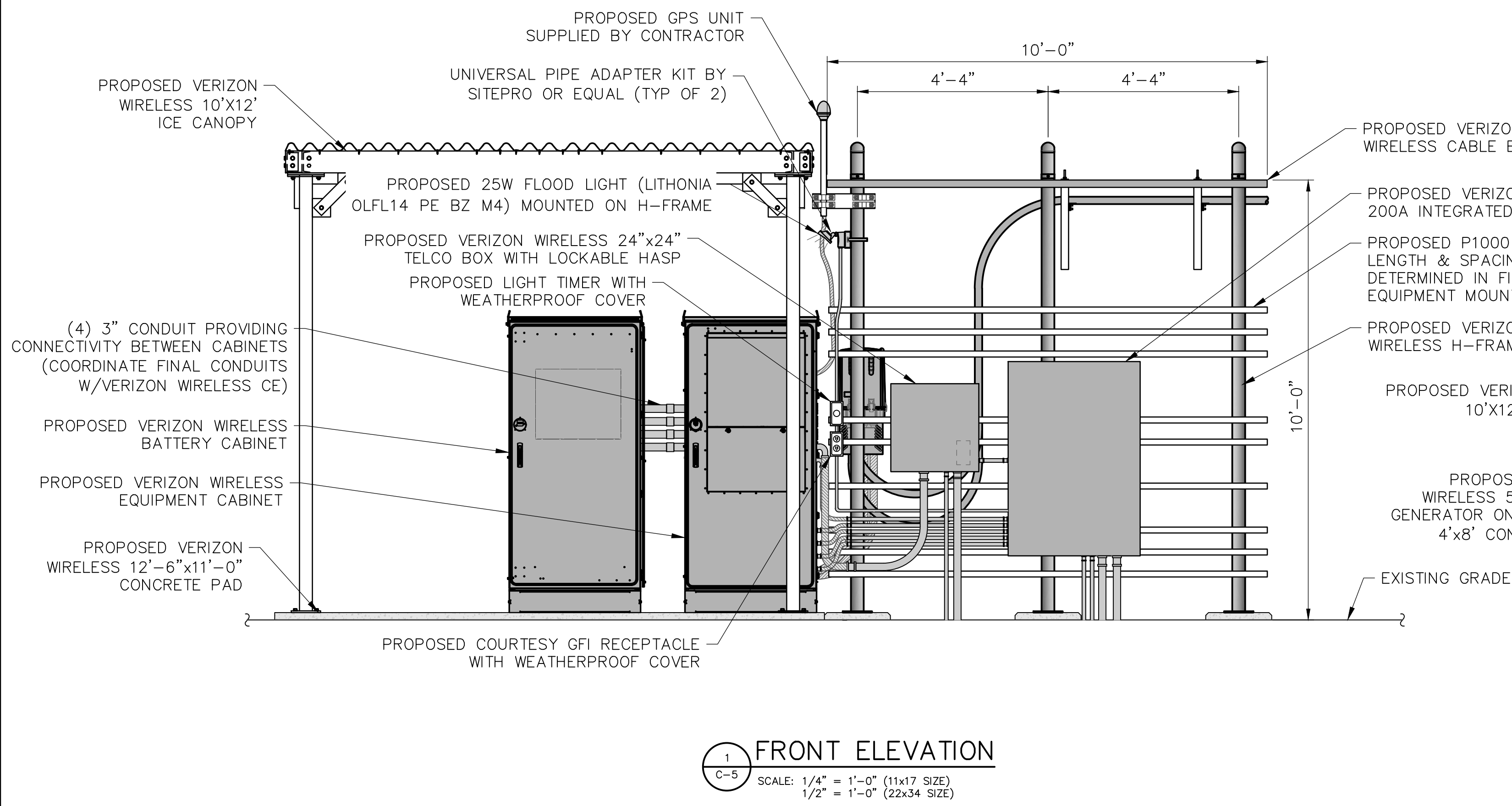
ORIGINAL SIZE IN INCHES  
 SITE INFORMATION  
 121 PARKER AVE  
 FUZE ID#: 17099955  
 MDG#: 5000350891

SITE ADDRESS  
 121 PARKER AVE  
 CITY OF POUGHKEEPSIE  
 DUTCHESS COUNTY  
 NY 12601

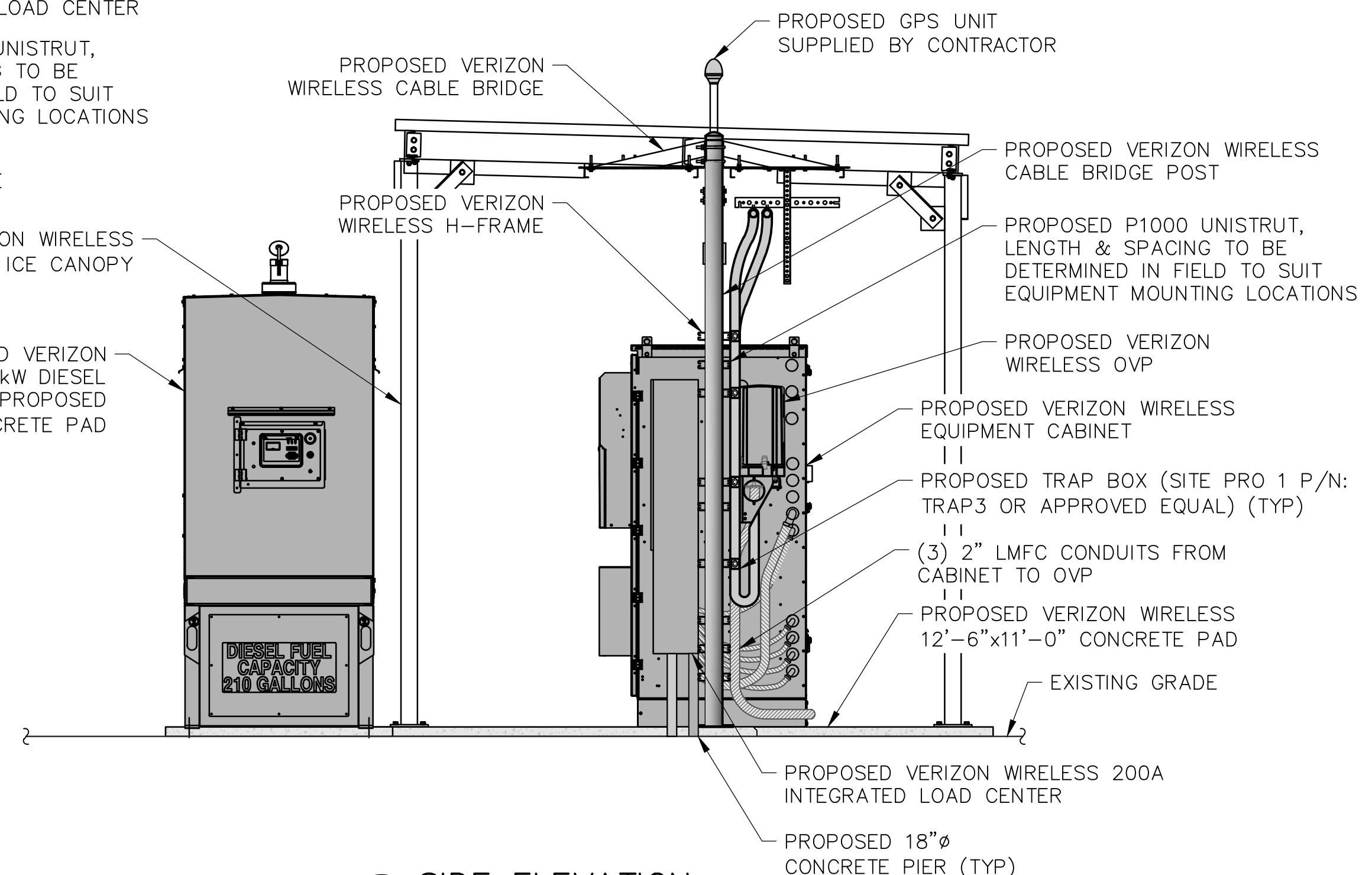
SHEET TITLE  
 SITE DETAILS

SHEET NUMBER

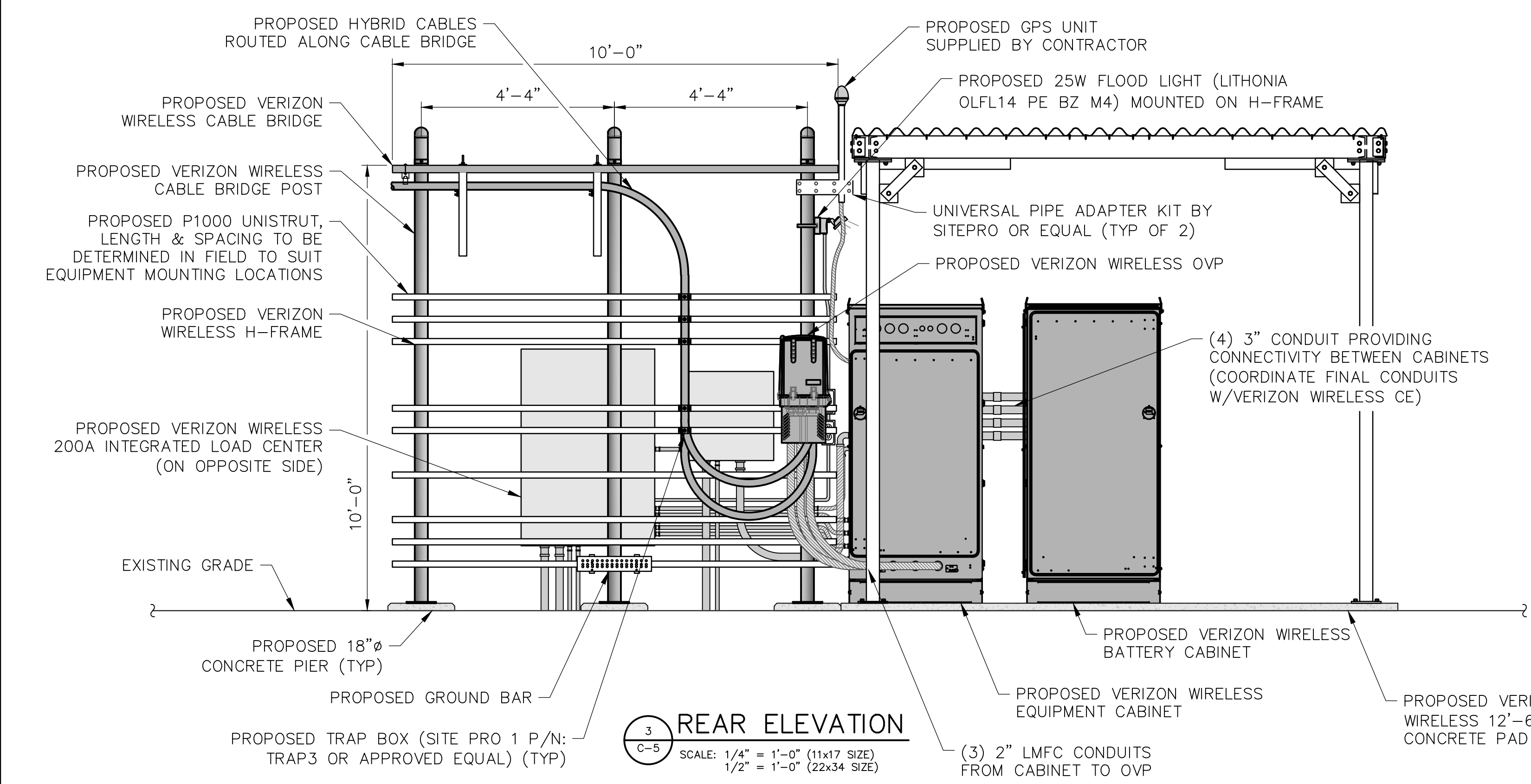
C-4C



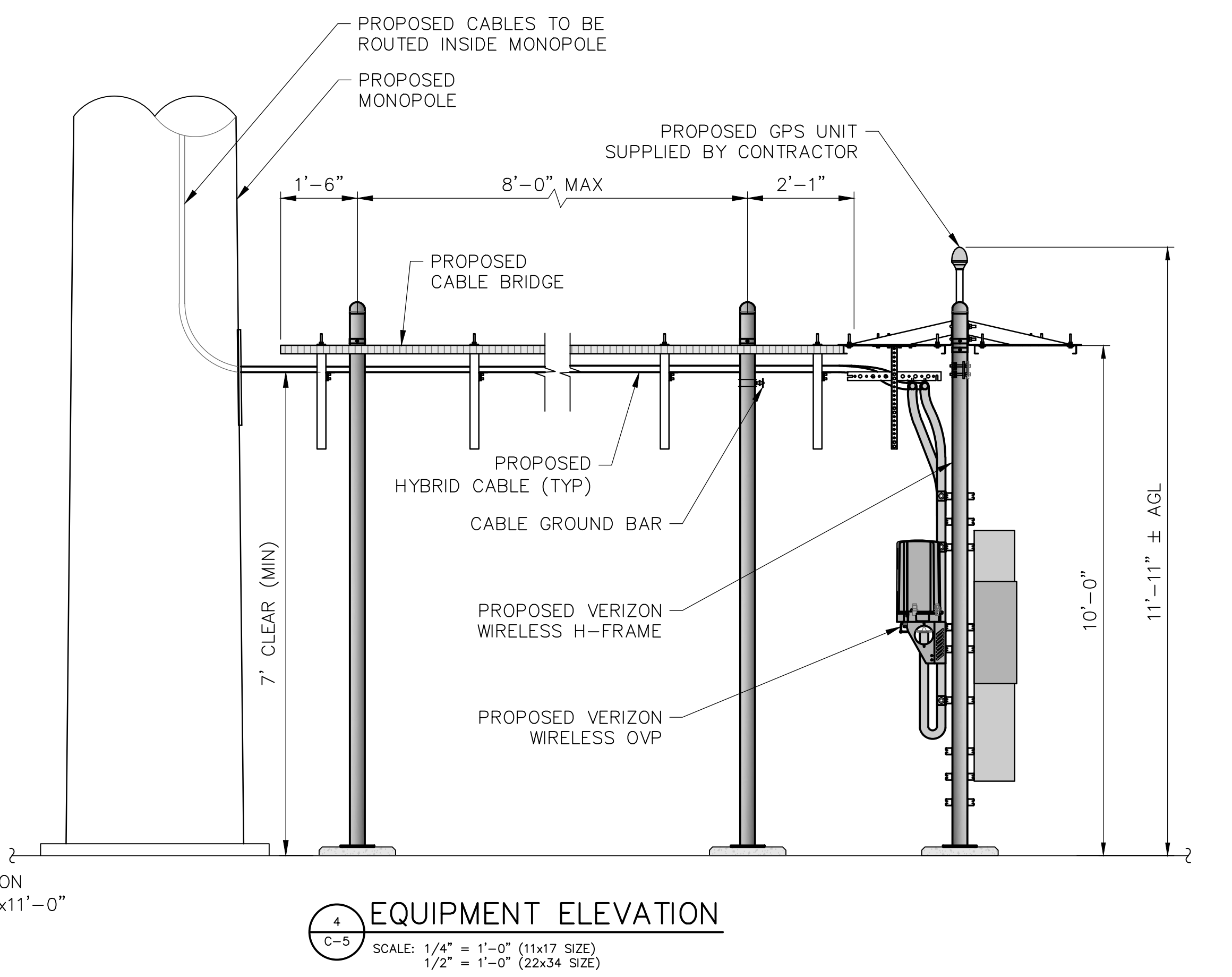
**1 FRONT ELEVATION**  
 C-5 SCALE: 1/4" = 1'-0" (11x17 SIZE)  
 1/2" = 1'-0" (22x34 SIZE)



**2 SIDE ELEVATION**  
 C-5 SCALE: 1/4" = 1'-0" (11x17 SIZE)  
 1/2" = 1'-0" (22x34 SIZE)



**3 REAR ELEVATION**  
 C-5 SCALE: 1/4" = 1'-0" (11x17 SIZE)  
 1/2" = 1'-0" (22x34 SIZE)



**4 EQUIPMENT ELEVATION**  
 C-5 SCALE: 1/4" = 1'-0" (11x17 SIZE)  
 1/2" = 1'-0" (22x34 SIZE)



1275 JOHN STREET, SUITE 100  
 WEST HENRIETTA, NY 14586



PRactical SOLUTIONS. EXCEPTIONAL SERVICE.  
 Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C.  
 Project Contact Info: 36 British American Blvd., Suite 101, Latham, NY 12110  
 Phone: (518) 783-1630 (800) 829-8531  
 www.tectonicengineering.com

WORK ORDER NUMBER		DRAWN BY	
11860.077		MQ	
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RELEASED BY: \_\_\_\_\_ DATE: \_\_\_\_\_



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ORIGINAL SIZE IN INCHES  
**SITE INFORMATION**  
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 FUZE ID#: 17099955  
 MDG#: 5000350891  
 SITE ADDRESS

121 PARKER AVE  
 CITY OF POUGHKEEPSIE  
 DUTCHESS COUNTY  
 NY 12601

SHEET TITLE  
**EQUIPMENT ELEVATIONS**

SHEET NUMBER  
**C-5**

# VISUAL RESOURCE EVALUATION

## PROPOSED 100' TALL TELECOMMUNICATIONS STRUCTURE

**121 Parker Ave  
City of Poughkeepsie,  
Dutchess County  
New York, 12601**

Submitted by:

**verizon**

1275 John Street, Suite 100  
West Henrietta, NY 14586

Prepared by:

**Tectonic**

36 British American Blvd., Suite 101  
Latham, New York 12110  
518-783-1630  
845-567-8703 FAX

**Original - July 30, 2024  
Revised - December 2, 2024**

## VISUAL RESOURCE EVALUATION

Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C., was contracted by Verizon Wireless to conduct a “Visual Resource Evaluation” to determine which areas within the City of Poughkeepsie will contain views of the proposed 100-foot-tall wireless telecommunications structure.

### **Setting:**

The proposed site is located 3/4<sup>th</sup> of a mile southeast of Marist College on Parker Ave in the City of Poughkeepsie, Dutchess County, New York. The surrounding land use is a mix residential and commercial use properties with some wooded park areas. The predominant forest species are mixed deciduous and coniferous, with an estimated height of 40 to 60 feet.

### **Methodology:**

On Wednesday July 17, 2024, Tectonic conducted a field investigation for the purpose of evaluating the viewshed associated with the proposed installation of the 100-foot tower. Conditions were partly cloudy with a temperature of approximately 80°, and with wind speeds of approximately 6-8 mph. The study area consisted of a 2-mile radius from the project site. The field study for this visual resource evaluation was conducted during the summer season with 100% leaf on conditions.

On Monday November 18, 2024, Tectonic conducted another field investigation for the purpose of evaluating visibility of the proposed installation of the 100-foot tower along the Empire State Trail, Walkway Over the Hudson inside the 2 mile viewshed. The conditions were clear with a temperature of approximately 40°, and with wind speeds of approximately 7-10 mph. The field study for this visual resource evaluation was conducted during the late fall season with leaf off on conditions.

The methodology utilized during this field investigation is referred to as a “balloon test.” The height of the proposed structure was simulated by floating a 4’ diameter, helium-filled weather balloon at 100-feet above ground level (AGL). The balloons provided reference points for height as well as location and also provides a known dimension that later aids in the production of photo simulations.

Prior to the field study, Tectonic assessed the potential visibility in the study area by creating desktop viewshed maps using ESRI ArcGIS Desktop 10.8 in conjunction with a USGS 7.5 Minute Series Topographic Quadrangles Map and aerial base maps and street maps. A viewshed map was created delineating areas where visibility would be blocked by topography and areas where visibility would be blocked by vegetation.

Tectonic drove and walked the study area to confirm the potential visibility of the structure. During the “in field” review the participants reviewed and documented those areas from which views of the structure may be “visible” and those which are blocked by topography and vegetation. The resulting data from this analysis was reviewed and referenced on the “Photo Log” and “Viewshed Map” attached. The colors on the map delineate which areas have a line of sight to the structure.

The first viewshed analysis resulted in the discovery the proposed structure will be visible from clear and elevated areas southeast and northwest up to a quarter mile away on Parker Ave, Garden Ave and High St.

The 2<sup>nd</sup> analysis revealed that the proposed structure will be visible on the trail from clear points starting from the west starting where the Walkway Over the Hudson crosses over US-9, 0.87 miles away. The proposed structure will be visible from the east starting where the trail crosses under NY-9G (Parker Ave) a quarter of a mile away. The proposed structure will also be visible from points on the Poughkeepsie Urban Rail Trail from the Parker Ave entrance to a quarter mile north.

Photographs were taken from various vantage points within the study area to document the actual view towards the proposed structure, as well as the general character of the viewshed. Each photograph attached includes a brief description of the location and orientation from which it was taken, and the photo number corresponds to the key number on the photo log map.

**Process:**

Photographs of the weather balloon from the viewpoints noted were taken with a Nikon D5300 Digital 24-megapixel camera using a 55mm focal length lens to mimic the view as observed from the human eye.

In order to analyze the potential visual impacts of the proposed structure, Tectonic took photographs of the balloon from locations within the search area for the purpose of preparing simulations of the proposed structure. Photographs for which there is a corresponding simulated view (#20, #21, #27, #30, #31, #34, #35, #36 & #37) of the proposed structure were produced by first photographing an existing similar type structure, then photographing the view towards the proposed site where the marker balloon was set to a height of 100-feet AGL. The digital images of the balloon and similar structure was then merged and scaled with digital image editing software. With this process, the structure is scaled to the correct height and width by scaling the similar type of structure using measurements from the marker balloon. The similar type of structure used has an antenna array that spans eight feet (8'). By measuring the balloon width of 4', one can determine the proper width of the antenna array by multiplying the balloon width by a factor of 2. The composite is printed out to a PDF file, producing the final image.

We note that the simulations provided are artistic renderings of views from chosen locations and should not be interpreted to be the actual view of the tower following construction. While we utilize best efforts to simulate the view of the proposed tower from a particular location, some variance between simulations, manufacturer products and final installed towers is to be expected.

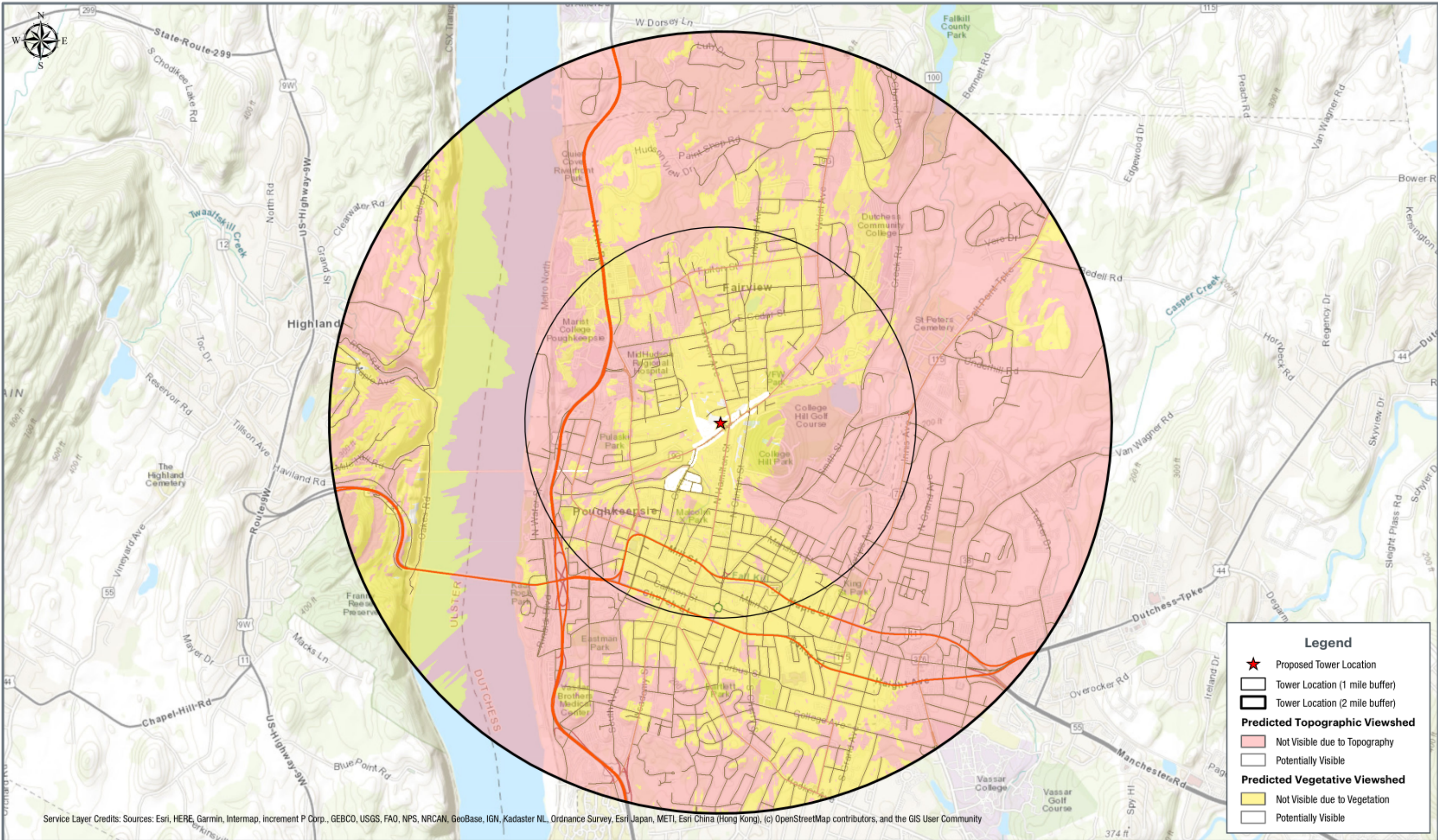
**Conclusion:**

The Viewshed Analysis Map presents a conservative delineation of the viewshed within the study area along public roadways. The photo slides have been prepared per the methodology described above and provide a general depiction of the appearance of the structure from the photographed viewpoints.

