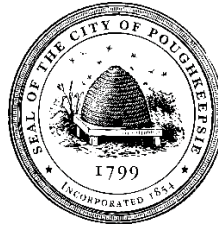


Minute Approved
Date: July 24, 2023
Motion: Jessica Vinall
Second: Thomas Klug
Carried: 4:0:1



City of Poughkeepsie Zoning Board of Appeals
APPROVED Meeting Minutes
Common Council Chambers
Tuesday, June 13, 2023 6:00 PM

ATTENDANCE

Scott Parker
Thomas Klug
John Gildard
Jessica Vinall

ABSENT

Brian Ineson

STAFF

Joseph Donat, Development Director
Richard Distel, City Planner
Tyler Maegerle, Junior Planner
Lori Garcia, Board Administrative Assistant

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

- 1.** Approval of May 16, 2023 Meeting Minutes
Motion: Scott Parker
Second: John Gildard
4:0:0

III. PUBLIC HEARINGS

1. 9 THOMPSON STREET: AREA VARIANCE

Application for an area variance relative to the installation of a parking area in the front yard of the property. The variance requested is in regards to Section 19.4.13(2) which states no parking or storage of motor vehicles shall be allowed in the front yard of any property located in an R-1, R-2, R- 2A, R-3, R-3A or R-4 Zoning District to allow for the addition of a parking area in the south front and west side yard of the property. Owner/Applicant: Everton & Verna Meyers; Grid #6162-70-238140 Zoning District: Medium High Density Residential (R-4); File #2022-022.

Present: Verna and Everton Meyers

A motion was made to approve the resolution of approval as received in print

Motion: Thomas Klug

Second: Scott Parker

4:0:0

2. 325 CHURCH STREET: AREA VARIANCE

Application for area variances relative to the conversion of a two bedroom apartment into two, one bedroom apartments. Variances requested are regarding Section 19-3.13.1(4)(a)2 requiring a lot area of 12,000 square feet to allow for 4,125 square feet, a reduction of 7,875 or 65.5% and Section 19-4.3(11)(a) requiring 4 parking spaces to allow for 0 parking spaces. Owner: Abraham Smilowitz Applicant/Consultant: Jack Voss, Grayhawk Building Specialist; Grid: # 6161-23-342907; R-2A, CENTRAL LOW-DENSITY RESIDENTIAL District; File #ZBA 2023-008

Presenting - Jack Voss, Grayhawk Building Specialist
- Abraham Smilowitz, Owner

The project was described and variances requested discussed.
The justification prongs were reviewed by the board.

A motion was made to open the public hearing.
Motion: Scott Parker
Second: Thomas Klug

There were no speakers.

Motion was made to close the public hearing.
Motion: Scott Parker
Second: John Gildard
4:0:0

The staff was directed to draft and approval. The review was adjourned to the July 11, 2023 meeting

3. 95 NORTH CLINTON: AREA VARIANCE

Application for area variance relative to the rear yard area. Whereas Section 19-3.22(4)(e)2.c requiring a rear yard of 25 feet. The area variance requested is to allow a rear yard of 7.1 feet a reduction of 17.9 feet. Owner/Applicant: 36 Cottage Street LLC.; Consultant: Kelly Libolt; Grid: # 6161-78-301233; C-1 Neighborhood Commercial District; File #ZBA 2023-011

Presenting: Kelly Libolt, KARC

Kelly explained the desire to change the lot line which then produces a need for the requested variance. She also explained that there would be an easement agreement between 95 N Clinton Street and 36 Cottage Street to allow for the use of the curb cut by 95 N Clinton Street.

A motion was made to open the public hearing
Motion: Scott Parker
Second: Thomas Klug
4:0:0

There were no speakers

Motion was made to close the public hearing
Motion: Scott Parker
Second: John Gildard
4:0:0

The board instructed staff to draft a resolution
Motion: Jessica Vinall
Second: Thomas Klug
4:0:0

4. LOT #228990 CANNON STREET: AREA VARIANCE

Application for area variance relative to the access lane whereas Section 19-4.3(5)(a) requires a minimum fifteen-foot (15') access lane for parking areas with fewer than 20 spaces. Variance requested is to allow for an access lane of twelve feet six inches (12'6"); a variance of two feet six inches (2'6").
Owner/Applicant: Cannon Street Collaborative; Consultant: John Sullivan;
Grid: # 6161-48-470546; File #ZBA2023-009

Presenting - John Sullivan, consultant
Daniel Rhode, Applicant

The need for a variance for the access to the lot was explained and some additions to the site plan described

A motion was made to open the public hearing
Motion: Scott Parker
Second: Thomas Klug
4:0:0

There were no speakers

Motion was made to close the public hearing
Motion: Scott Parker
Second: John Gildard
4:0:0

The board reviewed the prongs for the variance

The staff was directed to draft and approve and the review was adjourned to the July 11, 2023 meeting.