Sincerely,  
TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C.



Steven M. Matthews, PE  
Managing Director - Engineering

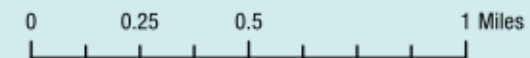


Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

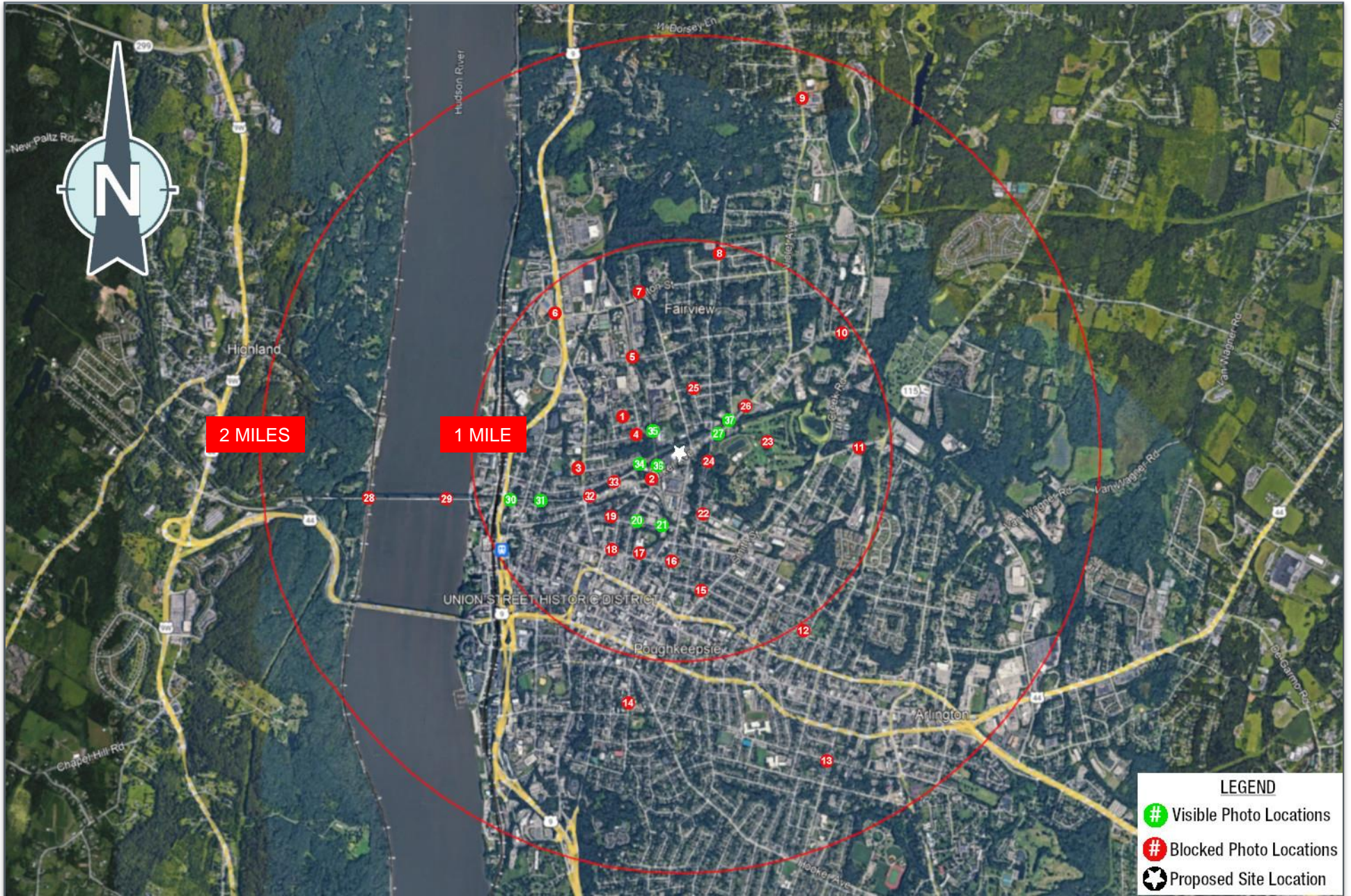


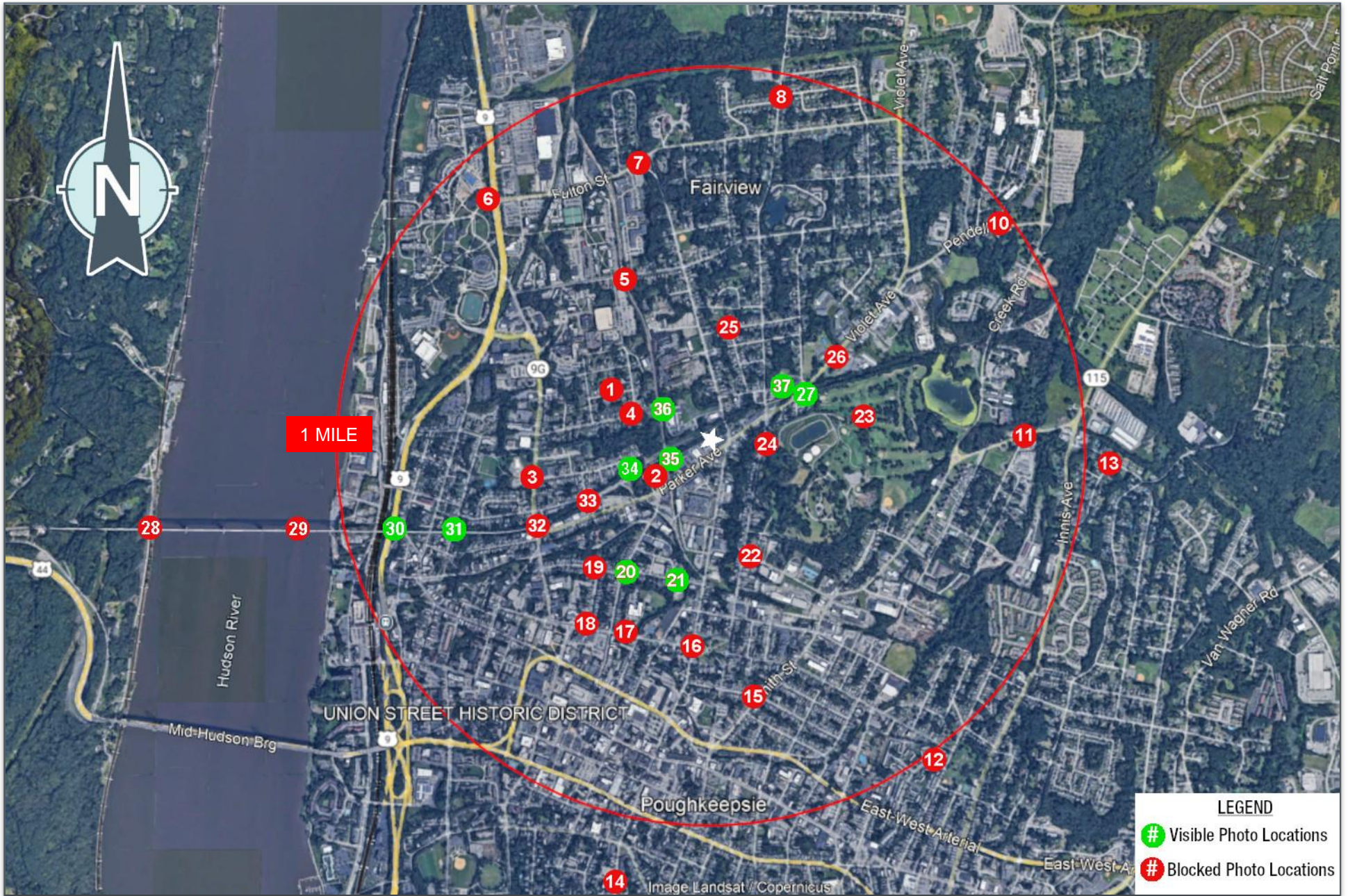
100ft Tower  
 25ft High Density Development  
 60ft Mixed Forests & 20ft Woody Wetlands

121 Parker Avenue  
 Poughkeepsie, New York 12601



Field Veified  
 Viewshed Map

































































































# Dutchess County Department of Planning and Development

Fax Info Only	To	Date	#pgs
	Co./Dept.	From	
	Fax #	Phone #	

## 239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Poughkeepsie**

Referring Agency: **Zoning Board of Appeals**

Tax Parcel Number(s): **2574650000**

Project Name: **Verizon Wireless Use and Area Variances**

Applicant: **Verizon Wireless**

Address of Property: **121 Parker Ave, Poughkeepsie, NY 12601**

Please Fill in this section

### Exempt Actions:\* 239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

### No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

Exempt Action submitted for informal review

### Actions Requiring 239 Review

- Comprehensive/Master Plans
- Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- Rezoning involving all map changes
- Architectural Review
- Site Plans (all)
- Special Permits for all non-residential uses
- Use Variances for all non-residential uses
- Area Variances for all non-residential uses
- Other (Describe):

### Parcels within 500 feet of:

- State Road:
- County Road:
- State Property (with recreation area or public building)
- County Property (with recreation area or public building)
- Municipal Boundary
- Farm operation in an Agricultural District

Date Response Requested: **10/8/2024**

Entered By: **Knauss, Judith**

\*These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.\*

For County Office Use Only

## Response From Dutchess County Department of Planning and Development

### No Comments:

- Matter of Local Concern
- No Jurisdiction
- No Authority
- Withdrawn
- Incomplete - municipality must resubmit to County
- Exempt from 239 Review
- None

### Comments Attached:

- Local Concern with Comments
- Conditional
- Denial
- Incomplete with Comments- municipality must resubmit to County
- Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: **9/26/2024**

Date Received: **9/26/2024**

Date Requested: **10/8/2024**

Date Required: **10/25/2024**

Date Transmitted: **10/25/2024**

Notes:

Major Project

Referral #: **ZR24-340**

Also mailed hard copy

Reviewer:





**DUTCHESS COUNTY GOVERNMENT**  
**DEPARTMENT OF PLANNING & DEVELOPMENT**

October 25, 2024

**To:** Zoning Board, City of Poughkeepsie  
**Re:** **ZR24-340, Verizon Wireless Use and Area Variances**  
Lot: 885821, 825 Main Street

The Dutchess County Department of Planning & Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m).

**ACTION**

The applicant is seeking a use variance along with four area variances for setbacks, chain link fencing and landscaping for a 100-foot telecommunications tower and a 50' x 50' equipment area.

**COMMENTS**

As noted by the applicant in their initial presentation to the ZBA, the standard for wireless facilities is that there be a demonstrated need, and that the facility be a minimal intrusion to the community. For the reasons described below, we are concerned that this exact site is more than a minimal intrusion to the community, and we encourage the carrier to spend additional time evaluating alternative locations.

This property sits in the heart of the Walkway-Gateway district. The zoning code states that “the purpose of the Walkway-Gateway (W-G) District is to revitalize this mixed industrial and residential area of the City so that it becomes a vibrant and attractive walkable mixed-use neighborhood where people will want to live, shop and invest.” The code prioritizes activity and vibrancy in this area, describing a future of commercial storefronts, upper-story apartments, and public amenities geared towards residents and the many visitors to the Walkway Over the Hudson and connected trails. While such a vision is inherently slow to develop, in recent years the neighborhood has made progress with the construction of the Northside Line, the opening of the law enforcement center, the in-progress headquarters for Scenic Hudson at Northside Junction, and the potential redevelopment of the former Schatz Federal Bearing factory site. Additional redevelopment in line with the city’s vision is very much a possibility in the future. This site may just be a parking lot now, but it is a key parcel in the future revitalization of this area in line with the city’s adopted plans and codes.

To that end, our concern is not with the height of the tower, but that the development of a tower on this parcel will impact its potential future redevelopment and the redevelopment of the corridor more broadly. We believe that additional efforts should be undertaken to find a location that will better limit the installation’s impact on the City’s development goals. Either the Zoning or Planning Board could consider bringing in an outside RF engineer to assist with such a reevaluation.

Additional comments:

- The provided visual assessment includes a selection of locations that are generally several blocks away from the project. We suggest that the visual analysis should include depictions of the site from Parker Avenue and the adjacent rail trail.
- Should the use variance be approved, we find the area variances to be a matter of local concern, though we suggest that a more attractive cladding could be added to the chain link fencing for this highly visible location.

(ZR24-340, cont.)

**RECOMMENDATION**

For the reasons stated above, we recommend the Board **condition the requested use variance** for a cell tower on this parcel on a re-examination of potential sites, potentially including the broadening of the search area if at all feasible.

**Voting and Reporting Requirements:** If the Board acts contrary to our recommendation, the law requires that it do so by a majority plus one of the full membership of the Board and that it notify us of the reasons for its decision.

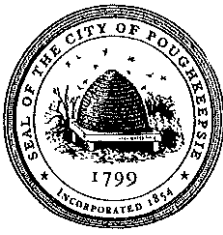
Eoin Wrafter, AICP  
Commissioner

By

A handwritten signature in black ink, appearing to read 'D. Tuttle', written over a horizontal line.

Dylan Tuttle, Senior Planner

CC: City of Poughkeepsie Planning Board



**THE CITY OF POUGHKEEPSIE  
NEW YORK  
ZONING BOARD OF APPEALS  
62 CIVIC CENTER PLAZA, 2ND FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4263 Fax: (845) 451-4006**

FEE: \$350  
CODE: A2112

ID#: \_\_\_\_\_

IPS# \_\_\_\_\_

**AREA VARIANCE APPLICATION**

**PROPERTY ADDRESS:** 105 Albany Street

**ZONING DISTRICT:** Residential Neighborhood C-(RNC)

**OWNER INFORMATION:**

Name: Hudson Venture Group LLC  
Address: PO BOX 4687  
Greenwich, CT 06830  
Phone: 203 273 6505  
Email: nunzy23@yahoo.com

**APPLICANT INFORMATION:**

Name: Michael Annunziato  
Address: PO BOX 4687  
Greenwich, CT 06830  
Phone: 203 273 6505  
Email: nunzy23@yahoo.com

**CONSULTANT INFORMATION:**

Name: Studio 90 Design & Planning  
Address: 4 Fairway Drive  
Pawling, NY 12564  
Phone: 845 239 1456  
Email: studio90@msn.com

**SUBJECT OF APPEAL**

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Joseph O'Brien, Deputy Zoning Administrator

Date of decision/determination/violation: April 9, 2025

***Please note that a copy of the communication must be attached with this application.***

**ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION**  
**PROPERTY ADDRESS: 105 Albany Street**

**AREA VARIANCE REQUESTS**

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

<b>SECTION</b>	<b>REQUIRING/PROHIBITING</b>	<b>REQUESTED VARIANCE</b>
<u>Section 19-2.3(2)(a)</u>	<u>Required Lot Area</u> <u>6,00 S.F.</u>	<u>Proposed 3,900 S.F.</u> <u>Reduction of 2,100 S.F.</u>
<u>Section 19-2.3(3)(c)</u>	<u>5' Side Yard</u>	<u>1. North Side reduction of 2'</u> <u>2. South Side reduction of 1'</u>
<u>Section 19.2.3(3)(g)</u>	<u>Accessory structure 5' side yard</u>	<u>Reduction of 1'</u>
<u>Section 19-6.2(11)(a)</u>	<u>5 Parking Spaces</u>	<u>Reduction of 5 Spaces</u>

**VARIANCE REQUEST JUSTIFICATION**

Pursuant to Section 19-9.10(11)(c) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

ZONING BOARD OF APPEALS AREA VARIANCE  
APPLICATION  
PROPERTY ADDRESS: 105 Albany Street  
AREA VARIANCE REQUESTS

LIST OF REQUIRED ATTACHMENTS

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):

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SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.

  
\_\_\_\_\_  
SIGNATURE OF APPLICANT

4-22-25  
\_\_\_\_\_  
DATE

Michael Anagnosto  
\_\_\_\_\_  
Print Name

Dear Zoning Board of Appeals:

We appreciate your time to review our application and consider our project. Please find below answers to the Request for Justification.

1) Granting the variances needed will have a tremendous positive impact on the character of the neighborhood and the properties immediately surrounding the subject property.

The existing property is a poorly designed series of awkward additions. It is large and has no redeeming architectural value. Additionally, the front of the house directly abuts the sidewalk and is lot line to lot line in width. The new proposed project is meaningfully smaller than the existing structure, and significantly smaller than the previously approved (by ZBA) renovation and addition to the existing structure.

The proposed structure will be architecturally appealing with a focus on details to make it look period correct for the area. We build above minimum code with premium products to ensure this will be a 100-year structure.

Our neighborhood is known for its walkability and proximity to the train station, retail and restaurants, schools, and the beautifully renovated Pulaski Park just around the corner.

2) There are no alternatives to these variances. This lot and almost all lots throughout the 1<sup>st</sup> Ward are particularly small. The subdivision and development of the 1<sup>st</sup> ward predates zoning. Any type of building on almost any lot in the neighborhood requires numerous variances. Even a tiny single-family home. The proposed building has been thoughtfully designed to be as compact as possible. It is no secret that interest rates are crippling, the cost of building has become exorbitant, as have taxes, tariffs, insurance, maintenance, utilities etc. This is the most compact three unit home we can design that will barely eek out a return on this project.

3) The variances requested are not substantial. The variances required to duplicate the existing structure would be more substantial than what is proposed. The proposed building is narrower and shorter than the current structure, requires less parking, and will be a positive change for the neighborhood.

The three proposed compact units only require 3.75 parking spaces, which is less than the four spaces the current building would require.

There is adequate street parking and a municipal parking lot around the corner on Delafield Street.

4) The variances will have a positive impact on the physical and environmental conditions of the neighborhood. The proposed building will be smaller than the existing building and will be a beautiful addition to the neighborhood, which will hopefully encourage more quality building and renovation that is desperately needed in the neglected 1<sup>st</sup> Ward.

5) The required variances are not self-created. The small lots in the 1<sup>st</sup> Ward pre-date local zoning requirements. The parcels are small and would not allow for any building without variances.

It is no secret there is a housing crisis in our area. There is tremendous need in Poughkeepsie for compact apartments that are walkable to mass transit. This type of project is exactly what is needed to increase the housing stock of affordable, purpose built, architecturally appealing, and energy efficient units.

Thank you for your consideration.

Hudson Venture Group LLC  
PO BOX 4587  
Greenwich, CT 06830

April 22, 2025

Mr. Scott Parker, ZBA Chairman and members  
City of Poughkeepsie Zoning Board  
62 Civic Center Plaza, Second Floor  
Poughkeepsie, NY 12601

Re: Proposed two Story, four family Residence  
105 Albany Street, TAX ID: 6161-24-427963  
Poughkeepsie, NY 12601

Dear Mr. Parker,  
Hudson Venture Group LLC, is proposing a four family residence, variances are required.

The area variances requested as per comments from the Zoning Review by Joseph D. O'Brien, Deputy Zoning Administrator dated April 9, 2025, are:

**1. Section 19-2.3(2)(a)** states that a minimum of 6,000 square feet of lot area is required.  
**REQUIRED 6,000 s.f. REQUESTED 2,100 S.F. Reduction**

**2. Section 19-2.3(3)(c)** states that the minimum Of 5 feet Side Yard is required  
**REQUIRED 5' REQUESTED South Side 1'**  
**North Side 2'**

**3. Section 19-2.3(3)(g)** states that a minimum 5' Side Yard is required (Accessory structures).  
**REQUIRED 5' REQUESTED 1'**

**4. Section 19-6.2(11)(a)** states that a minimum of 5 Parking are required.  
**REQUIRED 5 spaces REQUESTED 5 spaces**

**Bicycle spaces: Required 2 Proposed 4 spaces**

Dear Zoning Board of Appeals:

We appreciate your time to review our application and consider our project. Please find below answers to the Request for Justification.

Variance Request Justification: (answers in bold)

1. *Will the granting of the variance produce an undesirable change in the character of the neighborhood*

**Granting the variances needed will have a tremendous positive impact on the character of the neighborhood and the properties immediately surrounding the subject property.**

**The existing property is a poorly designed series of awkward additions. It is large and has no redeeming architectural value. Additionally, the front of the house directly abuts the sidewalk and is lot line to lot line in width. The new proposed project is meaningfully smaller than the existing structure, and significantly smaller than the previously approved (by ZBA) renovation and addition to the existing structure.**

The proposed structure will be architecturally appealing with a focus on details to make it look period correct for the area. We build above minimum code with premium products to ensure this will be a 100-year structure.

Our neighborhood is known for its walkability and proximity to the train station, retail and restaurants, schools, and the beautifully renovated Pulaski Park just around the corner.

2. *Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is variance necessary?*

There are no alternatives to these variances. This lot and almost all lots throughout the 1<sup>st</sup> Ward are particularly small. The subdivision and development of the 1<sup>st</sup> ward predates zoning. Any type of building on almost any lot in the neighborhood requires numerous variances. Even a tiny single-family home. The proposed building has been thoughtfully designed to be as compact as possible. It is no secret that interest rates are crippling, the cost of building has become exorbitant, as have taxes, tariffs, insurance, maintenance, utilities etc. This is the most compact four unit that we can design that will barely eek out a return on this project.

3. *Is/are the requested area variance(s) substantial? Explain why they are not substantial.*

The variances requested are not substantial. The variances required to duplicate the existing structure would be more substantial than what is proposed. The proposed building is narrower and shorter than the current structure, which will be a positive change for the neighborhood.

As for parking, if we were to renovate the existing building, which is a very large duplex of 3/4 bedrooms per unit, it would likely be occupied by large families with a lot of cars. In our experience, residences with 3 or 4 bedrooms almost always have multiple generations of adult family living together. The four proposed small units will likely only have four cars in total, one per unit. This is nearly identical to parking that would be required if the building was kept as two 3 or 4 bedroom units. There is adequate street parking and a municipal parking lot around the corner on Delafield Street.

4. *Will the variance(s) have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?*

The variance will have a positive impact on the physical and environmental conditions of the neighborhood. The proposed building will be smaller in all dimensions than the existing building and will be a beautiful addition to the neighborhood, which will hopefully encourage more quality building and renovation that is desperately needed in the neglected 1<sup>st</sup> Ward.

5. *Is the need for area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.*

The required variances are not self-created. The small lots in the 1<sup>st</sup> Ward pre-date local zoning requirements. The parcels are small and would not allow for any building without variances.

It is no secret there is a housing crisis in our area. There is tremendous need in Poughkeepsie for compact one-bedroom units that are walkable to mass transit. This type of project is exactly what is needed to increase the housing stock of affordable, purpose built, architecturally appealing, and energy efficient units.

Thank you for your consideration.

Respectfully Yours

Michael Annunziato

Hudson Venture Group LLC  
PO Box 4687  
Greenwich, CT 06830

6/24/2025

City of Poughkeepsie Zoning Board  
62 Civic Center Plaza  
Poughkeepsie, NY 12601

Dear Members of the Zoning Board,

This letter serves to formally notify you of significant revisions to the proposed real estate project located at 105 Albany Street. These revisions have been made in careful consideration of feedback and to better align the project with the community's vision and the City's zoning regulations.

We are pleased to inform you of two primary reductions that aim to enhance the project's compatibility and minimize its impact:

1. **Reduced Number of Units:** We have decreased the total number of proposed units from four to three. The proposal now calls for two 1-bedroom units and one 2-bedroom unit. This adjustment reflects our commitment to creating a development that is both economically viable and harmoniously integrated with the surrounding neighborhood.
2. **Decreased Number of Variances Required:** As a direct result of the unit reduction, other design refinements, and changing the lot width from 26' to 30', we have significantly decreased the number of variances sought. We have reduced our variance requests from four to two. We believe this demonstrates a stronger adherence to the existing zoning code and addresses potential concerns related to deviations. The specific variances now requested are only for Lot Area and Parking.

The revised plan drastically reduces the non-conformity in almost every way compared to the current building. Perhaps most important, the parking requirement is now 3.75 parking spaces which is less than the required four needed for the existing building.

We are confident that these thoughtful revisions create a more appropriate and desirable project for the 1<sup>st</sup> ward. We believe the reduced density and fewer requested variances will result in a development that better serves the interests of the community.

Thank you for your time and consideration.

Sincerely,

Hudson Venture Group LLC

Michael Annunziato

Michael Annunziato

**SITE PLAN NOTES**

1. THE APPLICANT HAS SUFFICIENT CAPITAL TO FUND THE DEVELOPMENT AND CONSTRUCTION OF THIS PROJECT.
2. THERE ARE NO EASEMENTS, RIGHTS-OF-WAY, SETBACKS, RESERVATIONS AND REARS FOR PUBLIC USE, EXISTING COVENANTS, OR DEED RESTRICTIONS RECORDED FOR THIS PARCEL OR IMMEDIATELY ADJACENT TO THIS PARCEL.
3. THERE ARE NO SCENIC OR AESTHETIC RESOURCES THAT ARE VISIBLE FROM THIS PARCEL. PULASKI PARK, THE POUGHKEEPSIE URBAN RAIL TRAIL, EMPIRE STATE TRAIL AND WALKWAY OVER THE HUDSON ARE IN CLOSE TO THIS PARCEL.
4. THERE ARE NO WATERCOURSES, MARSHES, ROCK OUTCROPS OR ISOLATED TREES WITHIN THE PROPOSED FACILITY PROJECT LOCATION.
5. THE SITE IS NOT WITHIN OR IMMEDIATELY ADJACENT TO A FLOOD PLAIN.
6. THERE ARE NO FIRE ALARM SYSTEMS OR KNOX BOXES PROPOSED FOR THIS PROJECT.
7. ALL CONSTRUCTION SHALL COMPLY WITH THW CITY OF POUGHKEEPSIE CODE REQUIREMENTS AND REGULATIONS.
8. NO CURB CUTS ARE PROPOSED.

**NOTE: #1 (Tree Protection)**

PRIOR TO START OF CONSTRUCTION OR EXCAVATION, TREES TO BE RETAINED SHALL BE PROTECTED BY SILT FENCE, SNOW FENCE OR EQUAL WHICH WILL BE PLACED AT THE DRIP LINE OR SEVERAL FEET BEYOND. HOWEVER, THE FENCING SHALL NOT CROSS PUBLIC SIDEWALKS. NO STORAGE OR STOCKPILING OF CONSTRUCTION MATERIALS, DEBRIS OR EQUIVALENT SHALL OCCUR WITHIN THE FENCED AREAS. STOCKPILING, IF ANY, SHALL BE AT REAR.

**NOTE: #2**

ANY DAMAGE TO ALBANY STREET PAVEMENT AND SIDEWALK DURING CONSTRUCTION SHALL BE REPAIRED AND RESTORED TO ORIGINAL CONDITIONS AT OWNERS EXPENSE.

CITY OF POUGHKEEPSIE N.Y. Zoning and Land Use Regulations 10- 2024

BULK REQUIREMENTS FOR RESIDENTIAL DISTRICTS

PARCEL NUMBER: 6062-59-866456

ZONING DISTRICT: Residential Neighborhood C-(RNC)

USE: PROPOSED FOUR (4) FAMILY 1 BED/UNIT RESIDENCE

PRINCIPAL BUILDING	REQUIRED	PROPOSED
MINIMUM LOT AREA (4 Units)	6,000 S.F.	3,900
LOT WIDTH (MIN.)	25'	26'
LOT COVERAGE (MAX.)	70%	±41%

BUILDING PLACEMENT  
PRIMARY STRUCTURE SETBACKS

PRIMARY STREET SETBACK (Min.)	20'	20'
SIDE SETBACK (Min.) ONE 5'/TWO 10'	5'	NORTH SIDE 3' SOUTH SIDE 4' TOTAL 7'
REAR SETBACK	15'	55.85'

ACCESSORY STRUCTURE 5' 4'

MAXIMUM HEIGHT 2.5/35' 2 Story (± 27')

DENSITY DWELLING UNITS PER LOT (Max.) 4 4

USABLE OPEN SPACE 300/Unit 1,200 S.F. ± 2,400 S.F.

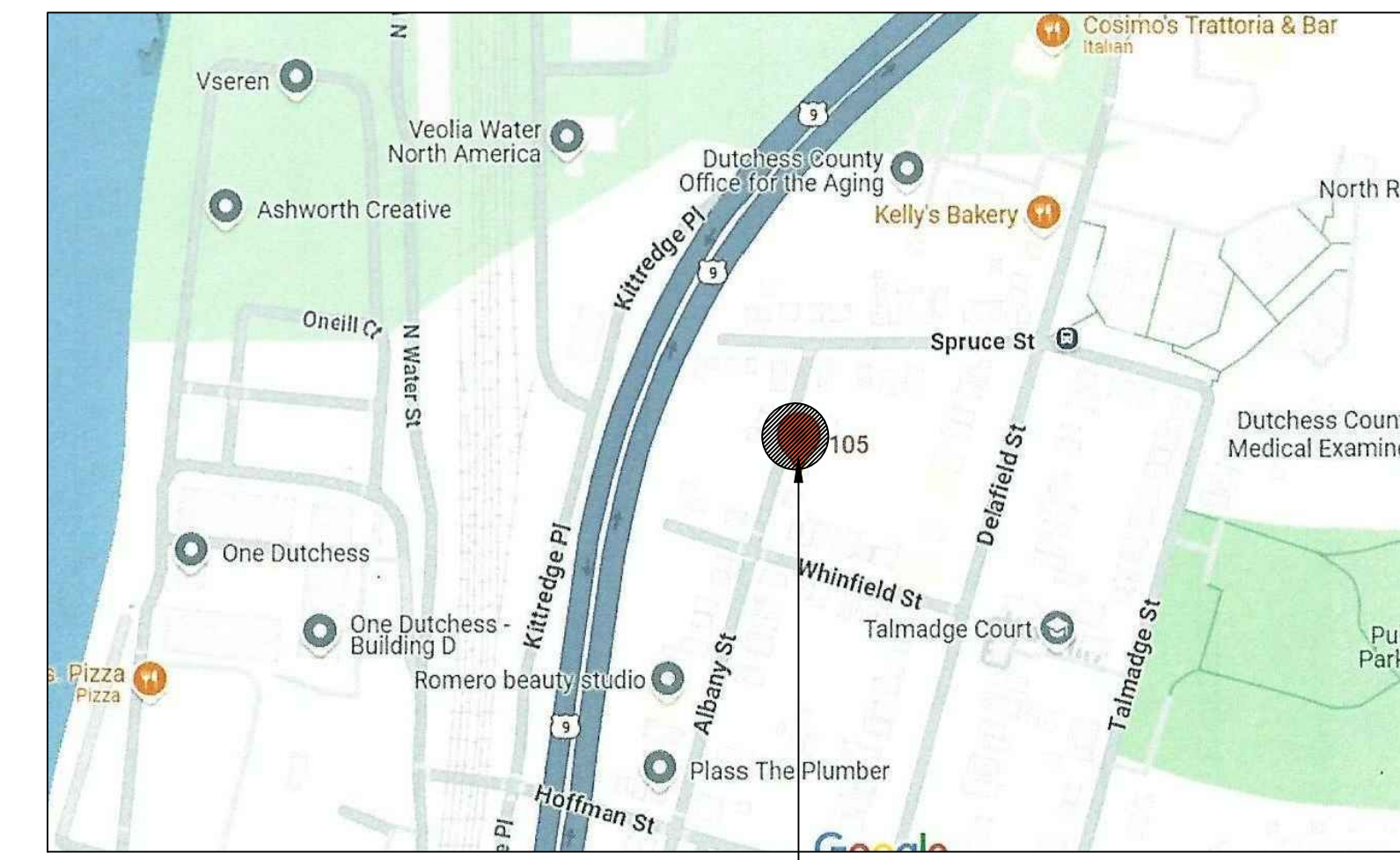
PARKING SPACES 1.25/Unit=5 0

BICYCLE PARKING 2 4

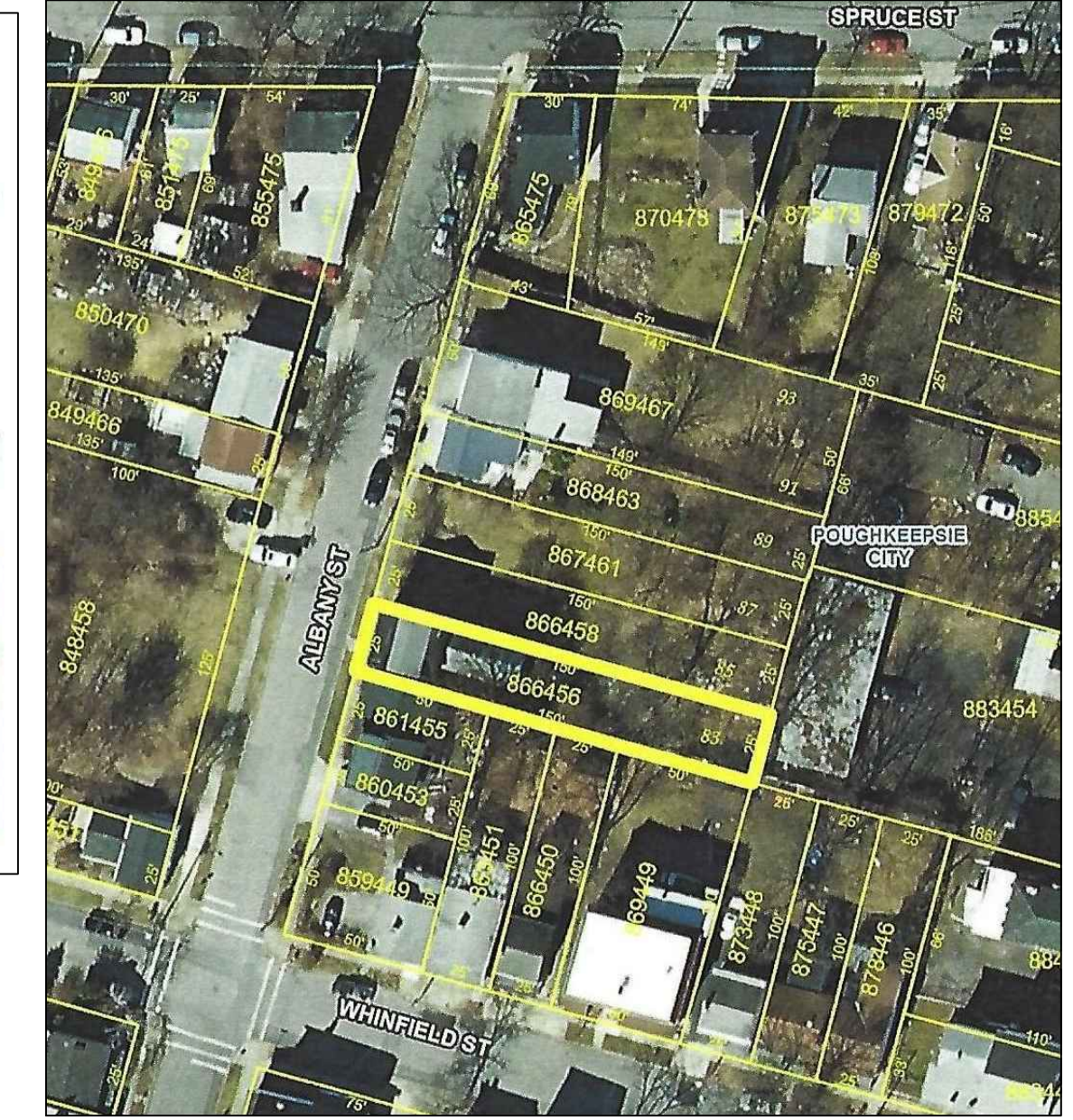
LEGEND: \* AREA VARIANCE REQUIRED



PROPOSED FRONT



SITE



LOCATION MAP

**105 ALBANY STREET**

OWNER: HUDSON VENTURE GROUP LLC  
 PROJECT: PROPOSED TWO STORY  
 FOUR (4) ONE BED/ UNIT RESIDENCE  
 ADDRESS: 105 ALBANY STREET POUGHKEEPSIE NY 12601

**LEGEND**

- PL PROPERTY LINE
- SETBACK LINE
- EXISTING DWELLING TO BE REMOVED
- S SEWER
- W WATER
- E ELECTRIC LINE
- G GAS LINE
- DL DRAIN LEADER
- FD FOOTING DRAIN
- SILT FENCE
- PICKET FENCE
- FIRE HYDRANT
- UTILITY POLE
- T.C. TOP OF CURB
- B.C. BOTTOM OF CURB
- PROPOSED TREES
  - Eastern Serviceberry
  - Pink Dogwood
  - Red Maple
- USABLE OPEN SPACE

**DRAWING LIST**

- SHEET NO. DESCRIPTION
- SP PLOT PLAN
  - SP-1 LANDSCAPING PLAN
  - SP-2 EROSION CONTROL
  - P PICTURES
  - A-1 EXTERIOR ELEVATIONS
  - A-2 FOUNDATION PLAN
  - A-3 FLOOR PLANS

PROGRESS PRINT  
NOT FOR CONSTRUCTION

**CITY APPROVALS**

CITY OF POUGHKEEPSIE, N.Y. SIGNATURES.

Date: \_\_\_\_\_

Zoning Board Of Appeal: \_\_\_\_\_

Date: \_\_\_\_\_

Planning Board/Engineering \_\_\_\_\_

Date: \_\_\_\_\_

Building Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

Fire Chief: \_\_\_\_\_

Date: \_\_\_\_\_

Police Chief: \_\_\_\_\_

Date: \_\_\_\_\_

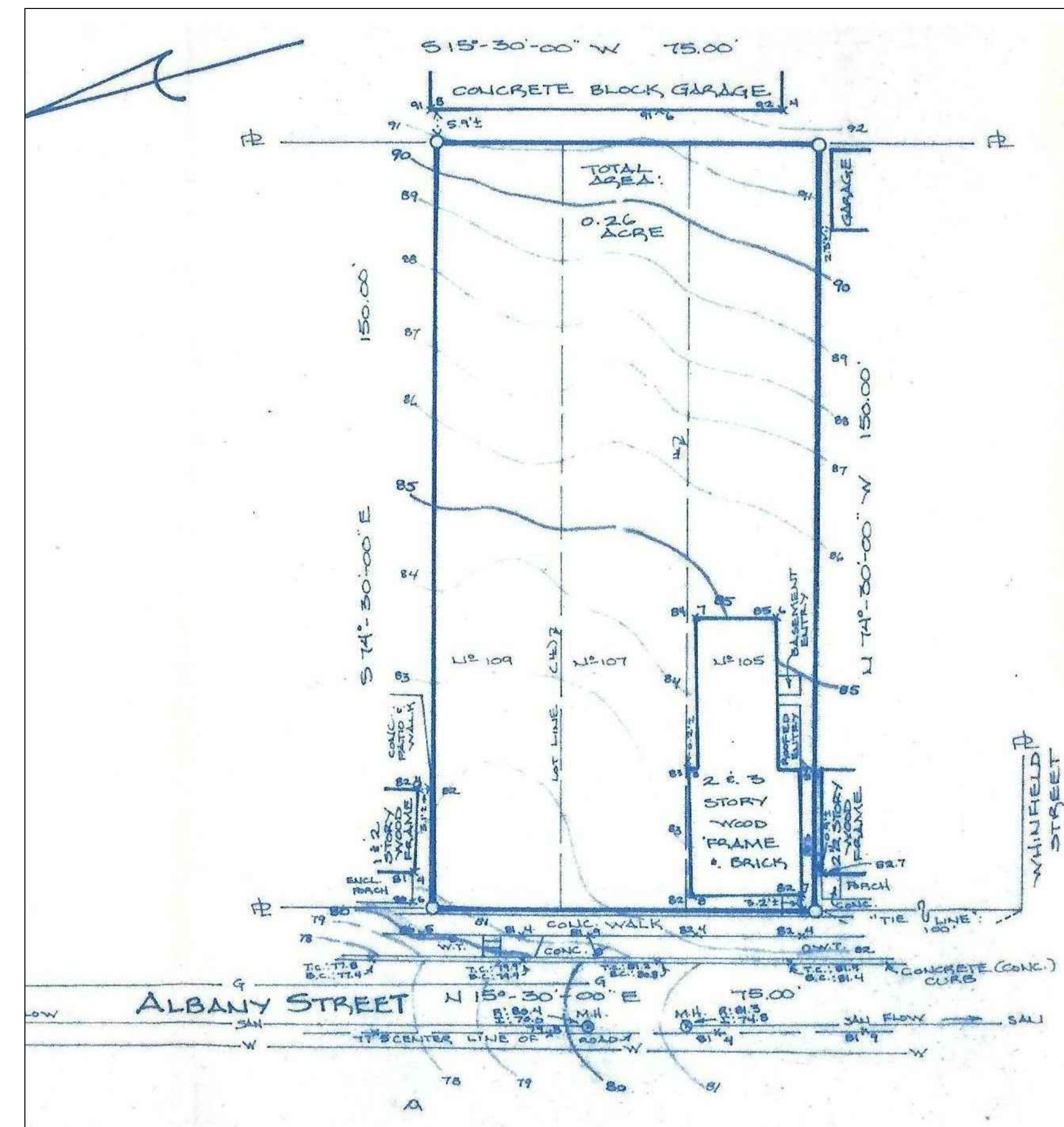
OWNER/APPLICANT CERTIFICATION.  
 THE UNDERSIGNED OWNER OF THE PROPERTY AND APPLICANT STATE THAT THEY ARE FAMILIAR WITH THIS MAP AND ITS CONTENTS HEREBY CONSENT TO ALL TERMS CONDITIONS AS STATED HEREON.. HE/SHE IS FINANCIALLY CAPABLE OF COMPLETING THIS PROJECT.

Date: \_\_\_\_\_

OWNER \_\_\_\_\_

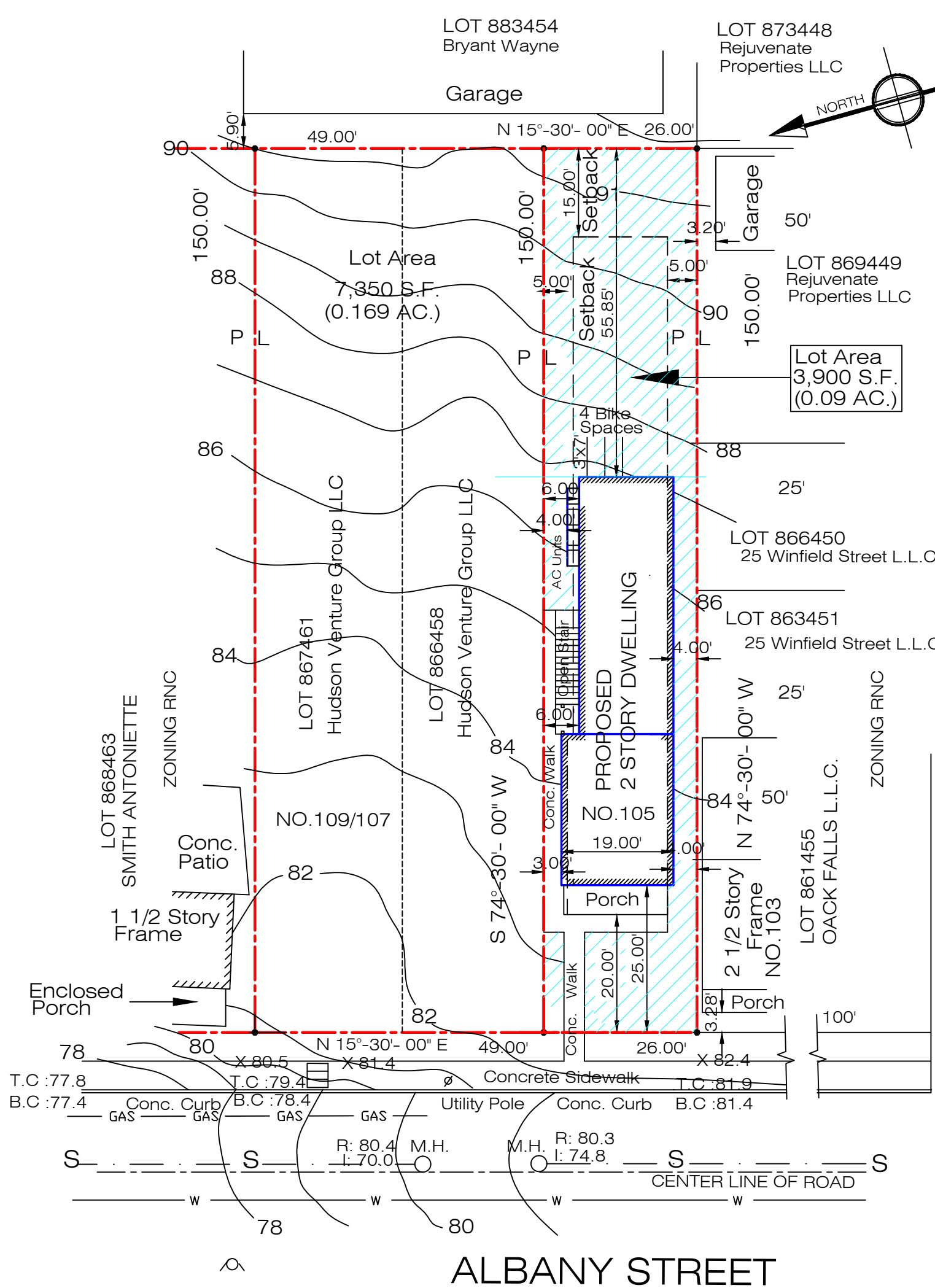
Date: \_\_\_\_\_

APPLICANT \_\_\_\_\_



**EXISTING SURVEY**

SCALE: ±1"=20'  
 PREPARED BY WILLIAM J. KOMISAR L.L.S.  
 DATED FEBRUARY 19, 2013



**PROPOSED SITE PLAN**

SCALE: 1"=20'  
 SITE INFORMATION  
 BASED ON SURVEY BY  
 WILLIAM J. KOMISAR L.L.S.  
 DATED FEBRUARY 19, 2013

NOTE:  
 ANY UNAUTHORIZED ALTERATION OR ADDITION TO THESE PLANS IS A VIOLATION OF THE SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW EXCEPT AS PER SECTION 7209, SUBDIVISION 2.