5. LOT #93758 SOUTH AVENUE: AREA VARIANCE

Application for area variance relative to the parking spaces for a 5 story, 87 one bedroom unit structure. The area variance requested is in regards to Section 19-4.3(11) requiring a minimum of 1.5 parking spaces per unit or a total of 131 to allow for 103 parking spaces (53 above ground and 50 below ground) a reduction of 28 spaces. Owner/Applicant: ARGO Development; Consultant: Christopher Lapine, PE, LEED AP; Grid: # 6061-52-937583; R-D, Research and Development District; File #ZBA 2023-013

Presenting: Chris LaPine, La Bella and Assoc.
Brittany Micheline, LaBella and Assoc.
Matthew Tether, LMV
Michael Abuladez, Argo Development

The need for a variance for the parking was explained

A motion was made to open the public hearing

Motion: Scott Parker

Second: Thomas Klug

4:0:0

1 Speaker – South Avenue Resident

Motion was made to close the public hearing

Motion: Scott Parker

Second: Thomas Klug

4:0:0

The board reviewed the prongs for the variance

The staff was directed to draft and approval. The review was adjourned to the July 11, 2023 meeting.

Motion: Scott Parker

Second: Thomas Klug

4:0:0

6. 1 COTTAGE STREET - ZONING INTERPRETATION

Application for an interpretation relative to nonconforming use Section 19-5.1(c) which states that a use shall not be changed to another nonconforming use without approval by the Zoning Board of Appeals, and then only to a use which, in the opinion of said Board, is of the same or of a more restricted nature. No building or land changed to a more restricted nonconforming use shall be changed back to a less restrictive use. Owner/Applicant: Ibrianis Dominguez; Consultant: Z3 Consultants Inc; Grid: # 6161-48-470546; File #ZBA2023-023

Review postponed due to error in public notice

IV. APPLICATION REVIEW

1. 75 NORTH WATER: AREA VARIANCE

Sign review regarding freestanding monument sign with message board. The variance requested is in regards to the sign code Section 19-4.9(8)(c)3b.i requiring that the message display change only once every 12 hours to allow the display to change once every 10 minutes; Section 19- 4.9(9)(d)3 which permits no more than three colors to allow unlimited colors; and Section 19-4.9(9)(d)4 which permits no more than 5 words to allow for 12 words. Owner/Applicant: Mid-Hudson Discovery Museum; Consultant: GNS Sign Group; Grid #6062-66-738231; Zoning District: Waterfront District (W); File #ZBA2023-007

Application waiting for Planning Board SEQRA action.

A motion was made to adjourn until July 11, 2023 meeting

Motion: Scott Parker

Second: Thomas Klug

4:0:0

2. LOT #285084 SMITH STREET: AREA VARIANCE

An application regarding area variances relative to the construction of a three (3) unit apartment building. A variance is requested for Section 19-3.15(4)(c)3 which requires 12,000sf of lot area; the lot is 7,237sf.; a reduction of 4,763sf (39.6%), Section 19-3.15(4)(e)2 requires the side yard be at least 15'; the proposed right side yard is 12'; a reduction of 3' (30%), Section 19-3.15(4)(f) requires the front yard be at least 20'; the proposed front yard is 10', Section 19-4.3(5)(a) requires an access drive of at least one 15 foot wide lane for parking areas with fewer than 20 spaces; a 12 foot access is proposed; a reduction of 3 feet (20%), Section 19-4.3(5)(b) requires the width of each parking space to be at least 9'; all six spaces appear to be only 8'9". Owner/Applicant: Patterson Calhoun, LLC; Consultant: Ciro Interante; Grid #6162-79-285084; Zoning District: Medium to High Density Residential (R-4); File #ZBA2023-006

Presenting: Ciro Interante, Architect
 James Patterson, Applicant/owner

Discussed changes to site plan that reduced the variances requested; slats in the chain link fence, the addition of a chain link with slats along the rear of the property, building setback

A motion was made to approve the resolution of approval as received in print with the following conditions:

- As built drawings will show the front yard setback does not exceed the average of the structures of the of the two adjoining lots.
- Opaque fencing or chain link with privacy slats will be used.

Motion: John Gildard
Second: Thomas Klug
4:0:0

A motion was made to adjourn the meeting until July 11, 2023
Motion: Scott Parker
Second: John Gildard
4:0:0

For more details regarding the meeting, please visit the [Meeting Webcast](#) or the [Agendas and Minutes](#) page on the [City of Poughkeepsie](#) website.