NO. 1 ZONING REVIEW COMMENTS 4-12-2025

REVISION DATE:

STUDIO 90 DESIGN & PLANNING  
 4 FAIRWAY DRIVE, PAWLING, NEW YORK 12564  
 TEL: 845 239 1456  
 Email: studio90@stn.com

KENNETH L. KAEFER, P.A.  
 ALFREDO DI PIETRO, DESIGNER  
 PETER MARCHETTI, P.E., CONSULTING ENGINEER

PROJECT: PROPOSED FOUR FAMILY RESIDENCE  
 SITE PLAN  
 HUDSON VENTURE GROUP LLC  
 105 ALBANY STREET  
 POUGHKEEPSIE, NEW YORK 12601

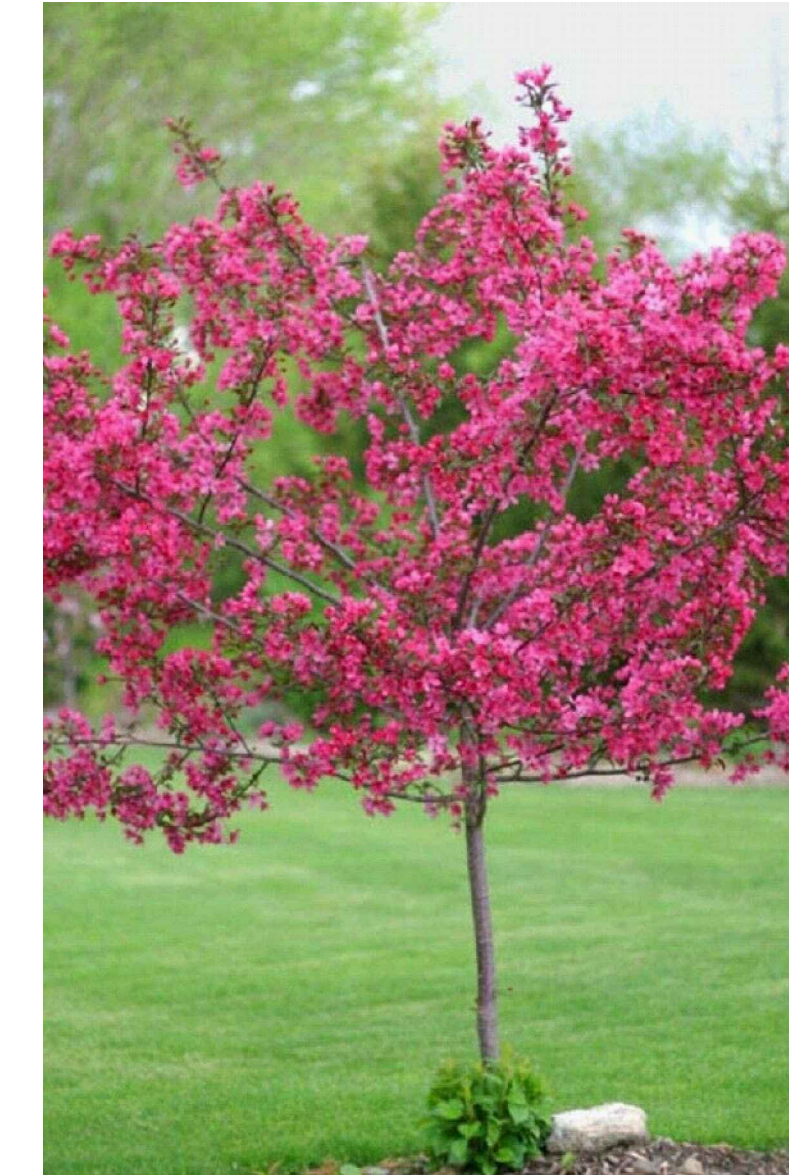
DATE: 2-18-2024  
 JOB NO.: 24-12  
 SCALE: 1"=20'  
 DWG. NO.: SP



Red Maple  
Acer rubrum  
QUANTITY 1



Amelanchier Canadensis  
Eastern Serviceberry  
4" QUANTITY 1



Pink Dogwood  
Cornus Florida  
Flowering Hardy Fall  
4" DIA. QUANTITY 1

WINTERGREEN BOXWOOD SHRUB



TITAN BOXWOOD SHRUB  
BOTANICAL NAME: BUXUS SINICA

TREE LEGEND

PROPOSED TREES		
NAME	SIZE	QUANTITY
Eastern Service Berry	4" Dia.	1
Pink Dogwood	4" Dia	2
Red Maple	6" Dia	1

USABLE OPEN SPACE

NOTES

- ALL CONSTRUCTION MATERIALS TO BE STORED AT REAR AREA DURING CONSTRUCTION.
- AUTOMATIC DRIP SYSTEM TO BE INSTALLED IN ALL PLANTING AREAS.
- OVER-DIG ALL TREE AND SHRUB HOLES TWO TIMES BALL SIZE AND REPLACE WITH MIX OF TOPSOIL AND ORGANIC MATERIAL.
- MULCH ALL PERENNIAL BEDS WITH AT LEAST THREE INCHES OF ORGANIC MULCH.
- RE-VEGETATE ALL AREAS TO REMAIN NATIVE WITH NATIVE GRASSES.
- THERE IS TO BE NO SOD.
- TRASH IS TO BE ENCLOSED AT REAR.
- APPLY ROCK OVER 6 MIL. PLY WHERE WATER IS CHANNELLED AROUND HOUSE. DESIGN FOR SHEET DRAINAGE WHERE WATER IS NOT CHANNELLED.

GENERAL LANDSCAPING

NOTE:  
EVERGREENS TO BE 3' HIGH MINIMUM.  
3' WIDE  
3' MINIMUM FROM PROPERTY LINE

PROPOSED TREES

NOTE: #1 (Tree Protection)

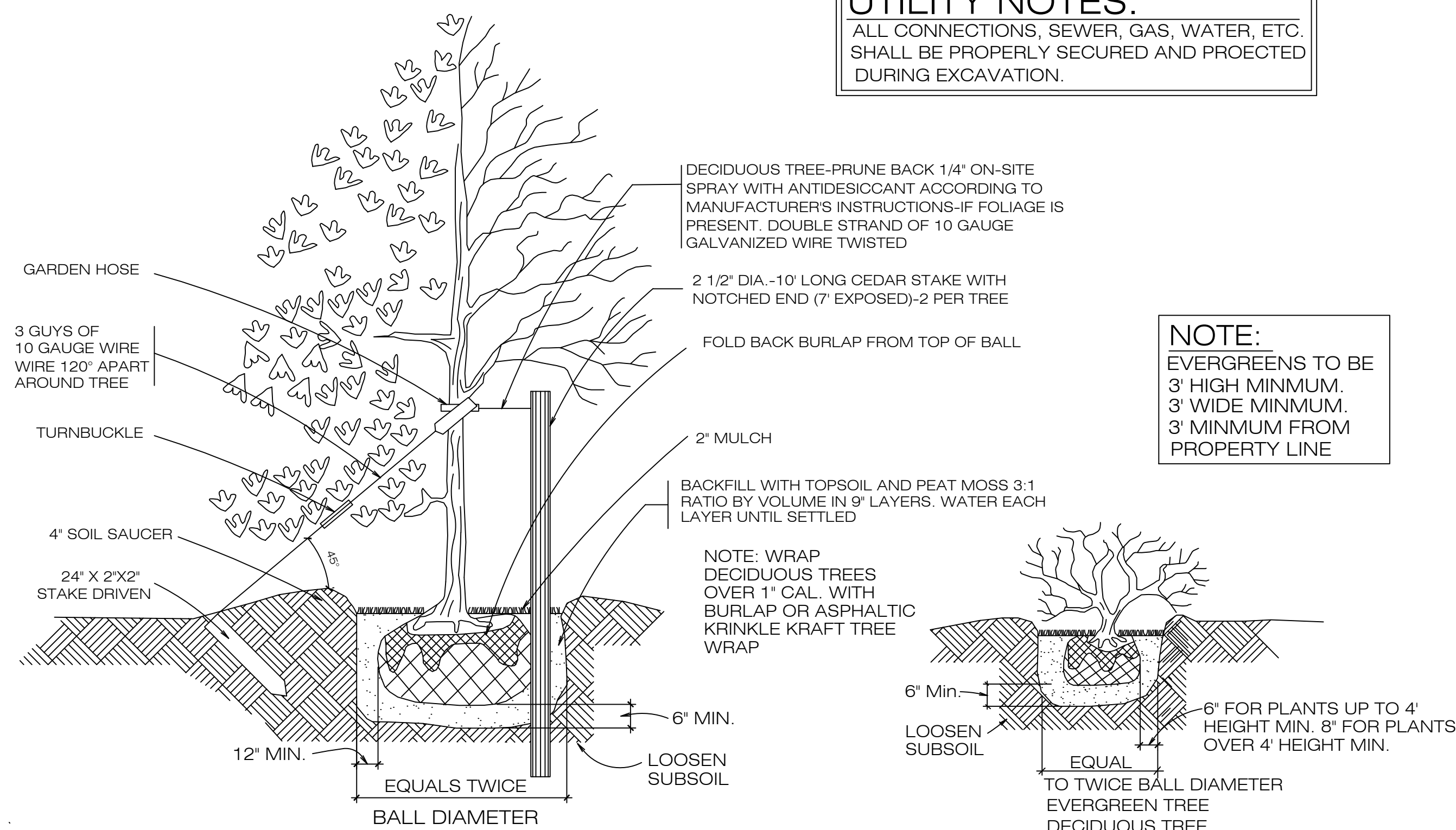
PRIOR TO START OF CONSTRUCTION OR EXCAVATION, TREES TO BE RETAINED SHALL BE PROTECTED BY SILT FENCE, SNOW FENCE OR EQUAL WHICH WILL BE PLACED AT THE DRIP LINE OR SEVERAL FEET BEYOND. HOWEVER, THE FENCING SHALL NOT CROSS PUBLIC SIDEWALKS. NO STORAGE OR STOCKPILING OF CONSTRUCTION MATERIALS, DEBRIS OR EQUIVALENT SHALL OCCUR WITHIN THE FENCED AREAS. NO REGRADING WILL OCCUR. STOCKPILING, IF ANY, SHALL BE AT REAR.

NOTE: #2.

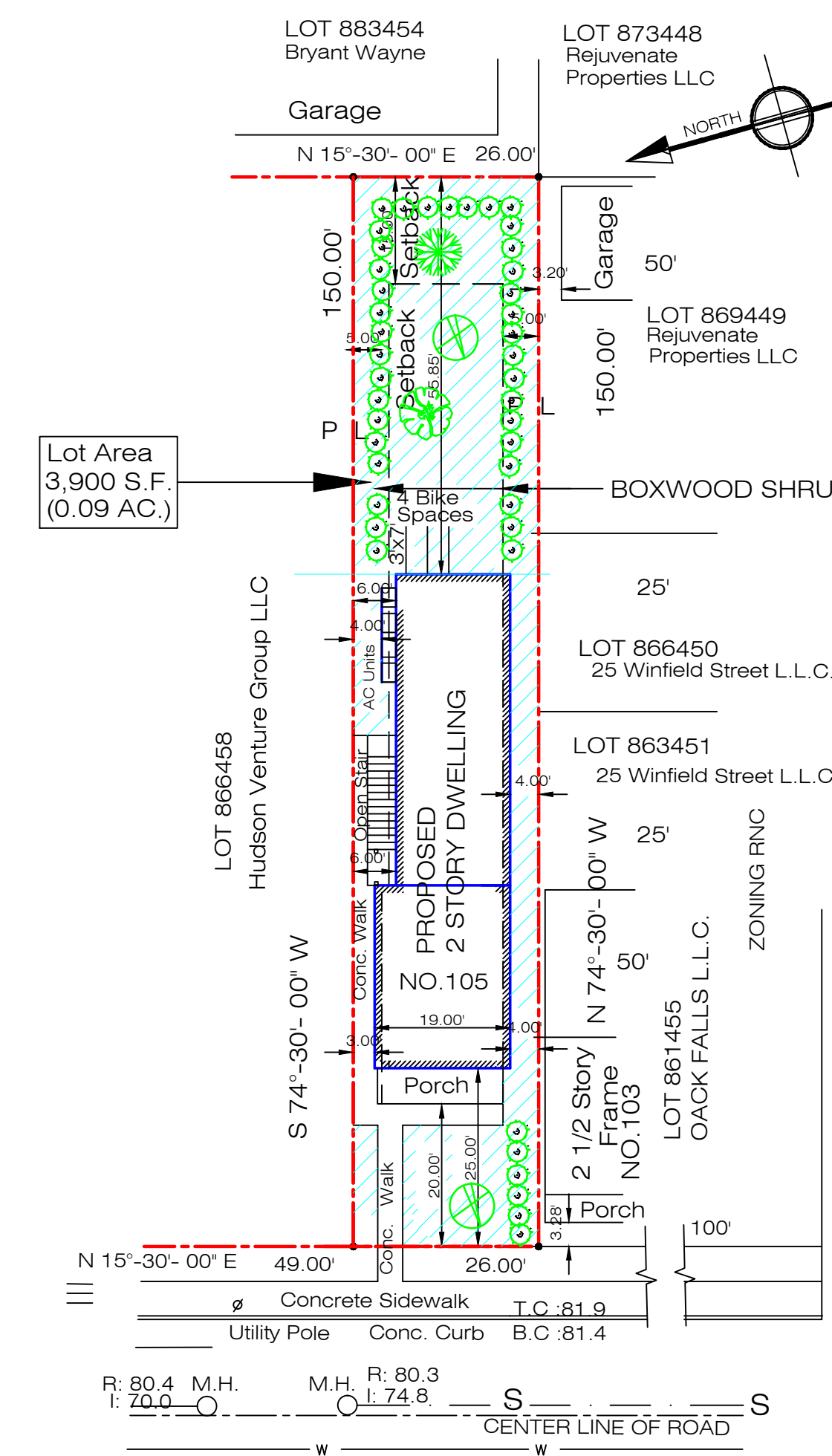
ANY DAMAGE TO ALBANY STREET PAVEMENT AND SIDEWALK DURING CONSTRUCTION SHALL BE REPAIRED AND RESTORED TO ORIGINAL CONDITIONS AT OWNERS EXPENSE.

UTILITY NOTES.

ALL CONNECTIONS, SEWER, GAS, WATER, ETC. SHALL BE PROPERLY SECURED AND PROTECTED DURING EXCAVATION.



PLANTING DETAILS



ALBANY STREET

PROPOSED LANDSCAPING

SCALE: 1"=20'

SITE INFORMATION  
BASED ON SURVEY BY  
WILLIAM J. KOMISAR L.L.S.  
DATED FEBRUARY 19, 2013



LOCATION MAP

NOTE:  
EVERGREENS TO BE 3' HIGH MINIMUM.  
3' WIDE  
3' MINIMUM FROM PROPERTY LINE

PROGRESS PRINT  
NOT FOR CONSTRUCTION

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NO. 1 ZONING REVIEW COMMENTS 4-12-2023

REVISION DATE:

STUDIO 90 DESIGN & PLANNING  
4 FAIRWAY DRIVE, PAWLING, NEW YORK, 12564  
TEL. 845.239.1456  
Email: studio90@st90.com

KENNETH L. KAFFER, R.A.  
ALFREDO DI PIETRO, DESIGNER  
PETER MARCETTI, P.E., CONSULTING ENGINEER

PROJECT: PROPOSED FOUR FAMILY RESIDENCE LANDSCAPE PLAN  
HUDSON VENTURE GROUP LLC  
105 ALBANY STREET  
POUGHKEEPSIE, NEW YORK 12601

DATE: 2-18-2024  
JOB NO.: 24-12  
SCALE: 1"=20'  
DWG. NO.: SP-1



REAR/EAST



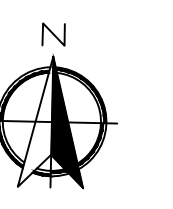
SIDE/NORTH/EAST



105 FRONT/WEST



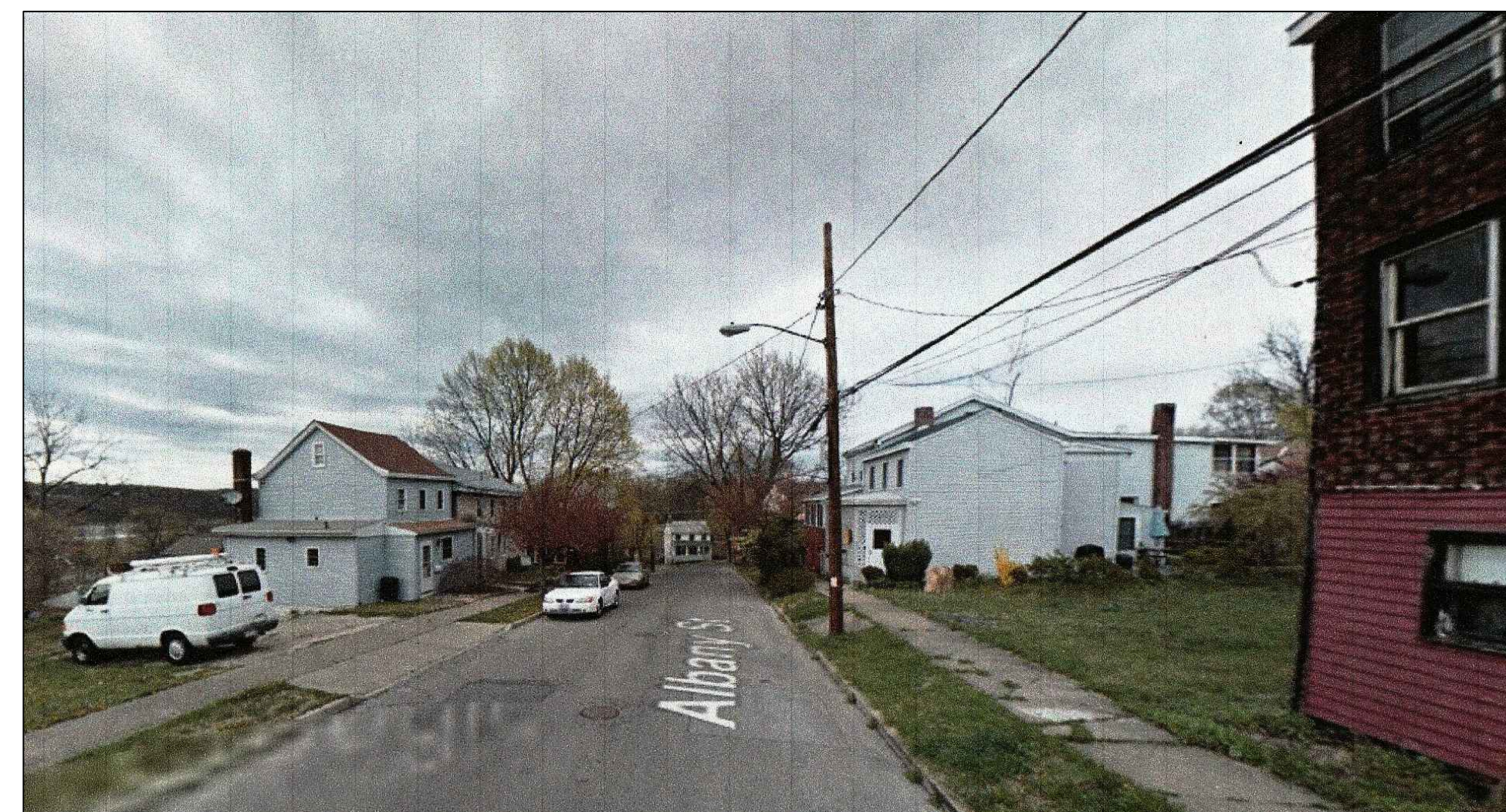
LOCATION MAP



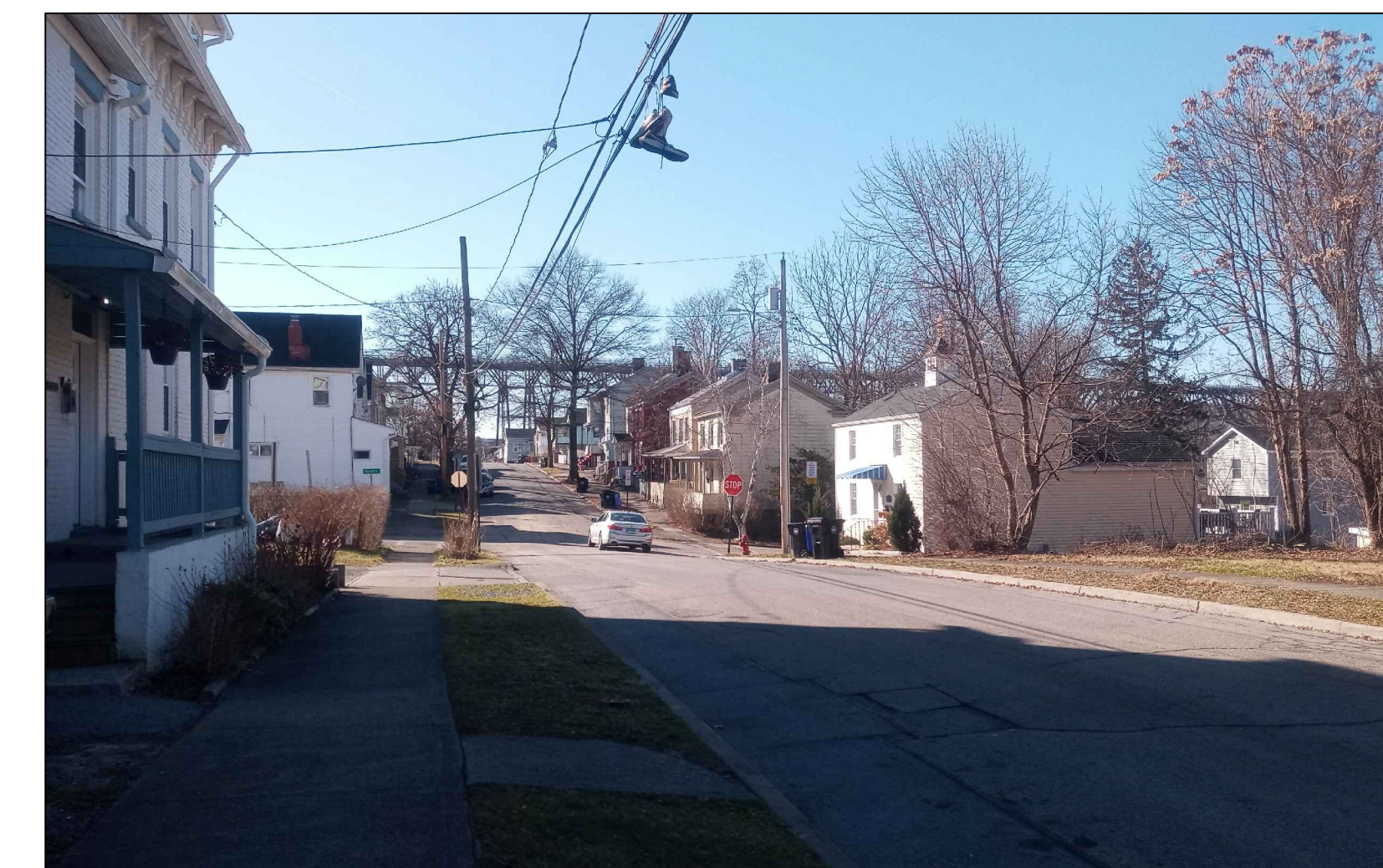
113 ALBANY STREET



105 /103 ALBANY STREET



ALBANY STREET NORTH

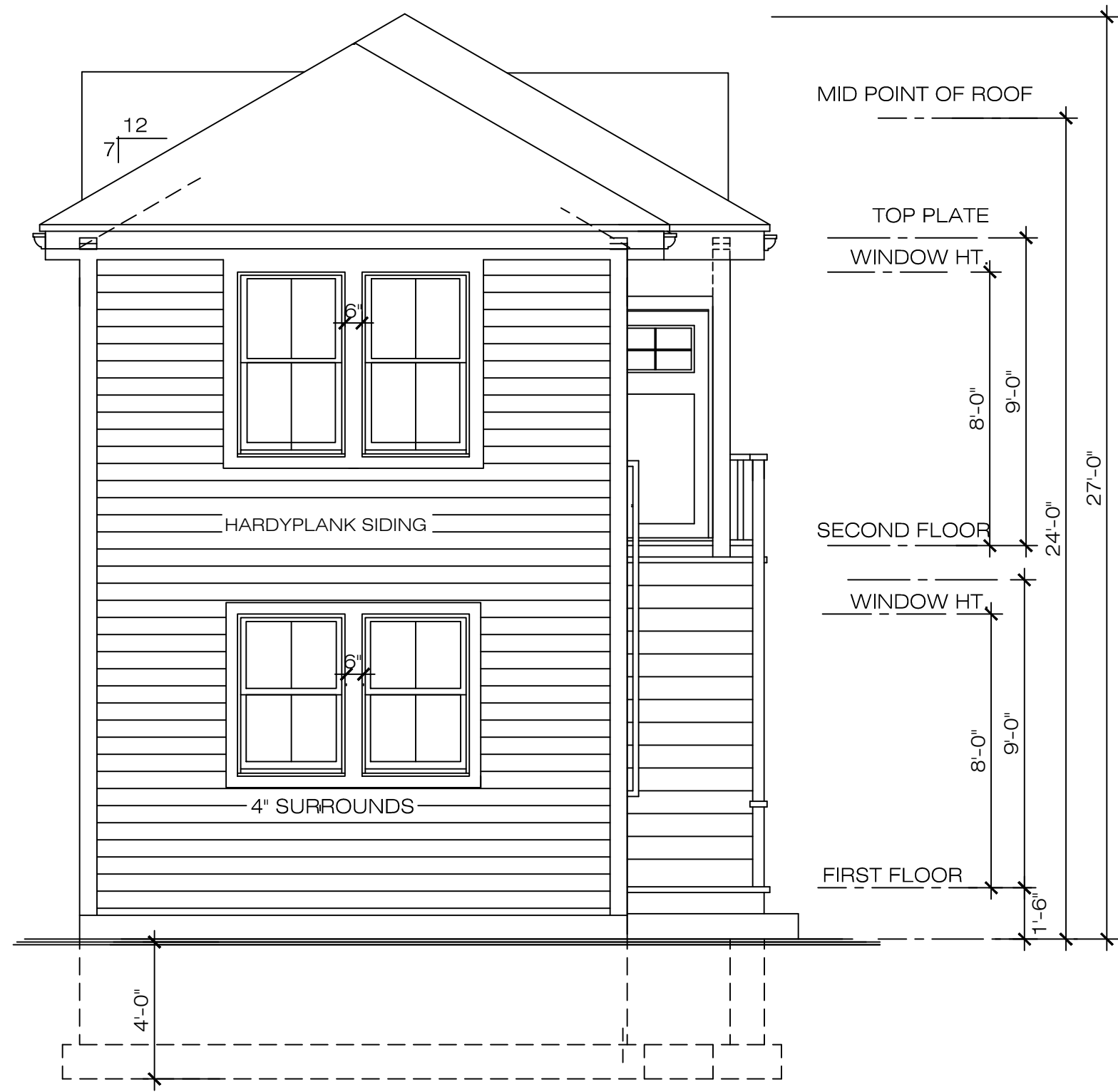


ALBANY STREET SOUTH

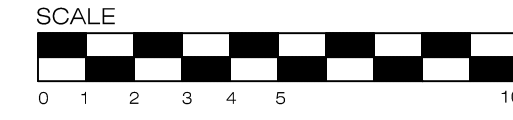
NO. 1	ZONING REVIEW COMMENTS 4-12-2025
REVISION	DATE
<b>STUDIO 90 DESIGN &amp; PLANNING</b> 4 FAIRWAY DRIVE, PAWLING, NEW YORK 12564 TEL: 845 239 1456 Email: studio90@studio90.com KENNETH L. KAEFER, R.A. ALFREDO DI PIETRO, DESIGNER PETER MARCHETTI, P.E., CONSULTING ENGINEER © ALL RIGHTS RESERVED. INCLUDING REPRODUCTION IN ANY FORM.	

PROJECT:  
PROPOSED FOUR FAMILY RESIDENCE  
PICTURES  
HUDSON VENTURE GROUP LLC  
105 ALBANY STREET  
POUGHKEEPSIE, NEW YORK 12601

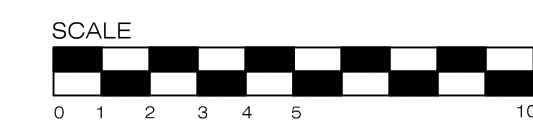
DATE:	2-18-2024
JOB NO.:	24-12
SCALE:	NONE
DWG. NO.:	P



**PROPOSED REAR ELEVATION EAST**  
SCALE: 1/4" = 1'-0"

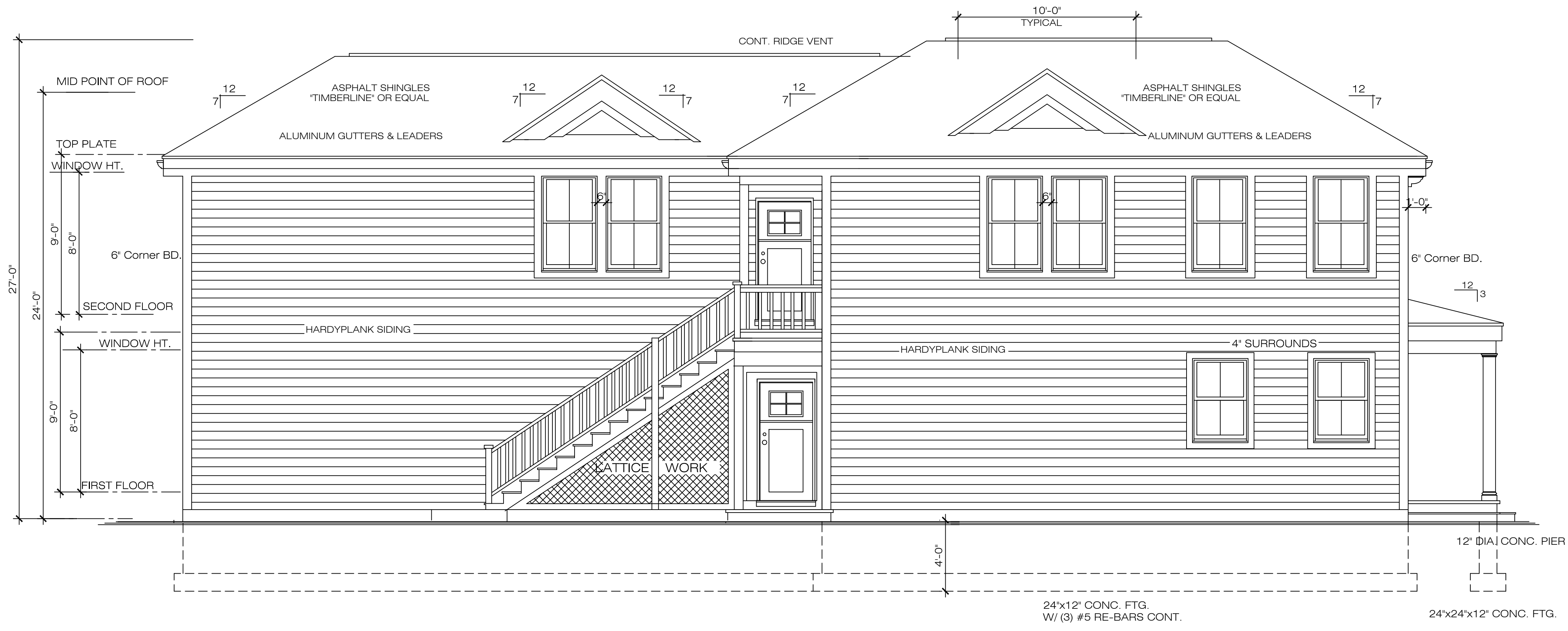


**PROPOSED RIGHT ELEVATION SOUTH**  
SCALE: 1/4" = 1'-0"

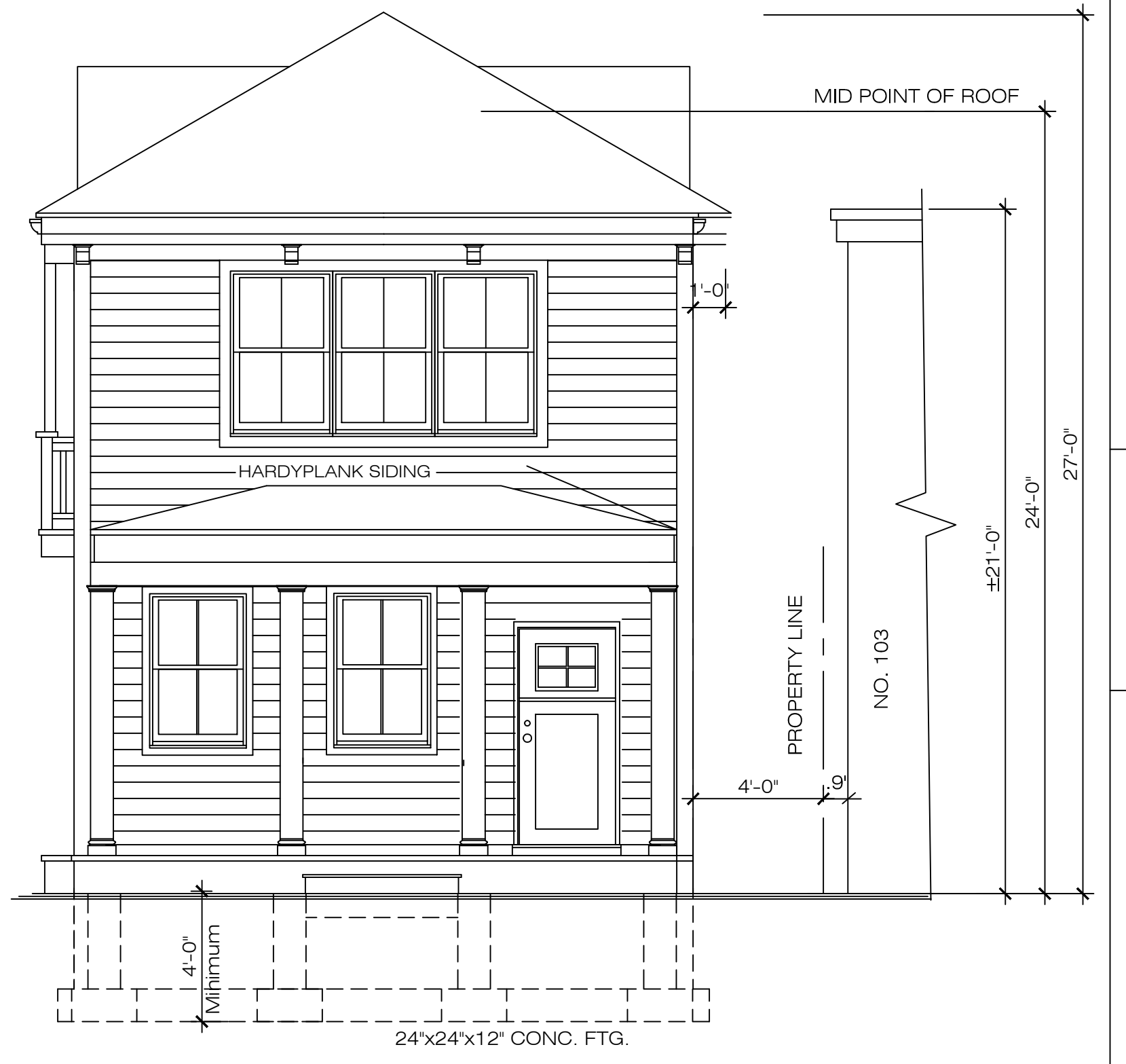
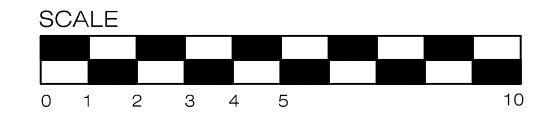


**PROPOSED MATERIALS AND COLOR SCHEME**

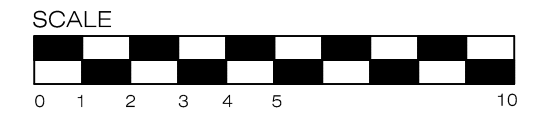
SIDING	NAME	TYPE	COLOR
HARDYPLANK	HARDYPLANK	BEVEL	IVORY
WINDOWS	ANDERSEN	DOUBLE HUNG	TAN
TRIM		WOOD	TAN
EXTEIOR DOOR	MORGAN	OAK (PANELLED)	WOOD STAIN
ROOFING	GAF	TIMBERLINE	CHARCOAL



**LEFT SIDE ELEVATION NORTH**  
SCALE: 1/4" = 1'-0"



**FRONT ELEVATION WEST**  
SCALE: 1/4" = 1'-0"



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NO. 1	ZONING REVIEW COMMENTS
REVISION	DATE
<p><b>STUDIO 90 DESIGN &amp; PLANNING</b> 4 FAIRWAY DRIVE, PAWLING, NEW YORK 12564 TEL: 845 239 1456 Email: studio90@stn.com</p> <p>KENNETH L. KAEPFER, R.A. ALFREDO DI PIETRO, DESIGNER PETER MARCHETTI, P.E., CONSULTING ENGINEER</p> <p>© ALL RIGHTS RESERVED. INCLUDING REPRODUCTION IN ANY FORM.</p>	
PROJECT:	PROPOSED FOUR FAMILY RESIDENCE ELEVATIONS
	HUDSON VENTURE GROUP LLC
	105 ALBANY STREET
	POUGHKEEPSIE, NEW YORK 12601
DATE:	2-18-2024
JOB NO.	24-12
SCALE:	1/4" = 1'-0"
DWG. NO.:	A-1

**CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA ZONE 5**

GROUND SNOW LOAD	WIND SPEED	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM					WINTER DESIGN TEMP.	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS ZONE
			WEATHERING	FROST LINE DEPTH	TERMITE	DECAY				
40	90-110 MPH	B	SEVERE	48"	MODERATE TO HEAVY	SLIGHT TO MODERATE	72	YES	FIRM	

**2020 UNIFORM BUILDING CODE**

**INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT**

**DESIGN DATA ZONE 5**

**VALUES REQUIRED BY CODE**

FENESTRATION	SKYLIGHT	SHGC	CEILING	WOOD WALL	MASS WALL	FLOOR	BASMT. WALL	SLAB R-VALUE DEPTH	CRAWL SPACE WALL
U-Factor	U-Factor		R-VALUE	R-VALUE	R-VALUE	R-VALUE	R-VALUE		R-VALUE
0.30	0.55	NR	49	20 OR 13+5	13/17	30	15/19	10/2'	15/19

**VALUES PROVIDED**

	NA	NR	R-49	21	21	NA	NA	13	NA
--	----	----	------	----	----	----	----	----	----

- A. R-VALUES ARE MINIMUMS. U-FACTORS AND SHGC ARE MAXIMUMS. WHERE INSULATION IS INSTALLED IN A CAVITY THAT IS LESS THAN THE LABEL OR DESIGN THICKNESS OF THE INSULATION, THE INSTALLED R-VALUE OF THE INSULATION SHALL NOT BE LESS THAN THE R-VALUE SPECIFIED IN THE TABLE.
- B. THE FENESTRATION U-FACTOR COLUMN EXCLUDES SKYLIGHTS THE SHGC COLUMN APPLIES TO ALL GLAZED FENESTRATION.
- C. "10/13" MEANS R-10 CONTINUOUS INSULATION ON THE INTERIOR OR EXTERIOR OF THE HOME OR R-13 CAVITY INSULATION ON THE INTERIOR OF THE BASEMENT WALL. "15/19" MEANS R-15 ON THE INTERIOR OF THE HOME OR R-19 CAVITY INSULATION AT THE INTERIOR OF THE BASEMENT WALL. ALTERNATIVELY, COMPLIANCE WITH "15/19" SHALL BE R-13 CAVITY INSULATION OF THE INTERIOR OF THE BASEMENT WALL PLUS R-5 CONTINUOUS INSULATION ON THE INTERIOR OR EXTERIOR OF THE HOME.
- D. R-5 INSULATION SHALL BE PROVIDED UNDER THE FULL SLAB AREA OF A HEATED SLAB IN ADDITION TO THE REQUIRED SLAB EDGE INSULATION R-VALUE FOR SLABS. AS INDICATED IN THE TABLE. THE SLAB EDGE INSULATION FOR HEATED SLABS SHALL NOT BE REQUIRED TO EXTEND BELOW THE SLAB.
- E. ALTERNATIVELY, INSULATION SUFFICIENT TO FILL THE FRAMING CAVITY AND PROVIDING NOT LESS THAN AN R-VALUE OF R-19.
- F. THE FIRST VALUE IS CAVITY INSULATION. THE SECOND VALUE IS CONTINUOUS INSULATION. THEREFORE, AS AN EXAMPLE, "13+5" MEANS R-13 CAVITY INSULATION PLUS R-5 CONTINUOUS INSULATION.
- G. MASS WALLS SHALL BE IN ACCORDANCE WITH SECTION R402.2.5. THE SECOND R-VALUE APPLIES WHERE MORE THAN HALF OF THE INSULATION IS ON THE INTERIOR OF THE MASS WALL.

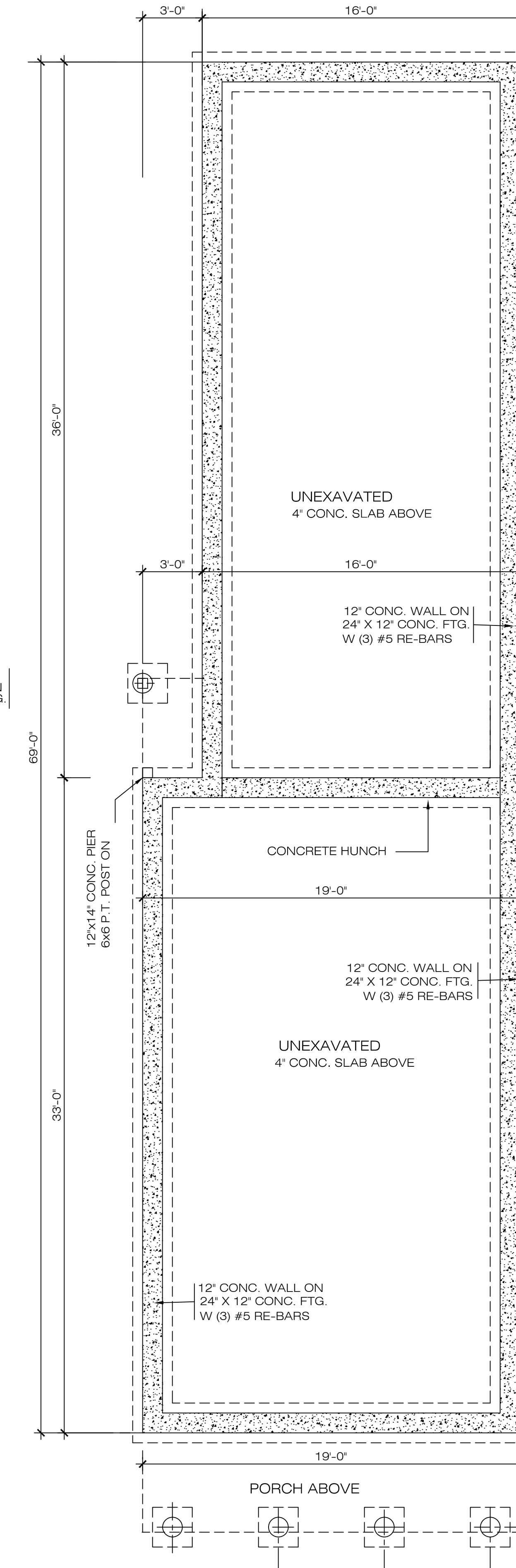
**NOTE:**

INSTALL EXPANDING FOAM  
SEALANT AT ALL GAPS OF  
RIGID INSULATION.  
CONTINUOUS BEAD OF SEALANT  
AT CEILINGS AND FLOOR GAPS.

**GENERAL CODE INFORMATION**

APPLICABLE CODES:  
CITY OF POUGHKEEPSIE CODE  
UNIFORM BUILDING AND FIRE CODE  
2020 NEW YORK STATE BUILDING CODE  
2020 INTERNATIONAL BUILDING CODE  
2020 INTERNATIONAL MECHANICAL  
2020 INTERNATIONAL FIRE CODE  
2020 NEW YORK STATE FUEL AND GAS CODE  
NFPA/NEC CODE  
2020 UNIFORM ENERGY CONSERVATION CONSTRUCTION CODE  
2020 NEW YORK STATE ENERGY CONSERVATION CONSTRUCTION CODE

OCCUPANCY: MULTI FAMILY  
CONSTRUCTION CLASSIFICATION: TYPE 5B  
UTILITIES: WATER SUPPLY PUBLIC  
SEWER TYPE PUBLIC  
HEATING ELECTRIC.



**FOUNDATION PLAN**  
SCALE: 1/4" = 1'-0"

**NOTES**

- ALL FOOTINGS TO BEAR ON SOLID UNDISTURBED EARTH.
- ALL FOOTINGS BEARING ON ROCK TO SOIL SHALL BE REINFORCED WITH FOUR (4) # 4 RE-BARS MINIMUM. DOWEL AND PIN ALL FOOTINGS ON ROCK GREATER THAN 7:12 SLOPE
- ALL FRAMING LUMBER TO BE DOUGLAS FIR LARCH NO.2 OR BETTER (Fb=865 psi). DOUBLE FRAME UNDER ALL PARTITIONS PARALLEL TO FRAMING. DOUBLE ALL BOX JOISTS AT CELLAR TYPE WINDOWS.
- FLOOR JOISTS TO BE @ 12" O.C. UNDER ALL MARBLE AND CERAMIC TILE AREAS. PROVIDE METAL JOISTS HANGERS AT ALL FLUSH BEAMS

**CONSTRUCTION CLASSIFICATION**  
TYPE 5B

**DESIGN LOADS**

	LIVE LOAD	DEAD LOAD
FIRST FLOOR	50 psf	25 psf
SECOND FLOOR	40 psf	20 psf
ROOF	40 psf	15 psf
PARTITIONS	20 psf	15 psf
ATTICS WITHOUT STORAGE		15 psi
ATTICS WITH STORAGE (LIMITED)		25 psi
EXTERIOR BALCONIES		75 psi
DECKS (Total)		75 psf
STAIRS		45 psi
GUARDRAILS AND HANDRAILS		200 psi
WIND LOAD	30 psf (110 MPH)	
GROUND SNOW LOAD	45 psf	
Allow =	L	
Deflection	480	

NO.	REVISION	DATE	COMMENTS
NO. 1	ZONING REVIEW	4-12-2025	COMMENTS

**STUDIO 90 DESIGN & PLANNING**  
41 SEAWAY DRIVE FAYLING, NEW YORK 12564  
TEL: 845.239.1455  
Email: studio90@msn.com

KENNETH L. KAEPER, R.A.  
ALFREDO DI PIETRO, DESIGNER  
PETER MARCHETTI, P.E., CONSULTING ENGINEER

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PROJECT: PROPOSED FOUR FAMILY RESIDENCE  
FOUNDATION PLAN  
HUDSON VENTURE GROUP LLC  
105 ALBANY STREET  
POUGHKEEPSIE, NEW YORK 12601

DATE: 2-18-2024  
JOB NO.: 24-12  
SCALE: 1/4" = 1'-0"  
DWG. NO.: A-2



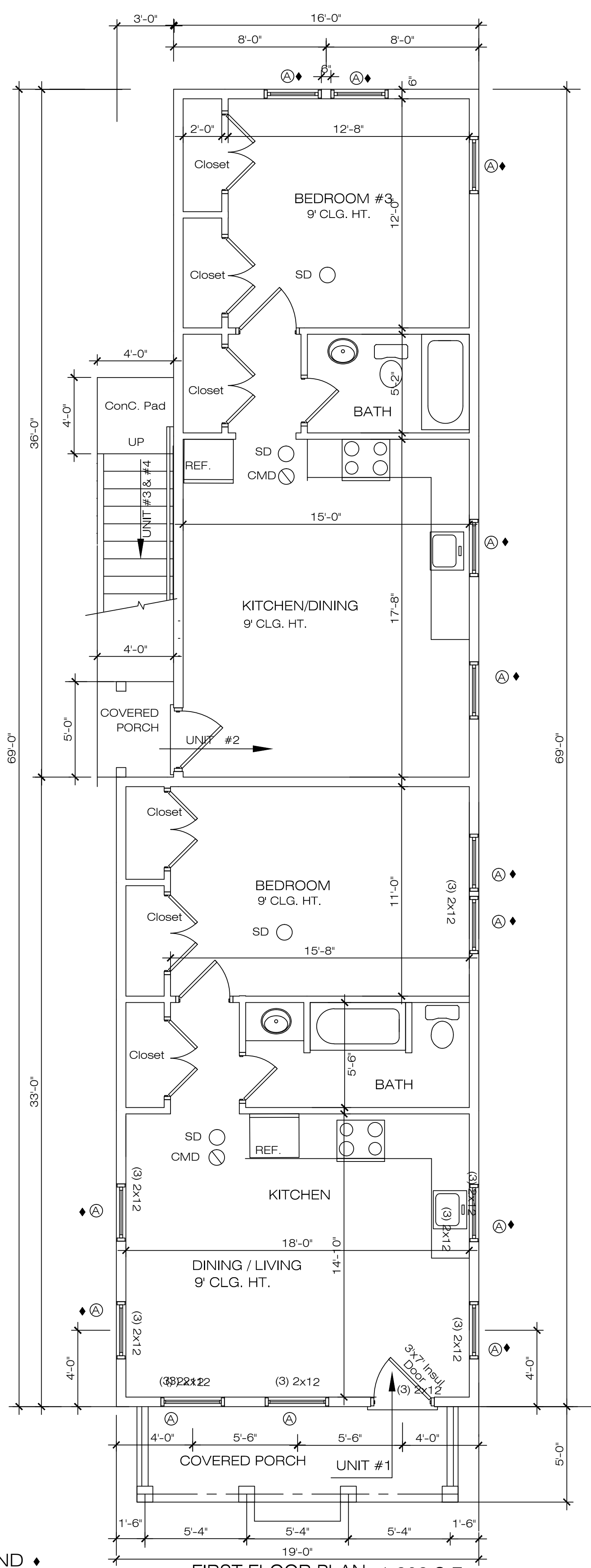
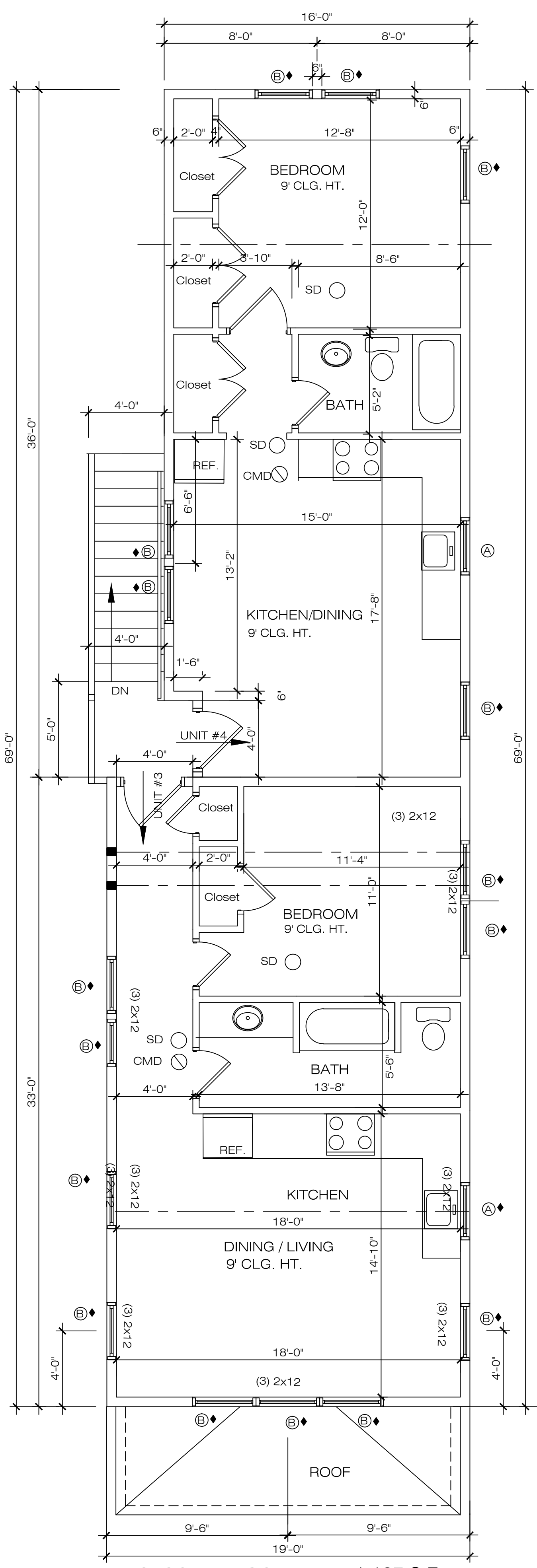
NOTE:  
ANY UNAUTHORIZED ALTERATION OR ADDITION TO THESE PLANS IS A VIOLATION OF THE SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW EXCEPT AS PER SECTION 7209, SUBDIVISION 2.

PROGRESS PRINT  
NOT FOR CONSTRUCTION

**NOTES: NO. 2**  
 RANGE: NEW RANGE SHALL HAVE MINIMUM CLEARANCES TO ALL COMBUSTIBLE MATERIALS AS PER CODE AND MANUFACTURER SPECS. PROVIDE EXHAUST FAN VENT TO EXTERIOR.  
 BATHS: BATHROOMS SHALL BE VENTED TO EXTERIOR. PLUMBING FIXTURES SHALL BE INSTALLED AS PER MANUFACTURER SPECS. HAVE PROPER CLEARANCE AND INSTALLED AS PER 2020 R NYS CODE SECTION 2406 GLASS ENCLOSURES AND DOORS SHALL BE TEMPERED GLASS AS PER CODE.  
 LAUNDRY ROOM: DRYER VENTED TO EXTERIOR.

**STAIR NOTES**  
 1. STAIR SHALL COMPLY WITH SECTION R311.5 OF THE 2020 RESIDENTIAL CODE OF N.Y.S.  
 2. HANDRAIL SHALL COMPLY WITH SECTION R311.7.8 OF THE 2020 RESIDENTIAL CODE OF N.Y.S.

**NOTE:**  
 PROVIDE METAL JOIST HANGERS AT ALL FLUSH BEAMS



- LEGEND**
- SD SMOKE DETECTOR
  - ⊕ WALL MOUNTED HORN STROBE SMOKE DETECTOR
  - ⊗ CMD CARBON MONOXIDE DETECTOR
  - HD HEAT DETECTOR

**NOTES: NO. 1**  
 SMOKE DETECTORS SHALL HAVE INDEPENDENT ELECTRIC CIRCUIT WITH BATTERY BACK-UP. ALL DETECTORS SHALL BE 10 YEAR BATTERIES MIN. SMOKE AND HEAT DETECTORS SHALL COMPLY WITH SECTION R314 OF 2020 RESIDENTIAL CODE OF N.Y.S. CARBON MONOXIDE DETECTOR SHALL COMPLY WITH SECTION 915 2020 FIRE CODE OF N.Y.S. AND AS PER NFPA 72  
 SMOKE DETECTORS ON EVERY LEVEL PLACED IN MAIN AREA.  
 SMOKE AND CARBON MONOXIDE DETECTORS (CAN BE COMBO-UNITS) LOCATED IN BASEMENT AND HABITABLE ATTICS.  
 SMOKE DETECTORS IN EVERY BEDROOM  
 CARBON MONOXIDE DETECTORS WITHIN 10 FEET OF EVERY BEDROOM DOOR IF BEDROOMS ARE ON TWO (2) LEVELS. EACH LEVEL REQUIRES AT LIST ONE (1) CARBON MONOXIDE DETECTOR.  
 LIGHT FIXTURES TO COMPLY WITH 2020 NYSECC 404.1 ALL WORK SHALL BE DONE BY A LICENSED ELECTRICIAN.

**SQUARE FOOTAGE**

FIRST FLOOR	
UNIT NO. 1:	627 S.F.
UNIT NO. 2:	576 S.F.
SECOND FLOOR	
UNIT NO. 3:	627 S.F.
UNIT NO. 4:	570 S.F.
<b>TOTAL:</b>	<b>2,400 S.F.</b>

**PROGRESS PRINT  
 NOT FOR CONSTRUCTION**

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<p><b>STUDIO 90 DESIGN &amp; PLANNING</b>          4 FAIRWAY DRIVE, PAWLING, NEW YORK 12564          TEL: 845 289 1486          Email: studio90@studio90.com</p>	
<p>NO. 1</p>	<p>ZONING REVIEW          COMMENTS          4-12-2025</p>
<p>REVISION</p>	<p>DATE:</p>
<p>KENNETH L. KAEFER, R.A.          ALFREDO DI PIETRO, DESIGNER          PETER MARCHETTI, P.E., CONSULTING ENGINEER</p>	
<p>© ALL RIGHTS RESERVED. INCLUDING REPRODUCTION IN ANY FORM.</p>	
<p>PROJECT:          PROPOSED FOUR FAMILY RESIDENCE          FIRST AND SECOND FLOOR PLAN</p>	
<p>HUDSON VENTURE GROUP LLC          105 ALBANY STREET          POUGHKEEPSIE, NEW YORK 12601</p>	
<p>DATE:</p>	<p>2-18-2024</p>
<p>JOB NO.:</p>	<p>24-12</p>
<p>SCALE:</p>	<p>1/4" = 1'-0"</p>
<p>DWG. NO.:</p>	<p>A-3</p>



PROPOSED FRONT

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

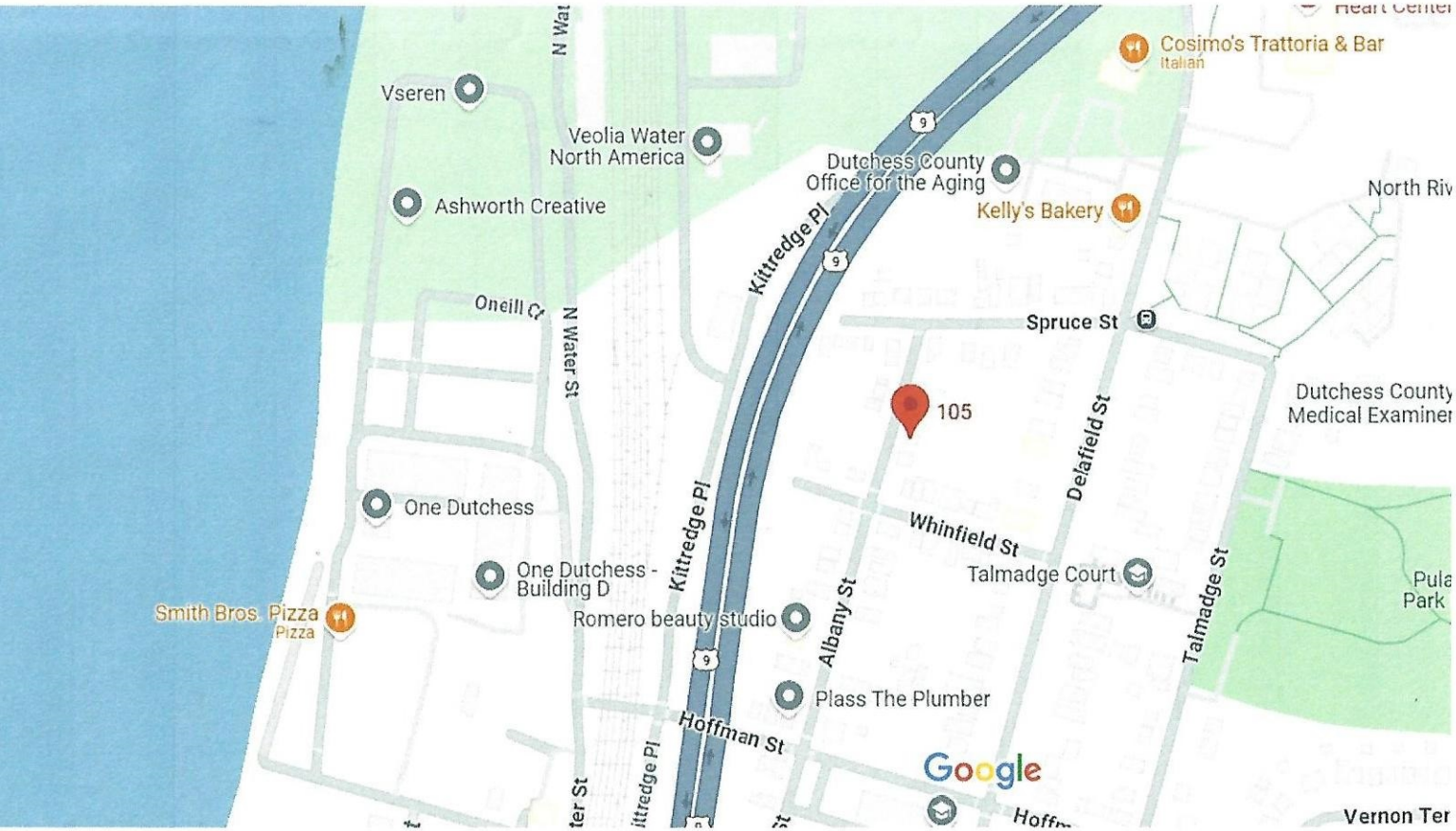
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest    Agricultural/grasslands    Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban    Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____ Signature: <u>Michael Annunziato</u> Title: _____		



Map data ©2025 Google 200 ft

LOCATION MAP

105 Albany Street Financial Analysis	
Hard Costs	
Aquisition	-
Demolition	25,000
Site work (Excavation, grading, drainage, utility connections)	18,000
Foundation	20,000
Building construction	600,000
Exterior finishes	2,500
Landscaping	6,500
Sub-total	672,000
Soft Costs	
Architectural	15,000
Engineering	6,500
Legal	3,000
Permits	1,700
Insurance / builders risk	15,000
Sub-total	41,200
Hard & Soft cost total	713,200
Not included	
Lender fees	0
Appraisal	0
Developer fee	0
Marketing and leasing fees	0
Holding costs	0

Income Analysis			
Unit size (bedroom)	# of units	Monthly rent	Gross monthly rent
	1	2	1,500
	2	1	1,800
Gross annual rent			

Annual Expenses	
Property tax	(10,000)
Insurance	(4,500)
Maintenance	(2,400)
Snow/lawn care	(1,800)
Repairs	(1,500)
Reserve	(2,000)
Total expenses	(22,200)

Net income	
Total income	57,600
Total expenses	(22,200)
Net income	35,400
Return	0.0496

Annual rent
36,000
21,600
57,600



# BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp  
Building Inspector

April 9<sup>th</sup>, 2025

Hudson Venture Group LLC

Re: 105 Albany Street  
ID: 010050  
Zoning Review Request PD-2025-054

Dear Applicant,

The Development Department is in receipt of your zoning review request relating to the property at 105 Albany Street and the proposed conversion of the existing two-family dwelling into a four-family dwelling.

This property is located within the Residential Neighborhood C district (RNC) which does permit four-family dwellings per code Section 19-5.5 of the Zoning Ordinance subject to Site Plan approval by the Planning Board.

Based on the provided plot plan, some possible deficiencies have been identified which would require Area Variances from the Zoning Board of Appeals.

1. Section 19-2.3(2)(a) states that a minimum of 6,000 square feet of lot area is required. **After the lot line adjustment, the lot will contain 3,900 square feet of lot area.**
2. Section 19-2.3(3)(c) states that a minimum of a 5' side yard setback is required for primary structures. **A 4' setback is proposed from the southern property line and a 3' setback from the northern property line. Please note that if the staircase located on the north side of the building is proposed to be covered, then a 2' setback is proposed from the northern property line.**
3. Section 19-2.3(3)(g) states that accessory structures shall be a minimum of 5' from a property line. **The proposed AC units are 4' from the northern property line.**
4. Section 19-6.2(11)(a) states that a minimum of 5 vehicle parking spaces are required. **None are proposed.**

After all Area Variances are granted by the Zoning Board of Appeals and Site Plan approval is granted by the Planning Board, you would then need to file all required Building permits and obtain an issued Certificate of Occupancy from the Building Department.

Please note that a subdivision application will also be required to be approved. Based on the provided plans, it appears the proposal is to shift the northern property line of 105 Albany St 1'



# BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4007 Fax: (845) 451-4006

**Eric Philipp**  
**Building Inspector**

and then merge the two remaining lots. If this is the case, the two merged lots would comply and a use could be established without the need for variances.

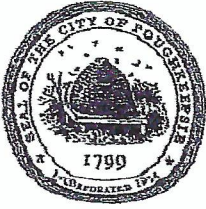
If you have any questions or comments, please feel free to contact me, info is listed below, thanks.

***Joseph D. O'Brien***

Deputy Zoning Administrator

Office - 845-451-4273

[jobrien@cityofpoughkeepsie.com](mailto:jobrien@cityofpoughkeepsie.com)



**THE CITY OF POUGHKEEPSIE  
NEW YORK  
ZONING BOARD OF APPEALS**  
62 CIVIC CENTER PLAZA, 2ND FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4263 Fax: (845) 451-4006

FEE: \$350
CODE: A2112
ID#: _____
IPS#: _____

**AREA VARIANCE APPLICATION**

PROPERTY ADDRESS: 4 Bobrick Road  
ZONING DISTRICT: \_\_\_\_\_

**OWNER INFORMATION:**

Name: Jonna and Judon Rouse  
Address: 4 Bobrick Road  
Poughkeepsie, NY 12601  
Phone: 845-309-0589  
Email: MS.jonna15@gmail.com

**APPLICANT INFORMATION:**

Name: Carl Forestieri  
Address: 30 Kuehler Drive  
Luganoville, NY 12540  
Phone: 845-264-2166  
Email: CFM.L.L.C@gmail.com

**CONSULTANT INFORMATION:**

Name: same as Applicant  
Address: Carl Forestieri  
\_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

**SUBJECT OF APPEAL**

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Joseph O'Frica Deputy Zoning Administrator  
Date of decision/determination/violation: March 10, 2025

*Please note that a copy of the communication must be attached with this application.*

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION  
 PROPERTY ADDRESS: 4 Bobrick Road

AREA VARIANCE REQUESTS

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-2.1(2)(d)</u>	<u>5' setback</u> <u>from primary structure</u>	<u>This is</u> <u>actually occurring</u>
<u>19-6.2(i)(a)</u>	<u>... not between</u> <u>the building and</u> <u>front lot line...</u>	<u>Again, this is</u> <u>actually occurring.</u>

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-9.10(11)(c) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

Revised 12/24: Previous Editions Obsolete

**Responses to the following questions shall be attached to and submitted with the application.**

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property. Explain.

**QUESTION (1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.**

**ANSWER (1):**

**There will be no character change or use change from the neighborhood perspective. The existing 2 car garage will become a playhouse. The garage doors (which face the road) will be removed and become part of a more aesthetically appealing set of windows with matching siding.**

**QUESTION (2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?**

**ANSWER (2):**

**The Rouse family is seven members; the parents, Jonna and Judon, and their five children who all live at home on a full-time basis. The variance is important or necessary so that the family has more room and so that the children and adult children have their own space; a siblings cave, if you will.**

**(QUESTION (3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.**

**ANSWER (3):**

**The requested area variance is not substantial for the following reasons:  
The look of the home and playhouse will be more pleasing with the omission of (front facing to the road) garage doors.  
The house faces the road and side-yard. The right side of the home primarily faces the road. The existing garage (and possible future playhouse) faces the road.**

**QUESTION (4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?**

**ANSWER (4):**

**The variance will not have an adverse affect or impact on the physical or environmental conditions in the neighborhood.**

**The only change will be, from a road view or satellite view will be the addition of two single windows or two double windows which will replace the two single garage doors.**

**QUESTION (5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property. Explain.**

**ANSWER TO (5):**

**No, we do not feel that this is self-inflicted or created. Five orderly and respectful and contributing children are a blessing. We wish to enjoy each other in a more relaxed manner and have some "space" between us; hence, the Play house with only a two fixture bathroom; sink and toilet and no shower.**

ZONING BOARD OF APPEALS AREA VARIANCE  
APPLICATION  
PROPERTY ADDRESS: 4 Bobrick Road  
AREA VARIANCE REQUESTS

LIST OF REQUIRED ATTACHMENTS

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):

Appendix A: original letter precipitating  
the process. This item  
precipitated the reply from  
Joseph O'Brien, resulting in the application.

SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.

  
SIGNATURE OF APPLICANT

4-7-25  
DATE

Carl Forestieri  
Print Name

4 Bobrick Road\_Poughkeepsie\_NY\_12601  
April 11, 2025

COVER LETTER (Digital Materials Item 2)  
and  
LETTER OF EXPLANATION (Digital Materials Item 6)

DEFINING THE LEAST COMMON DENOMINATOR  
FOR CLARITY OF UNDERSTANDING  
THE ESSENCE OF THE GARAGE TO PLAYHOUSE CONVERSION

Dear Members of the Zoning Board of Appeals:

The ONLY difference in the use or appearance will be the removal of two single garage doors.

Each of these doors will be replaced with a single window or a double window.

Currently the garage is being used for storage and not housing any cars. The use and appearance at the Rouse home will remain entirely the same; except for the windows replacing the garage doors.

There are City requests and inquiries for a plot plan or site plan. We do not have one.

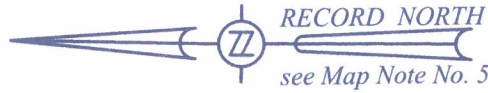
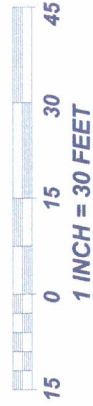
Please consider that the home is in an established subdivision and a “before” and “after” plot plan would be 100% identical.

We did provide an aerial view of home and property. We hopes this will suffice for now.

Thank you,

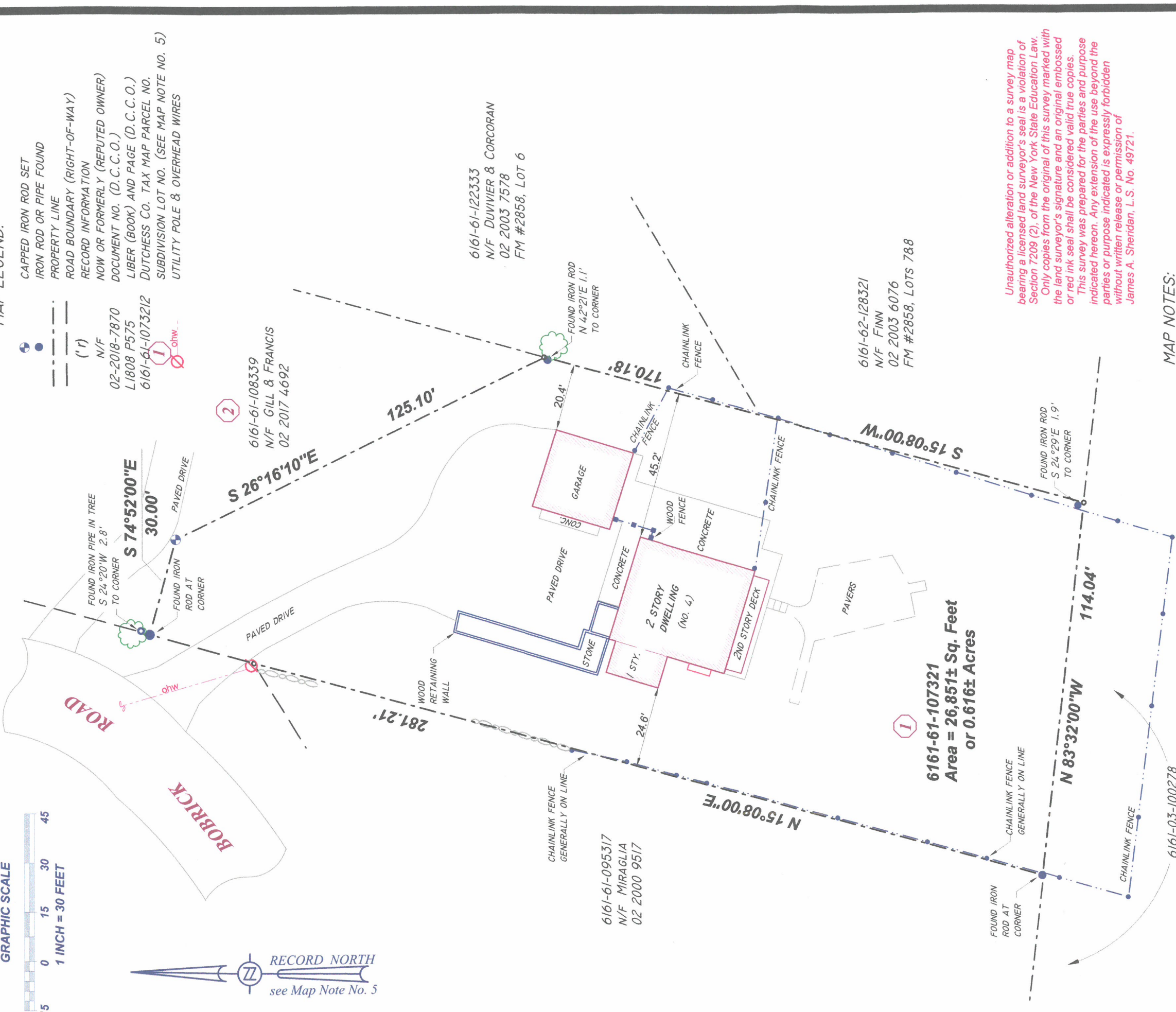
Carl Forestieri  
Applicant

GRAPHIC SCALE



MAP LEGEND:

- CAPPED IRON ROD SET
- IRON ROD OR PIPE FOUND
- PROPERTY LINE
- ROAD BOUNDARY (RIGHT-OF-WAY)
- RECORD INFORMATION
- NOW OR FORMERLY (REPUTED OWNER)
- DOCUMENT NO. (D.C.C.O.)
- LIBER (BOOK) AND PAGE (D.C.C.O.)
- DUTCHESS Co. TAX MAP PARCEL NO.
- SUBDIVISION LOT NO. (SEE MAP NOTE NO. 5)
- UTILITY POLE & OVERHEAD WIRES



**6161-61-107321**  
**Area = 26,851± Sq. Feet**  
**or 0.616± Acres**

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209 (2), of the New York State Education Law. Only copies from the original of this survey marked with the land surveyor's signature and an original embossed or red ink seal shall be considered valid true copies. This survey was prepared for the parties and purpose indicated hereon. Any extension of the use beyond the parties or purpose indicated is expressly forbidden without written release or permission of James A. Sheridan, L.S. No. 49721.

MAP NOTES:

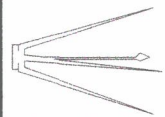
1. UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN HEREON.
2. SUBJECT TO ALL RIGHTS, COVENANTS, RESTRICTIONS, EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
3. SUBJECT DEED: ALAIN LEVY AND SIMONE LEVY TO JUDON ROUSE AND JONNALYNNE ROUSE; RECORDED IN THE D.C.C.O. AS DOCUMENT NUMBER 02-2018-7870 ON OCTOBER 29, 2018.
4. PARCEL GRID IDENTIFICATION No.: 131300-6161-61-107321; MUNICIPALITY: POUGHKEEPSIE CITY.
5. FILED MAP REFERENCE:  
 FILE MAP NO. 3160: "SUBDIVISION OF PROPERTY OF LOUIS WORONA & GOLDIE WORONA"; SUBDIVIDED AND MAPPED AUGUST 19, 1963; FILED SEPTEMBER 12, 1963.

I hereby certify to

**JUDON ROUSE**  
**and**  
**JONNALYNNE ROUSE**

that this survey has been prepared in accordance with the existing "CODE OF PRACTICE FOR LAND SURVEYS" adopted by the New York State Association of Professional Land-Surveyors.

*James A. Sheridan*  
 James A. Sheridan, L.S.  
 N.Y.S. License No. 49721



Survey of Property Prepared For:

**JUDON ROUSE and JONNALYNNE ROUSE**

Situate At:  
**4 Bobrick Road**  
**City of Poughkeepsie**  
**State of New York**  
**County of Dutchess**

Scale: 1" = 30' Survey Completed: May 2, 2025 Map Date: May 2, 2025

**S L S**  
**SHERIDAN LAND SURVEYORS**

**BOUNDARY, MORTGAGE AND SUBDIVISION SURVEYS**  
 50 CLOVER HILL DRIVE (845) 849 - 2217  
 LAGRANGE, N.Y. 12603 sisurvey50@gmail.com

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JONNA AND JUDON ROUSE

4 BOBRICK ROAD

BOBRICK ROAD

DRIVEWAY

Property Line

DRIVEWAY

DRIVEWAY

GARAGE

FRONT DOOR

2 STORY HOME

SIDE OF HOUSE

BACKYARD

BOBRICK ROAD

**.6 ACRES**  
LOT SIZE



4 Bobrick Road

ITEM 4. ELEVATIONS

After the approval we will have an architect draw the plans and it will have the elevation of the part to the playhouse facing the road with two windows or two double windows.

In the set of photographs the front garage elevation is able to be seen pretty clearly.

Yours truly,

Carl Forestieri  
Applicant  
845-264-2166

**Short Environmental Assessment Form**  
**Part 1 - Project Information**

NO	YES	PM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**Instructions for Completing**

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>						
Name of Action or Project: <b>Carl Forestieri (ON BEHALF OF JONNA &amp; JUDON TROUSE (letter of Agereya Hacked)</b>						
Project Location (describe, and attach a location map): <b>4 Bobrick Road Poughkeepsie NY 12540</b>						
Brief Description of Proposed Action: <b>Convert use of existing two car detached garage (which is currently being used for storage), into a Playhouse</b>						
Name of Applicant or Sponsor: <b>Carl Forestieri</b>	Telephone: <b>845-264-2166</b>	E-Mail: <b>GFCM.LLC@gmail.com</b>				
Address: <b>30 Kuebler Drive</b>						
City/PO: <b>Lagrangeville</b>	State: <b>NY</b>	Zip Code: <b>12540</b>				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<table border="1" style="width:100%; text-align:center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES					
<input checked="" type="checkbox"/>	<input type="checkbox"/>					
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: <b>Building Dept. / Bldg-Permit (Paid for \$205)</b>		<table border="1" style="width:100%; text-align:center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES					
<input type="checkbox"/>	<input checked="" type="checkbox"/>					
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<table style="width:100%;"> <tr> <td style="text-align:right;"><u>0.61</u> acres</td> </tr> <tr> <td style="text-align:right;"><u>0</u> acres</td> </tr> <tr> <td style="text-align:right;"><u>0.61</u> acres</td> </tr> </table>	<u>0.61</u> acres	<u>0</u> acres	<u>0.61</u> acres	
<u>0.61</u> acres						
<u>0</u> acres						
<u>0.61</u> acres						
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland						

5. Is the proposed action,	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <i>The Playhouse will be insulated using spray foam</i>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	









4





















4 Bobrick Road\_Poughkeepsie\_NY\_12601  
April 11, 2025

**LETTER OF EXPLANATION-AS WELL AS COVER LETTER (for Digital Materials Submission) DEFINING THE LEAST COMMON DENOMINATOR**

FOR CLARITY OF UNDERSTANDING THE ESSENCE OF THE GARAGE TO PLAYHOUSE CONVERSION

Dear Members of the Zoning Board of Appeals:

*CONCERNING THE CONVERSION* of the detached two car garage into a playhouse.....

The ONLY difference in appearance will be the removal of two single garage doors. Each of these doors will be replaced with a single window or a double window; to be determined.

Currently the garage is being used for storage and is not housing any cars. The use and appearance of the home and garage will remain entirely the same, except for the windows replacing the garage doors.

It is important to observe that the right side of the home faces Bobrick Road and that the front of the home faces what would typically be the left side-yard.

So the locations of cars would remain exactly the same as at this present moment. There will be not other cars, now or in the future that will be between the road and the home.

In the application (ITEM 3) a plot plan or tie plan is requested.

We do not have one. However, please see in Item 3 of the Digital Materials Submission the aerial view photo showing the house, garage and driveway. I attempted to draw in a set of property lines based upon the size of the home and the size of the plot (.6 acres).

We hope that you will see in the thirteen photos submitted here that what we are describing will be proofed by the pictures.

The home is in an established neighborhood and subdivision and a “before” and “after” plot plan would be 100% identical.

Thank you for working with us on this.

Carl Forestieri  
Applicant on Behalf of Jonna and Judon Rouse



# BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp  
Building Inspector

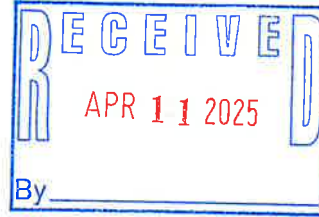
March 10<sup>m</sup>, 2024

Carl Forestieri

Re: 4 Bobrick Road

ID: 034570

Zoning Review Request PD-2025-040



Dear Applicant,

The Development Department is in receipt of your zoning review request relative to the property at 4 Bobrick Road containing a single-family dwelling and the proposed conversion of the existing non-complying two car garage into an accessory playhouse.

This property is located within the Residential Neighborhood A district (RNA) which does permit accessory playhouses per code Section 19-5.5 of the Zoning Ordinance.

Although a plot plan was not provided, some possible deficiencies have been identified which would require Area Variances from the Zoning Board of Appeals. Other variances may also be required, but due to the lack of a plot plan, they cannot be determined at this time.

If provided, such a plan must be drawn to scale, dated, and identify the property and the person responsible for such drawing. This department would be happy to provide an initial review of any preliminary plans. Please submit your plans within 60 days of this determination for review, otherwise a new application will be required.

1. Section 19-2.1(2)(d) states that parking spaces are required to be setback a minimum of 5' from the primary structure. **Based solely on a satellite view of the property, it appears that by removing the use of the non-complying garage, front yard parking will be created.**
2. Section 19-6.2(1)(a) states that all parking may be located adjacent to a building but not between the building and the front lot line. **Based solely on a satellite view of the property, it appears that by removing the use of the non-complying garage, front yard parking will be created.**

Therefore, your application to change the accessory use of this property from a two car garage to a playhouse is hereby denied and for which you can file an appeal with the Zoning Board of Appeals within 60 days of this notice.

Page i



# BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

**Eric Philipp**  
**Building Inspector**

After all Area Variances are granted by the Zoning Board of Appeals, you would then need to file all required Building permits and obtain an issued Certificate of Occupancy from the Building Department.

If you have any questions or comments, please feel free to contact me, info is listed below, thanks.

*Joseph D. O'Brien*

Deputy Zoning Administrator

Office - 845-451-4273

[jobrien@cityofpoughkeepsie.com](mailto:jobrien@cityofpoughkeepsie.com)



**THE CITY OF POUGHKEEPSIE**  
**ZONING BOARD OF APPEALS**  
 62 CIVIC CENTER PLAZA, 2ND FLOOR  
 POUGHKEEPSIE, NY 12601  
 Phone: (845) 451-4263 Fax: (845) 451-4006

FEE: \$1000.00  
 CODE: A2112  
 ID# ZP2025-022  
 IPS# \_\_\_\_\_

**USE VARIANCE APPLICATION**

**PROPERTY ADDRESS** 22 Pershing Avenue

**ZONING DISTRICT:** MU-5

**OWNER INFORMATION:**

Name: MVK Enterprises, Inc.

Address: 1158 Salt Point Turnpike, Pleasant Valley, New York 12569

Phone: 845-242-2070

Email: frank@redlh.com

RECEIVED  
 JUN 10 2025  
 By \_\_\_\_\_

**PAID**

JUN 10 2025

**APPLICANT INFORMATION:**

Name: Frank Redl

Address: 31 Quaker Hill Road, PO Box 636, Pleasant Valley, New York 12569

Phone: 845-674-5009

Email: frank@redlh.com

**CONSULTANT INFORMATION:**

Name: n/a

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**SUBJECT OF APPEAL**

This application, relative to the above referenced property, constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Frank Redl, Project Manager

Date of decision/determination/violation: 12/24/2024, 4/14/25 and 5/28/2025 attached

*A copy of the communication must be attached with this application.*

**USE VARIANCE APPLICATION**

PROPERTY ADDRESS: 22 Pershing Avenue

**USE VARIANCE REQUESTS**

<b>SECTION</b>	<b>PROHIBITING</b>	<b>TO ALLOW</b>
<u>19-5.5</u>	<u>Used auto sales and repair</u>	<u>Used auto sales and repair</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

**VARIANCE REQUEST JUSTIFICATION**

Pursuant to Section 19-10(11)(b) of the Zoning Ordinance, **no use variance shall be granted by the Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship.** In order to prove such unnecessary hardship, the applicant shall demonstrate the following to the Board of Appeals that, for each and every permitted use under the zoning regulations for the particular district where the property is located:

Responses to the questions below shall be on a separate page attached to and submitted with the application. Use as many sheets as necessary.

1. The applicant cannot realize a reasonable return, for all uses permitted by Zoning, demonstrated by competent financial evidence. Financial evidence should not be construed to be personal to the applicant;
2. The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood . Please explain how the alleged hardship is unique to the property in question. For example, does the subject property have unique constraints or characteristics not found in other properties in the district or neighborhood?;
3. The requested use variance, if granted, will not alter the essential character of the neighborhood. Explain fully how the character of the neighborhood will not be altered.
4. The alleged hardship has not been self-created An applicant cannot claim "unnecessary hardship" if that hardship was created by the applicant. Explain fully how the hardship is not self-created.

USE VARIANCE APPLICATION

PROPERTY ADDRESS: 22 Pershing Avenue

**LIST OF REQUIRED ATTACHMENTS**

- 1. Letter or communication which resulted in application to the ZBA.
- 2. Site, Survey or Plot Plan. This must be signed and labeled.
- 3. Color photos of site conditions.
- 4. Complete Short Environmental Assessment Form. Please note that in some instances it may be determined that a Full EAF is required.
- 5. Electronic file submission of the plot plan and color photos (see attached submission guidelines)
- 6. Other attachments deemed pertinent by the applicant (please list):

Attached Narrative

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**SIGNATURE AND VERIFICATION**

Please be advised that no application can be deemed complete unless signed below.

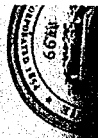
THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.




---

SIGNATURE OF APPLICANT  
Frank Redl

June 9, 2025



POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4007 Fax: (845) 451-4006

Building Inspector

December 24<sup>th</sup>, 2024

Devanand Jaikarran

Re: 22 Pershing Avenue  
ID: 382120

Zoning Review Request PD-2024-126

Dear Applicant,

The Development Department is in receipt of your zoning review request relating to the property at 22 Pershing Avenue and the proposed change of use from a carpet cleaning facility to a motor vehicle repair facility.

This property is located within the Mixed Use 5 (MU5) which does not permit motor vehicle repair facilities per code Section 19-5.5 of the Zoning Ordinance.

Therefore, a Use Variance will be required to establish the proposed use from the Zoning Board of Appeals along with a Special Use Permit granted by the Planning Board. As a prior plan was not provided, Area Variances cannot be determined at this time. If identified, would also require approval from the Zoning Board of Appeals.

Due to the lack of a plot plan, a comprehensive review cannot be completed at this time. If provided, such a plan shall be drawn to scale, dated, and identify the property and the person responsible for such drawing. This department would be happy to provide an initial review of any preliminary plans.

After all Area Variances found to be required and the Use Variance are granted by the Zoning Board of Appeals and the Special Use Permit granted by the Planning Board, you would then need to file all required Building Permits and obtain an issued Certificate of Occupancy from the Building Department.

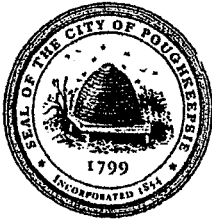
If you have any questions or comments, please feel free to contact me, info is listed below, thanks.

**Joseph D. Brien**

Deputy Zoning Administrator

Office: (845) 451-4273

[jbrien@poughkeepsie.com](mailto:jbrien@poughkeepsie.com)



# BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

**Eric Philipp**  
**Building Inspector**

4/14/25

DJM Construction  
103 East Dorsey Lane  
Poughkeepsie, NY 12601  
MVK Enterprises Inc  
1158 Salt Point Tpke  
Pleasant Valley, NY 12567  
Edward DeGross

RE: 22 Pershing Ave  
ID: 382120  
Application # BP-25-0700

To Whom it May Concern:

A review of the building permit application # BP-25-0700 found it to be deficient to complete the review process and issue the permit. Below is/are the deficiencies found:

-An approved site plan by the planning board is needed before this permit can be issued.

Please submit the required additional information as listed above so that the review process can be completed. The intended work shall not commence until the application has been approved and a permit has been issued. Your application will be kept on file for a period of 30 days, failure to submit the required documentation in the specified time frame shall cause the application to expire.

If you have any questions you may contact me at 845-451-4273 or [jobrien@cityofpoughkeepsie.com](mailto:jobrien@cityofpoughkeepsie.com)



Outlook

---

**Re: 22 Pershing Avenue**

From CHARLES KANE <kanemotors@aol.com>  
Date Wed 5/28/2025 6:02 PM  
To Frank Redl <frank@redlh.com>

Ok  
Sent from my iPhone

On May 28, 2025, at 5:16 PM, Frank Redl <frank@redlh.com> wrote:

Charlie, just got this. I'll review in the morning and we will talk.

[Get Outlook for iOS](#)

---

**From:** Judith Knauss <JKnauss@cityofpoughkeepsie.com>  
**Sent:** Wednesday, May 28, 2025 4:10:04 PM  
**To:** Frank Redl <frank@redlh.com>; assistant@z3consultants.com <assistant@z3consultants.com>  
**Cc:** Joseph O'Brien <jobrien@cityofpoughkeepsie.com>; Tyler Maegerle <tmaegerle@cityofpoughkeepsie.com>; Richard Distel <rdistel@cityofpoughkeepsie.com>; Eric Philipp <EPhilipp@cityofpoughkeepsie.com>; Rebecca A. Valk <RValk@cityofpoughkeepsie.com>; Lori Garcia <LGarcia@cityofpoughkeepsie.com>  
**Subject:** 22 Pershing Avenue

The Development Department is in receipt of a request for interpretation to the Zoning Board of Appeals relative to the use of the property at 22 Pershing Avenue as a motor vehicle sales facility. Please be advised that the materials submitted have been reviewed, and some issues have been noted to exist that we are providing you with the opportunity to address prior to circulation of the application to the Board, in order to avoid confusion and unnecessary delay. Essentially:

- The application itself indicates that the appeal is for approval for a change from one legal nonconforming use to another. However, the application appears to adopt the position that this is not a change from one nonconforming use to another,

- but the continuation of a previously approved use which, if legal, would have become legally nonconforming on 11/22/24;
- It appears that the application is actual for clarification of “The meaning of any portion of the text of this chapter or of any condition or requirement specified or made under the provisions of this chapter and whether or not the appellant has complied therewith.” If this is the case, a revised application should be submitted, and include references to the sections being challenged. In order to assist in that effort, we offer the following information:
  - A Certificate of Occupancy was issued on March 17, 1999, for the use of the property as a Carpet Cleaning Facility;
  - No other Certificates of Occupancy for any other uses have subsequently been issued;
  - While the Planning Board did approve a site plan for the use of the property as a used car lot on September 12, 2013, but no building permit for the actual change of use was ever issued, and no Certificate of Occupancy authorizing the new use was ever issued. That
    - Section 19-6.1(3)(a), in effect at the time of approval, states that “The approval of a site plan by the Planning Board shall be valid for a period of one year from the date thereof for purposes of obtaining a zoning and building permit. Failure to obtain such a permit within the time period shall cause the approval to become null and void;”
    - Section 19-7.2, in effect at the time of approval, stated that “No building in any district shall be erected, reconstructed or restored or structurally altered or used, without a building permit;”
    - Section 19-7.3, in effect at the time of approval, stated that No existing building or land, whether vacant or occupied, shall be converted to a different land use without first securing a change of use permit;” and,
    - Section 19-7.4, in effect at the time of approval, stated that “The occupancy and use of a building erected, reconstructed, restored, altered or moved or any change in use of an existing building shall be unlawful until a certificate of occupancy shall have been applied for and issued by the Zoning Administrator,” and “A certificate of occupancy is required for, and shall be deemed to authorize, both initial occupancy and the continued occupancy and use of the building or land to which it applies.”
    - There is also a record of other uses being operated from this location between 2013 and 2025, including a “hair store” and an auto body and auto repair facility. Such uses compromised the Planning Board approval, and any other subsequent approvals.

For your information, the section numbers cited above are from the 1979 Zoning Ordinance, which was in effect at the time of the site plan approval of the project until November 21, 2024. These regulations continue in the new Ordinance, adopted on November 22, 2024, with different section numbers, as follows:

- Section 19-6.1(3)(a) is now Section 19-8.1(3)(a)
- Section 19-7.2 is now Section 19-9.2
- Section 19-7.3 is now Section 19-9.3
- Section 19-7.4 is now Section 19-9.4

Please feel free to contact us if you have any questions in this regard.

Very truly yours,  
 Judith Knauss  
 Deputy Zoning Administrator

**FRANK REDL**  
ZONING AND PLANNING CONSULTING  
PO Box 403  
Millbrook, NEW York 12545  
845-674-5009  
[frank@redlh.com](mailto:frank@redlh.com)

June 10, 2025

Scott Parker, Chair  
City of Poughkeepsie ZBA  
62 Civic Center Plaza  
Poughkeepsie, New York 12601

Re: 22 Pershing Avenue

Dear Chairman Parker and ZBA Members:

I have been retained by Charles Kane, President of MVK Enterprises, Inc. (MVK), owner of 22 Pershing Avenue. Mr. Kane has submitted an application for a Use Variance.

Towards this end, enclosed please find the following:

1. Nine (9) copies of completed application
2. Nine (9) copies of Narrative
3. Nine (9) copies of SEAF with Mapper
4. Signed Owner Authorization
5. Check in the amount of \$1,000.00 for the filing fee.

Should everything meet with your approval, kindly process the same and place us on the July 8, 2025 ZBA agenda.

Thank you fore your attention.

Very truly yours,



Frank Redl

CITY OF POUGHKEEPSIE  
ZONING BOARD OF APPEALS  
USE VARIANCE APPLICATION

NARRATIVE  
in support of Use Variance

Owner: MVK Enterprises, Inc.  
Authorized Representative/Applicant:  
Frank Redl, Project Manager

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## **BACKGROUND**

Redl Redl Estate. LLC purchased 22 Pershing Avenue (this “Site”) on July 9, 2013. At the time, there was a CO for this Site for a Carpet Cleaning Facility. The Site was zoned C-3. Shortly thereafter, Redl Real Estate made an application to the City of Poughkeepsie Planning Board (“PB”) for site plan approval and a special permit in order to conduct a used car lot, sales of used cars and signage. Such uses were permitted under the C-3 zoning regulations. On September 17, 2013, the PB granted site plan and special permit approvals for the change in use from a carpet cleaning facility to a used car lot. Final site plans were submitted, signed and are filed with the City. A building permit was issued for signage. A copy of the final site plan is annexed hereto as Exhibit “A”. Attached hereto as Exhibit “B” is an aerial photo of the Site showing the use as car sales and photos of the site as it exists today.

Admittedly, the Redl Real Estate’s tenant of the Site failed to follow through at the time to obtain the requisite Building Permit and CO to complete the authorization process which was a condition of final site plan approval. Nevertheless, since the 2013 approvals by the PB, the site has openly, notoriously and consistently been used as a used car lot until such time until MVK Enterprises, Inc. purchased the Site. From 2013 to 2024, the City Building Department made inspections of the Site and issued violations in 2020. A copy of such violation notice is annexed hereto as Exhibit “C”. Such violations were remedied but it is interesting to note that the City Building Department never issued a Cease-and-Desist Order or any other notice to shut down the used car sales thereby permitting the Site to be used for car sales. Once the violations were remedied, an Application for a CO (Exhibit “D”) was submitted to the City Building Department; however, for some unknown reason, a CO was not issued although duly applied for. Had the Building Department issued the CO, this application would not have been necessary.

In 2024, the City Charter was amended to change the zoning for the Site from C-3 to MU-5. This change in zoning prohibits the Site to be used as a used car sales and service lot. As a result, this application is necessary in order for the Owner to use the site as it has been so used from 2013.

MVK Enterprises, Inc. (MVK) purchased this Site on January 8, 2025. At the time of purchase, MVK knew that there were a few building violations but was not aware that the prior site plan may have been invalid.

## VARIANCE CRITERIA

In order to obtain a Use Variance, an applicant must show and demonstrate that the applicable zoning regulations and restrictions have caused unnecessary hardship.

City Charter Section 19-8.4(2)(c) provides that Use Variances are permitted where an application is made and approved by the ZBA provided that certain criteria are met to the satisfaction of the ZBA.

The criteria to be reviewed and considered by the ZBA are:

- 1. The applicant cannot realize a reasonable return, for all uses permitted by Zoning, demonstrated by competent financial evidence. Financial evidence should not be construed to be personal to the applicant.*
- 2. The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. Please explain how the alleged hardship is unique to the property in question. For example, does the subject property have unique constraints or characteristics not found in other properties in the district or neighborhood?*
- 3. The requested use variance, if granted, will not alter the essential character of the neighborhood. Explain fully how the character of the neighborhood will not be altered.*
- 4. The alleged hardship has not been self-created. Explain fully how the hardship is not self-created.*

This criteria analysis requires the ZBA to balance the benefit to the Applicant in granting the variance against the potential detriment to the surrounding properties and to the public health, safety and general welfare.

The Court of Appeals has held that a zoning board of appeals performs a “quasi-judicial” function when it considers applications for variances, and, as such, should act according to its own precedent. Knight v. Amelkin, 68 NY2d 975 (1986). Thus, where a local zoning board is considering an application that is substantially similar to a prior application that had been previously determined, the zoning board is required to provide a rational explanation for reaching a different result.

## CRITERIA ANALYSIS

*1. The applicant cannot realize a reasonable return, for all uses permitted by Zoning, demonstrated by competent financial evidence. Financial evidence should not be construed to be personal to the applicant.*

MVK is in the business of used car sales and has numerous locations throughout the Hudson Valley. MVK purchased this Site for the sole purpose of being able to conduct used car sales and related auto repairs. The site is designed for used car sales and related repairs. It is ready to go as it stands now. Renovation of the building and site to one of the new permitted uses in the MU-5 zone would be cost prohibitive and run into the 6 digits.

Attached as Exhibit “E” are two letters from area brokers attesting that this Site is best utilized for used car sales and related repairs.

*2. The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. Please explain how the alleged hardship is unique to the property in question. For example, does the subject property have unique constraints or characteristics not found in other properties in the district or neighborhood?*

The immediate area or neighborhood is commercial and residential. This Site is unique in that it has always been used for commercial purposes yet the change in zoning only permits uses that are inconsistent with the neighborhood. The granting of a Use Variance would not materially change the character of the neighborhood. For the site to be considered unique, it is required “that the hardship condition be not so generally applicable throughout the district as to require the conclusion that if all parcels similarly situated were granted variances the zoning of the district would be materially changed.” *Citizen’s United to*

*Protect Our Neighborhood-Hillcrest v. Town of Ramapo*, 2023 N.Y. Slip Op. 31194 at Page 40. Thus, the Site in question is unique.

The existing building is approximately 8,000 SF and its configuration is not conducive to residential purposes, schools, public parking garage, pharmacy, medical outpatient offices, bar or cannabis dispensaries, restaurants, museums or radio/TV recording studios without great renovation, cost and expense.

The highest and best use of the site is to continue used car sales and related auto repairs. The requested variance is not substantial or unusual when considered in the context of the surrounding area and the prior uses of the Site.

3. *The requested use variance, if granted, will not alter the essential character of the neighborhood. Explain fully how the character of the neighborhood will not be altered.*

Immediately to the south of the Site, Mobile Life built a new facility to cater to its ambulance work. This parcel is now being used for auto repair. Across Pershing Avenue to the west is the Salvation Army building. The rest of the surrounding area is residential; so, should the Use Variance be granted, the essential character of the neighborhood will be not changed.

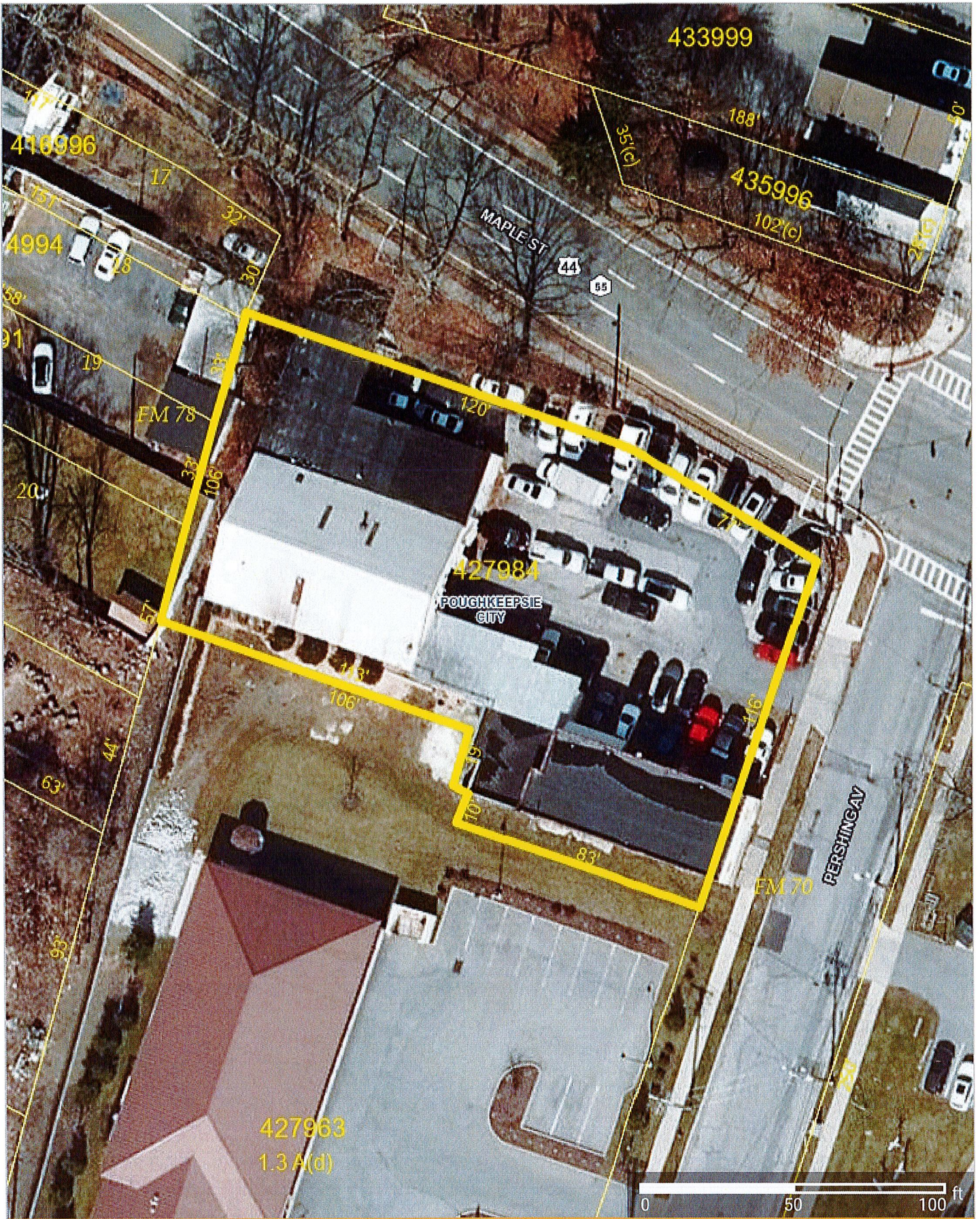
4. *The alleged hardship has not been self-created. Explain fully how the hardship is not self-created.*

MVK purchased this Site along with the prior ‘baggage’ of some building violations but was not aware that the continued and intended use of the site would prohibit car sales and related repairs. At no time did any of MVK’s acts or omissions create the prior violations of the Site.

# **EXHIBIT A**



# **EXHIBIT B**



ParcelAccess  
Dutchess County, NY

# 22 Pershing

Printed By:  
Frank Redl, Project  
Manager



1:500 Scale  
6/4/2025





# **EXHIBIT C**



THE CITY OF POUGHKEEPSIE  
NEW YORK  
BUILDING DEPARTMENT  
62 CIVIC CENTER PLAZA, 2ND FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4007 Fax: (845) 451-4006

## **NOTICE OF VIOLATION AND ORDER TO ABATE**

December 03, 2020

REDL REAL ESTATE LLC  
80 WASHINGTON STREET  
POUGHKEEPSIE, NY 12601

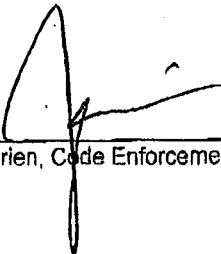
**RE: 22 Pershing Ave  
ID# 382120  
Grid ID# 6161-24-427984-0000  
Complaint Number: 2020-0666**

PLEASE TAKE NOTICE that the building located at 22 Pershing Ave in the City of Poughkeepsie, New York has been found to be in violation with Chapter 6 Building and Utility Code of the Code of Ordinances of the City of Poughkeepsie as indicated in the attached violation(s) report.

**YOU ARE HEREBY ORDERED TO ABATE** the violation(s) by 01/03/2021 and to schedule an inspection by contacting Joseph O'Brien, Code Enforcement Officer at 845-451-4273 on or before 01/03/2021.

**FURTHER, PLEASE BE ADVISED** that any person violating any of the provisions of this Building Code or of the Uniform Code adopted in Section 6-3 shall be liable to a penalty not exceeding One Thousand Dollars (\$1000) and, for a continuation of such violation, to an additional penalty not exceeding Ten Dollars (\$10) per day, as provided in Section 6-11 of the Code of Ordinances of the City of Poughkeepsie.

**YOU MAY REQUEST A REVIEW** of this determination or a variance to the requirements of the New York State Uniform Fire Prevention and Building Code by submitting a petition to the New York State Uniform Fire Prevention and Building Code Board of Review within thirty (30) days of the date of this Notice and Order. Forms for said petition and information regarding filing shall be obtained from the New York Department of State, Division of Code Enforcement and Administration, Attn. Variance Unit, 99 Washington Ave, Suite 1160, Albany, NY 12231. You must file with the City of Poughkeepsie, a copy of the petition and proof of filing within the Department of State within thirty (30) days.

  
\_\_\_\_\_  
Joseph O'Brien, Code Enforcement Officer



THE CITY OF POUGHKEEPSIE  
NEW YORK  
BUILDING DEPARTMENT  
62 CIVIC CENTER PLAZA, 2ND FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4007 Fax: (845) 451-4006

## VIOLATION(S) / SCHEDULE A

Property Address: 22 Pershing Ave  
Complaint Number: 2020-0665

Issued To: REDL REAL ESTATE LLC

Count: 1

Violation Date: 12/03/20

Description: Buildings use has changed to car sales without a certificate of occupancy.

Area involved: Car sales

Violation Code:  
CHARTER AND CODES OF THE CITY OF POUGHKEEPSIE, NEW YORK\Chapter 6, BUILDING AND UTILITY CODES\ARTICLE I,  
BUILDING CODE\DIVISION 2 ADMINISTRATION OF THE UNIFORM CODE\Section 6-30 Certificate of occupancy(c) Change in use,  
occupancy.

No change shall be made in the use or type of occupancy of an existing building unless a certificate of occupancy authorizing such change shall have been issued by the Building Inspector.

Comply by date: 01/03/21

Corrective Action: Apply for a Certificate of Occupancy for a change of use immediately and have Certificate of Occupancy issued for a change of use within 30 days.

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Count: 2

Violation Date: 12/03/20

Description: Buildings use has changed to hair supply store without a certificate of occupancy.

Area involved: Hair store

Violation Code:  
CHARTER AND CODES OF THE CITY OF POUGHKEEPSIE, NEW YORK\Chapter 6, BUILDING AND UTILITY CODES\ARTICLE I,  
BUILDING CODE\DIVISION 2 ADMINISTRATION OF THE UNIFORM CODE\Section 6-30 Certificate of occupancy(c) Change in use,  
occupancy.

No change shall be made in the use or type of occupancy of an existing building unless a certificate of occupancy authorizing such change shall have been issued by the Building Inspector.

Comply by date: 01/03/21

Corrective Action: Apply for a Certificate of Occupancy for a change of use immediately and have Certificate of Occupancy issued for a change of use within 30 days.

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3

Tenant

Violation Date: 12/03/20

Description: Office created including walls, doors and electrical in portion of building being used as hair supply store without a building permit.

Area involved: Hair store

Violation Code:  
CHARTER AND CODES OF THE CITY OF POUGHKEEPSIE, NEW YORK Chapter 6, BUILDING AND UTILITY CODES ARTICLE 1,  
BUILDING CODE DIVISION 2 ADMINISTRATION OF THE UNIFORM CODE Section 6-23 Scope of permit requirements (a) Permit required.

No person shall commence the erection, construction, enlargement, alteration, removal, improvement, demolition, conversion or change in the nature of occupancy of any building or structure or cause the same to be done without first obtaining a separate building permit from the Building Inspector for each such building or structure; except that no building permit shall be required for the performance of ordinary repairs which are not structural in nature as determined by the Building Inspector.

Comply by date: 01/03/21

Corrective Action: Obtain an issued building permit to legalize work completed without a building permit and have inspection to close out building permit within 30 days.

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Count: 4

Tenant

Violation Date: 12/03/20

Description: Stairs installed on entrance to where hair supply store is located without a building permit.

Area involved: Hair store

Violation Code:  
CHARTER AND CODES OF THE CITY OF POUGHKEEPSIE, NEW YORK Chapter 6, BUILDING AND UTILITY CODES ARTICLE 1,  
BUILDING CODE DIVISION 2 ADMINISTRATION OF THE UNIFORM CODE Section 6-23 Scope of permit requirements (a) Permit required.

No person shall commence the erection, construction, enlargement, alteration, removal, improvement, demolition, conversion or change in the nature of occupancy of any building or structure or cause the same to be done without first obtaining a separate building permit from the Building Inspector for each such building or structure; except that no building permit shall be required for the performance of ordinary repairs which are not structural in nature as determined by the Building Inspector.

Comply by date: 01/03/21

Corrective Action: Obtain an issued building permit to legalize work completed without a building permit and have inspection to close out building permit within 30 days.

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Count: 5

Violation Date: 12/03/20

Description: Signs installed without a building permit.

Area involved: Signs

Violation Code:  
CHARTER AND CODES OF THE CITY OF POUGHKEEPSIE, NEW YORK Chapter 6, BUILDING AND UTILITY CODES ARTICLE 1,  
BUILDING CODE DIVISION 2 ADMINISTRATION OF THE UNIFORM CODE Section 6-23 Scope of permit requirements (a) Permit required.

No person shall commence the erection, construction, enlargement, alteration, removal, improvement, demolition, conversion or

change in the nature of occupancy of any building or structure or cause the same to be done without first obtaining a separate permit from the Building Inspector for each such building or structure; except that no building permit shall be required for performance of ordinary repairs which are not structural in nature as determined by the Building Inspector.

Comply by date: 01/03/21

Corrective Action: Obtain an issued building permit to legalize work completed without a building permit and have inspection to close out building permit within 30 days.

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Count: 6

Violation Date: 12/03/20

Description: Gutter damaged and missing downspout.

Area involved: Gutter and downspout

Violation Code:

§6-3 of the Code of Ordinances of the City of Poughkeepsie\2020 Property Maintenance Code of New York State \CHAPTER 3 GENERAL REQUIREMENTS\SECTION 304 EXTERIOR STRUCTURE\304.7 Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Comply by date: 01/03/21

Corrective Action: Repair or replace gutter and downspout within 30 days.

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Count: 7

Violation Date: 12/03/20

Description: Exterior wall has suffered water damage due to damaged gutter.

Area involved: Exterior wall

Violation Code:

§6-3 of the Code of Ordinances of the City of Poughkeepsie\2020 Property Maintenance Code of New York State \CHAPTER 3 GENERAL REQUIREMENTS\SECTION 304 EXTERIOR STRUCTURE\304.6 Exterior walls.

Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Comply by date: 01/03/21

Corrective Action: Repair and repoint wall where needed within 30 days.

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Count: 8

Violation Date: 12/03/20

Description: Fascia is rotted.

Area involved: Fascia

Violation Code:

§6-3 of the Code of Ordinances of the City of Poughkeepsie\2020 Property Maintenance Code of New York State \CHAPTER 3 GENERAL REQUIREMENTS\SECTION 304 EXTERIOR STRUCTURE\304.7 Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Comply by date: 01/03/21

Corrective Action: Repair rotted fascia within 30 days.

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# **EXHIBIT D**



**THE CITY OF POUGHKEEPSIE  
NEW YORK  
BUILDING DEPARTMENT  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4007 Fax: (845) 451-4006**

**Residential - \$100.00  
Commercial/Multi-Family -\$250.00**

**AFFIDAVIT OF FINAL CONSTRUCTION  
APPLICATION FOR CERTIFICATE OF OCCUPANCY**

ID#: \_\_\_\_\_  
PERMIT#: 13-1008

State of New York  
ss:  
County of Dutchess

Otto Miranda, Construction Manager of HHR Construction Corp., being duly sworn, deposes and says: that he/she is the applicant, (or agent) of the applicant, named in the application for Building Permit dated 13-1008 relating to construction or other work to be performed on or in connection with the premises located at 22 Pershing Avenue, City of Poughkeepsie, NY.

Application is hereby made for the issuance of a Certificate of Occupancy for the building or structure on these premises.

Applicant states that he/she has examined the approved plans of the structure and that the structure has been erected in accordance with approved plans and that as erected complies with the law governing building construction.

Applicant states that he/she has examined the approved plans of the structure and that the structure has been erected in accordance with approved plans and that as erected complies with the law governing building construction except insofar as variations therefrom have been legally authorized.

Applicant states that he/she has filed with the Building Department a copy of a Certificate of approval from an electrical inspection agency and a copy of an As Built Site Survey, if site work was done.

Applicant further states that he/she was the (place an "x" in the appropriate space)  
[ ] Registered Architect, or [ ] Professional Engineer, or [xx] Superintendent of Construction who supervised said construction or other work and that by reason of his/her experience is qualified to supervise such work on the structure for which a Certificate of Occupancy is requested.

**When Ready - Mail [ ] Pick up [ xx] Phone #471-3388 x105**

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Applicant or Agent  
Otto Miranda, Const. Mgr

Sworn to me before this \_\_\_\_\_ day of December, 2020

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Notary Public

# **EXHIBIT E**



**Request for Special Use Permit – 22 Pershing Avenue, Poughkeepsie, NY 12601**  
**Proposed Use: Automotive Shop**

To the City of Poughkeepsie Planning Board,

I respectfully submit this request on behalf of Charlie Kane for a special use permit for the property located at 22 Pershing Avenue, Poughkeepsie, NY 12601, to be used as an **automotive repair and service shop**. This proposal is supported by the following planning, financial, and community-based justifications:

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### **1. Zoning Compatibility and Historical Use**

The surrounding area of Pershing Avenue is characterized by a mix of light industrial, service-oriented, and residential properties. An automotive shop fits well within this context and maintains continuity with historic and current uses in the neighborhood. Nearby businesses already include similar light-commercial and industrial operations, meaning the proposed use will not be out of character with the neighborhood fabric. In fact, a commercial use like this would act as a buffer between more intensive industrial zones and residential streets.

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### **2. Economic Viability and Financial Best Use**

From a financial standpoint, converting the property into an automotive shop represents the **highest and best economic use** for several key reasons:

- **Demand and Market Need:** There is a consistent and growing demand for automotive repair services in Poughkeepsie and the greater Hudson Valley region. With more residents driving older vehicles due to rising auto prices, the need for reliable, locally based repair services continues to rise.
- **Low Vacancy, High Turnover in Other Sectors:** Retail, office, or food-based businesses often face high turnover and struggle with vacancy issues, particularly in secondary streets like Pershing Avenue. Automotive businesses, on the other hand, typically demonstrate long-term tenancy and economic resilience, providing a more stable and reliable revenue stream for both the property owner and the City's tax base.
- **Limited Inventory for Automotive Use:** There is a **shortage of appropriately zoned or permitted spaces** for automotive repair in the City of Poughkeepsie. Properties that can meet basic automotive requirements (garage access, parking, ventilation, and setbacks) are rare. Granting this permit would help alleviate that scarcity and promote job growth in a trade skill industry.
- **Low Overhead, High Output:** Automotive businesses require relatively low overhead investment in terms of interior build-out compared to restaurants or retail operations, making it more financially sustainable and quicker to open, which translates into faster job creation and economic return for the area.

### 3. Employment and Community Benefits

- The shop would provide **skilled trade jobs** and support workforce development, particularly for local residents seeking alternatives to retail or service-industry employment. These types of businesses also create opportunities for vocational partnerships with local high schools or trade programs.
  - The shop could employ 3–6 full-time workers initially, including technicians, customer service staff, and administrative personnel.
  - As a locally owned business, it would **reinvest in the community**, supporting other local businesses (e.g., parts suppliers, tool distributors, etc.).
- 

### 4. Traffic and Environmental Considerations

Automotive repair generates **less foot traffic and lower parking turnover** compared to high-volume uses like retail or restaurants, minimizing congestion and noise. The business would maintain compliance with environmental safety regulations, including proper fluid disposal and waste management. Noise and operational hours would be restricted and clearly regulated to align with neighborhood standards.

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### 5. Enhancement, Not Deterioration, of Property Value

Far from depreciating nearby property values, a clean, well-operated automotive facility can **improve the visual and economic standing** of a block that may otherwise face underinvestment. Many neglected commercial properties are left unused due to lack of viable, permitted uses. The investment into infrastructure, signage, and beautification required to open a professional automotive shop would enhance the curb appeal and utility of the site.

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### Conclusion

In summary, converting 22 Pershing Avenue into an automotive shop is not only consistent with the character of the neighborhood, but it is also the most economically sustainable and community-beneficial option available. It meets a demonstrated market demand, supports local job creation, encourages long-term tenancy, and enhances the local economy. We urge the Planning Board to consider these factors in approving the special use permit request.

Respectfully submitted,  
Hamar Clarke  
Clarke Realty & Associates

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**REALTY CENTER Hudson Valley**

61 Woodland Ave, Poughkeepsie, NY 12603  
[realtycenter@optonline.net](mailto:realtycenter@optonline.net)

RealtyCenterOnline.com  
845-462-8990 – office phone  
10991222473 NYS ID

Re: 22 Pershing Ave, Poughkeepsie NY.

T To whom it may concern,

After conducting research given the current layout of the property located at 22 Pershing Ave, Poughkeepsie and its history of use in automotive repairs and sales of automotive cars, in my opinion the property is ideally suited to continue serving the automotive industry.

Its strategic location in Poughkeepsie adds to its appeal, ensuring high visibility and accessibility for potential customers. Additionally, the spacious showroom and multiple garage bays provide ample opportunities for expanding services, whether through adding vehicle detailing, offering specialized repairs, or increasing inventory for sales.

With thoughtful investment and management, this property has the potential to thrive as a cornerstone for automotive businesses in the area. It has been used for over ten years as a Car sales and repairs establishment.

The building would not be cost effective to convert into any other current use – Under current zoning.

Regards,

Ann Scarano  
Associate Broker  
Realty Centre Hudson Valley  
845-505-3850

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

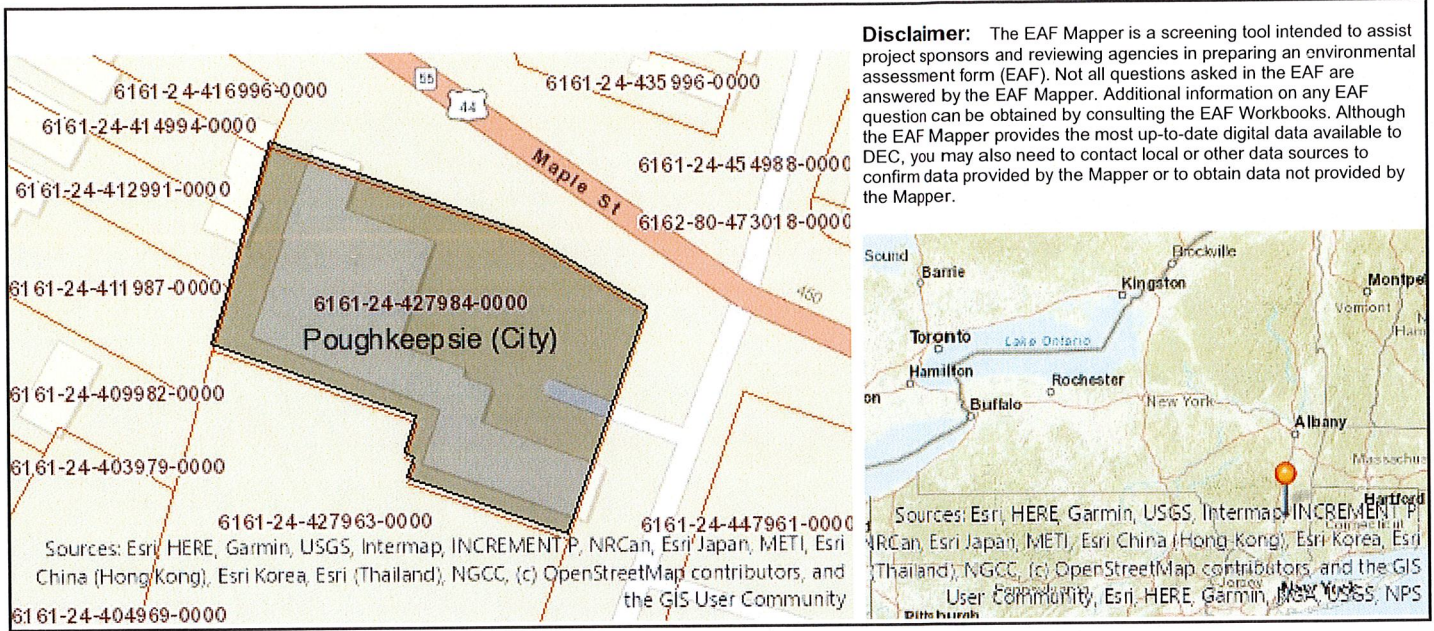
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Use Variance Application			
Project Location (describe, and attach a location map): 22 Pershing Avenue, City of POughkeepsie, County of Dutches and State of New York			
Brief Description of Proposed Action: Applicant seeks Use Variance to permit Site to be utilized for used car sales and related auto repairs.			
Name of Applicant or Sponsor: MVK Enterprises, Inc		Telephone: 845-242-2070 E-Mail: frank@redlh.com	
Address: 1158 Salt Point Turnpike			
City/PO: Pleasant Valley		State: New York	Zip Code: 12569
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City ZBA, Building Permits			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 0.48 acres b. Total acreage to be physically disturbed? _____ 0.00 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.48 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	





Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes