



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

Common Council Chambers
Monday, October 23, 2023
6:00 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. Approval of September 26, 2023 Meeting Minutes

III. PUBLIC HEARINGS & DELIBERATIONS

1. 196 WINNIKEE AVENUE - AREA VARIANCE

Public Hearing Adjourned to November

2. 54-58 SMITH STREET - AREA VARIANCE

Application for area variance relative to the addition of two apartments to an approved plan for an eight-unit apartment. Lot deficiencies were noted regarding; Section 19-3.15(4)(c) requiring 23,800 square feet of lot area, to allow for 12,014 square feet, (a variance of 11,786); Section 19-4.13(2) prohibiting front yard parking, to allow for 4 parking spaces in the front yard. Owner: Y&S Group, LLC; Applicant: Wayne Thompson, Esq.; Grid: # 6162-79-310112; Zoning District: Medium High-Density (R-4); File #2023-019

3. 504-512 MAIN STREET – INTERPRETATION

Request for Interpretation as to whether or not “mini-warehouses” are permitted in the General Commercial (C-3) Zoning District, requiring a general examination of definitions and districts in which warehousing and mini-warehouses are permitted, and specifically of Section 19-3.34(2) of the Zoning Ordinance. Owner/Applicant: Piedmont Properties of Dutchess,

LLC; Consultant: Joshua Mackey, Esq, Mackey Butts & Whalen, LLP;
Zoning District: Zoning District: C-3; Grid #6161-23-304986, 306985,
309983, 313982, 316981; File #ZBA2023-036

4. 30 NORTH CLOVER STREET AREA VARIANCE

Application for area variances relative to the proposed installation of condensers on the north and south sides of the building at 30 North Clover Street. The variances requested are of Section 19-4.13(1) of the Zoning Ordinance, which requires a 6 foot set-back for accessory uses, to allow at a set-back of 1.48 feet on the north and 4.91 feet on the south side.

Owner/Applicant: Michelle Ayala; Zoning District: R-4; Grid #6062-75-8544216; File #ZBA2023-038

5. 7 FOSTER STREET – AREA VARIANCE

Application for area variance relative to the proposed construction of an addition to the existing single family dwelling at 7 Foster Street. The variance requested is of Section 19-3.25(2)(8)(d) of the Zoning Ordinance, which requires 10 foot front yard set-backs to allow a set-back of 3'1".

Owner/Applicant: Jose and Carmen Juarez; Consultant: Ciro Interrante, Architect, P.C.; Zoning District: G-RM; Grid #6162-48-383507; File #ZBA2023-039

6. 147 UNION STREET – AREA VARIANCE

Request for area variances relative to the proposed conversion of the office building at 147 Union Street to a mixed use building with 2 retail spaces and a total of 11 dwelling units, requiring variances of Sections 19-3.19(4)(b) and (c) of the Zoning Ordinance, which requires 15,600 square feet of lot area to allow 13,112 square feet (a variance of 2488 square feet). Owner: Colonial Realty Holding LLC (Berry Kohn); Applicant: Chai Developers LLC (Berry Kohn); Consultant: Natalie Quinn, KARC Planning Consultants, Inc.; Zoning District: R-4A; Grid #6062-84-891084; File #ZBA2023-044

7. 50 DELAFIELD AVENUE – AREA VARIANCE

Request for area variances relative to the proposed installation of condensers in the Hoffman Street front yard the building at 50 Delafield Street, requires a variance of Section 19-19-4.13(1) of the Zoning Ordinance which prohibits location of accessory uses in front yards. Further, the use has expanded since the original approval resulting in addition of staff impacting the parking requirement, requiring a variance of Section 19-4.3(11)(a) which requires 101 off street parking spaces to allow 51 parking spaces on site. Owner: Astor Services; Applicant/Consultant: Jay Diesing, RA, AIA; Zoning District: R-4; Grid #6062-59-857380; File #ZBA2023-045

IV. APPLICATION REVIEW

1. 20 CORLIES AVENUE - AREA VARIANCE

Application for area variance relative to converting a single family dwelling to a two family dwelling. Lot deficiencies were noted regarding; Section 19-3.15(4)(a) the minimum lot area is 10,000 square feet, to allow for 6838 square feet (a variance of 3162 square feet); Section 19-3.15(4)(e) the minimum side yard is 6 feet, to allow for a 5 foot side yard 9 a variance of 1 foot). Owner/Applicant: Javier Ortega; Consultant: Wayne Thompson, Esq.; Grid: # 6161-25-524928; Zoning District: Medium High-Density (R-4); File #2023-016

2. 40 GARDEN STREET – AREA VARIANCE

Application for area variance relative to the installation of a replacement sign. Lot deficiencies were noted regarding; Section 19-4.9(9)(d)2 requiring signs be a maximum of 6 feet high, to allow for 11 feet, (a variance of 5 feet); Section 19-4.9(9)(d)2 requiring a maximum sign face of 36 square feet, to allow for 44 square feet, (a variance of 8 square feet); Section 19-4.9(9)(d)4 requiring a maximum of 4 words, to allow for 40-50 words, (a variance of 36-46 words). Owner: 40 Garden Street, LLC; Applicant: GNS Group, Ltd; Grid: # 6162-69-084135; Zoning District: C-2 Central Commercial; File #2023-017

3. 419 MAPLE STREET - AREA VARIANCE

Application for area variance relative to the conversion of a two-family dwelling to a four-family dwelling. Lot deficiencies were noted regarding; Section 19-3.15(4)(c)2 requiring a lot area of 11,200 square feet, to allow for 5,608 square feet, (a variance of 5,592 square feet); Section 19-3.15(4)(e)2 requiring 15 foot side yards, to allow for a 2.7 foot right side yard and a 4.9 foot left side yard, (a variance of 12.3 and 10.1 feet respectively); Section 19-4.3(11)(a) requiring 8 parking spaces, to allow for a PB waiver for off-site parking; Section 19-4.11(1)(b) requiring landscaping strips along all properties lines so as to effectively screen the activity on the property from neighboring uses, of at least three feet width, including evergreen planting, to allow for property screening by the existing fence. Owner: 419 Maple LLC; Applicant: Wayne Thompson; Grid: # 6162-79-349050; Zoning District: R-4 Medium High-Density; File #: ZBA2023-018.

4. 63 THOMPSON STREET - AREA VARIANCE

Application for area variance relative to adding a 3rd apartment to a two family dwelling. Lot deficiencies were noted regarding; Section 19-3.15(4)(e)2 requiring a 15 foot side yard, allowing for a right side yard of

11.3 feet (a variance of 3.7 feet), and allowing for a left side yard of 13.9 feet (a variance of 2.1 feet); Section 19-4.3(5)(a) requiring a 15 foot wide driveway, allowing for 11.3 feet (a variance of 3.7 feet); section 19-4.3(1) requiring a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center to be provided between the parking area and property line, to allow for the existing small trees and shrubs existing on the north property line. Owner: Poughkeepsie Thompson Street LLC; Applicant/Consultant: Wayne Thompson, Esq.; Grid: #6162-71-305134; Zoning District: Medium High-Density (R-4); File #2023-020

5. 7 GRANT STREET – AREA VARIANCE

Application for area variance relative to the conversion of a single family dwelling to a two family dwelling. Lot deficiencies were noted regarding; Section 19-3.15(4)(a) requiring a 10,000 square foot lot area, to allow for 4,791 square feet, (a variance of 5209 square feet); Section 19-4.3(11) requiring 4 parking spaces, to allow for two compliant parking spaces, (a variance of two spaces). Owner: BRRR Homes Corp; Applicant: Wayne Thompson; Grid: # 6162-79-327052; Zoning District: Medium High-Density (R-4); File #2023-021

6. 375-379 MAIN STREET – INTERPRETATION

Application for interpretation relative to the proposed conversion of the existing building at 375-379 Main Street from a retail store to a hotel with amenities and whether such conversion requires site plan approval from the Planning Board pursuant to the provisions of Section 19-3.37(7) Table 3-37-1, Section 19-3.37(6)(a), Section 19-3.37.4 and Section 19-3.37(13(a) of the Zoning Ordinance. While Section 19-3.37(7) Table 3.37-1 permits hotels in the PID-HC in which the property is located, and Section 19-3.37(7) in theory exempts hotels from Planning Board review, Section 19-3.37(13)(a) Table 3.37-4 details parking requirements and provides that Planning Board determine the parking requirement for “other uses” for which a parking requirement during site plan review. Hotels are such an “other use.” Further, the Planning Board previously reviewed and approved such use of the property as a hotel was subject to site plan review and approval in 2020. The applicant argues that site plan approval is not required. Owner: 375 Main Street LLC; Applicant: Chai Developers LLC; Consultant: Natalie Quinn, KARC Consulting; Grid #6162-78-160058; File #ZBA2023-030

7. 357 HOOKER AVENUE - AREA VARIANCE

Application for area variances relative to the proposed renovation of the standard restaurant at 357 Hooker Avenue, including: proposed outdoor seating areas, outdoor cooking area, pavilion, outdoor storage container and dumpster. The variances requested are of Section 19-4.3(1), requiring

that whenever a parking area containing three or more spaces faces a street or property line, a planting area a minimum of three feet wide and three feet high planted three feet on center shall be provided between the parking area and the property line, to allow no landscaping; Section 19-4.3(1), requiring that all parking lots with more than 24 spaces shall be interrupted by landscaping approved by the Planning Board, to allow no landscaping; Section 19-4.11(1)(b), requiring landscape strips or opaque screening along the property lines of all nonresidential uses, to allow no such perimeter landscaping; Owner: Highway Displays Inc; Applicant: Terricena Brown; Consultant: Ciro Interrante, Architect, P.C.; Grid #6161-66-744353; File #ZBA2023-031

8. 100 CANNON STREET AREA VARIANCE

Application for area variance relative to the proposed installation of a fence on the property at 100 Cannon Street. The variance requested is of Section 19-4.14(3)(2), requiring that no fence be located within 10 feet of any wall containing legal windows: the proposed fence is within 4.5-5.5 feet of an existing building containing legal windows to the south (29-31 South Hamilton Street). Owner: Redeemed Christian Fellowship; Application: Bishop Dr. Kendrick McBean; Consultant: Ciro Interrante, Architect, P.C.; Grid #6161-22-152994; File #ZBA2023-033

9. LOT #458149 (7) MORGAN AVENUE – AREA VARIANCE

Application for area variances relative to the proposed construction of two multiple dwellings containing a total of nine dwelling units on a vacant parcel. The variances requested are of Section 19-3.15(4)(c), requiring 36,000 square feet of lot area, to allow 13,800 square feet; Section 19-3.15(4)(e)(2), requiring 15 foot side yards, to allow 6 foot side yards; Section 19-3.15(4)(f), requiring a front yard set back of 20 feet, to allow a front yard set back of 10 feet; Section 19-3.15(4)(i) requiring that 3600 square feet of usable open space for tenant recreational purposes be provided, with minimum dimensions of 30'x40', to allow an area of 918 square feet with dimensions of 27'x34'; Section 19-4.3(5)(a) requiring a driveway a minimum of 15 feet in width, to allow a 14' wide driveway;

Section 19-4.3(5)(b), requiring parking spaces a minimum of 20 feet deep, to allow parking spaces 18' deep; Section 19-4.3(11), requiring 18 parking spaces, to allow 13 parking spaces; Section 19-4.13(2), requiring that all accessory parking be located within a side or rear yard and not within a front yard, to allow one space to be located partially within the front yard; and, Section 19-4.14(3)(2), requiring that no wall containing legal windows be located within 10 feet of a fence, to allow both buildings to be located within 6 feet of existing fences. Owner: 21st Century Living LLC; Applicant: James Patterson (Patterson Calhoun LLC); Consultant: Ciro Interrante, Architect, P.C.; Grid #6162-72-458149, File #ZBA2023-034



City of Poughkeepsie Zoning Board of Appeals

DRAFT Meeting Minutes

Common Council Chambers

Tuesday, September 26, 2023 6:00 PM

ATTENDANCE

Scott Parker
Jessica Vinall
Thomas Klug
Justin Phillips
Sam Finnerman

EXCUSED

Brian Ineson

STAFF

Richard Distel, City Planner

I. CALL TO ORDER 6:00 pm

II. APPROVAL OF MEETING MINUTES

1. Approval of August 29, 2023 Meeting Minutes
Motion: Scott Parker
Second: Thomas Klug
Carried: 5:0:0

III. PUBLIC HEARINGS & DELIBERATIONS

2. 375-379 MAIN STREET – INTERPRETATION

Application for interpretation relative to the proposed conversion of the existing building at 375-379 Main Street from a retail store to a hotel with amenities and whether such conversion requires site plan approval from the Planning Board pursuant to the provisions of Section 19-3.37(7) Table 3-37-1, Section 19-3.37(6)(a), Section 19-3.37.4 and Section 19-3.37(13)(a) of the Zoning Ordinance. While Section 19-3.37(7) Table 3.37-1 permits hotels in the PID-HC in which the property is located, and Section 19-3.37(7) in theory exempts hotels from Planning Board review, Section 19-3.37(13)(a) Table 3.37-4 details parking requirements and provides that Planning Board determine the parking requirement for “other uses” for which a parking requirement during site plan review. Hotels are such an “other use.” Further, the Planning Board previously reviewed and approved such use of the property as a hotel was subject to site plan review and approval in 2020. The applicant argues that site plan approval is not required. Owner: 375 Main Street LLC; Applicant: Chai Developers LLC; Consultant: Natalie Quinn, KARC Consulting; Grid #6162-78-160058

Motion to Open the Public Hearing
Motion: Scott Parker
Second: Thomas Klug
5:0:0

Speaker: Lori Sandow

Motion to Close the Public Hearing
Motion: Scott Parker
Second: Thomas Klug
5:0:0

3. 75 SOUTH HAMILTON - AREA VARIANCE

Application for area variance relative to the conversion of an existing building from a single- family dwelling into a two-family dwelling. The area variances requested are in regards to Section 19-3.15(4)(a) requiring a lot area minimum of 10,000 square feet to allow for 4,879 square feet (a reduction of 5,121 square feet). As well as requiring a minimum 6 feet side yard, to allow for a 0 foot side yard on the right side of the addition.

Owner/Applicant: 75 S Hamilton LLC; Consultant: Mazzarelli Architecture and Planning; Grid:# 6161-21-118891; Zoning District: R-4, Medium High-Density Residence; File #2023-015

Presenting: Natia Porter
Carlos Mazzarelli, Mazzarelli Architecture

Motion to Open the Public Hearing
Motion: Scott Parker
Second: Thomas Klug
5:0:0

No Speakers

Motion to Close the Public Hearing
Motion: Scott Parker
Second: Thomas Klug
5:0:0

A motion was made to Approve the Resolution
Motion: Scott Parker
Second: Tom Klug
5:0:0

4. 398 CHURCH STREET: AREA VARIANCE

Application for the installation of a fence. The area variance is relative to Section 19-4.12(5) where no fence shall be permitted nearer than 10 feet to any wall or an adjoining building that contains legal windows to allow a fence within 6 and 8 feet depending on portion of wall. Owner/Applicant: 398 Church LLC, George Lulaj; Grid:# 6162-24-492881; Zoning District: R- 4 Medium High-Density Residential; File #2023-026

Presenting: George Lulaj, Owner

Motion to Open the Public Hearing

Motion: Scott Parker

Second: Tom Klug

5:0:0

No Speakers

Motion to Close the Public Hearing

Motion: Justin Phillips

Second: Tom Klug

5:0:0

A motion was made to Approve the Resolution

Motion: Scott Parker

Second: Tom Klug

5:0:0

5. LOT #458149 (7) MORGAN AVENUE – AREA VARIANCE

Application for area variances relative to the proposed construction of two multiple dwellings containing a total of nine dwelling units on a vacant parcel. The variances requested are of Section 19-3.15(4)(c), requiring 36,000 square feet of lot area, to allow 13,800 square feet; Section 19-3.15(4)(e)(2), requiring 15 foot side yards, to allow 6 foot side yards; Section 19-3.15(4)(f), requiring a front yard set back of 20 feet, to allow a front yard set back of 10 feet; Section 19-3.15(4)(i) requiring that 3600 square feet of usable open space for tenant recreational purposes be provided, with minimum dimensions of 30'x40', to allow an area of 918 square feet with dimensions of 27'x34'; Section 19-4.3(5)(a) requiring a driveway a minimum of 15 feet in width, to allow a 14' wide driveway; Section 19-4.3(5)(b), requiring parking spaces a minimum of 20 feet deep, to allow parking spaces 18' deep; Section 19-4.3(11), requiring 18 parking spaces, to allow 13 parking spaces; Section 19-4.13(2), requiring that all accessory parking be located within a side or rear yard and not within a front yard, to allow one space to be located partially within the front yard; and, Section 19-4.14(3)(2), requiring that

no wall containing legal windows be located within 10 feet of a fence, to allow both buildings to be located within 6 feet of existing fences. Owner: 21st Century Living LLC; Applicant: James Patterson (Patterson Calhoun LLC); Consultant: Ciro Interrante, Architect, P.C.; Grid #6162-72-458149

Presenting: James Patterson

Motion to Open the Public Hearing

Motion: Scott Parker

Second: Tom Klug

5:0:0

Speakers: Chris Grant, Yvonne Flowers

A motion to Adjourn the Public Hearing to October 23rd

Motion: Scott Parker

Second: Tom Klug

5:0:0

6. 100 CANNON STREET AREA VARIANCE

Application for area variance relative to the proposed installation of a fence on the property at 100 Cannon Street. The variance requested is of Section 19-4.14(3)(2), requiring that no fence be located within 10 feet of any wall containing legal windows: the proposed fence is within 4.5-5.5 feet of an existing building containing legal windows to the south (29-31 South Hamilton Street). Owner: Redeemed Christian Fellowship; Application: Bishop Dr. Kendrick McBean; Consultant: Ciro Interrante, Architect, P.C.; Grid #6161-22-152994

Motion to Open the Public Hearing

Motion: Scott Parker

Second: Sam Finnerman

5:0:0

A motion to Adjourn the Public Hearing to October 23rd

Motion: Scott Parker

Second: Sam Finnerman

5:0:0

7. 357 HOOKER AVENUE – AREA VARIANCE

Application for area variances relative to the proposed renovation of the standard restaurant at 357 Hooker Avenue, including: proposed outdoor seating areas, outdoor cooking area, pavilion, outdoor storage container and dumpster. The variances requested are of Section 19-4.3(1), requiring that whenever a parking area containing three or more spaces faces a street or property line, a planting area a minimum of three feet wide and three feet high planted three feet on center shall be provided between the

parking area and the property line, to allow no landscaping; Section 194.3(1), requiring that all parking lots with more than 24 spaces shall be interrupted by landscaping approved by the Planning Board, to allow no landscaping; Section 19-4.11(1)(b), requiring landscape strips or opaque screening along the property lines of all nonresidential uses, to allow no such perimeter landscaping; Owner: Highway Displays Inc; Applicant: Terricena Brown; Consultant: Ciro Interrante, Architect, P.C.; Grid #6161-66-744353

Motion to Open the Public Hearing

Motion: Scott Parker

Second: Tom Klug

5:0:0

A motion to Adjourn the Public Hearing to October 23rd

Motion: Scott Parker

Second: Tom Klug

5:0:0

8. 27 HIGH STREET AREA VARIANCE

Application for area variance relative to Section 19-3.15(4)(c) requiring a lot area of 159,000 sf to allow for a lot area of 53,579 sf, a variance of 11,600 sf more than previously approved 93,821 sf and section 19-3.15(4)(f) requiring 22,900 sf of open space to allow for 21,548 sf a variance of 225 sf more than the previously approved 1,097 sf.

Owner/Applicant: 27 High Street Lofts LLC; Consultant: KARC Planning Consultants, Inc.; Grid:# 6162-62-192294: File #ZBA2023-024

Presenting: Kelly Libolt, KARC Consulting

Motion to Open the Public Hearing

Motion: Scott Parker

Second: Tom Klug

5:0:0

No Speakers

Motion to Close the Public Hearing

Motion: Scott Parker

Second: Tom Klug

5:0:0

A motion was made to Approve the Resolution

Motion: Scott Parker

Second: Tom Klug

5:0:0

9. 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

Presenting: Gary Beck, Z3 Consultants

Motion to Open the Public Hearing

Motion: Scott Parker

Second: Tom Klug

5:0:0

Motion to Close the Public Hearing

Motion: Scott Parker

Second: Tom Klug

5:0:0

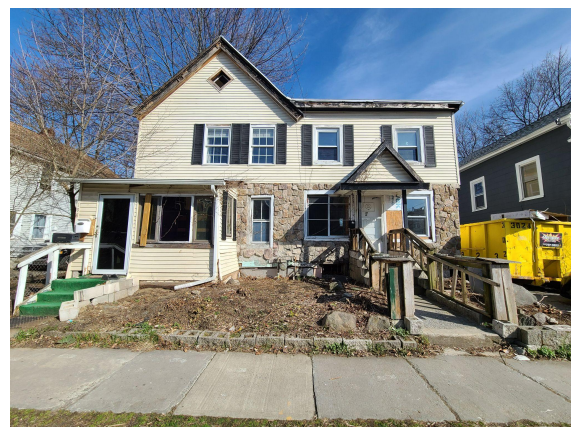
A motion was made to Approve the Resolution was read

Motion: Scott Parker

Second: Tom Klug

5:0:0

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







**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 196 Winnick Avenue, Poughkeepsie NY 12601
ZONING DISTRICT: R-4 - Medium High Density

OWNER INFORMATION:

Name: Amal and MOHAMAD SALAMEH.
Address: 134 Tomahawk Street, Yorktown Heights,
NY 10598
Phone: 914-349-7740.
Email: amalhassanen6@gmail.com.

APPLICANT INFORMATION:

Name: MI Design
Address: 67-07 Roosevelt Avenue, Queens, NY 11377.
Phone: 646-724-6424.
Email: Mislam@midesignllc.com

CONSULTANT INFORMATION:

Name: MI Design
Address: 67-07 Roosevelt Avenue, Queens, NY 11377.
Phone: 646-724-6424.
Email: Mislam@midesignllc.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: _____

Date of decision/determination/violation: _____

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 196 Winnikee Avenue, Poughkeepsie, NY 12601

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>19-3.15(4)(a).</u>	<u>Min. Lot Area = 10,000 SF.</u>	<u>1,850 SF.</u>
<u>19-3.15(4)(e)</u>	<u>Min. Single Side Yard = 6 Ft.</u>	<u>4.5 Ft.</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: 196 Wilmikee Avenue, Poughkeepsie, NY 12601

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):

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.

Muhammad Islam
SIGNATURE OF APPLICANT

07-26-2023
DATE

Mohammed Islam
Print Name

MI DESIGN LLC

67-07 ROOSEVELT AVENUE, QUEENS NY 11377

MISLAM@MIDESIGNLLC.COM

Jul 26, 2023

City of Poughkeepsie: Planning and Zoning
62 Civic Center Plaza, 2nd Floor
Poughkeepsie, NY 12601

RE: 196 WINNIKEE AVENUE: VARIANCE REQUEST JUSTIFICATION

To the Members of the Zoning Board of Appeals,

1. Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties?

No, the requested variances will not cause undesirable change in the character of the neighborhood or become a detriment to the nearby properties. The current property and building conditions are all existing.

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. Why is the variance necessary?

No, the variances requested are required to achieve a legal 2-family status. The building is existing and the requested variances are to rectify what has already been built by a previous owner of the property. Other methods and strategies would require an excessive investment beyond what is capable and will reduce the overall value of the property.

3. Is/are the requested area variance(s) substantial? Explain why they are not substantial.

No, these are the most minimal amount of variances required for this property. One of which is an uncontrollable request due to the building being an existing condition.

4. Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?

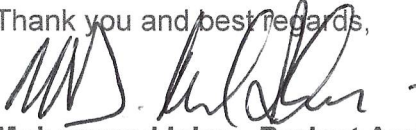
No, the building will not impact the physical or environmental conditions in the neighborhood or district. The building will have an upgraded mechanical, electrical and insulation system which will use less energy and retain heating and cooling within the building. The building is not expanding to cause an impact to the physical environment.

5. Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

This is unique to the property, since the building and the use of the building were built prior to this process. The owners have bought this property with the building in as-is condition. The building was built and added onto by the previous owner/(s). The building was also built as a 2-family residence but there aren't any records of it being processed through the building department.

Please contact me if there are any other concerns.

Thank you and best regards,

A handwritten signature in black ink, appearing to read 'M. Islam', written over the closing text.

Mohammed Islam, Project Architect



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

July 21st, 2023

Amal Salameh
134 Tomahawk Street
Yorktown Heights NY 10598

RE: 196 Winnikee Avenue
ID: 497140
Application # BP-23-1192

To whom it may concern,

The Building Department has received your application # BP-23-1192 for change of use from a Single-family to a Two-family dwelling located at 196 Winnikee Avenue. Please be advised that the property at 196 Winnikee Avenue is located in an area of the City zoned Medium High-Density Residence District (R-4). Although Two-family dwellings are a permitted use per Section 19-3.15(2)(a)2, there are multiple zoning requirements that are not met due to the change of use which are as follows;

1. Section 19-3.15(4)(a) requires a minimum lot area of 10,000sf for Two-family dwellings; this lot is only 8,150sf.
2. Section 19-3.15(4)(e) requires a minimum side yard of 6' for Two-family dwellings; the left side yard is only 1.5'.

Therefore, your application is hereby denied. You may appeal the terms of this denial to the Zoning Board of Appeals within thirty (30) days of the date of denial.

If you have any questions, you can reach me at 845-451-4273

Very truly yours,
Joseph O'Brien
Deputy Zoning Administrator

196 WINNIKEE AVENUE
POUGHKEEPSIE, NY 12601

WORK TYPE: GENERAL CONSTRUCTION, PLUMBING, ELECTRICAL

ALTERATION LEVEL 2 W/ CHANGE OF USE FROM 1- TO 2-FAMILY R

SCOPE:

1. INTERIOR RENOVATION OF EXISTING BUILDING.
2. NEW STEPS AND LANDINGS AT FRONT AND REAR OF BUILDING.
3. PROPOSED CONVERSION FROM 1-FAMILY TO 2-FAMILY BUILDING.
4. PROPOSED OUTDOOR OFF-STREET PARKING.

*** NO CHANGE IN EGRESS HAS BEEN PROPOSED ON THESE PLANS SUBMITTED

1. T-100.00 - TITLE SHEET, DRAWING LIST, ZONING, PLOT PLAN
2. T-101.00 - FEMA MAPS
3. L-100.00 - LANDSCAPE PLAN, NOTES AND DETAILS
4. G-100.00 - GENERAL NOTES
5. G-101.00 - GENERAL NOTES & CODE COMPLIANCE NOTES,
ENERGY ANALYSIS, LIGHT AND VENTILATION CALCULATION,
DOOR AND WINDOW SCHEDULE
6. EC-100.00 - EXISTING CONDITIONS
7. EC-101.00 - EXISTING CONDITIONS
8. D-100.00 - DEMOLITION PLANS
9. S-100.00 - PROPOSED STRUCTURAL PLANS
10. S-101.00 - PROPOSED STRUCTURAL PLANS AND DETAILS
11. E-100.00 - ELECTRICAL NOTES AND PLAN
12. E-101.00 - ELECTRICAL PLANS
13. A-100.00 - PROPOSED PLANS
14. A-101.00 - PROPOSED PLAN, WALL SECTION AND
FLOOR/CEILING DETAILS
15. A-200.00 - PROPOSED ELEVATIONS
16. A-201.00 - PROPOSED ELEVATIONS
17. A-300.00 - BUILDING SECTION AND SECTION DETAILS

FLOOD ZONE NOTE:

1. FLOOD ZONE LOCATION IS IN REFERENCE TO MAP NUMBER 3602700358E OF THE "FIRM", FLOOD INSURANCE RATE MAP, FOR DUTCHESS COUNTY, NEW YORK. EFFECTIVE DATE OF THE MAP USED IS MAY 2ND, 2012.
2. THE EXISTING SITE IS LOCATED IN FLOOD ZONE-A.
3. ZONE-A IS INDICATED AS A 100-YEAR FLOOD FLOOD ZONE ALSO KNOWN AS A SPECIAL FLOOD ZONE WITH A 1% ANNUAL CHANCE OF FLOOD.
4. FLOOD ZONES DO NOT HAVE A DETERMINED FLOOD ELEVATION.
5. THE BUILDING DEPARTMENT OF THE CITY OF POUGHKEEPSIE IS TO DETERMINE DESIGN FLOOD ELEVATION FROM HISTORICAL RECORDS AND/OR THROUGH CURRENT RECORDS OF FLOODING, STORMWATER LEVELS, ETC.
6. ELEVATION CERTIFICATION HAS BEEN PROVIDED BY "C.T. MALE ASSOCIATES".

INTERNATIONAL RESIDENTIAL CODE of NEW YORK
STATE 2020

TO THE BEST OF MY KNOWLEDGE, BELIEF AND PROFESSIONAL JUDGEMENT. THESE
PLANS AND SPECIFICATIONS ARE IN COMPLIANCE WITH THE INTERNATIONAL
RESIDENTIAL CODE of NEW YORK STATE 2020

ENERGY CONSERVATION CONSTRUCTION CODE of
NEW YORK STATE 2020 EDITION & NYSTRETCH
ENERGY CODE 2020

TO THE BEST OF MY KNOWLEDGE, BELIEF AND PROFESSIONAL JUDGEMENT. THESE
PLANS AND SPECIFICATIONS ARE IN COMPLIANCE WITH THE ENERGY
CONSERVATION CODE of NEW YORK STATE 2020; CHAPTER R4

SMOKE DETECTOR / CO DETECTOR NOTES

1. ROOMS / SPACES WITH SM/CO DETECTOR INDICATED ON PLAN SHALL BE CHECKED IF EXIST. HARD WIRED DETECTOR EXISTS.
2. IF NONE – CONTRACTOR SHALL PROVIDE CODE COMPLIANT SMOKE / CARBON MONOXIDE COMBINATION DETECTOR HARD WIRED TO EACH OTHER w/ BATTERY BACKUP.
3. INSTALL ALL AS PER MANU. Spec's
4. SMOKE DETECTOR AND CARBON MONOXIDE DETECTOR IN COMPLIANCE WITH THE INTERNATIONAL RESIDENTIAL CODE OF NEW YORK STATE 2020: CHAPTER 3 SECTION R314

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS
DRAWING IS A VIOLATION OF SECTION 7209 (2) OF
THE NEW YORK STATE EDUCATION LAW.

ZONING TABLE				
SECTION,BLOCK AND LOT: 131300-6162-80-481124				
CITY OF POUGHKEEPSIE, NY ZONE: R-4				
DESIGNATION	REQUIRED	EXISTING	PROPOSED	VARIANCE
PERMITTED USES	PERMITTED BY RIGHT	SINGLE-FAMILY	TWO-FAMILY	
LOT AREA (SF)	2-FAMILY OR MORE = 10,000 SF	8,150 SF / 0.1871 ACRES	-	YES
MAX. LOT COVERAGE	40% = 3,260 SF	1,504.66 = 18%	1,153.45 = 14.1%	-
MIN. LOT WIDTH	50 Ft	55' - 0"	-	-
MIN. LOT FRONTAGE	30 Ft	55' - 0"		
FRONT YARD SETBACK	20 Ft	4' - 3"	10' - 0"	-
REAR YARD SETBACK	15 Ft	118' - 9"	118' - 9"	-
SIDE YARD SETBACK	EACH: 6 FT; TOTAL: 12 FT	1' - 6" / 13' - 10"	1' - 6" / 13' - 10"	YES - SINGLE SIDE YARD
MAX. HEIGHT OF PRINCIPAL	3 STORY OR 40 FT	2 1/2	2 ½	-
USABLE OPEN SPACE	400 SF	6,645.34 SF	6,996.55 SF	
PARKING SPACE	2 PER DWELLING	NA	4 SPACES	

a. MINIMUM REQUIRED SIDE AND REAR YARDS SHALL BE THE SAME AS THE R-3 DISTRICT [SECTION 19-314(4)], EXCEPT FOR MULTIFAMILY DWELLINGS WITH THREE (3) OR MORE DWELLING UNITS, WHICH YARDS SHALL BE COMPUTED AS FOLLOWS: THE DISTANCE FROM THE STRUCTURE TO PROPERTY LINE SHALL BE ONE HALF (1/2) TIMES THE HEIGHT OF THE STRUCTURE CLOSEST TO THE PROPERTY LINE OR FIFTEEN (15) FEET, WHICHEVER IS GREATER. THE DISTANCE BETWEEN BUILDINGS ON ONE (1) SITE SHALL BE TWO-THIRDS (2/3) OF THE HEIGHT OF THE TALLER BUILDING OR TWENTY-FIVE (25) FEET, WHICHEVER IS GREATER.

EXISTING IMPERVIOUS SURFACES	
FRONT STEPS AND 1-STORY FRAME	71.96 SF
FRONT STEPS AND WALKWAY	50 SF
2-STORY FRAME & 1-STORY FRAME AT REAR	1121.45 SF
ENCLOSED STEPS TO BASEMENT	32 SF
STEPS AT REAR FROM APT.1	28.3 SF
STEPS AT REAR FROM APT. 2	20.67 SF
CONCRETE PATIO AND STEPS	617.57 SF
MACADAM DRIVE	1551.89 SF
SHED 1	45.14 SF
SHED 2	126.78 SF
SHED 3	82.5 SF
SHED 4	0 SF
SHED 5	96.79 SF
CONCRETE WALKWAY	124 SF
TOTAL IMPERVIOUS AREA:	3969.05 SF

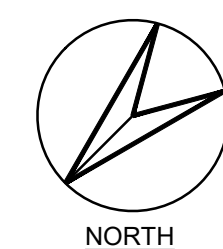
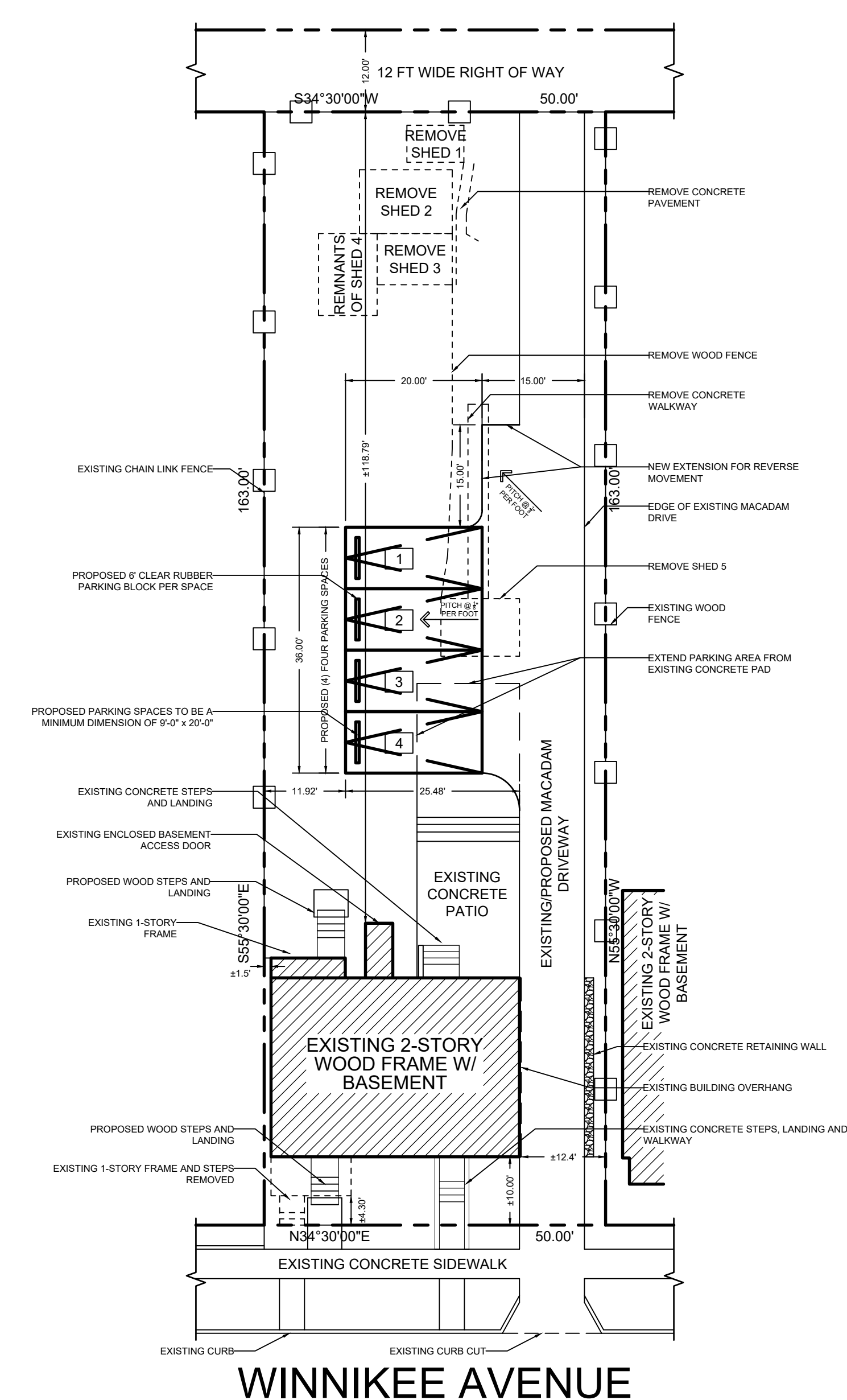
AFFECTED AREA OF SCOPE	
TOTAL EXISTING AREA	3,092.14 SF
TOTAL AFFECTED AREA	2,544.21 SF
TOTAL AFFECTED PERCENTAGE	82.27 %
TOTAL REMOVED AREA	106.64 SF
TOTAL REMOVED PERCENTAGE	3.44 %
TOTAL ADDED AREA	84.66 SF
TOTAL ADDED PERCENTAGE	2.73 %

- a. GROSS AREA IS CALCULATED FROM EXTERIOR FACE OF EXTERIOR WALLS, STEPS, LANDINGS, AND WALKWAYS CONNECTED TO BUILDING.
- b. AREAS OF BUILDING, STEPS, LANDINGS AND WALKWAYS LOCATED OUTSIDE OF THE PROPERTY LINE WERE NOT ADDED TO THE CALCULATIONS.

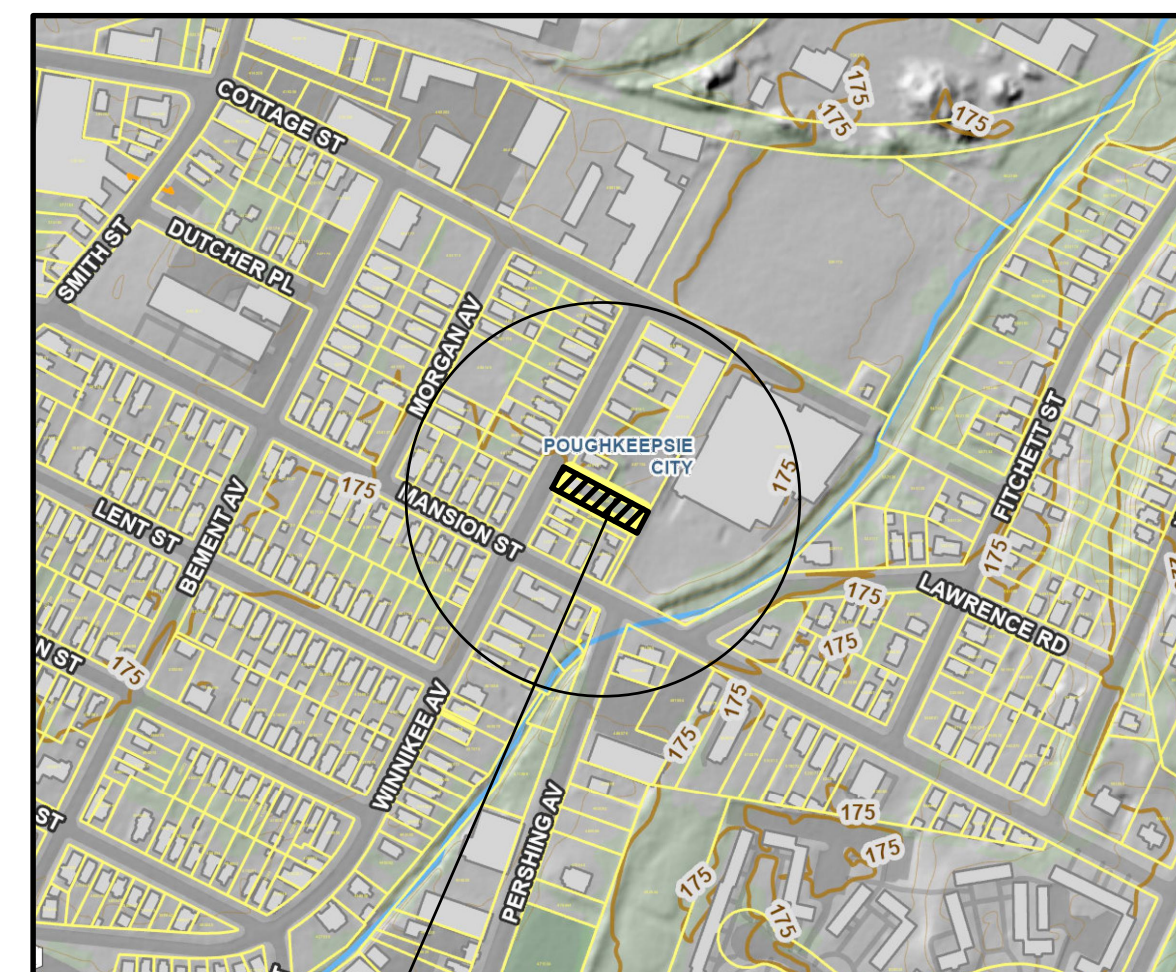
REMOVE IMPERVIOUS SURFACES	
FRONT STEPS AND 1-STORY FRAME	-71.96 SF
STEPS AT REAR FROM APT. 2	-20.67 SF
SHED 1	-45.14 SF
SHED 2	-126.78 SF
SHED 3	-82.5 SF
SHED 5	-96.79 SF
CONCRETE WALKWAY	-124 SF
TOTAL REMOVED IMPERVIOUS AREA:	567.84 SF
TOTAL IMPERVIOUS AREA:	3401.21 SF

ADDED IMPERVIOUS SURFACES	
MACADAM DRIVE	803.74 SF
TOTAL ADDED IMPERVIOUS AREA:	803.74 SF
TOTAL PROPOSED IMPERVIOUS AREA:	4204.95 SF

PROPOSED MACADAM DRIVE
 36' X 10.5' = 378 SF
 22.83' X 15' = 342.45 SF
 5.5' X 15' = 82.5 SF
 378 SF + 342.45 SF + 82.5 SF = 802.95 SF X 3 INCH RAIN
 802.95 SF X 0.25 = 200.7375 FT³ X 7.5 / GAL = 1,505.53125 ~ 1,506 GAL



1 PLOT PLAN



AREA MAP
SCALE: N.T.S.



NOTES:

- 1) ALL UTILITIES SERVICING THE SUBJECT PROPERTY ARE EXISTING.
- 2) THIS IS NOT A SURVEY. ALL SURVEY INFORMATION SHOWN ON THIS SITE PLAN HAS BEEN TAKEN FROM A SURVEY MAP PREPARED BY "RAMSAY LAND SURVEYING, P.C." DATED FEBRUARY 22, 2023. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.



<u>ADDRESS:</u>	196 WINNIKEE AVENUE, POUGHKEEPSIE NY 12601
<u>SECTION/BLOCK/LOT:</u>	131300-6162-80-481124
<u>ZONE:</u>	R4 - MEDIUM HIGH DENSITY
<u>USE GROUP:</u>	PROPOSED 2-FAMILY
<u>OCCUPANCY:</u>	R3-RESIDENTIAL
<u>CONST. CLASS:</u>	5B
<u>FILING TYPE:</u>	ALT-2

CLIENT:
MOHAMED & AMAL SALAMEH
196 WINNIKEE AVENUE
POUGHKEEPSIE NY, 12601

ARCHITECTS:
MI DESIGN LLC
67-07 ROOSEVELT AVENUE
QUEENS NY 11377
646-724-6424

[illegible]

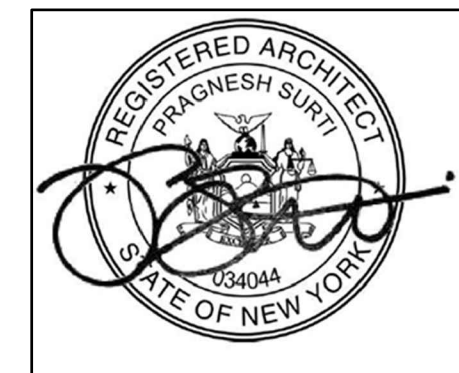
PROJECT NAME:

23-001

DRAWING TITLE:

TITLE SHEET, DRAWING LIST,
ZONING, PLOT PLAN

SEAL & SIGNATURE



BUILDING DEPARTMENT	DATE:	04 APRIL, 2023
	PROJECT NO:	23-000
	DRAWN BY:	M
	SCALE:	AS-NOTED
	DRAWING NO:	T-100.00
		01 OF 05



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: MI Design

From: Tyler Maegerle, Junior Planner

Date: 8/24/2023

Re: 196 Winnikee Avenue

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes a change in use from a single family to two family dwelling.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(9) "construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system, or both, and conveyances of land in connection therewith." The action is therefore not subject to further environmental review.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

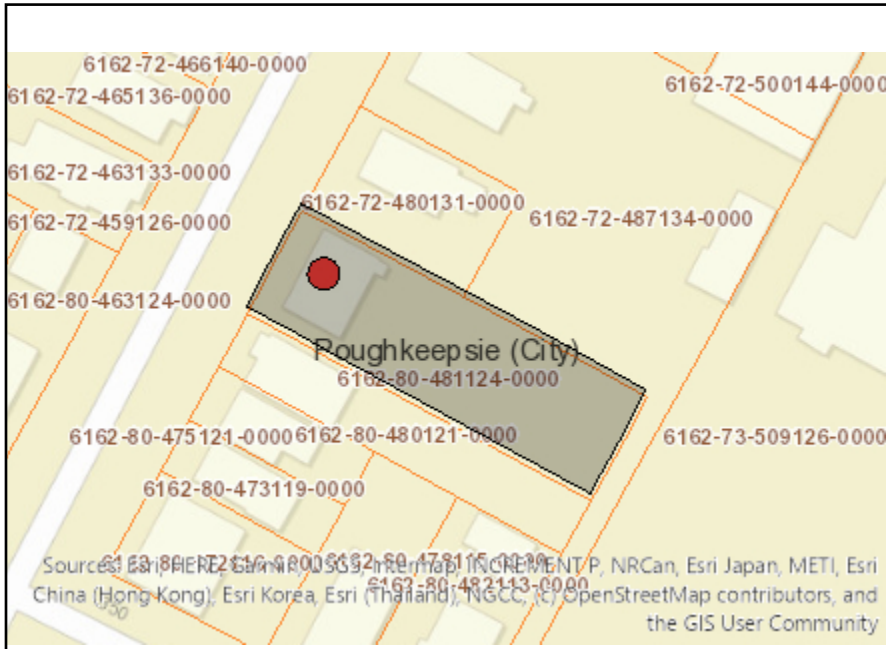
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 196 WINNIKEE			
Project Location (describe, and attach a location map): 196 WINNIKEE AVENUE, POUGHKEEPSIE, NY 12601			
Brief Description of Proposed Action: INTERIOR RENOVATION, CHANGE OF USE FROM 1-FAMILY TO 2-FAMILY RESIDENTIAL BUILDING, OFF-STREET PARKING PROVIDED AT REAR OF PROPERTY			
Name of Applicant or Sponsor: MOHAMMED ISLAM		Telephone: 646-724-6424 E-Mail: MISLAM@MIDESIGNLLC.COM	
Address: 67-07 ROOSEVELT AVENUE			
City/PO: QUEENS		State: NY	Zip Code: 11377
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 ☒
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:			YES ☐
3. a. Total acreage of the site of the proposed action? _____ 0.1871 acres b. Total acreage to be physically disturbed? _____ 0.0054 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.1871 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
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?	NO	YES	
	☒	☐	
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?	☐	☒	
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?	NO	YES	
	☐	☒	
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: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☒ Wetland ☐ 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
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☒
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	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:	☒	☐
THE STORM DISCHARGE IS PROPOSED TO RUN-OFF INTO A PROPOSED LINE OF VEGETATION	☐	☒
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
	☒	☐
49. 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
	☒	☐
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
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>MOHAMMED ISLAM</u> Date: <u>07-21-23</u> Signature: _____ Title: <u>PROJECT ARCHITECT</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to 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]	No

LETTER OF AUTHORIZATION

To whom it may concern:

I am Mohamad Salameh, the owner of 196 Winnikee Ave, I hereby authorise Mr Mohammad Islam the architect who works on my house located at 196 Winnikee Ave Poughkeepsie New York To complete the proposed work on the next Zoning board of appeals meeting in September/26/2023.

Thank you.

Signature:

A handwritten signature in black ink, appearing to read "Mohamad Salameh", followed by a period.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

MORTGAGE NOTE

\$198,000.00

Yonkers, New York March 30, 2023

FOR VALUE RECEIVED, MOHAMAD K. SALAMEH, residing at 134 Tomahawk Street, Yorktown Heights, New York 10598,

promises to pay to SAMMY PROPERTIES, INC.,

or order, at 505 Gramatan Avenue, Mount Vernon, New York 10552,

or at such other place as may be designated in writing by the holder of this note, the principal sum of ONE HUNDRED NINETY-TWO THOUSAND SIX HUNDRED ----- (\$192,600.00) dollars, together with no interest thereon payable as follows: The sum of \$192,600.00 upon the sale of the property located at 196 Winnikee Avenue, Poughkeepsie, New York 12601, as more specifically set forth in Mortgage of even date, or on the 28th day of February, 2024, whichever date is sooner, when the entire principal balance then remaining unpaid, shall become wholly due and payable.

1. INTEREST COMPUTATION. All interest shall be charged and computed with respect to actual days elapsed on the basis of a 365-day year.
2. MATURITY. All principal and interest not sooner paid shall become due and payable, without notice or demand from the Lender on the 28th day of February, 2024 and the date on which the Premises at the address set forth above (or any part thereof) secured by the Mortgage are conveyed or transferred voluntarily or involuntarily, without the Lender's prior written consent.
3. DEFAULT RATE. Interest after default hereunder (whether or not such default is followed by the acceleration of this Note), and until such default has been cured or this Note has been paid in full (whether or not any judgment has been rendered therefor), shall be payable at the annual rate of twelve (12%) percent per annum.
4. PREPAYMENT. The Borrower may prepay this Note, in whole or in part at any time, without premium or penalty.
5. COSTS. The Borrower shall pay to the Lender all costs, expenses and reasonable attorney's fees incurred by the Lender in any attempt to collect or enforce the provisions of this Note after default under any or all of them (whether or not any formal action or proceeding is commenced), in any foreclosure of the Mortgage, or in any litigation or controversy arising from or connected with this transaction, without regard to any sums otherwise allowable by law in connection therewith. All sums becoming owing under this Paragraph shall be deemed part of the principal secured by the Mortgage, shall become payable five (5) days after the Lender's demand therefor, and shall earn interest from the date of the Lender's demand at the rate applicable after default under this Note.
6. In the event of a sale, transfer or any alienation of the mortgaged premises without the prior written consent of the mortgagees, the balance of the principal and interest then due shall become due and payable immediately at the option of the mortgagees or their assigns.
7. JURY TRIAL WAIVER. The Borrower and all other parties primarily or secondarily liable for the payment of this Note waive jury trial in any action or proceeding arising out of this transaction.
8. NOTICES. Notices hereunder shall be written, and delivered personally or mailed (by registered, certified or express mail, return receipt requested) to the parties at the respective addresses set forth above, or to such other address in New York as either may specify from time to time on notice of the other. Notices shall be deemed given upon receipt, provided that properly mailed registered, certified or express mail shall be considered received upon first attempted delivery on a business day.
9. SUCCESSORS AND ASSIGNS. Whenever the term "Lender" or "Borrower" is used herein it shall be deemed to include also the personal representatives, successors and assigns of the Lender or the Borrower, as the case may be. References herein to the Lender shall, unless the context clearly requires otherwise, be deemed to refer to the holder of this Note from time to time.
10. GOVERNING LAW. This Note shall be governed by the laws of the State of New York.
11. WAIVER; AMENDMENT. The Lender's failure to insist on rigorous compliance with any provision of this Note shall not preclude it from subsequently insisting on rigorous compliance, and no waiver of any of the Lender's rights or remedies hereunder shall be established except by written instrument signed by the Lender. This Note may not be changed or terminated orally, but only in writing.

IT IS EXPRESSLY AGREED, that the said principal sum secured by this note shall become due at the option of the holder thereof on the happening of any default or event by which, under the terms of the mortgage securing this note, said principal sum may or shall become due and payable; also, that all of the covenants, conditions and agreements contained in said mortgage are hereby made part of this instrument.

See Amortization Schedule attached hereto and made a part hereof.

Presentment for payment, notice of dishonor, protest and notice of protest are hereby waived.

This note is secured by a mortgage made by the maker to the payee of even date herewith, on property situate in the **City of Poughkeepsie, County of Dutchess and State of New York**, as more specifically set forth in Mortgage of even date.

This note may not be changed or terminated orally.


MOHAMMAD K. SALAMEH

STATE OF NEW YORK,
COUNTY OF WESTCHESTER ss:

State, District of Columbia, Territory, Possession,
or Foreign Country, ss:

On the 30th day of March, in the year 2023, before me, the undersigned, personally appeared **MOHAMAD K. SALAMEH,** personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

On the _____ day of _____ in the year _____, before me, the undersigned, personally appeared _____

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the _____ the city or other political subdivision and the state of _____ or country or other place the acknowledgment was taken).

bel

Signature and Office of individual
taking acknowledgment

Steven T. Wiedner
Notary Public, NYS
No. 02W15083802
Qualified in Westchester County
Term expires 8/25/2023

MORTGAGE NOTE

TITLE NO. MAC-13367 (MAJOR ABSTRACT CORP.)

MOHAMAD K. SALAMEH

To

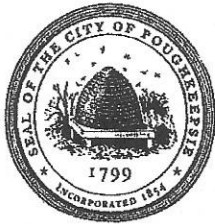
SAMMY PROPERTIES, INC.

RECORD AND RETURN BY MAIL TO:

SAMMY PROPERTIES, INC.
505 Gramatan Avenue
Mount Vernon, New York 10552

SECTION	6162
BLOCK	80
LOT	481124
COUNTY	DUTCHESS
CITY	POUGHKEEPSIE

POUGHKEEPSIE
196 WINNIKEE AVENUE
POUGHKEEPSIE, NEW YORK 12601



**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 54-58 Smith Street

ZONING DISTRICT: R-4

OWNER INFORMATION:

Name: Y&S Group, NY LLC

Address: 4217 16th Avenue
Brooklyn, NY 11204

Phone: 917-246-7337

Email: _____

APPLICANT INFORMATION:

Name: _____

Address: _____

Phone: _____

Email: _____

CONSULTANT INFORMATION:

Name: Wayne Thompson, Esq.

Address: 17 Hasbrouck Drive, Poughkeepsie, NY 12603

Phone: 845-464-6693

Email: WayneThompson5@aol.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

Date of decision/determination/violation: March 30, 2023

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

PROPERTY ADDRESS: 54-58 Smith 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.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
19-3.15(4)(c)	23,800sf (12,014)	11,086sf
19-4.13(2)	Front Yard Parking	4 spaces in "front"
		(this is a corner lot)

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: 54-58 Smith Street

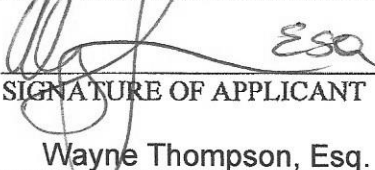
LIST OF REQUIRED ATTACHMENTS

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):

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

6/18/2023
DATE

Wayne Thompson, Esq.
Print Name Attorney for Owner

VARIANCE JUSTIFICATIONS

54-58 SMITH STREET

(to be further explained in front of the ZBA)

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.

No. The addition is very small compared to the overall scale of the building. There is already an approved site plan for the project. An application will be submitted for an amendment to the site plan to add 2 additional units should these variances be granted.

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.

No. The owner purchased the property as an investment and in work had begun with a building permit due to a fire on the third floor. As can be seen from the attached pictures, the building is of superior design and workmanship offering upgraded features for the future tenants.

3. Is/are the variance(s) substantial?

No. It is our belief that these requests for variances are minor. The area variance is something that is normally acceptable since the houses in the neighborhood were built in a compact manner. The required parking will be provided off site with the lot being a corner lot.

4. Will the variances have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district?

No. Very little physical or environmental change will be affected by granting these variances as it is located in a high density neighborhood.

5. Is the need for the area variance the result of self-created difficulties on your part or unique to the property?

We do not believe that the area variance requested is the result of itself created difficulty. Rather, it is a result of the increase taxes, cost of materials, more stringent and expensive building codes, and future costs of maintaining the building. Ultimately, the granting of the variance will increase the available rental housing stock in the City which is in short supply.



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

March 30th, 2023

Ariel Rodriguez

Re: 54-58 Smith Street

ID: 420060

Zoning Review Request PD-2023-030 Resubmittal

Dear Mr. Rodriguez,

The Development Department is in receipt of your updated plans pursuant to your zoning review request relative to the property at 54-58 Smith Street and the proposed conversion of the previously approved Eight unit residential building to include an additional Two dwelling units. This property is located within the Medium High-Density Residence District(R-4) which does allow Multifamily dwellings per code Section 19-3.15(2)(a)4 of the Zoning Ordinance but would require Site Plan approval from the Planning Board. After review of the updated plans, I've been able to determine you will require two area variances which are as follows;

1. Section 19-3.15(4)(c) requires a minimum of 23,800sf of lot area; the provided plans show the lot area to be only 12,014sf.
2. Section 19-4.13(2) requires that parking shall not be located in the front yard; the provided plans show parking spaces labeled 9,11,12 and 13 are located in the front yard area.

After a Site Plan is approved by the Planning Board and the two 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.

Please note that the City is currently in the process of revising and updating its Zoning Ordinance. The draft and map are available to view at www.PK4Keeps.org.

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

Wayne Thompson
ATTORNEY AT LAW
17 Hasbrouck Drive
Poughkeepsie, NY 12603

PHONE: 845-464-6693

FAX: 845-463-0203

EMAIL: WayneThompson5@aol.com

OWNER'S CONSENT FORM

I, **Yehuda Herzog of Y&S Group, NY LLC**, am the owner/member of the property located at

54 – 58 Smith Street Poughkeepsie NY 12601

for which permits and/or board applications are required. I hereby consent to representation by the above office in all necessary reviews, permits, and board applications.

YEHUDA HERZOG (Print Name)
OWNER/MEMBER

yehuda herzog (Signature)
Authorized Signature

6/18/23
Date



Wayne Thompson
ATTORNEY AT LAW
17 Hasbrouck Drive
Poughkeepsie, NY 12603

PHONE: 845-464-6693

FAX: 845-463-0203

EMAIL: WayneThompson5@aol.com

June 29, 2023

To: City of Poughkeepsie ZBA

RE: 54-58 Smith Street

Project Description

Dear ZBA members:

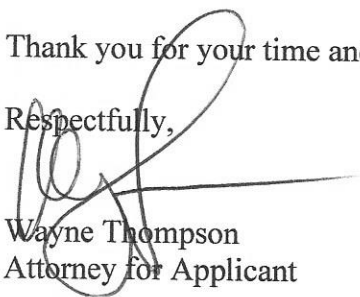
The applicant proposes to add 2 basement rental units into an approved 8 unit conversion under construction. Parking will be provided on site necessitating the requested variances.

Architectural plans have been completed and determined that the project is feasible as the basement units are part of an extensive interior and exterior renovation currently under way. As can be seen from the attached photos, the renovation here is a top-quality renovation in both design and materials which greatly improves the aesthetics and character of the neighborhood. The addition of the additional units will help defray the escalating cost of materials and labor and provide another nicely renovated home in the neighborhood.

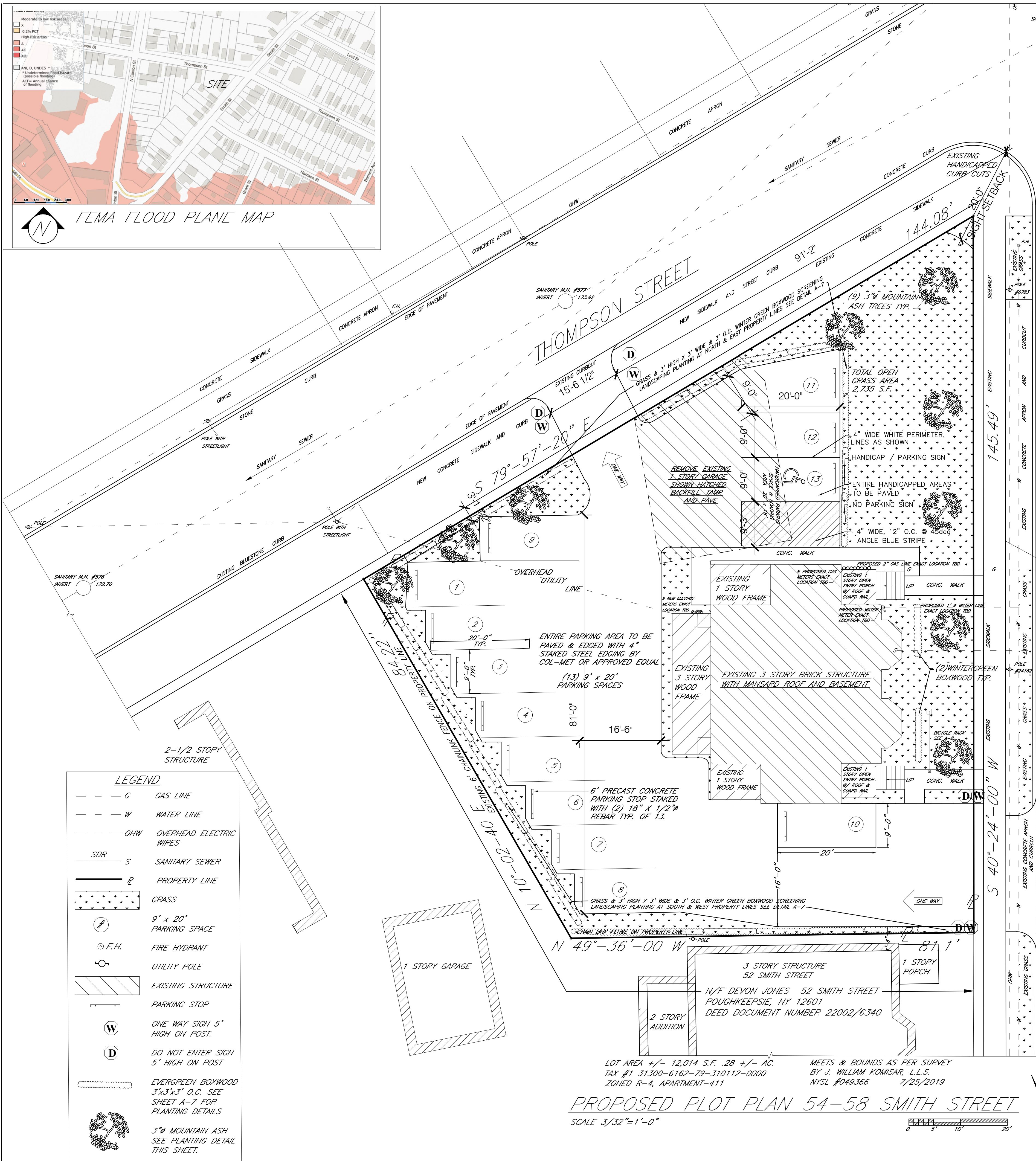
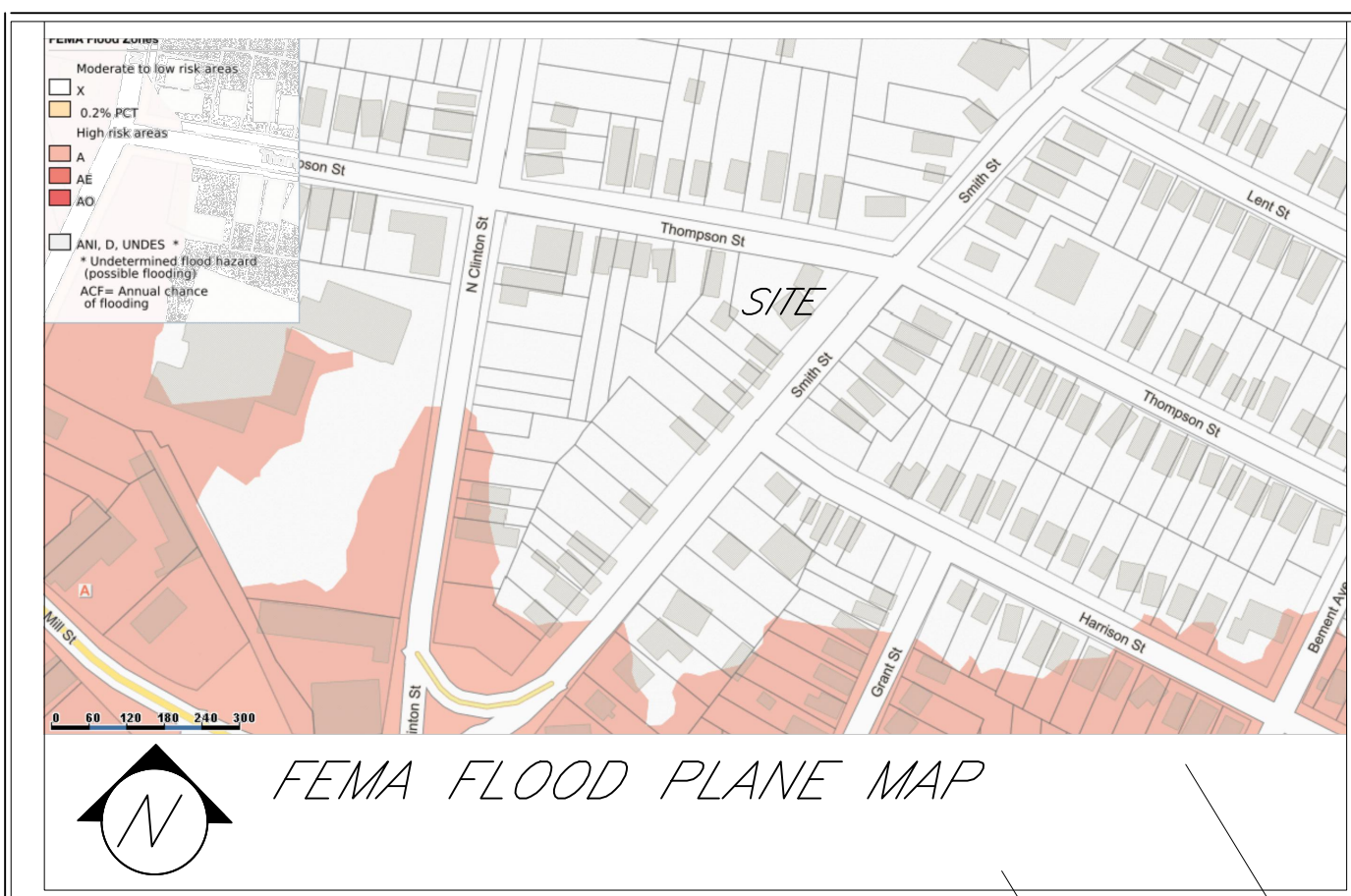
Once complete, the building will add rental inventory which the City desperately requires.

Thank you for your time and consideration.

Respectfully,



Wayne Thompson
Attorney for Applicant



PROJECT INFORMATION

New construction: X (yes) _____ (no)
 Change of use: _____ (yes) X (no)
 Expansion/addition: _____ (yes) X (no)
 Alteration: X (yes) _____ (no)
 Cost of Construction: \$ \$450,000

LOT AND BULK INFORMATION

Lot area:	<u>28</u>	(acres)	<u>12,014</u>	(square feet)
Building Footprint:	<u>PROJECT-1,935</u>	(proposed square feet for new construction)		
	<u>0</u>	(existing square feet for change of use/expansion)		
	<u>0</u>	(additional proposed square feet for expansion)		
	<u>1,935</u>	(total building footprint, square feet)		
Lot Coverage:	<u>6.2</u>	(percentage, building coverage only)		
Gross Floor Area:	<u>5,048 5,968</u>	(proposed square feet for new construction)		
	<u>0</u>	(existing square feet for change of use/expansion)		
	<u>0</u>	(additional proposed square feet for expansion)		
	<u>5,048 5,968</u>	(total gross floor area, square feet)		
Building Height:	<u>3</u>	(stories)	<u>38</u>	(feet)
Floor Area Ratio:	<u>.42</u>	(ratio of gross floor area divided by lot area)		

VIII. PROJECT PARKING INFORMATION

A) Number of Off-Street Parking Spaces required: 10 13

B) Number of Off-Street Parking Spaces provided: 10 13

C) Waiver Requested: _____ (Yes) X _____ (No)

Is municipal parking available within 600 feet? _____ (Yes) X _____ (No)

Revised January 2018: Previous Editions Obsolete

PROPERTY: 54-58 SMITH STREET;
Grid #6162-79-310112; Zoning District: R-4;
Apartment (411)
ZBA File #2020-003

Owner: Y&S GROUP NY LLC;
4217 16TH AVE, BROOKLYN N.Y. 11204 Phone
Applicant: Aniel Rodriguez
958 North Quaker Lane Staatsburg, NY 12588
Phone 845-891-1221

There are no easements, deed restrictions or rights of way existing or proposed.
Dimensions: Lot Area 12,014 (sq. ft.) Width 145 ft
Depth 144 ft. Frontage on street 289 ft.

There are no water courses, marshes, rock outcrops, or trees existing.

Changes of grade greater than 2' do not occur. The lot drains to the permeable surfaces within the lot.

ZONING DISTRICT R-4 APARTMENT (411)
Grid #6162-79-310112; ZBA File #2020-003

SUMMARY OF BULK REQUIREMENTS (SECTION 19-3.15)

MINIMUM YARD AND OPEN SPACE REQUIREMENTS

R-4 MEDIUM HIGH-DENSITY RESIDENTIAL DISTRICT
LOT AREA- 20,600 SF REQUIRED, 11,761 S.F. PROVIDED. ORIGINAL ZONING
VARIANCE GRANTED. NEW VARIANCE REQUESTED.
LOT WIDTH-50' REQUIRED, 145' PROVIDED.
LOT FRONTAGE-30' REQUIRED, 145' PROVIDED.

REQUIRED YARDS

FRONT - 20' REQUIRED, 14.5' PROVIDED - THE BUILDINGS ARE EXISTING AND THE PROPOSED USE CREATES NO NEW NONCOMPLIANCE
SIDE - EACH 6'; TOTAL 12' REQUIRED - 26.5 & 36' EACH & 62.5 TOTAL PROVIDED, 5' THE HEIGHT OF THE STRUCTURE TO THE PROPERTY LINE OR 15' WHICHEVER IS GREATER REQUIRED. THE BUILDINGS ARE EXISTING AND THE PROPOSED USE CREATES NO NEW NONCOMPLIANCE
REAR - 15 REQUIRED - 42' PROVIDED.

BUILDING HEIGHT- 3 STORIES OR 40' REQUIRED, 3 STORIES - 38.7' PROVIDED

LOT COVERAGE -40% MAX. REQUIRED, 16.2 PROVIDED. THE BUILDINGS ARE EXISTING AND THE PROPOSED USE CREATES NO NEW NONCOMPLIANCE.

USABLE OPEN SPACE - 8,200 REQUIRED ORIGINAL ZONING VARIANCE GRANTED.
NEW - 8,200 SF REQUIRED 2,735 SF PROVIDED. VARIANCE REQUESTED.

OFF-STREET PARKING- 12 SPACES REQUIRED, 13 SPACES PROVIDED WITH 1 BEING A DESIGNATED HANDICAPPED SPACE WITH AN ACCESS SPACE.

PERIMETER AND GENERAL LANDSCAPING. A 3' HIGH X 3' WIDE 3' ON CENTER PLANTING OF WINTERGREEN BOXWOOD PLANTINGS TO BE PROVIDED ALONG THE NORTH, WEST AND SOUTH PROPERTY BOUNDARIES AS WELL AS AREAS AT THE FRONT OF THE BUILDING AS SHOWN ON THE SITE PLAN A-1 (THIS SHEET). ADDITIONALLY (9) 3" Ø ASH TREES ARE PROPOSED.

PARKING REQUIREMENTS:

Required 1/each Efficiency unit.
Proposed (7) Efficiency units = 7 required.
Required 1.5/ each 1 Bedroom unit.
Proposed (2) 1-Bedroom units = 3 required.
Required 2/ each 3 Bedroom unit.
Proposed (1) 3 Bedroom unit = 2 required.
Total = 12 required.
13 Provided.

APARTMENT SUMMARY:

(7) Efficiency units
(2) 1-Bedroom units
(1) 3 Bedroom unit
(10) Total units

PROJECT DESCRIPTION:

RENOVATE AND ALTER EXISTING 3 STORY MASONRY BUILDING, ADDRESS 54-58 SMITH STREET INTO 10 UPDATED RESIDENTIAL APARTMENTS. IMPROVE AND ENHANCE EXISTING FACADES WHILE PRESERVING AESTHETIC AND HISTORIC CHARACTER. IMPROVE YARD AREA WITH LANDSCAPING AND PROPERTY AMENITIES TO TENANTS.



KEY LOCATION PLAN 54-58
SMITH STREET

DEPARTMENTAL SIGN OFF

REVISIONS
04/18/2023
REVISED PARKING

RAWN BY:	SCALE: AS NOTED
CWT	

GRAND DESIGN
18 GRAND STREET
POUGHKEEPSIE, NY 12601
PHONE (845) 392-1874
granddesign@gmail.com

PROPOSED SITE PLAN
FOR
54-58 SMITH STREET
POUGHKEEPSIE, NY

C-1

IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW
FOR ANY PERSON TO ALTER THESE PLANS OR SPECIFICATIONS
IN ANY WAY, UNLESS THAT PERSON IS ACTING UNDER THE
DIRECTION OF A LICENSED PROFESSIONAL ENGINEER.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

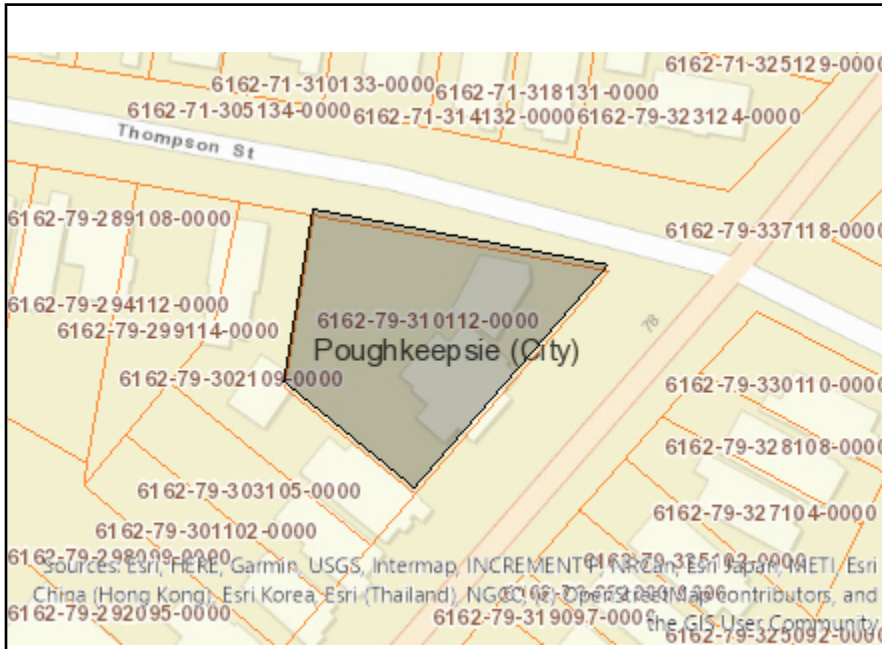
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Apartment Conversion			
Project Location (describe, and attach a location map): 54-48 Smith Street, Poughkeepsie, NY 12601			
Brief Description of Proposed Action: Add 2 aptmnts to previously approved site plan			
Name of Applicant or Sponsor: Wayne Thompson, Esq		Telephone: 845-464-6693	
		E-Mail: waynethompson5@aol.com	
Address: 17 Hasbrouck Drive			
City/PO: Poughkeepsie, NY 12603		State: NY	Zip Code: 12603
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 ☒	YES ☐
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: Planning Board, ZBA		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		0.28 acres	
b. Total acreage to be physically disturbed?		0.04 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.28 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
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?	NO	YES	
	☐	☒	
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?	☒	☐	
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?	NO	YES	
	☒	☐	
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: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ 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
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
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
	☐	☒
	☒	☐
	☐	☒
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
	☒	☐
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
	☒	☐
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
	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Wayne Thompson, Esq.</u> Date: <u>6/18/2023</u> Signature: _____ Title: <u>Attorney for owner</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



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]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To Y&S Group, NY LLC

From: Tyler Maegerle, Junior Planner

Date: 6/28/2023

Re: 54-58 Smith Street

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes addition of two apartments to a approved application for a multi-family dwelling.

Based on the above description it is the determination of the planning division that the proposed action is classified as an Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(2) "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part." The action is therefore not subject to further environmental review.

August 27, 2023

Dear Chairman and Members of the Zoning Board of Appeals.

I submit this financial justification regarding the request zoning change for the above referenced project.

Cost Information

Purchase price	\$580,000
Closing cost	\$40,000
Construction (Including design, permits, and architectural plans)	\$1,245,000
Interest	\$120,000
Refinance cost	\$87,797
Total Current cost	\$2,072,797
Mortgage	\$1,500,000
Total invested	\$572,797
Renovation cost of 2 units	\$100,000
Total Future Invested	\$672,797

Income & expenses

8 Units			10 Units		
Unit	Beds	Rent	Unit	Beds	Rent
1	3	\$2,750	1	3	\$2,750
2	2	\$2,150	2	2	\$2,150
3	1	\$1,850	3	1	\$1,850
4	1	\$1,700	4	1	\$1,700
5	1	\$1,550	5	1	\$1,550
6	1	\$1,850	6	1	\$1,850
7	1	\$1,550	7	1	\$1,550
8	1	\$1,550	8	1	\$1,550
			9	1	\$1,500
			10	1	\$1,500
Annual Rent		\$179,400	Annual Rent		\$215,400
EXPENSES		Annual	EXPENSES		Annual
Maintenance		\$17,940	Maintenance		\$21,540
Utilities (Electric & Sanitation)		\$6,000	Utilities (Electric & Sanitation)		\$6,400
Management		\$9,600	Management		\$12,000
Property Tax		\$4,500	Property Tax		\$4,500
Insurance		\$3,000	Insurance		\$3,000
Mortgage		\$133,115	Mortgage		\$133,115
Total Exp.		\$174,155	Total Exp.		\$180,555
Return on Investment		\$5,245	Return on Investment		\$34,845
		0.9%			5.2%

If you have any questions regarding this project, please do not hesitate to call us at (718) 208-8528.

EXISTING COMPARABLE ZONING	
RE: 54-58 SMITH STREET	
ADDRESS	EXISTING ZONING
21 SMITH STREET	APARTMENTS
25 SMITH STREET	APARTMENTS
29 SMITH STREET	APARTMENTS
33 SMITH STREET	2 FAMILY
35 SMITH STREET	2 FAMILY
43 SMITH STREET	3 FAMILY
45 SMITH STREET	1 FAMILY
47 SMITH STREET	3 FAMILY
49 SMITH STREET	3 FAMILY
51 SMITH STREET	3 FAMILY
53 SMITH STREET	2 FAMILY
55 SMITH STREET	2 FAMILY
57 SMITH STREET	2 FAMILY
50 SMITH STREET	3 FAMILY
48 SMITH STREET	1 FAMILY
46 SMITH STREET	2 FAMILY
44 SMITH STREET	STORAGE
42 SMITH STREET	VACANT
34 SMITH STREET	1 FAMILY
30 SMITH STREET	VACANT
28 SMITH STREET	3 FAMILY
26 SMITH STREET	1 FAMILY
24 SMITH STREET	2 FAMILY
22 SMITH STREET	3 FAMILY
(7) 2 FAMILY - (4) 1 FAMILY (7) 3 FAMILY (3) APARTMENT (2) VACANT	
(1) STORAGE	

CASE #:

FEE: \$350.00
CODE: A2112
ID#

APPLICATION TO THE ZONING BOARD OF APPEALS
CITY OF POUGHKEEPSIE, NEW YORK

REQUEST FOR INTERPRETATION
(TYPE, OR PRINT IN DARK INK)

I. PROPERTY: 504-512 Main Street, Poughkeepsie, New York 12601
ZONING DISTRICT: C-3 Commercial

II. PROPERTY OWNERSHIP

Name of Owner: Piedmont Properties of Dutchess, LLC
Address: 22 Noxon Street, Poughkeepsie, New York 12601

III. APPLICANT INFORMATION

Name of Applicant: Piedmont Properties of Dutchess, LLC
Address: 22 Noxon Street, Poughkeepsie, New York 12601

Phone#: 845-485-1239

Email: rwpalombo@thepalombogroup.com

(If the applicant is not the owner, proof that the owner consents to the application must be provided.)

IV. SUBJECT OF APPEAL

Pursuant to the provisions of Section 19-8.4 of the Zoning Ordinance, this application, relative to the above-referenced property, constitutes an appeal from the decision of the Zoning Administrator, or other City of Poughkeepsie Agent (Name and Title of agent: Joseph D. O'Brien, Deputy Zoning Administrator of the City of Poughkeepsie Building Department)

A copy of this decision, dated July 11, 2023, must be attached.

V. APPEAL REQUEST

This appeal takes the form of a request for (check one):

- 1) ☒ The meaning of a portion of the text of the Zoning Ordinance, or any condition or requirements specified or made under the provisions of said Ordinance, and whether or not the appellant has complied therewith; or,
- 2) ☐ The exact location of a district boundary shown on the zoning map; or,
- 3) ☐ Approval for a change from one legal nonconforming use to another nonconforming use.

VI. RATIONALE FOR REQUEST (Attach additional sheets as necessary):

Please see attached Piedmont Properties of Dutchess, LLC's Memorandum
in Support of Appeal and Exhibits.

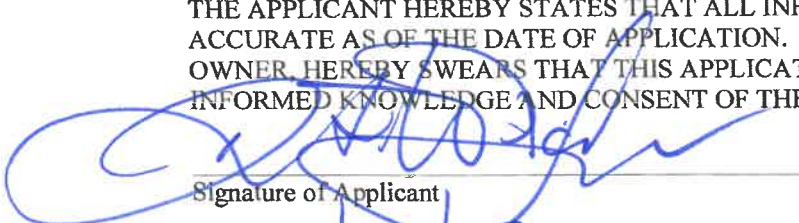
VII. LIST OF REQUIRED ATTACHMENTS

1. Electronic version of all submission materials
2. Site or plot plan (8) copies
3. Other attachments deemed pertinent by applicant (please list):
Memorandum of Law in Support of Appeal and Exhibits

VIII. SIGNATURE AND VERIFICATION

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

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


Signature of Applicant

DATE: 8/20/23

August 21, 2023

Via Hand Delivery and Email

City of Poughkeepsie
Zoning Board of Appeals
62 Civic Center Plaza, 2nd Floor
Poughkeepsie, NY 12601

**Re: Request for Interpretation of the Zoning Code
Piedmont Properties of Dutchess, LLC
Premises: 504-512 Main Street, Poughkeepsie, New York 12601
Our File Number: 1274.0001**

Dear Zoning Board of Appeals:

This firm represents the applicant, Piedmont Properties of Dutchess, LLC in the above-referenced matter. Please find enclosed our client's application (and fee), which is a request for interpretation of the zoning code and an Appeal from the Decision of Joseph D. O'Brien, Deputy Zoning Administrator of the City of Poughkeepsie Building Department.

We look forward to your Interpretation in advance of the September 12, 2023 Board Meeting. In the interim, if there are any questions or concerns regarding this Application and accompanying documents, please do not hesitate to contact the undersigned. Thank you.

Very truly yours,
MACKEY BUTTS & WHALEN, LLP

A handwritten signature in black ink, appearing to read "Joshua Mackey", is written over a light gray rectangular background.

JOSHUA E. MACKEY

JEM/lmw



1
S-100

CONCEPTUAL SITE PLAN

1" = 10'-0"

4 STORY STORAGE
BUILDING

PROPOSED PROJECT FOR:
22 NOXON STREET
POUGHKEEPSIE NY

No.	Description	Date
-----	-------------	------

REVISIONS:

CIRO INTERRANTE ARCHITECT, P.C.

25 MARKET STREET, 3rd FLOOR
POUGHKEEPSIE, NEW YORK 12601

(845) 473-7572 Office (845) 473-7525 Fax

SITE PLAN
4 STORY STORAGE
BUILDING 06/27/20

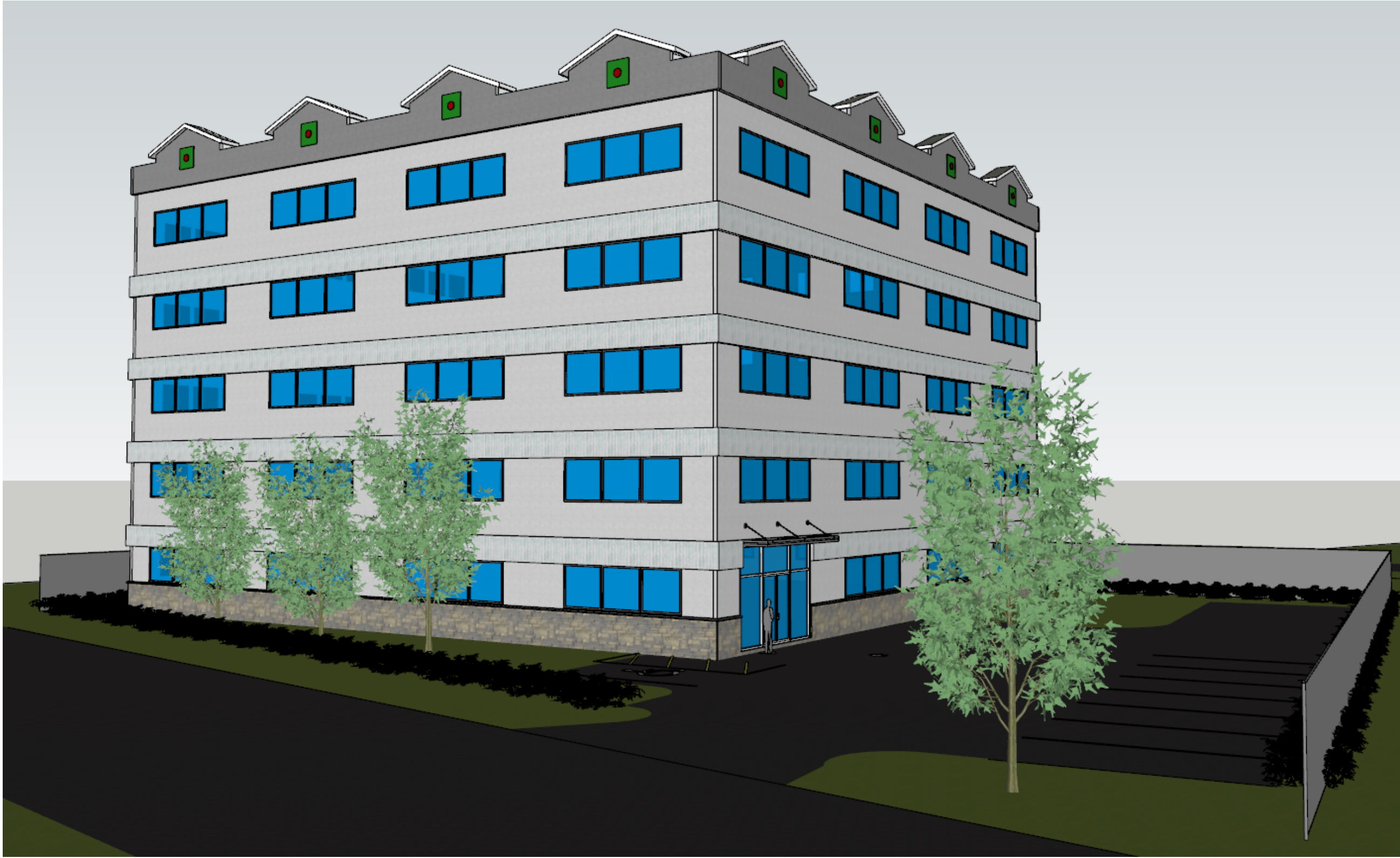
Drawn By: DC

Checked By: CI

Project No: 23-37

Scale: 1" = 10'-0" Sheet No:

S-100



4 STORY STORAGE
BUILDING

PROPOSED PROJECT FOR:
22 NOXON STREET
POUGHKEEPSIE NY

No.	Description	Date
REVISIONS:		

CIRO INTERRANTE ARCHITECT, P.C.
25 MARKET STREET, 3rd FLOOR
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7572 Office (845) 473-7525 Fax

3D VIEW 4 STORY STORAGE BUILDING	09/09/23
--	----------

Drawn By:	DC
Checked By:	CI
Project No:	23-37
Scale:	Sheet No:

S-101

CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS

-----X
In the Matter of the Appeal of

PIEDMONT PROPERTIES OF DUTCHESS, LLC

-----X

**PIEDMONT PROPERTIES OF DUTCHESS, LLC's
MEMORANDUM OF LAW IN SUPPORT OF APPEAL**

MACKEY BUTTS & WHALEN, LLP
*Attorneys for Piedmont Properties
of Dutchess, LLC*



Joshua Mackey, Esq.
3208 Franklin Avenue
Millbrook, New York 12545
Tel: (845) 677-6700
jmackey@mbwlawyers.com

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TABLE OF AUTHORITY

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<i>DeMasco Scrap Iron & Metal Corp. v. Zirk</i> , 62 A.D.2d 92 (2d Dept. 1978).....	5
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PRELIMINARY STATEMENT

Piedmont Properties of Dutchess, LLC (“Piedmont”) submits this memorandum of law in support of its appeal from the Letters of Determination of Zoning Review Requests PD-2023-055, 056, 057, 058 and 059 (the “Determination”) of the City Zoning Administrator Joseph D. O’Brien (“O’Brien”) dated July 11, 2023.

Piedmont is located at 504-512 Main Street, Poughkeepsie, New York 12601, Parcel Nos: 304986, 306985, 309983, 313982, and 316981 (the “Property”). The Property contains 0.52 acres and is located in the C-3 General Commercial Zoning District. The Property currently is vacant land and is not being used for any purpose. Piedmont proposes to build a multi-story building on the Property, where it plans rent out space on the inside of the facility for the storage of personal items. Piedmont is seeking an approval by this Board that the proposed building is in conformity with the C-3 District as a warehouse.¹

On June 27, 2023, Piedmont submitted for the addition of a building or “warehouse” on the existing site, which it proposed would be in conformity with the character of the neighborhood. Such buildings/warehouses are permitted in the C-3 commercial district. The proposed building would be a warehouse, accessible only by keycode access by paying customers, looking to store personal items, such as paper files and the like. The proposed building would be in conformity with the rest of the neighborhood, and in fact, enhance it. Currently, the City of Poughkeepsie Public Safety Building, also designed and constructed by Piedmont is across the street as well as a smoke shop, a car repair shop, a restaurant. On Cherry Street within view, there is a large deteriorated building, with a current sign saying “for rent or storage”. Piedmont is attempting to do the same however with a state of the art newly constructed building yet it has been denied without a further look.

¹ Piedmont, upon approval by this Board, shall fully submit a site plan, renderings, and any other required documents to the Planning Board, and be in conformity with all requirements in the C-3 District, such as height, size and floor to area ratio.

After Piedmont's initial letter and attached request, seeking a zoning review, on June 27, 2023, the Building Department, by the Deputy Zoning Administrator, Joseph D. O'Brien, summarily denied such use for all of the lots, declaring that such building would be considered a "Miniwarehouse", which it stated was not allowed under Code Section 19-3.24(2). There was no further inquiry or analysis by Mr. O'Brien. As set forth more fully below, the lack of review and basis of the Determination is neither supported by the relevant text or the spirit of the City's Zoning Code.

STATEMENT OF FACTS

Piedmont has been an active business for over seventeen years, with its principal place of business at 22 Noxon Street in Poughkeepsie, New York. The business is owned and operated by Robert Palombo and Luis Rodriguez. Mr. Palombo also has owned and operated since 2001, the MBE certified, local, minority owned business known as The Palombo Group, Inc., Construction Management and General Contracting. This business is also located at 22 Noxon Street. The Palumbo Group has demonstrated over and over again a commitment to preserve the local history of every building that is has renovated or built. The building at 22 Noxon Street was an 1870 derelict building that the Palumbo Group beautifully restored and reclaimed, and brought back almost to its original state. The Palombo Group also was created to meet the needs of the under-served public education sector and has been responsible for overseeing the demolition and reconstruction of the Dutchess County Highway Facility on Route 44 in Poughkeepsie. A review of its public works portfolio in education, private, healthcare, and green initiatives includes the renovation of the Ulster County Family Court, the Dutchess County Medical Examiner's office, the Beekman Center Park Pavilion, Cairo Public Library, Eastern Dutchess Government Center, and Red Hook Public Library. Expanding its business portfolio, in 2017, Piedmont purchased the Property at 504-512 Main Street in Poughkeepsie, for

commercial purposes as it is located within the C-3 Commercial District, consisting of approximately 0.52 acres of vacant land currently not in use, surrounded by other businesses. (Exhibit “A”). The building and business proposed eliminates the blight on Main Street that is in existence at now, and would generate tax revenue for the City of Poughkeepsie.

On June 27, 2023, Piedmont submitted a letter and Zoning Review Request to the Building Department seeking a zoning review of the Property, which allows warehouse uses, for the purpose of storage. (Exhibit “B”). Furthermore, the letter indicated that the plan was to build a single building which would conform to and enhance the neighborhood.

On July 11, 2023, Deputy Zoning Administrator, determined, in conclusory fashion, that the proposed self-storage facility:

- (a) is a miniwarehouse which is not listed as a permitted use in Zoning Code § 19-3.24(2), which is the C-3 Commercial District; and
- (b) “any request to establish such a use would be denied”.

(Exhibit “C”).

Such refusal to review the request and such projected denial without further inquiry is in violation of the Zoning Code. To elaborate, the floor schematic is an internal document on underdeveloped land, with four stories above ground (there is no height restriction in the C-3 District)) with a full basement, fully conditioned, climate-controlled space within a warehouse where only paying clients will be given security clearance to enter the building for the purpose of storing and accessing personal and business items. Piedmont recognizes that any approval to build would be conditioned on a merger of the five existing lots and therefore, Piedmont would request a merger upon an approval by the Board.

ARGUMENT

POINT I

AN ACTUAL REVIEW OF THE USE PROPOSED WOULD DEMONSTRATE A PERMITTED USE IN THE C-3 COMMERCIAL DISTRICT

Deputy Zoning Administrator O'Brien determined, in bald and conclusory fashion and that the proposed use of the Property is not permitted as it is a "Miniwarehouse", which is not a permitted use in the C-3 Commercial District. (See, Determinations at Exhibit "C"). Mr. O'Brien's outright dismissal of the requested review without further consideration of the proposed building as a warehouse, was in violation of the Code.

The Zoning Code, Section 19-2.1 states, "[w]ords not specifically defined shall have their ordinary dictionary meaning as in Webster's New International Dictionary; construction and building terms shall use New York State Building Code definitions. The term "warehouse" is not defined in the Zoning Code nor in the New York State Building Code. Webster's New International Dictionary defines "warehouse" as "a structure or room for the storage of merchandise or commodities". That is exactly what Piedmont proposes to build.

The singular building proposed by Piedmont for the purpose of storage meets the definition of warehouse, which is clearly permitted as of right under Section 19-3.24(20)(1)(2). There is no indication that a warehouse cannot be sectioned off to various customers or that storage be of a specific type or be stored for a specific length of time. There are only four items excluded from permissible storage: coal, coke, fuel oil and junk, which were not applicable in this matter. For over 23 years, Mr. Palombo has owned, built, and successfully contributed to the commercial landscape as well as contributed to the green initiatives of the City of Poughkeepsie. Dismissing the review because technically it may also fall under the definition of "miniwarehouse", and no consideration for review as a "warehouse" violates at a minimum, the spirit of the Zoning Code in the Commercial District. In Section 19, Attachment 2 of the Zoning and Land Use Regulations, the Code lists in Table A the City of Poughkeepsie Principal

Use Table with “Self-storage or Miniwarehouse” on one line and “warehouse” is listed on another line.

Mr. O’Brien does not provide any analysis or support for his determination that the proposed building is a Miniwarehouse. In fact, the only mention of “Miniwarehouse”, other than Table A, is in the definition sections of the Zoning Code and the light industrial permitted uses section of the Zoning Code. In the Light Industrial Section 19-3.29(20), it states that Miniwarehouses are permitted “provided that aisle widths in between buildings comprising the Miniwarehouse have a minimum width of not less than 26 feet.” Clearly, this provision indicates that when the City contemplated Miniwarehouses, they envisioned more than one building, with multiple singular units that were accessible from the outside and by which one could drive up, given the 26 feet width “between buildings”. The description shows a consideration for possible traffic and congestion, which is not the case under this proposed use. A further inquiry by Mr. O’Brien would have revealed that this was not the proposal by Piedmont.

Accordingly, the ZBA should reverse the Determination and determine that the proposed use is in conformity with the Code.

POINT II

EVEN IF TECHNICALLY THE PROPOSED SELF-STORAGE BUILDING MEETS THE DEFINITION OF MINIWAREHOUSE, IT IS NOT PROHIBITED BY THE CITY ZONING LAW AS IT IS OF THE SAME COMMERCIAL NATURE AS OTHER USES IN THE AREA

Mr. O’Brien, in determining that Piedmont’s proposed building is a Miniwarehouse, did not inquire further into what exactly was being built and for what purpose. Even if the proposed building technically can be viewed as meeting the definition of “Miniwarehouse”, the proposed building is of the same commercial nature as all other permitted uses in the area and should be allowed. *See, C. DeMasco Scrap Iron & Metal Corp. v. Zirk*, 62 A.D.2d 92 (2d Dept. 1978) (Even though petitioner’s proposed automobile shredder was not listed among the permitted uses

in the zoning ordinance's industrial use classification, such proposed use was of the same heavy industrial type as all other permitted uses in the area and should be allowed despite claim that shredder posed a serious risk to health, safety, and welfare of area residents.)

In *C. DeMasco Scrap*, the petitioner had been operating a scrap metal and vehicle junkyard business at its location for five years. The property was zoned as "Industrial H" "Heavy Industry." In 1976, petitioner applied for a permit to construct a foundation and building so that it could install and operate an automobile shredder. The Town of Babylon's building inspector informed petitioner that the use sought was not within the specific uses enumerated in the Town of Babylon's zoning ordinance and denied petitioner's application for a building permit. It was conceded that the use of an automobile shredder was not expressly listed; nor was there any other provision of the zoning ordinance which prohibited an automobile shredding plant in the district. 62 A.D.2d at 94, 96.

Following denial for a building permit, petitioner applied to the Zoning Board of Appeals for a special use permit so that it could proceed to erect the shredder. The Zoning Board of Appeals granted the application. The Town of Babylon Planning Board commenced an Article 78 proceeding challenging the Zoning Board of Appeals grant of the special use permit. *Id.*, At 62 A.D.2d at 96. In the interim, the Town Board adopted a resolution changing the zoning so the automobile shredding would be an impermissible use. The Petitioner instituted a declaratory judgment action challenging the validity of the rezoning.

The Supreme Court dismissed the petition holding that the permit to build the automobile shredder was available to petitioner as a matter of right under the Town of Babylon's zoning ordinance; hence there was no need for petitioner to have sought a special use permit. *Id.* The Appellate Division affirmed noting that: "The most basic rule of statutory construction comes into play: expression *unius est exclusion alterius*, which means roughly translated, that the

expression of one thing is the exclusion of another.” 62 A.D.2d at 98. The Court also noted that “the issue is not whether the use is permissible, but, rather, whether it is prohibited.”

Another case, which is illustrative in terms of how the Courts interpret zoning code language, and is on point with the present case, is *Gershowitz v. Planning Board of the Town of Brookhaven*, 69 A.D.2d 460 (1979). In *Gershowitz*, the zoning code provided for uses that per permitted as of right, uses that were prohibited, and a final paragraph “prohibiting any business or trade or industry, use or industrial process that might be injurious, hazardous, noxious or offensive to the surrounding area by reason the emission of odor, dust....” *Id.* The Court held that petitioner’s proposed use although not specifically allowed or disallowed, was in compliance with the Town Code. *Id.* Therefore, the Planning Board was without power to disapprove petitioner’s site plan on the ground that it violated the code. *Id.* The Court in Brookhaven also noted that Courts have departed from the strict requirement that there are no vesting of rights until a building permit has been issued. *Id.*, at 479.

In the City of Poughkeepsie Zoning Code, there are permitted uses only as of right, but no mention of what is not permitted but just that only the delineated items are permitted. “Warehouse” is permitted as of right and there is no mention of “miniwarehouse”, as to whether it is permitted or not permitted.

Furthermore, the currently proposed building facility conforms to the neighborhood in that the neighborhood consists of various commercial buildings and operations, including a gas station across the street (Exhibit “D”), a car repair shop next door (Exhibits “E”), Poughkeepsie Public Safety Facility across the street, which was built by our client, (Exhibit “F”), a restaurant (Exhibit “G”) as well as smoke shop across the street. (Exhibits “H”) Around the corner on Cherry Street, the Underwear Factory houses multiple businesses. (Exhibit “I”). Across the street from the Underwear Factory, within view of our client’s property, is an expansive old neglected factory-type building that appears vacant with a sign

stating “for rent or storage”. (Exhibits “J”). Therefore, just down the street an old dilapidated building is zoned for “storage” but Piedmont considering building a state of the art, secured building for the purposes of keeping small household items, paper files, etc. somehow does not comply because the City deems it a “Miniwarehouse”. This is illogical. Piedmont’s proposed building and usage is even less invasive and commercial than other uses in the District as the proposed facility will mostly store small consumer type items, such as paper files and small household or office items. It will not be blight on the community but further enhance the neighborhood and provide storage for the many business owners and residents of the community.²

Given that the facility proposed is of the same commercial nature as a warehouse and of the neighborhood, the ZBA should reverse the Building Department’s Determination and deem the proposed building is in conformity with the Code.

POINT III

THE PROPOSED SELF-STORAGE BUILDING CONFORMS TO THE PURPOSE OF THE C-3 COMMERCIAL DISTRICT

The Zoning Code in its preamble to the Commercial Zoning provisions, states, in relevant part, that “[i]n furtherance of the statutory purposes of zoning, the Commercial Districts established in this Chapter are designed to promote and protect public health, safety and general welfare, to enhance the city's economy and specifically, to achieve the following objectives: (1) To promote stability of commercial development, to strengthen the economic base of the city, to protect the character of certain districts and their peculiar suitability for particular uses, to conserve the value of the land and buildings and thereby to protect and enhance the city tax revenues.”

² It is our understanding that the building at Exhibit J will be eventually be converted into residential apartments. What better use of the Property herein than a place for such residents as well as other business owners in the area to store items that they might not be able to fit in their apartments/businesses?

Mr. O'Brien should have considered the proposed building, especially being built by well-known, successful business owners, who have literally built the public safety facility across the street, would promote the stability of commercial development, strengthen the economic base of the City and enhance the City tax revenues, offer storage for current and future business owners and residents, by bringing in a successful business.

Based on the foregoing, the ZBA should permit the proposed building on the Property.

POINT IV

THE PROPOSED SELF-STORAGE BUILDING CONFORMS TO THE PURPOSE OF THE OVERALL ZONING ORDINANCE

Pursuant to Section 19-1.1 of the Zoning Code, its purpose is "in the interest of protection and promotion of the public health, safety and general welfare, shall be deemed specifically to include, the following, among others" ... "[t]he continued viability and environment and economy and the assurance of adequate and necessary sites for a full range of residential, industrial, commercial...uses" "[t]imely elimination of blight" "enhancement of the appearance of the City of Poughkeepsie" ... "encouragement of flexibility in design and development of land and buildings...." Clearly, the proposed use here would enhance the neighborhood with a state-of-the-art brand new building, and eliminate any blight from the current vacancy or any trespassing by unwanted loiterers as there will be 24 hour surveillance and security on the Property. It also would provide storage for local businesses and those who rent smaller apartments in the City, which we know are now plentiful.

As discussed in Point III above, Mr. O'Brien should have considered that the current proposed building is a warehouse, and that given the current blight in the area of the Property, the need for such a facility, and that the proposed building, once the lots are merged, would enhance the overall health, safety and welfare of the community, there should have been a

review, further inquiry, and ultimately a determination that the proposal would comply with the Zoning Code.

CONCLUSION

For all the foregoing reasons, Piedmont respectfully demands that the Zoning Board overturn and find that the proposed building is in conformity with the Zoning Code in order to allow Piedmont to proceed with a request for merger of the lots, and also submission of a site plan to the Planning Board.

Dated: Poughkeepsie, New York
August 21, 2023

MACKEY BUTTS & WHALEN, LLP
*Attorneys for Piedmont Properties
of Dutchess, LLC*



Joshua Mackey, Esq.
3208 Franklin Avenue
Millbrook, New York 12545
Tel: (845) 677-6700
jmackey@mbwlawyers.com

EXHIBIT A



EXHIBIT B

MACKEY BUTTS & WHALEN LLP

ATTORNEYS AT LAW

June 27, 2023

Robert R. Butts
Robert B. Dietz
Joshua E. Mackey
Ian S. MacDonald
Cara A. Whalen
Brooke D. Youngwirth

Christina A. Mazzarella
Pedro Medina, Jr
Lita M. Ward

Emily Abrahams
Tyrone Brown
Roderick J. MacLeod
R. Keith Salisbury

Via Hand Delivery
Poughkeepsie City Hall
Building Department
Attn.: Joseph O'Brien
62 Civic Center Plaza
Poughkeepsie, New York 12601

RE: Piedmont Properties Zoning Applications
Premises: 504 – 512 Main Street, Poughkeepsie, New York 12601
Our File No.: 1274.0001

Dear Mr. O'Brien:

As you are aware, we represent the owner of the properties located at 504 – 512 Main Street, Poughkeepsie, New York 12601. As mentioned previously, these properties are located in the C3 Zoning District which allows warehouse uses. We have enclosed a further check no. 20009 for each parcel in the amount of \$300.00.

We are respectfully requesting your zoning review of these properties for use as self-storage. A single building is planned which will conform to the character of the neighborhood.

Reply to:

☐ 3208 Franklin Avenue
Millbrook, NY 12545
P 845.677.6700
F 845.677.2202

☐ 319 Mill Street
Poughkeepsie, NY 12601
P 845.452.4000
F 845.454.4966

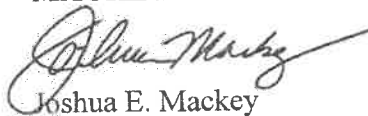
☐ 81 Main Street
P.O. Box 308
Sharon, CT 06069
P 860.364.6232
F 860.364.6429

www.mbwlawyers.com

Please do not hesitate to contact me with any questions or concerns you may have.

Very truly yours,

MACKEY BUTTS & WHALEN, LLP



Joshua E. Mackey

JEM/aed
Enclosures

cc: Robert Palombo (via email) Peter Setaro (via email)

{00054946 1}

EXHIBIT B
Page 67 of 336



THE CITY OF POUGHKEEPSIE
NEW YORK
DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$50.00
CODE: ZRSP
ID# _____

ZONING REVIEW REQUEST

Property Address: 504-512 MAIN STREET
Parcel Grid #: 304986, 306985 309983, 313982, 316981
Contact Info: ☐ Applicant ☐ Owner ☐ Consultant ☒ Other: ATTORNEY
Name: JOSHUA E. MACKAY
Phone number: 845-677-6700
Email (required): jmackey@mbwlawyers.com
Current use of property: VACANT LOT
Proposed use of property: SELF-STORAGE BUILDING
Additional questions: _____

Official use only:

- ☐ Additional information required for review (date: _____)
☐ Zoning District: _____
☐ Use Variance from the Zoning Board of Appeals
☐ Area Variance(s) from Zoning Board of Appeals
☐ Requires ☐ Site Plan ☐ Special Permit approval from Planning Board
☐ Requires Sign Permit from ☐ Planning Staff ☐ Planning Board
☐ Requires Building Permit
☐ Requires other approvals or reviews:
☐ Historic District and Landmarks Preservation Commission
☐ Waterfront Advisory Committee ☐ Shade Tree Commission

Notes: _____

Responded by: ☐ email ☐ letter ☐ phone ☐ in person ☐ email/letter attached

Judith Knauss, Deputy Zoning Administrator
Joseph O'Brien, Deputy Zoning Administrator

Date _____

Revised August 2022: Previous Editions Obsolete

MACKEY BUTTS & WHALEN LLP
IOLA TRUST ACCOUNT
3208 FRANKLIN AVE
MILLBROOK, NY 12545



20009

10-4/220

DATE

AMOUNT

06/27/2023

****\$300.00

PAY

*** THREE HUNDRED & 00/100 DOLLARS

TO THE
ORDER OF

City of Poughkeepsie Building Department



[Signature]

⑈020009⑈ ⑆022000046⑆

9864656340⑈

MACKEY BUTTS & WHALEN LLP
DATE IOLA ACCOUNT TRUST NAME

PAY TO City of Poughkeepsie Building Department 20009
DESCRIPTION AMOUNT

06/27/2023

Piedmont Properties
Account: 1274.0001-1

Review Zoning Application

300.00

CHECK DATE

CHECK NO.

CHECK AMOUNT

06/27/2023

20009

300.00

MACKEY BUTTS & WHALEN LLP

IOLA TRUST ACCOUNT
3208 FRANKLIN AVE
MILLBROOK, NY 12545



10-4/220

19957

DATE

AMOUNT

06/08/2023

*****\$50.00

PAY

*** FIFTY & 00/100 DOLLARS

TO THE
ORDER OF

City of Poughkeepsie



[Handwritten signature]

⑈019957⑈ ⑆022000046⑆ 9864656310⑈

MACKEY BUTTS & WHALEN LLP
IOLA ACCOUNT TRUST NAME

PAY TO
City of Poughkeepsie

19957
AMOUNT

06/08/2023

Piedmont Properties
Account: 1274.0001-1

Review of Zoning Application

50.00

CHECK DATE

CHECK NO.

CHECK AMOUNT

06/08/2023

19957

50.00

EXHIBIT C



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

July 11th, 2023

Joshua Mackey

Re: Main Street (304986)
ID: 298030
Zoning Review Request PD-2023-055

Dear Mr. Mackey,

The Development Department is in receipt of your zoning review request relative to the property at Main Street (304986) and the proposed development of a Self-Storage building on the vacant lot. This property is located within the General Commercial District (C-3) which does not allow "Miniwarehouses" per code Section 19-3.24(2) of the zoning ordinance. Therefore, any request to establish such a use would be denied. You would have the right to appeal the terms of such denial to the Zoning Board of Appeals, requesting that a Use Variance be granted. If a Use Variance is granted by the Zoning Board of Appeals and after any Area Variances are granted by the Zoning Board of Appeals if required, you would then need to obtain Site Plan approval from the Planning Board. After that you would 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



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

July 11th, 2023

Joshua Mackey

Re: Main Street (306985)
ID: 298040
Zoning Review Request PD-2023-056

Dear Mr. Mackey,

The Development Department is in receipt of your zoning review request relative to the property at Main Street (306985) and the proposed development of a Self-Storage building on the vacant lot. This property is located within the General Commercial District (C-3) which does not allow "Miniwarehouses" per code Section 19-3.24(2) of the zoning ordinance. Therefore, any request to establish such a use would be denied. You would have the right to appeal the terms of such denial to the Zoning Board of Appeals, requesting that a Use Variance be granted. If a Use Variance is granted by the Zoning Board of Appeals and after any Area Variances are granted by the Zoning Board of Appeals if required, you would then need to obtain Site Plan approval from the Planning Board. After that you would 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



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

July 11th, 2023

Joshua Mackey

Re: Main Street (316981)
ID: 298070
Zoning Review Request PD-2023-057

Dear Mr. Mackey,

The Development Department is in receipt of your zoning review request relative to the property at Main Street (316981) and the proposed development of a Self-Storage building on the vacant lot. This property is located within the General Commercial District (C-3) which does not allow "Miniwarehouses" per code Section 19-3.24(2) of the zoning ordinance. Therefore, any request to establish such a use would be denied. You would have the right to appeal the terms of such denial to the Zoning Board of Appeals, requesting that a Use Variance be granted. If a Use Variance is granted by the Zoning Board of Appeals and after any Area Variances are granted by the Zoning Board of Appeals if required, you would then need to obtain Site Plan approval from the Planning Board. After that you would need to file all required Building permits and obtain an issued Certificate of Occupancy from the Building Department.

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POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

July 11th, 2023

Joshua Mackey

Re: Main Street (313982)
ID: 298060
Zoning Review Request PD-2023-058

Dear Mr. Mackey,

The Development Department is in receipt of your zoning review request relative to the property at Main Street (313982) and the proposed development of a Self-Storage building on the vacant lot. This property is located within the General Commercial District (C-3) which does not allow "Miniwarehouses" per code Section 19-3.24(2) of the zoning ordinance. Therefore, any request to establish such a use would be denied. You would have the right to appeal the terms of such denial to the Zoning Board of Appeals, requesting that a Use Variance be granted. If a Use Variance is granted by the Zoning Board of Appeals and after any Area Variances are granted by the Zoning Board of Appeals if required, you would then need to obtain Site Plan approval from the Planning Board. After that you would 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

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Office - 845-451-4273

jobrien@cityofpoughkeepsie.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

July 11th, 2023

Joshua Mackey

Re: Main Street (309983)
ID: 298050
Zoning Review Request PD-2023-059

Dear Mr. Mackey,

The Development Department is in receipt of your zoning review request relative to the property at Main Street (309983) and the proposed development of a Self-Storage building on the vacant lot. This property is located within the General Commercial District (C-3) which does not allow "Miniwarehouses" per code Section 19-3.24(2) of the zoning ordinance. Therefore, any request to establish such a use would be denied. You would have the right to appeal the terms of such denial to the Zoning Board of Appeals, requesting that a Use Variance be granted. If a Use Variance is granted by the Zoning Board of Appeals and after any Area Variances are granted by the Zoning Board of Appeals if required, you would then need to obtain Site Plan approval from the Planning Board. After that you would 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

EXHIBIT D



EXHIBIT D

EXHIBIT E



EXHIBIT E

EXHIBIT F



EXHIBIT K

EXHIBIT G



EXHIBIT H



EXHIBIT H



EXHIBIT H

EXHIBIT I



EXHIBIT I

EXHIBIT J



EXHIBIT J



EXHIBIT J



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

July 11th, 2023

Joshua Mackey

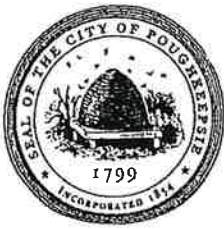
Re: Main Street (304986)
ID: 298030
Zoning Review Request PD-2023-055

Dear Mr. Mackey,

The Development Department is in receipt of your zoning review request relative to the property at Main Street (304986) and the proposed development of a Self-Storage building on the vacant lot. This property is located within the General Commercial District (C-3) which does not allow "Miniwarehouses" per code Section 19-3.24(2) of the zoning ordinance. Therefore, any request to establish such a use would be denied. You would have the right to appeal the terms of such denial to the Zoning Board of Appeals, requesting that a Use Variance be granted. If a Use Variance is granted by the Zoning Board of Appeals and after any Area Variances are granted by the Zoning Board of Appeals if required, you would then need to obtain Site Plan approval from the Planning Board. After that you would 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



ZBA 2023-038
THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$350.00
CODE: A2112
ID#

IPS# 2023-038
PAID 8/31/23

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 30 N. CLOVER Street POK. NY. 12601
ZONING DISTRICT: R-4A

OWNER INFORMATION:

Name: Michelle V. Ayala
Address: 13 Kimball Drive
Poughkeepsie NY. 12603
Phone: 845-518-9247
Email: MAyala@bhhshudsonvalley.com

APPLICANT INFORMATION:

Name: SAME AS ABOVE
Address: _____

Phone: _____
Email: _____



CONSULTANT INFORMATION:

Name: NONE - OWNER
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: Robert O'Shea
Date of decision/determination/violation: Aug 24th 2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 30 N. CLOVER ST. POK NY. 12601

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>19.4-13(1)</u>	<u>Set back 6' from Property</u>	<u>Southside 1' 6"</u>
<u>" "</u>	<u>" "</u>	<u>Northside 5' 6"</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 19-8.4 (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: 30 N. CLOVER ST. POK NY. 12601

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):

Letter describing work

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.

Michelle V. Ayala
SIGNATURE OF APPLICANT

10/2/2023
DATE

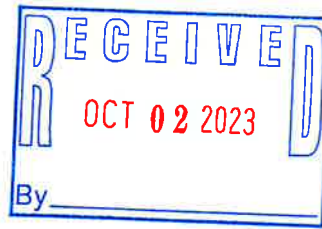
Michelle V. Ayala
Print Name

10/02/2023

Michelle V. Ayala

Re: 30 North Clover Street

Poughkeepsie NY 12601



Variance Request Justification

1. There are only 2 Condensers that need a variance. 1 will be located on the North side of the structure and the other on the south side. They will be mounted. The Historic Charm of the building will remain intact without change.
2. It is not feasible to keep fossil fuel. The current steam system is not economical. Reducing the carbon footprint is the better choice for our environment. As per the contractor "the run would be too long, and this would reduce the efficiency of the unit. "
3. I have 6 'on the Southside so the variance is a few inches. On the North side I need a bit more but the driveway is partially owned by both me and the neighbor so its not in use at all.
4. My home is well maintained and always manicured. Its architectural beauty is at its best. Having this efficient system will reduce the carbon footprint and be very efficient.
5. All of the homes on the street were built a very long time ago. They are all close together. This is the natural historic fabric of the community. The benefit of this system will accomplish two things. It will make the home more comfortable and efficient and help preserve the environment. It's important to contribute even if its only one home at a time. It all makes a difference.

I hope I answered all of your questions I am reachable if not. Feel free to call me with additional questions at 845-518-9247.

Best,

Michelle V. Ayala

30 N Clover Streer

Poughkeepsie NY 12601

RE: Description of Work

Board Members,

09/22/2023

I own 30 N Clover Street. I would like to remove the fossil fuel system and replace it with a ductless system.

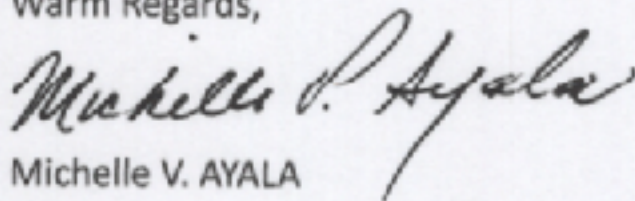
This improvement will produce a smaller carbon footprint for our environment and provide a more comfortable living environment. It's about 25,000 to improve on this investment. My property sits on 0.11 Acres. I completed a survey which is attached in 2020.

The work required will not environmentally affect anyone. When applying for the building permit to have the work done Bob O'Shea brought to my attention the requirements would need a variance even though it was just a few inches. It's on my property and does not impede anyone else's. They measure from the end of the condenser but the distance from my property line is less than 6 feet. He felt it would be approved but I needed to go through the ZBA so this is why I'm here.

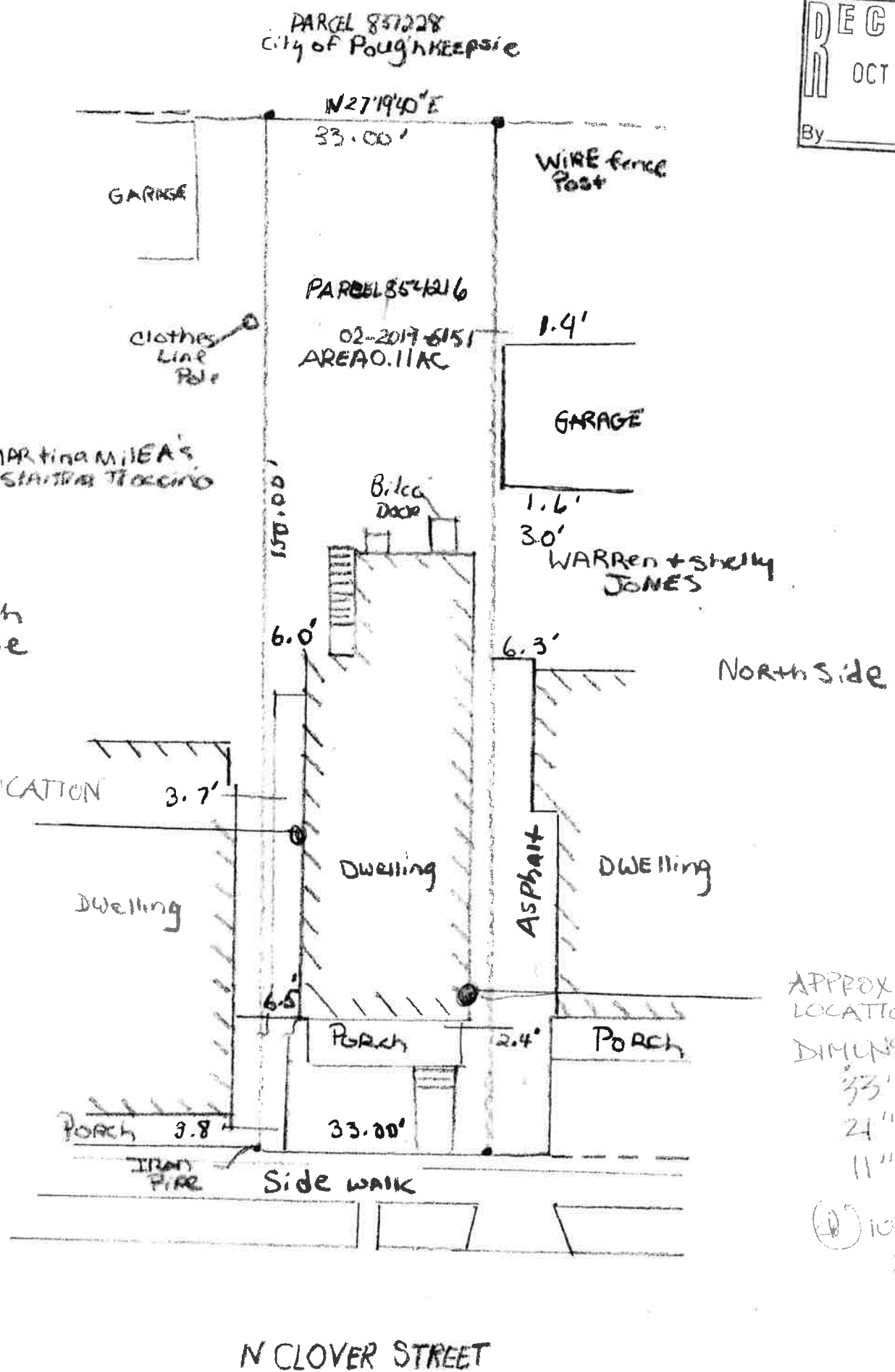
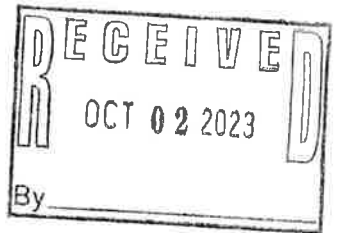
I always improve and maintain everything I own, and I can tell you my home is the nicest one on the block and I will always take care of it.

Please approve my variance.

Warm Regards,



Michelle V. AYALA



30 N CLOVER ST
10/02/2023
Michelle Ayala

SCALE
1" = 20'

10/4/23
BASED ON
INFORMATION
PROVIDED BY
M. AYALA

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.

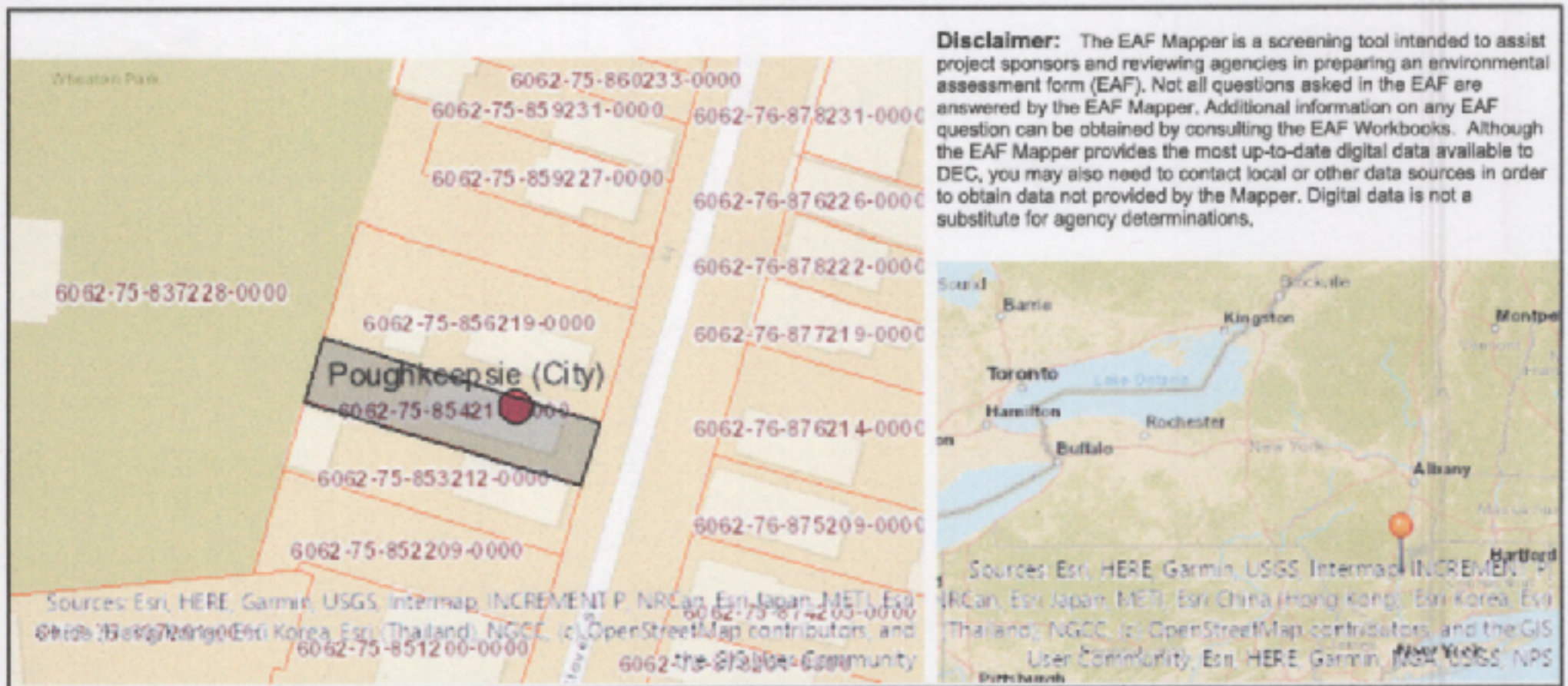
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: <i>Installing condensers</i>			
Project Location (describe, and attach a location map): <i>30 N. CLOVER STREET</i>			
Brief Description of Proposed Action: <i>Removing Fossil Fuel System installing ductless System.</i>			
Name of Applicant or Sponsor: <i>Michelle V. Ayala</i>		Telephone: <i>845-518-9247</i>	
		E-Mail:	
Address: <i>13 Kimball Drive</i>			
City/PO: <i>Poughkeepsie</i>		State: <i>N.Y.</i>	Zip Code: <i>12603</i>
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 ☒	YES ☐
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 ☒	YES ☐
3. a. Total acreage of the site of the proposed action?		<i>.11</i> acres	
b. Total acreage to be physically disturbed?		<i>0</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0</i> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

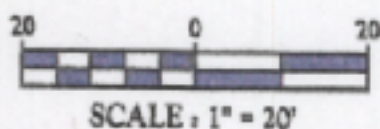
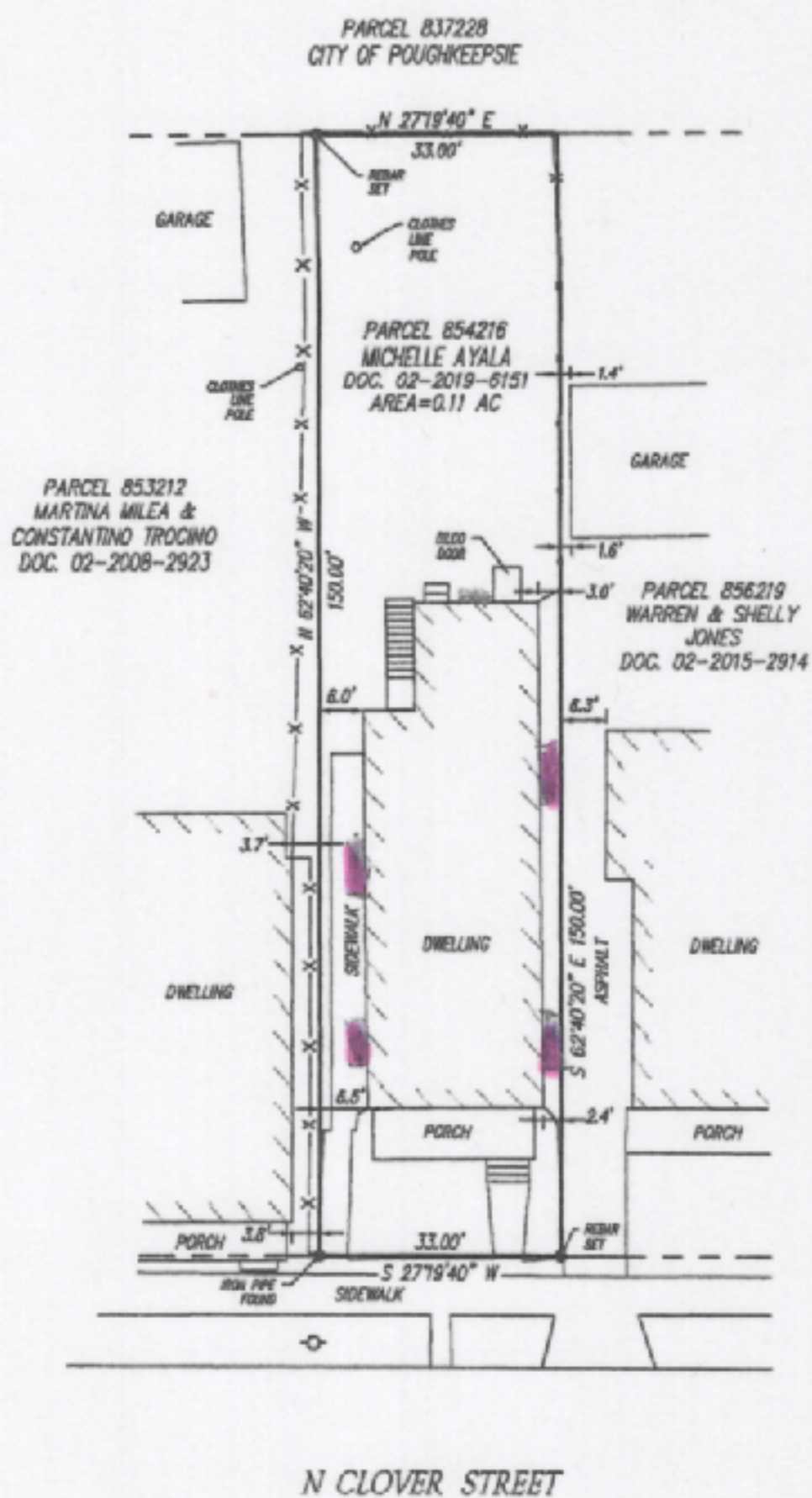
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☒	☐	
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?	NO	YES	
	☐	☒	
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?	☐	☒	
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?	NO	YES	
	☐	☒	
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: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ 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? Atlantic Sturgeon, Shortnos...	NO	YES
	☐	☒
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	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:	☒	☐
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
	☒	☐
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
	☒	☐
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
	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Michelle V. Ayala</u> Date: <u>9/24/2023</u>		
Signature: <u>Michelle V. Ayala</u> Title: <u>Owner</u>		

PRINT FORM



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]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Shortnose Sturgeon
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



LEGEND

-  IRON PIPE/STEEL REBAR
 UTILITY POLE
 CHAIN LINK FENCE
 WOOD FENCE
 BUILDING



CARNEY RHINEVAULT NYSLS No. 49097

UNAUTHORIZED ALTERATION OR ADDITION
TO THIS DRAWING IS A VIOLATION OF
SECTION 7209, SUBDIVISION 2 OF THE
NEW YORK STATE EDUCATION LAW.

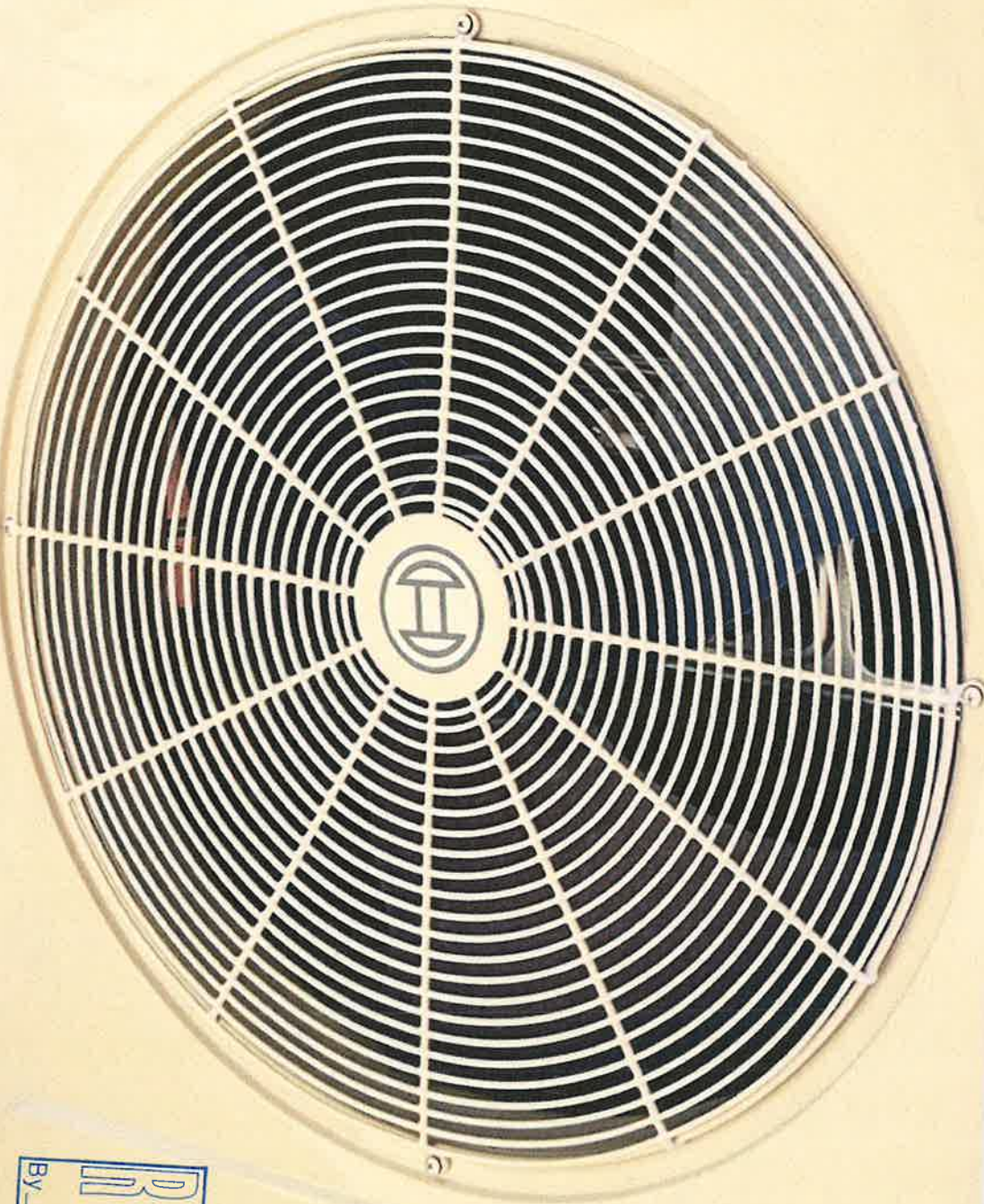
MAP OF PROPERTY OF
MICHELLE AYALA

DOC. #02-2019-6151
SITUATE AT
30 NORTH CLOVER STREET
CITY OF POUGHKEEPSIE,
DUTCHESS COUNTY, NEW YORK

SURVEYED BY CARNEY RHINEVAULT

6 Main Street
Hyde Park, NY 12538
TEL (845) 229-6225

07/03/2020	SCALE: 1"=20'	PROJ. NO. 20-158	SHEET 1 OF 1
------------	---------------	------------------	--------------



 **BOSCH**

RECEIVED
AUG 30 2023
By _____

* Based on my calculations

Width 33.27"
Height 27.64"
Depth 14.29"
Variance need 1.5" on Left +
1.5" on Right







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

August 24, 2023



30 North Clover LLC
13 Kimball Dr
Poughkeepsie, NY 12603-0000
Michelle Ayala
13 Kimball Drive
Poughkeepsie, NY 12603

RE: 30 N Clover St
ID: 093020
Application # BP-23-1366

To Whom it May Concern:

A review of the building permit application # BP-23-1366 found it to be deficient to complete the review process and issue the permit. Below is/are the deficiencies found:

The location of the a/c condensers does not meet the required setback of six(6) feet from any adjoining property line required by the Zoning Ordinance Section 19.4.13(1). A revised plot plan showing the new site locations of the condensers is required for the issuance of this permit application.

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 845-451-4057 or roshea@cityofpoughkeepsie.com.

Sincerely,

Robert O'Shea
Deputy Building Inspector

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 7 FOSTER STREET

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):

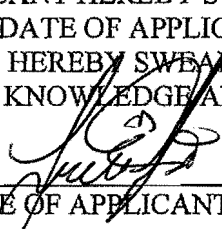
SEE EXHIBIT "A"

SEE PICTURES

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

8/3/23
DATE

JOSE JUAREZ
Print Name

CIA

**Ciro Interrante Architect, P.C.
25 Market Street, 3rd Floor
Poughkeepsie, New York 12601**

(845) 473-7572

July 28, 2023

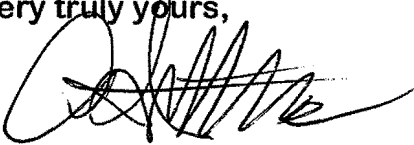
**Zoning Board
City of Poughkeepsie
PO Box 300
Poughkeepsie, NY 12602**

**RE: Cover Letter
7 Foster Street
Poughkeepsie, New York 12601**

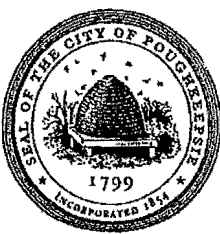
Dear Zoning Board:

This proposal is to construct a two-story addition to an existing single-family home, located at the corner of Foster Street and Sunnyside Avenue in Poughkeepsie. The original house was constructed in 1870. An addition on the south side of the house was constructed in 2018. The applicant currently seeks a necessary side yard variance in order to construct the addition in the location proposed. Please review the attached site plan and proposed building floorplans and exterior elevations of the proposed project for further understanding.

Very truly yours,

A handwritten signature in black ink, appearing to be 'C. Interrante', written over a horizontal line.

Ciro Interrante, Architect



**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 7 FOSTER STREET

ZONING DISTRICT: G-RM

OWNER INFORMATION:

Name: JOSE & CARMEN JUAREZ

Address: 7 FOSTER STREET
POUGHKEEPSIE, N.Y. 12601

Phone: 845-452-4391

Email: MAGGYJUAREZ208@GMAIL.COM

APPLICANT INFORMATION:

Name: SAME AS OWNER

Address: _____

Phone: _____

Email: _____

CONSULTANT INFORMATION:

Name: CIRO INTERRANTE

Address: 25 MARKET STREET
POUGHKEEPSIE, N.Y. 12601

Phone: 845-473-7572

Email: CIROINT@GMAIL.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

Date of decision/determination/violation: JULY 11, 2023 LETTER

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 7 FOSTER 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.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-8.25(8)(D)</u>	<u>10' FRONT YARD</u>	<u>6' - 11"</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 19-8.4 (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. -SEE EXHIBIT "A"

- 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.



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

July 11th, 2023

Jose Juarez
7 Foster Street
Poughkeepsie NY 12601

RE: 7 Foster Street
ID: 154080
Application # BP-23-0913

To whom it may concern,

The Building Department has received your application # BP-23-0913 for an addition to the existing Single-family dwelling located at 7 Foster Street. Please be advised that the property at 7 Foster Street is located in an area of the City zoned Gateway Residential Mixed-Use (G-RM). Please note that per Section 19-3.25(8)(D) the minimum required front yard setback is 10' where only 3'1" is being proposed for the addition.

Therefore your application is hereby denied. You may appeal the terms of this denial to the Zoning Board of Appeals within thirty (30) days of the date of denial.

If you have any questions you can reach me at 845-451-4273

Very truly yours,
Joseph O'Brien
Deputy Zoning Administrator

EXHIBIT "A"

1. The granting of the variance will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties. Exterior materials for the new addition will match the existing house and will be in scale, compatible & pleasing to the neighborhood. New construction that is compatible with existing houses will not produce an undesirable change.
2. Contiguous property is not available for purchase. It is not feasible for the proposed two story addition to be located on the south side of the existing house. It will not function properly with the existing interior layout of the house. The proposed two-story addition in the location shown relates functionally to the first floor of the existing house as it is adjacent to the existing kitchen. The addition also relates functionally on the second floor as the proposed new bathroom is near an existing bathroom on the second floor and above the kitchen on the first floor, making plumbing piping available more easily for new plumbing fixtures.
3. The requested variance can only be considered substantial given the fact that the house was constructed in 1870 when zoning regulations were not in affect. Zoning regulations implemented after the house was constructed have created the impression that the requested variance may appear to be substantial.
4. The proposed addition will not have an adverse effect on the neighborhood. It is new construction and will blend with the neighborhood. The scale design and materials are consistent with other houses in the area. The addition will match the materials of the existing house and will not create a visual or environmental or physical impact on the neighborhood. When the project is completed, it will look as though it was always part of the house.
5. The need for the area variance is not a result of self-created difficulty and is unique to this property. This house was constructed in 1870 when zoning regulations did not exist. It could be considered that the implementation of the zoning regulations overlaid over entire neighborhoods could be the cause of the hardships by implementing regulations that the majority of the existing houses and properties would not comply with and when many of the existing houses, including this one were constructed prior to zoning. Also, when zoning regulations define that a corner lot has two front yards instead of one front yard and one side yard as is the case with this applicant, this causes additional hardship. If the side of the house bordering a side street, Sunnyside Avenue in this case was considered a side yard, the request for a variance would be unnecessary because in the G-RM district the side yard setback is 0 feet.



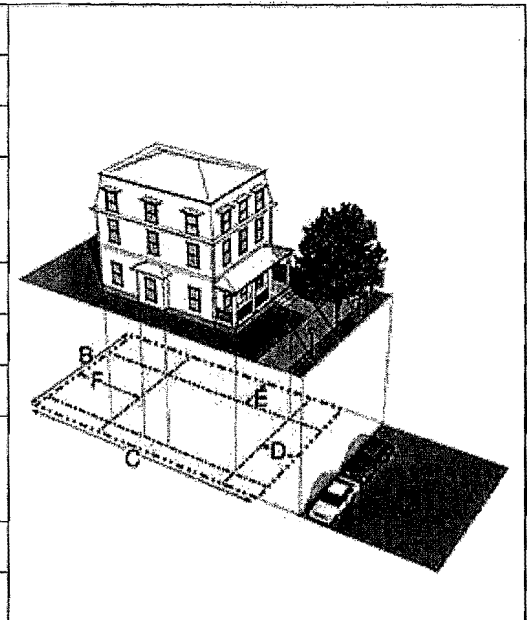
Section 19-3.25 Walkway-Gateway District (W-G).

combined total coverage of the rooftop features does not exceed 25% of the roof area when typical features (such as elevator penthouses) are present. If rooftop features exceed the twenty-five-percent roof coverage, solar collectors may only extend seven feet above maximum height limits.

- (8) *Lot standards.* All new construction or enlargement of existing structures in the W-G District shall be subject to the lot standards shown on Tables 3.25-2A, 2B, and 2C, except that maximum lot width only applies in the case of a subdivision of a lot. A larger maximum front setback may be allowed, subject to Planning Board approval, if the area in front of a building has no parking spaces and is landscaped and used in a manner that enhances street life by such means as pocket parks, plazas, outdoor dining areas, or public art. Such outdoor space shall be landscaped with plant materials that are appropriate to the use and location and in a configuration that is approved by the Planning Board.

Table 3.25-2A Lot Standards: G-RM Subdistrict

	Minimum	Maximum
A. Lot area	—	—
B. Lot width	30 feet 18 feet for townhouses	70 feet
C. Lot depth	75 feet	—
D. Front setback	10 feet	20 feet
E. Side setback	0 feet	12 feet each side
F. Rear setback	15 feet to principal building 5 feet to outbuilding	—
G. Frontage occupancy	50%	80% (100% for townhouses)
H. Build-to-corner	Not required	



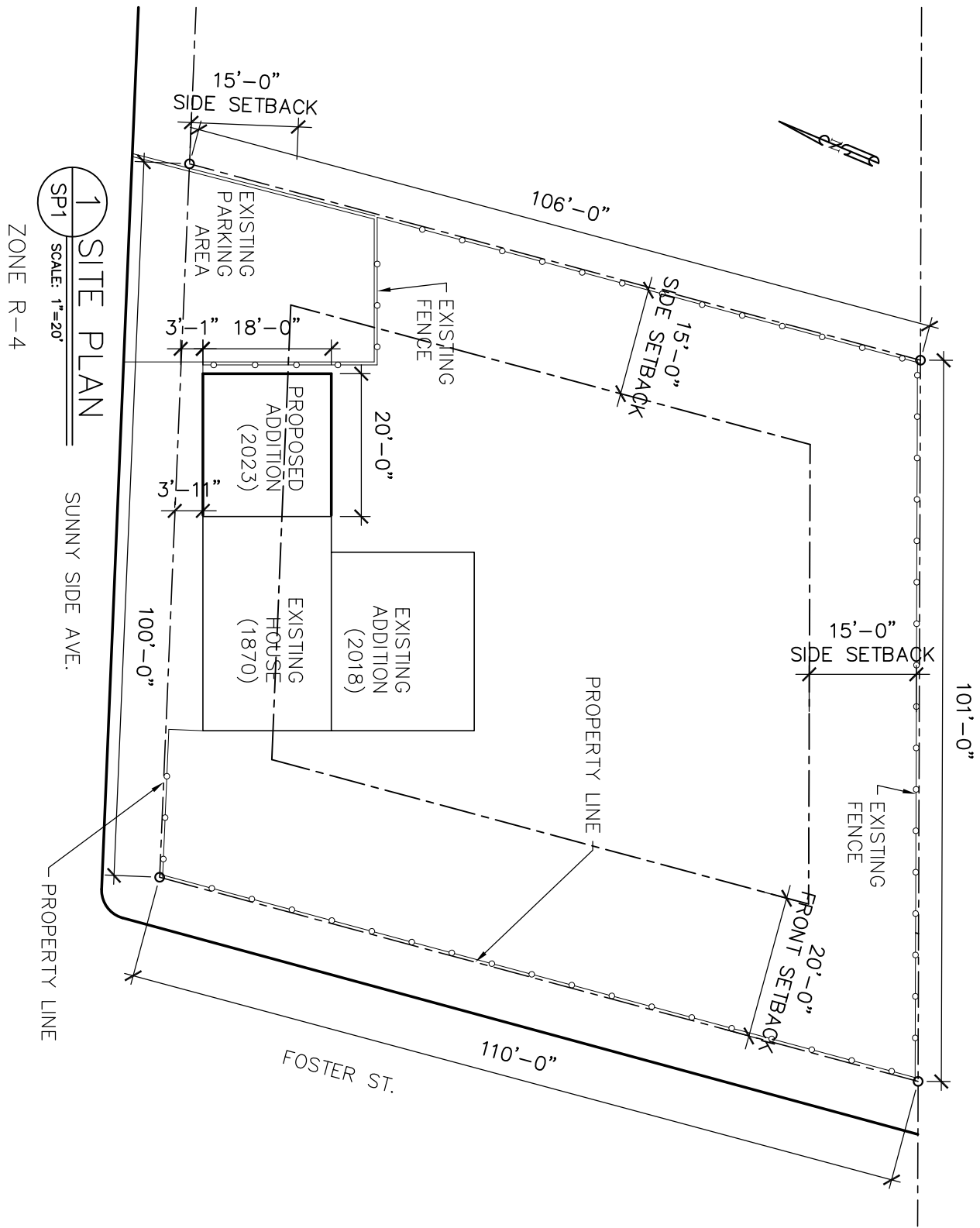
617.20
Appendix B
Short Environmental Assessment Form

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.

Part 1 - Project and Sponsor Information							
Name of Action or Project: 7 FOSTER STREET							
Project Location (describe, and attach a location map): PROJECT IS LOCATED ON THE CORNER OF FOSTER STREET AND SUNNYSIDE AVENUE.							
Brief Description of Proposed Action: CONSTRUCT A NEW 18'x20' TWO STORY ADDITION ON AN EXISTING HOUSE.							
Name of Applicant or Sponsor: JOSE JUAREZ		Telephone: 845-452-4391 E-Mail: MAGGYJUAREZ208@GMAIL.COM					
Address: 7 FOSTER STREET							
City/PO: POUGHKEEPSIE		State: NY	Zip Code: 12601				
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%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☒</td> <td style="text-align: center; padding: 2px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: SITE PLAN APPROVAL			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☐</td> <td style="text-align: center; padding: 2px;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3.a. Total acreage of the site of the proposed action?		0.24 acres					
b. Total acreage to be physically disturbed?		0.008 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.24 acres					
4. Check all land uses that occur on, adjoining and near the proposed action. ☒ Urban ☐ Rural (non-agriculture) ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							



1 SITE PLAN
SP1 SCALE: 1"=20'

ZONE R-4

SUNNY SIDE AVE.

PROPERTY LINE

FOSTER ST.

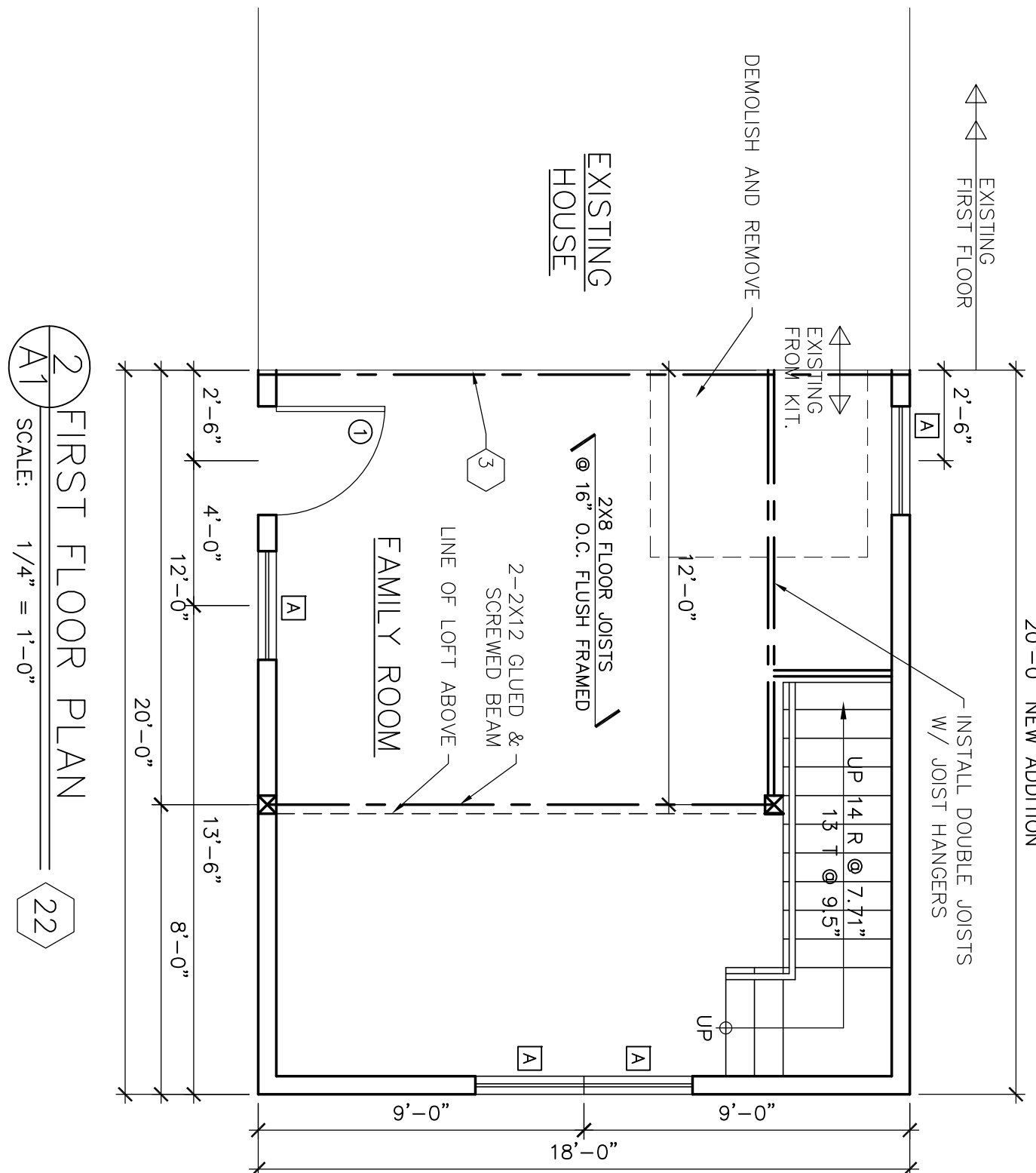
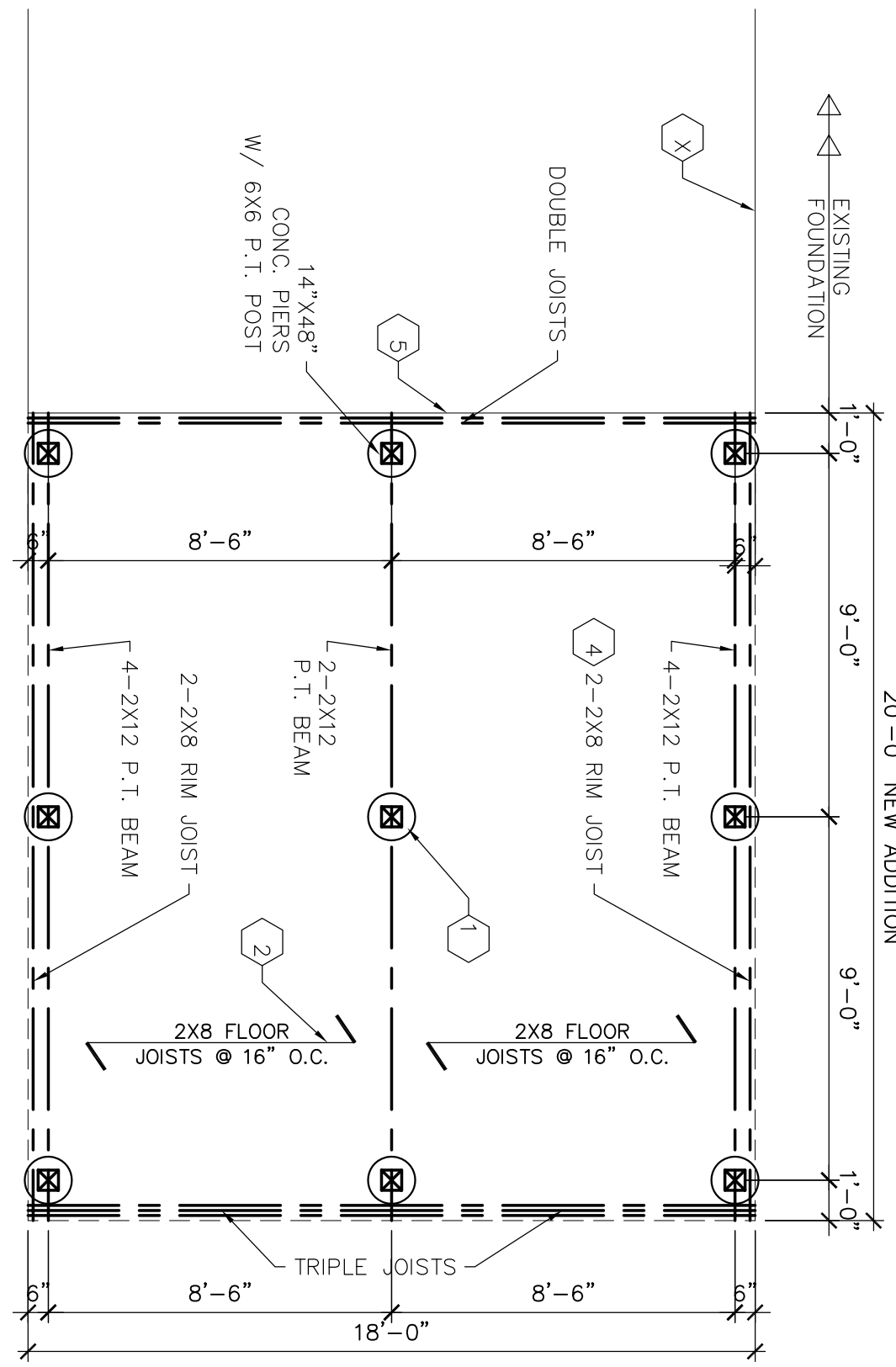
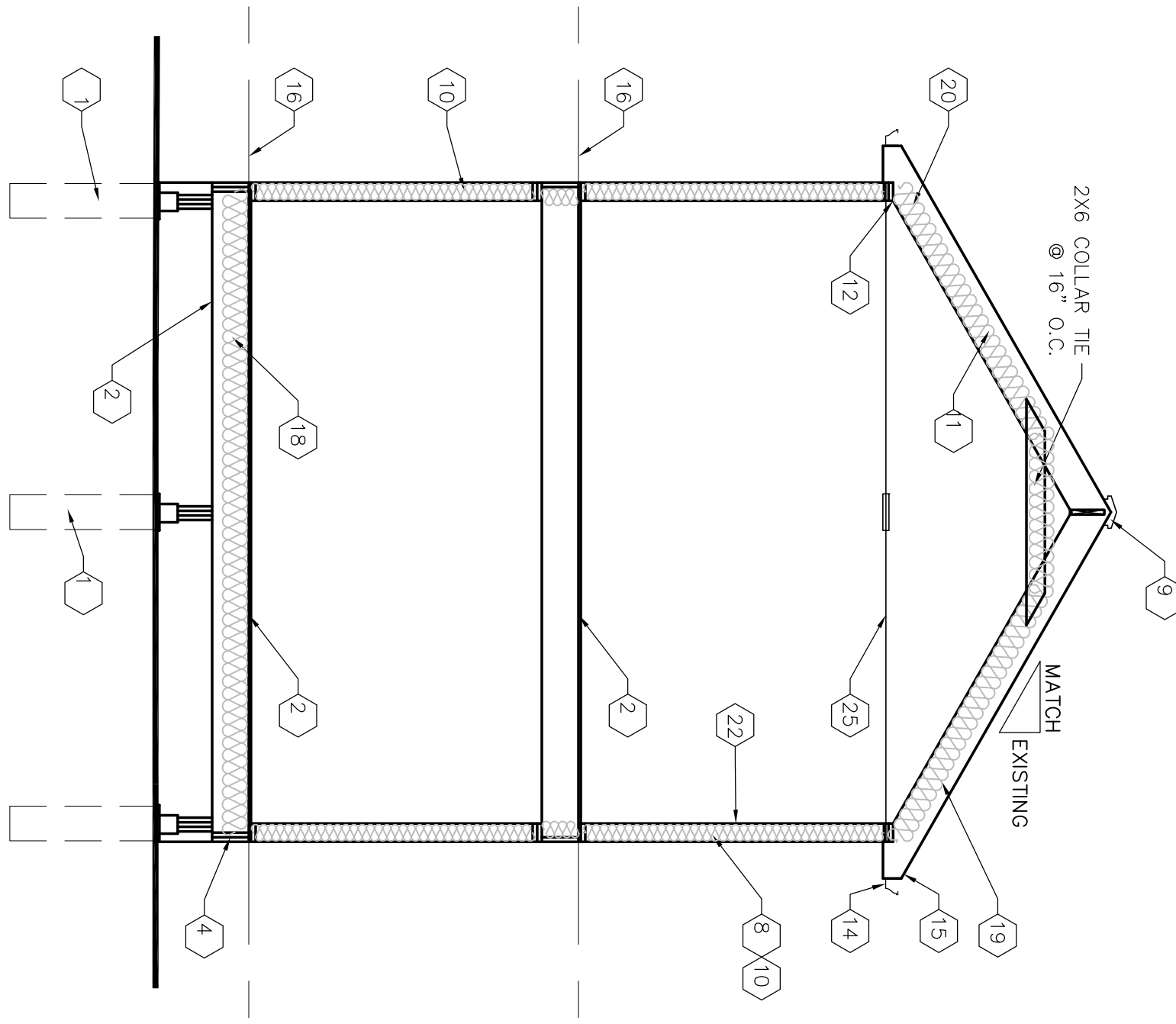
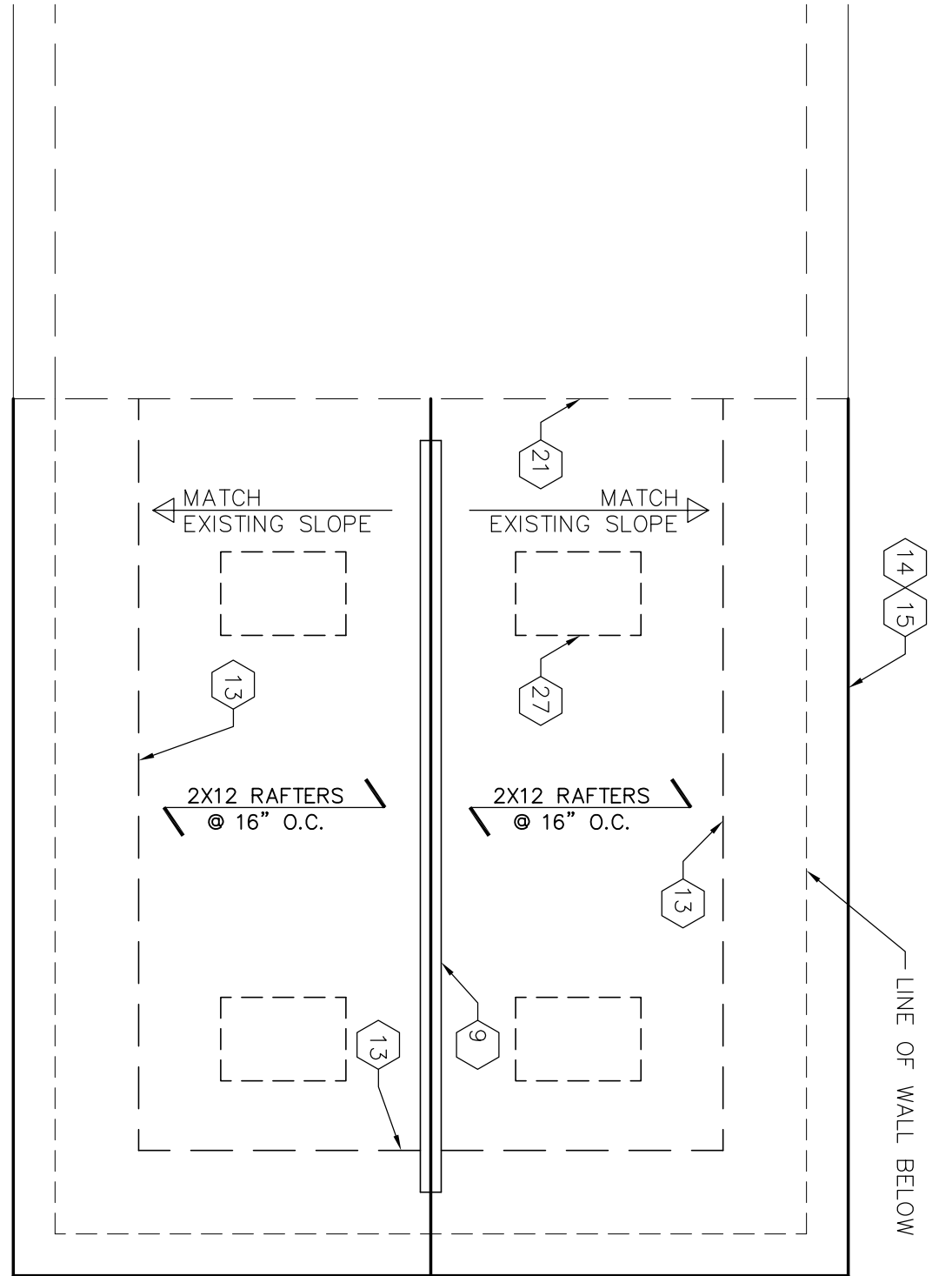
revised 7-7-23

JOB DETAIL
SP1
SHEET NO.

DATE:
6/8/23
Job No.:
23-18

CIRO INTERRANTE ARCHITECT, P.C.
25 MARKET STREET, 3RD FLOOR
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7572 Office (845) 473-7525 Fax

PROPOSED ADDITION for:
JOSE & CARMEN JUAREZ
7 FOSTER ST. POUGHKEEPSIE N.Y.



MARK	SIZE	QUAN.	DESCRIPTION	SYMBOL
1	3'-0" x 6'-8"	1	EXTERIOR DOOR	
2	2'-6" x 6'-8"	1	INTERIOR DOOR	

MARK	SIZE	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	GLASS OPENING
A	2'-11 1/2" x 4'-11 1/2"	7	SINGLE HUNG	3'-0" x 5'-0"	YES	5.79
B	14" x 30"	4	SKYLIGHT	14 1/2" x 30 1/2"	NO	0

WINDOW & DOOR NOTES:
1. EACH HABITABLE SPACE IS PROVIDED WITH AT LEAST ONE WINDOW THAT IS IN COMPLIANCE WITH NYS CODE REGULATIONS FOR USE AS AN EMERGENCY EGRESS.
2. ALL HABITABLE SPACES ARE IN COMPLIANCE WITH NYS CODE REQUIREMENTS FOR NATURAL LIGHT AND NATURAL VENTILATION.
3. ALL WINDOWS ARE INSULATED AND WEATHERSTRIPPED.
4. WINDOW MANUFACTURER TO PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE (WHERE GLASS IS WITHIN 18" OF FLOOR OR LOWER).
5. VERIFY WINDOW MODEL NUMBERS AND SIZES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION.

LIGHT & VENTILATION SCHEDULE				(PER UNIT)	
ROOM NAME	FLOOR AREA (SQUARE FEET)	LIGHT 8% (REQUIRED)	LIGHT % (ACTUAL)	VENT. 4% (REQUIRED)	VENTILATION % (ACTUAL)
FAMILY ROOM	289	23.12	47.8	11.56	43.16
LOFT	195	15.6	35.85	7.8	17.38

TYPICAL CONSTRUCTION NOTES

- INSTALL 6x6 PRESSURE TREATED COLUMNS ON SIMPSON 4406 POST BASE AND 1/2" ANCHOR BOLTS 14" ON CENTER OR SQUARE CONCRETE PIERS, 48" BELOW GRADE.
- NEW 2x8 FLOOR JOISTS AT 16" O.C. WITH R-30 INSULATION & 3/4" PLYWOOD SUBFLOOR OVER 1/2" Gypsum Board. VERIFY MANUFACTURER'S SPECIFICATIONS TO PREVENT INFESTATION OF INSECT OR VERMIN.
- REMOVE EXISTING EXTERIOR SIDING DOWN TO ORIGINAL WOOD SHEATHING & INSTALL A NEW LAYER OF 7/16" ZIP SHEATHING OVER OLD SHEATHING. NAIL PER MANUFACTURER'S SPECS.
- INSTALL 2-2x8 FLOOR JOIST AROUND ENTIRE PERIMETER OF FIRST FLOOR.
- INSTALL 2x8 LEDGER SCREWED TO EXISTING HOUSE w/ 2 TIMBER SCREWS PER HOUSE STUD.
- INSTALL EXHAUST FAN DUCTED TO OUTSIDE.
- REMOVE EXISTING WINDOW & TRIM OUT OPENING MATCH EXISTING HOUSE TRIM & VINYL SIDING.
- INSTALL "SNOW COUNTRY" RIDGE VENT BY GAF.
- INSTALL 7/16" OSB SHEATHING w/ TYVEK HOUSE WRAP OVER 2x6 STUDS @16" O.C. w/ R-21 INSULATION WITH VINYL SIDING TO MATCH EXISTING 2x12 ROOF RAFTERS AT 16" O.C. 5/8" PLYWOOD ROOF DECK, 15 LB. FELT & ARCHITECTURAL SHINGLES TO MATCH EXISTING.
- INSTALL HURRICANE TIES, #12 5A BY "SIMPSON STRONG-TIE" 1 @ EACH END OF RAFTERS.
- 36" ICE & WATER SHIELD IN VALLEYS & 24" IN FROM OUTSIDE FACE OF STUD WALLS ON EAVES.
- INSTALL GUTTERS & DOWN SPOUTS TO MATCH EXISTING.
- CONTINUOUS 1x6 FASCIA & CONTINUOUS ALUM. DRIP EDGE WITH CONTINUOUS VENTED SOFFIT.
- CONTRACTOR IS RESPONSIBLE TO ASSURE THAT NEW FLOORS ALIGN AND ARE FLUSH WITH EXISTING FIRST & SECOND FLOORS.
- IN 2 STORY AREA, INSTALL 2x6 ONE PIECE BALLOON FRAMED STUDS @ 16" O.C.
- 2x8 FLOOR JOISTS @ 16" O.C.
- EXTEND R38 ROOF FIBERGLASS INSULATION TO OUTSIDE FACE OF STUD WALL.
- INSTALL "ACQUENT" BAFFLES IN EACH RAFTER SPACE.
- ARCHITECTURAL SHINGLES TO MATCH EXISTING OVER #15 FELT. COURSE IN WITH EXISTING SHINGLES.
- INSTALL NEW 1/2" DRYWALL THROUGHOUT ON CEILINGS AND WALLS.
- CUT PROPER BIRDS MOUTH ON NEW RAFTERS AT 16 INCHES AND TWO SUPPORT BIRDS MOUTH ON COMMON TOP WALL PLATE. NAIL WITH 3-10D COMMON TOE NAILS MINIMUM. DO NOT OVER CUT BIRDS MOUTH.
- INSTALL LOFT RAILING CAPABLE TO RESIST 50 PLF AT ANY POINT ALONG THE TOP RAIL.
- INSTALL NEW 3/4" DIAMETER STEEL TIE RODS AT 7'-0" ON CENTER AND 12"x12"x1/2" STEEL PLATES ON OUTSIDE FACE OF STUD FOR ATTACHMENT OF RODS.
- CONSTRUCT NEW BATHROOM WITH SINK, TOILET AND SHOWER.
- INSTALL 4 VELUX MODEL FCM430 SKYLIGHTS.

FLOOR PLANS & NOTES

PROPOSED ADDITION FOR:
JOSE & CARMEN JUAREZ
7 FOSTER STREET, POUGHKEEPSIE, NY

CIRO INTERRANTE ARCHITECT P.C.
25 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7572 Office (845) 473-7525 Fax

DRAWN BY: D.H.

CHECKED BY: C.I.

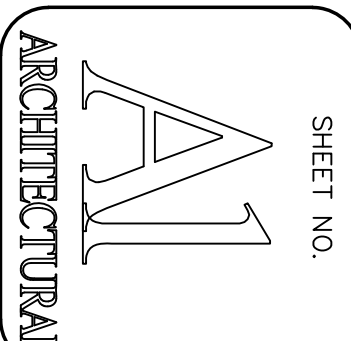
ISSUED DATE: 28 APRIL 2023



Revisions		
No.	Date	Description
1	5-8-23	GENERAL REVISIONS

PROPOSED ADDITION FOR:
JOSE & CARMEN JUAREZ

7 FOSTER STREET, POUGHKEEPSIE, N.Y.



Project Number: 23-18

SHEET NO.

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☐	YES ☒	N/A ☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO ☐	YES ☒
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 ☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO ☒	YES ☐
b. Are public transportation service(s) available at or near the site of the proposed action?		☐	☒
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		☐	☒
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 ☒
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO ☐	YES ☒
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO ☐	YES ☒
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO ☒	YES ☐
b. Is the proposed action located in an archeological sensitive area?		☒	☐
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?		NO ☒	YES ☐
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: _____		☒	☐
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ 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 ☐
16. Is the project site located in the 100 year flood plain?		NO ☒	YES ☐
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? ☒ NO ☐ YES		NO ☐	YES ☒
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☒ YES CITY OF POUGHKEEPSIE MUNICIPAL STORM WATER SYSTEM			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	☒	☐
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
_____	☒	☐
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
_____	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>ALFRED INTERRANTE</u> Date: <u>7-29-23</u> Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

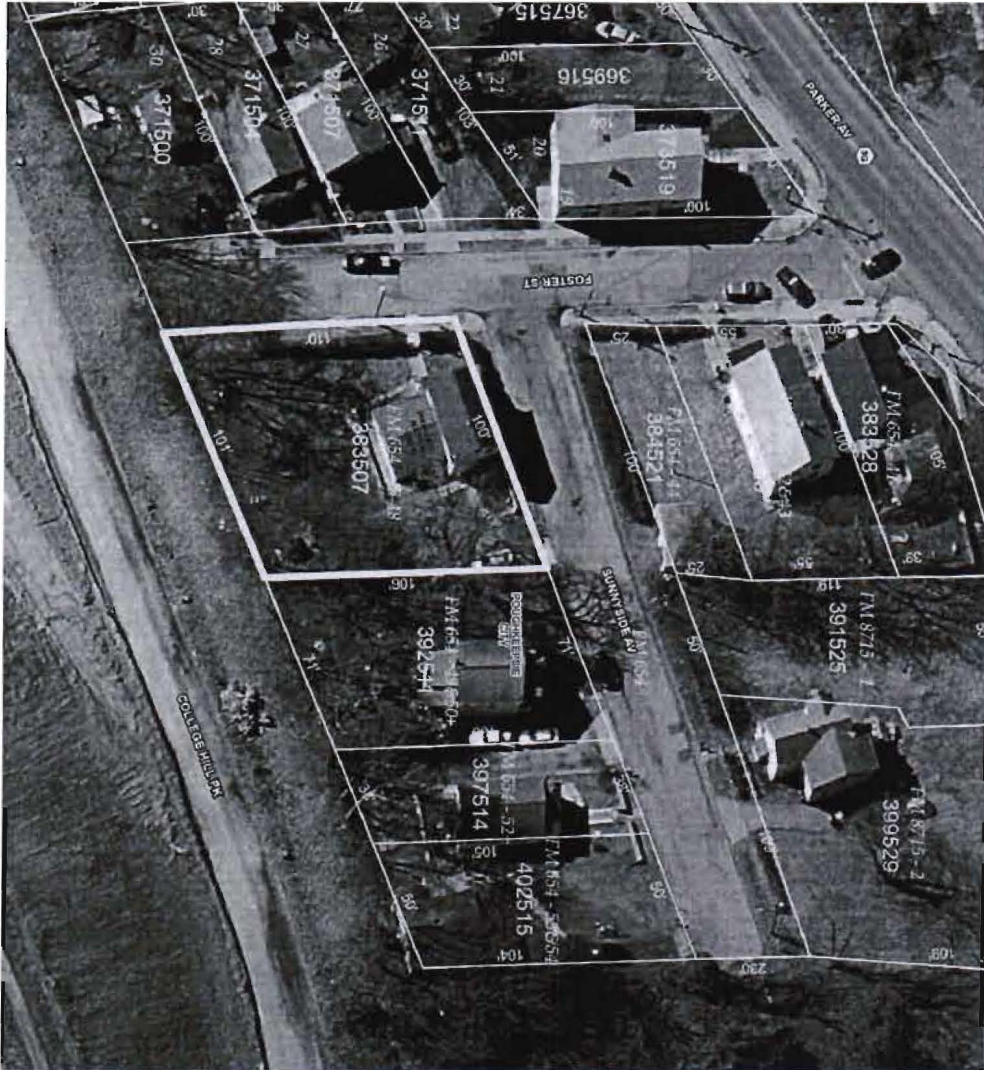
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing:	☐	☐
a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Name of Lead Agency Date	
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer	
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)	

PRINT



1
A1
SCALE: 1" = 100'-0"

JOB DETAIL

SP2
SHEET NO.

Job No.:
23-18

DATE:
9/14/23

CIRO TERRANTE ARCHITECT, P.C.

25 MARKET STREET, 3RD FLOOR
POUGHKEEPSIE, NEW YORK 12601

(845) 473-7572 Office

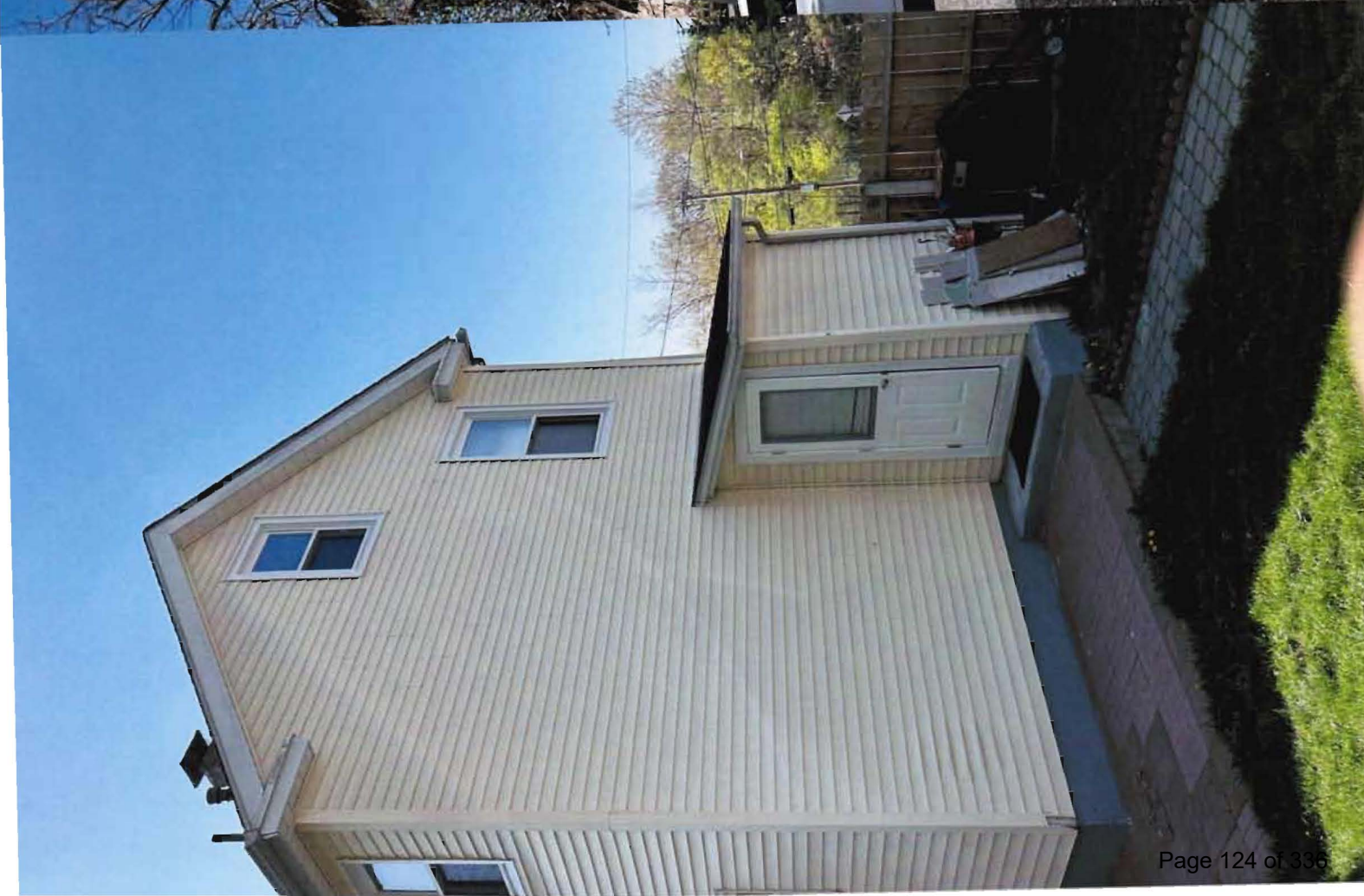
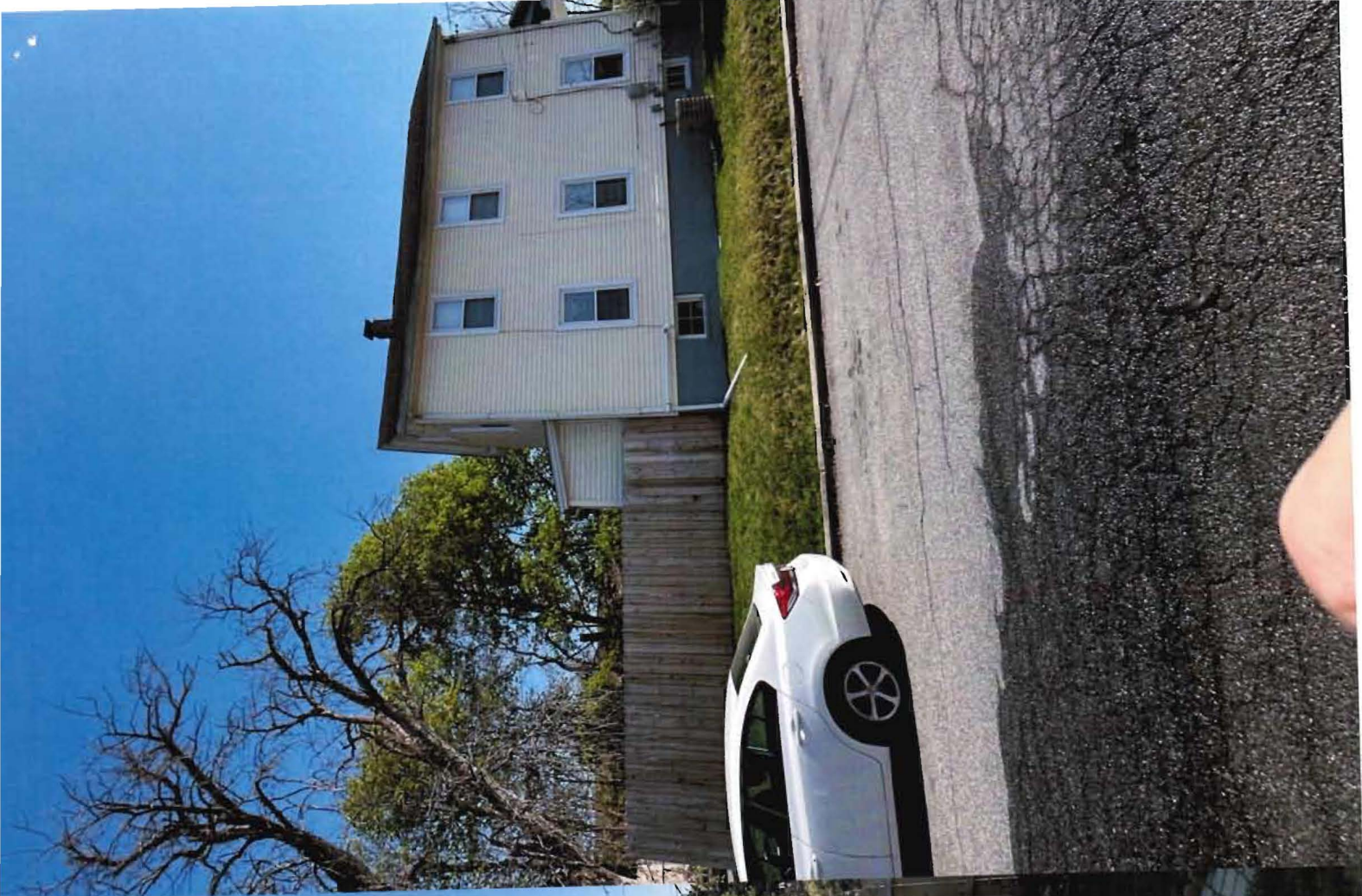
(845) 473-7525 Fax

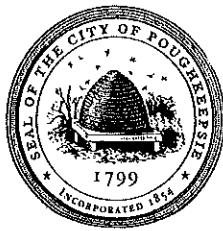
PROPOSED ADDITION for:

JOSE & CARMEN JUAREZ

7 FOSTER ST.

POUGHKEEPSIE N.Y.





**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 147 Union Street Poughkeepsie, NY 12601

ZONING DISTRICT: R-4A - Central Urban Density Residence District

OWNER INFORMATION:

Name: Colonial Realty Holding LLC (Berry Kohn)
Address: 147 Union Street Poughkeepsie NY 12601

Phone: _____
Email: _____

APPLICANT INFORMATION:

Name: Chai Developers LLC (Berry Kohn)
Address: 147 Union Street Poughkeepsie, NY 12601

Phone: 201-753-1445
Email: jay@chaidevelopers.com

CONSULTANT INFORMATION:

Name: Natalie Quinn, KARC Planning Consultants, Inc.
Address: PO Box 924 Poughkeepsie, NY 12602

Phone: 845-874-7166
Email: natalie@karcpc.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, Building Inspector

Date of decision/determination/violation: September 19, 2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 147 Union Street Poughkeepsie NY 12601

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
19-3.19(4)(b) & 19-3.19(4)(c)	6,000 square feet of lot area for retail spaces and 9,600 square feet of lot area for residential units for a total lot area of 15,600 square feet.	2,488 square feet of lot area

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: 147 Union Street Poughkeepsie NY 12601

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):

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

October 2, 2023
DATE

Natalie Quinn

Print Name

October 2, 2023

Lori Garcia
Board Administrative Assistant
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: 147 Union Street
Area Variance Application – Justification**

Code Section	Type	Required	Provided	Variance
19-3.19(4)(b) 19-3.19(4)(c)	Lot Area	6,000 SF for retail +750 SF per Studio + 900 SF per 1-bed ----- Total 15,600 SF	13,112 SF	2,488 SF

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, explain why.

The Union Street Historic District neighborhood is currently characterized as medium-density residential, with instances of small scale commercial, such as Rossi's Deli, compactly arranged in historic structures that are built side-by-side on narrow lots with narrow streets. Many residents consider the Union Street Historic District to be one of the city's most walkable residential neighborhoods due to its proximity to Main Street and the Poughkeepsie Train Station, and its compact, dense urban form. The requested lot area variance of 2,488 SF will have zero impact on the aesthetic characteristics of the neighborhood since the lot and building are existing and no exterior modifications or expansions are proposed.

Furthermore, the addition of retail businesses on the ground floor will improve the character of the community by adding new shops and businesses within walking distance for residents. It is worth noting that retail was recently added as a permitted use to the R-4A district by the Common Council with the specific intent of creating more neighborhood scale commercial to the area.

- 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 designed, purchasing of contiguous properties, etc.). Why is the variance necessary?**

The benefit sought by the applicant includes the creation of much needed rental units within the Union Street neighborhood, as well as the creation of retail space desired by the City of Poughkeepsie and local residents. The proposed layout of units was specifically crafted to work within the existing structure. The applicant explored other design layouts for the project in an attempt to achieve their desired benefit while eliminating or lessening the need for a lot area variance. The design proposed was deemed to be the best option for the addition of one-bedroom units and superior unit layout, while still achieving a project that is financially feasible and meets the city's desire for neighborhood commercial.

- 3. Is the requested area variance(s) substantial? Explain why they are not substantial.**

The requested lot area variance of 2,488 square feet is only 16% of the total required lot area. The requested variance is numerically insubstantial, but more importantly, will not have a substantial adverse impact on the community.

- 4. Will the variance have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?**

The requested variance will have no impact on environmentally sensitive land, such as wetlands. The project is not significant enough to be classified as a Type 1 Action nor rise to the level of triggering a coordinated review under SEQRA.

- 5. Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.**

The need for area variances is self-created due to the applicant's desire to rehabilitate an existing structure and add needed housing units to the community via a financially feasible development—i.e. requiring a specific number of units and ground floor retail space to meet the intent of the recent R-4A rezoning. However, the fact that the hardship is self-created does not preclude the granting of the variances.



PLANNING CONSULTANTS, INC.

October 2, 2023

Lori Garcia
Board Administrative Assistant
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: 147 Union Street
Area Variance Application**

Dear Ms. Garcia:

This application is for an area variance regarding lot area at 147 Union Street, which falls within the Central Urban Density Residence (R4-A) Zoning District. The proposed project includes a change of use at 147 Union Street from mixed use (office and residential) to mixed use (retail and residential). The existing use includes 6,500 sq. ft. of office, four (4) two-bedroom residential units, and approximately 3,000 sq. ft. of basement storage space. The proposed use will include approximately 4,000 sq. ft. of retail commercial space, eleven (11) residential units, and approximately 3,000 sq. ft. of basement storage space. The proposed residential layout includes two (2) efficiency / studio units and nine (9) one-bedroom units.

Section 19-3.19(4)(b) and Section 19-3.19(4)(c) of the City of Poughkeepsie Zoning Code require a total of 15,600 square feet of lot area for the proposed use - 6,000 square feet of lot area for retail commercial spaces and 9,600 square feet of lot area for the residential units (750 sq. ft. per studio unit, 900 sq. ft. per one-bedroom unit). The lot contains 13,112 square feet of lot area. We are therefore requesting an area variance of 2,488 square feet.

The open space variance that is mentioned on the denial letter has been eliminated. See sheet A-3 of the plan set, prepared by abarchitekten, that shows 3,200 square feet of open space is provided on site with the smallest dimension being 47'4". The provided open space exceeds the required open space of 3,100 square feet with a minimum dimension requirement of 40 feet per Section 19-3.19(4)(k) of the zoning code.

Enclosed are nine (9) copies of the following documents for your review:

1. Area Variance Application dated October 2, 2023
2. Cover letter dated October 2, 2023

3. Plans prepared by abarchitecten dated August 8, 2023 (11x17 – to scale)
4. Short Form EAF dated October 2, 2023
5. City of Poughkeepsie Building Department denial letter dated September 19, 2023.
6. Photographs of existing open space to be retained, no date.

Sincerely,



Natalie Quinn



PROJECT

147 UNION STREET
POUGHKEEPSIE, NY

SCHEMATIC DESIGN

ISSUE	DESCRIPTION	DATE
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DRAWING TITLE

SITE PLAN

DATE	SCALE
08/03/2023	1/64" = 1'-0"
SHEET	

A-1



PROJECT

147 UNION STREET
POUGHKEEPSIE, NY

SCHEMATIC DESIGN

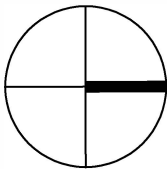
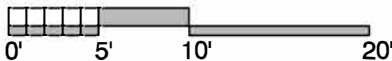
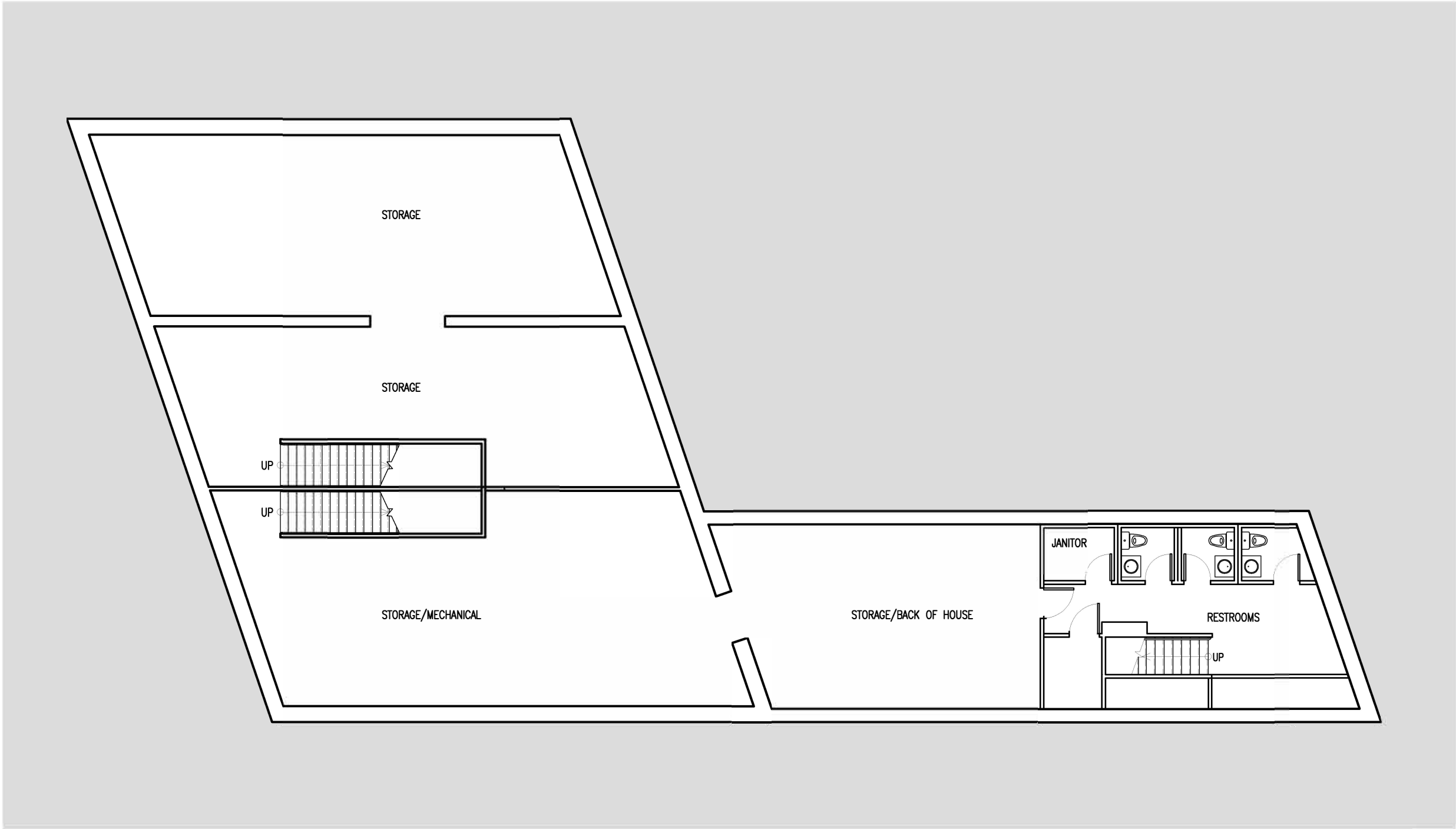
ISSUE	DESCRIPTION	DATE
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DRAWING TITLE

CELLAR PLAN

DATE	SCALE
08/03/2023	3/32" = 1'-0"
	SHEET

A-2





PROJECT
**147 UNION STREET
POUGHKEEPSIE, NY**

SCHEMATIC DESIGN

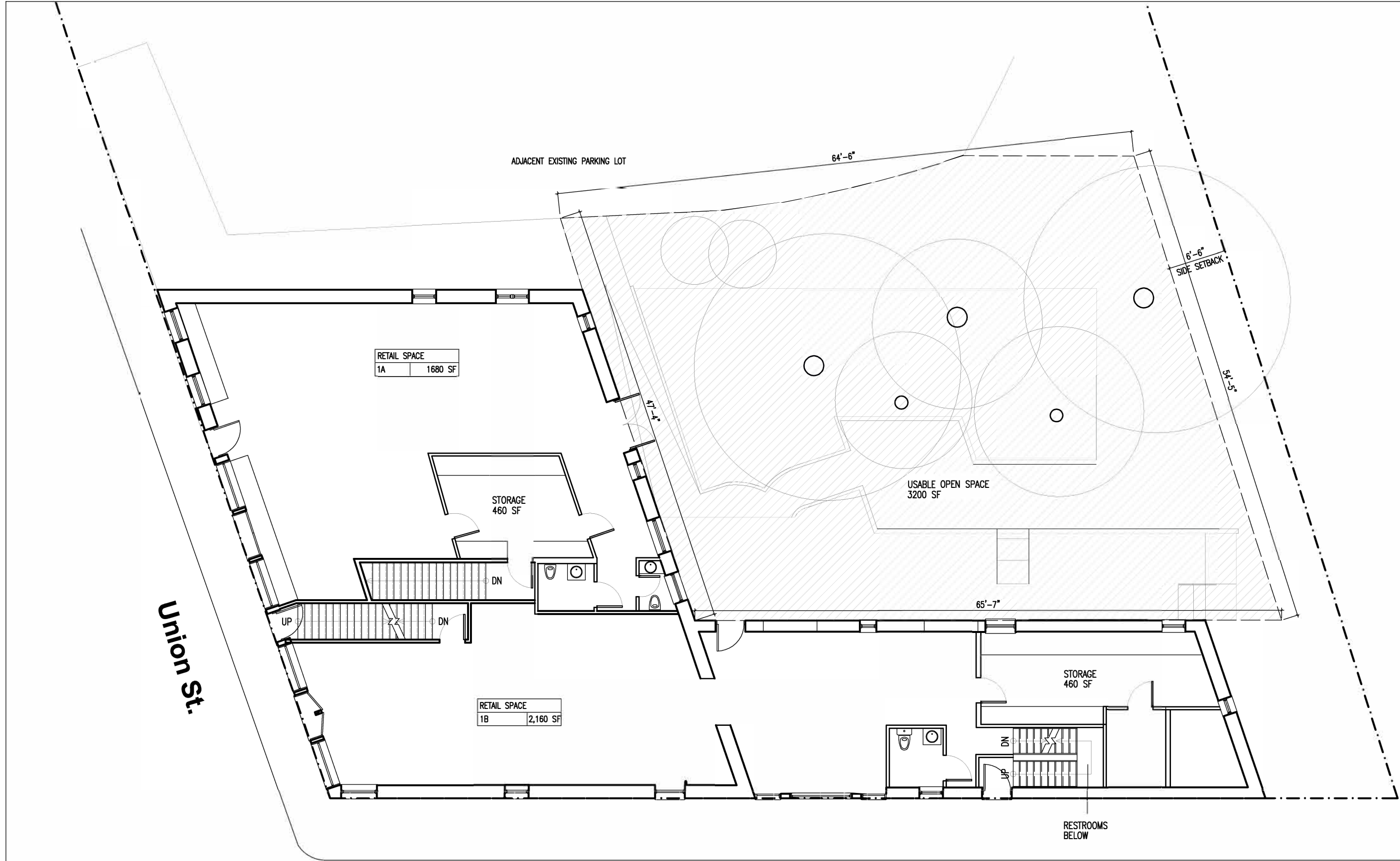
ISSUE	DESCRIPTION	DATE
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DRAWING TITLE

1ST FLOOR PLAN

DATE	SCALE
08/03/2023	3/32" = 1'-0"
	SHEET

A-3





PROJECT
**147 UNION STREET
POUGHKEEPSIE, NY**

SCHEMATIC DESIGN

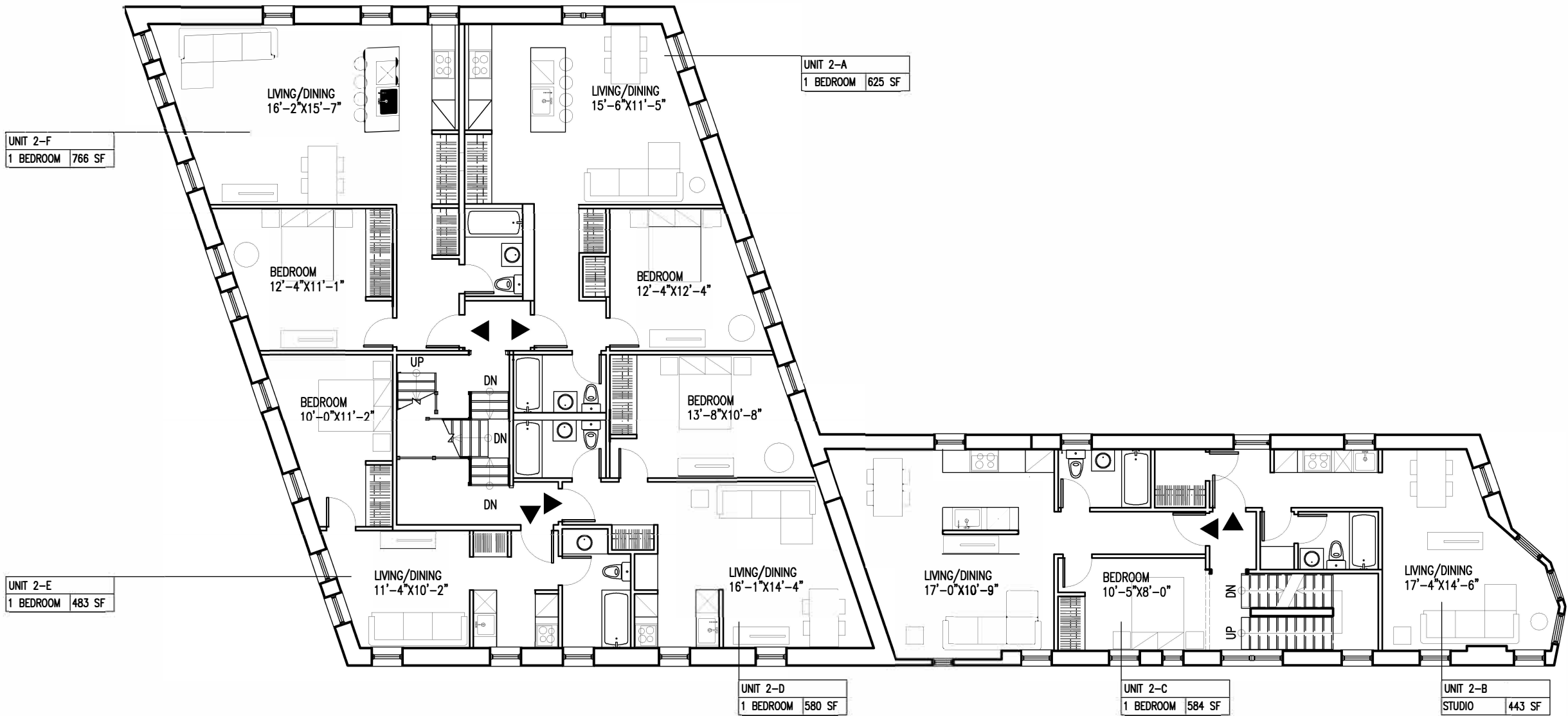
ISSUE	DESCRIPTION	DATE
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DRAWING TITLE

2ND FLOOR PLAN

DATE	SCALE
08/03/2023	3/32" = 1'-0"
SHEET	

A-4





PROJECT
**147 UNION STREET
POUGHKEEPSIE, NY**

SCHEMATIC DESIGN

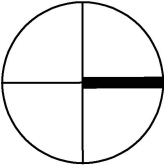
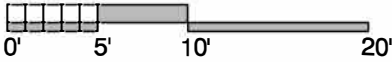
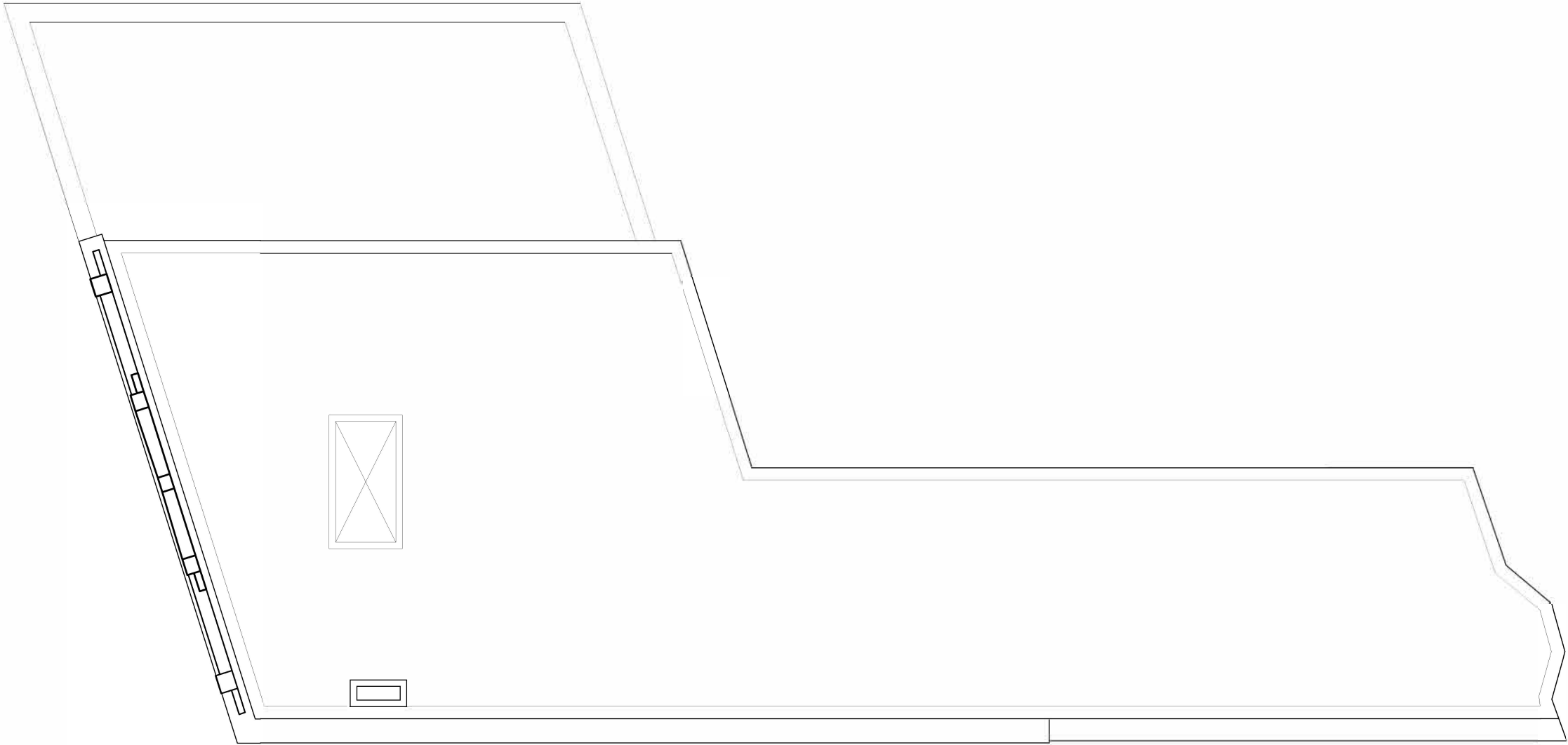
ISSUE	DESCRIPTION	DATE
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DRAWING TITLE

ROOF PLAN

DATE	SCALE
08/03/2023	3/32" = 1'-0"
	SHEET

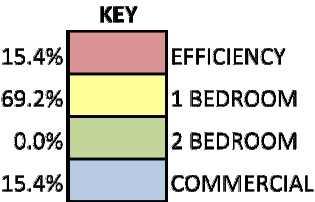
A-6
Page 137 of 336



147 UNION ST - FLOOR AREA TABULATIONS

Floor	Total Gross	Residential Units										# Units	Total
		A	B	C	D	E	F	G	H				
2nd (Residential)	3870	766	625	483	580	584	443					6	3,481
3rd (Residential)	2970	580	475	580	580	582						5	2,797
1st (Commercial)	3840	1680	2160									2	3,840
Total	10680											11	10,118

APARTMENT DISTRIBUTION	
EFFICIENCY	2
1 BEDROOM	9
2 BEDROOM	0
COMMERCIAL	2
TOTAL UNITS	13



PROJECT
**147 UNION STREET
POUGHKEEPSIE, NY**

SCHEMATIC DESIGN

ISSUE	DESCRIPTION	DATE
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DRAWING TITLE

TABULATIONS

DATE	SCALE
08/03/2023	3/32"=1'-0"
SHEET	

Short Environmental Assessment Form

Part 1 - Project Information

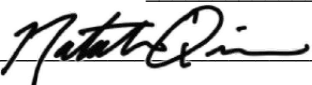
Instructions for Completing

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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 147 Union Street - Area Variance			
Project Location (describe, and attach a location map): 147 Union Street Poughkeepsie, NY 12601			
Brief Description of Proposed Action: Area variance regarding the lot area requirement. Section 19-3.19(4)(b) and Section 19-3.19(4)(c) of the City of Poughkeepsie Zoning Code require a total of 15,600 square feet for the proposed use, which includes 6,000 square feet of lot area for retail commercial spaces and 9,600 square feet of lot area for the residential units. The lot contains 13,112 square feet of lot area. We are requesting an area variance of 2,488 square feet.			
Name of Applicant or Sponsor: Applicant: Chai Developers LLC; Agent: Natalie Quinn, KARC Planning Consultants, Inc.		Telephone: 845-874-7166 E-Mail: natalie@karcpc.com	
Address: 147 Union Street			
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
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 ☒	YES ☐
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 ☒	YES ☐
3. a. Total acreage of the site of the proposed action? _____ 0.301 acres b. Total acreage to be physically disturbed? _____ 0.000 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.709 acres		47 Delano Street	
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
The proposed action will meet the state energy code requirements. _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☐	☒	
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?	NO	YES	
	☐	☒	
147 Union Street is on the NR and SR, the property also falls within the Union Street Historic District (NR).	☐	☒	
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?			
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?	NO	YES	
	☒	☐	
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: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ 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? Atlantic Sturgeon, Peregrin...	NO	YES
	☐	☒
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
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
	☒	☐
	☒	☐
	☒	☐
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
	☒	☐
49. 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
	☒	☐
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
	☐	☒
178-188 Main Street and 11 South Bridge Street (Queen City Lofts). Site Code: C314125. certificate of completion granted 12/31/2018.		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Natalie Quinn</u> Date: <u>October 2, 2023</u> Signature: <u></u> Title: <u>Agent for Applicant</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



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]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Peregrine Falcon, Shortnose Sturgeon
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



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

September 19th, 2023

Chai Developers LLC
147 Union Street
Poughkeepsie NY 12601

RE: 147 Union Street
ID: 451100
Application # BP-23-1492

To whom it may concern,

The Building Department has received your application # BP-23-1492 for the conversion of the existing 3 story office building to a mixed-use building containing 2 retail spaces on the 1st floor with 2 studio apartments and nine 1-bedroom apartments on the 2nd and 3rd floors located at 147 Union Street. Please be advised that the property at 147 Union Street is located in an area of the City zoned Central Urban Density Residence District (R-4A) which allows all the uses proposed above. Although these uses are allowed and will not require Site Plan approval from the Planning Board, an area variance will be required for lot area and possibly usable open space, please see below;

1. **Section 19-3.19(4)(b) & Section 19-3.19(4)(c)** will require a total of 15,600 square feet of lot area for the proposed use, 6,000 square feet of lot area for the retail spaces and 9,600 square feet of lot area for the residential units. This lot contains 13,112 square feet of lot area and thus would require a variance of 2,488 square feet of lot area.
2. **Section 19-3.19(4)(k)** will require a total of 3,100 square feet of usable open space with a minimum dimension of 40' for the proposed use. The provided plan shows 3,200 square feet of open space with no detail and the plan was not provided to scale. Please provide a more detailed plan when applying for the lot area variance so that we can confirm compliance with this section, if the plan does not comply, a variance for open space will also be required.

Therefore, your application is hereby denied. You may appeal the terms of this denial to the Zoning Board of Appeals within thirty (30) days of the date of denial.

If you have any questions, you can reach me at 845-451-4273

Very truly yours,
Joseph O'Brien
Deputy Zoning Administrator
Page 1



PLANNING CONSULTANTS, INC.

October 2, 2023

Judith Knauss
Deputy Zoning Administrator
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

Lori Garcia
Board Administrative Assistant
City of Poughkeepsie
61 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: 147 Union Street
Area Variance Application – Photos**

The following images depict the current site conditions regarding the open space that will be retained at 147 Union Street.

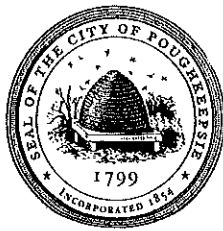












**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006**

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 50 Delafield Street Poughkeepsie, NY 12601

ZONING DISTRICT: R-4, Medium High-Density Residential

OWNER INFORMATION:

Name: Astor Services
Address: 6339 Mill Street
Rhinebeck, NY 12572
Phone: 845-871-1000
Email: SMcLaughlin@astorservices.org

APPLICANT INFORMATION:

Name: Jay Diesing RA, AIA - Mauri Architects PC
Address: 73 Mansion Street
Poughkeepsie, NY 12601
Phone: 845-452-1030
Email: Jay@Mauri-Architects.com

CONSULTANT INFORMATION:

Name: Jay Diesing RA, AIA - Mauri Architects PC
Address: 73 Mansion Street
Poughkeepsie, NY 12601
Phone: 845-452-1030
Email: Jay@Mauri-Architects.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: August 16, 2023 (Letter Item #1 and #8)

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 50 Delafield Street Poughkeepsie, NY 12601

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
19-4.13(1)	Accessory structures to be located in side or rear yard	Accessory structures (heat pump compressors) to be located in front yard
19-4.3(11)(a)	One parking space per staff member (88) plus one space per classroom (13) = 101 required parking spaces	51 parking spaces provided - variance requested for remaining 50 parking spaces

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: 50 Delafield Street Poughkeepsie, NY 12601

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):

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

October 11, 2023

DATE

Jay Diesing RA, AIA

Print Name



MARTIN J. DIESING AIA
RICHARD K. TOMPKINS AIA

October 11, 2023

Mr. Scott Parker, Chair and Zoning Board of Appeals Members
City of Poughkeepsie Zoning Board of Appeals
62 Civic Center Plaza
Poughkeepsie, NY 12601

**RE: Astor Head Start
50 Delafield Street
Poughkeepsie, NY 12601**

Dear Chair Parker and Zoning Board of Appeals Members:

Enclosed for your review is an application for Area Variances regarding the above referenced property. The existing site is a Head Start Pre-School operated by Astor Services. The project includes the installation of energy efficient air-conditioning and heat-pump HVAC systems. Upon review of the project, the City Deputy City Zoning Administrator issued the attached letter dated August 16, 2023. This letter includes comments related to the installation of the outdoor heat pump units as well as other as-built conditions that vary from the most recently approved Site Plan.

Our application to the Zoning Board of Appeals is a request for relief specifically related to Item #1 and #8 of the Deputy City Zoning Administrator's Letter. The remaining items in this letter are addressed on the Proposed Site Plan and do not require Zoning Variances.

Letter Item #1: Section 19-4.13(1) requires that accessory uses be located either within the principal building or in any side or rear yard and such uses shall not be located within six feet of any adjoining property line. The new HVAC units are proposed to be located within the front yard of the building along Hoffman Street.

This site is located with Delafield Street, Hoffman Street and Albany Street at the perimeter. As such, those three yards would all be considered "front" yards. The south side of the building would be considered a "side" yard, but it is not possible to locate the HVAC units on this side of the building due to the existing parking lot. The HVAC units will be located on the Hoffman Street side of the building as depicted on the attached Site Plan. "Shadow-box" style fencing is

proposed on the plan to screen the view of the HVAC units from Hoffman Street.

Letter Item #8: Section 19-4.3(11)(a) requires that for Pre-schools, 1 parking space shall be provided per staff member plus 1 space for each classroom.

The school currently has 88 employees and 13 classrooms resulting in a requirement of 101 parking spaces. 12 staff members are assigned to this building but perform offsite services at other locations. This results in an on-site staff count of 76 employees. Therefore, a total of 89 parking spaces would be necessary where 51 are provided onsite. However, some employees do not drive, and others utilize the Delafield public parking lot located within close proximity.

Variance Request Justification:

- 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.**

Granting of these variances will not produce an undesirable change in the character of the neighborhood. The outdoor heat pump units are very efficient and quiet. The units will be screened from view by decorative shadowbox style fencing. The current parking condition will not change and has existing for the recent past usage of the building.

- 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?**

There are no alternatives to granting of the requested variances. As mentioned above, being a lot with streets on three sides, only the south side of the building is considered a side yard where the outdoor heat pump units would be permitted. This side of the building cannot accommodate the heat pump units due to the existing parking lot. There is no additional lot area, or adjacent available property, that would permit the expansion of the parking area to reduce the parking variance required.

- 3. Is/are the requested area variance(s) substantial? Explain why they are not substantial.**

Although the requested area variances may seem numerically substantial, the result will not produce a noticeable change to the property or surrounding areas. The outdoor heat pumps units will be quiet and screened from view. The current parking condition will not change and has existed for the recent past usage of the building.

4. Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?

There will be no adverse effect or impact to the physical or environmental conditions in the neighborhood. The proposed outdoor heat pump units will be quiet and screened from view by decorative shadowbox style fencing. The current parking condition will not change and has existed for the recent past usage of the building.

5. Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

The need for the requested variances is unique to this property and the existing conditions. Being a lot with streets on three sides, only the south side of the building is considered a side yard where the outdoor heat pump units would be permitted. This side of the building cannot accommodate the heat pump units due to the existing parking lot. This property and school building have been in operation with the existing parking accommodations for the recent past usage of the building. There are no opportunities to expand the parking areas.

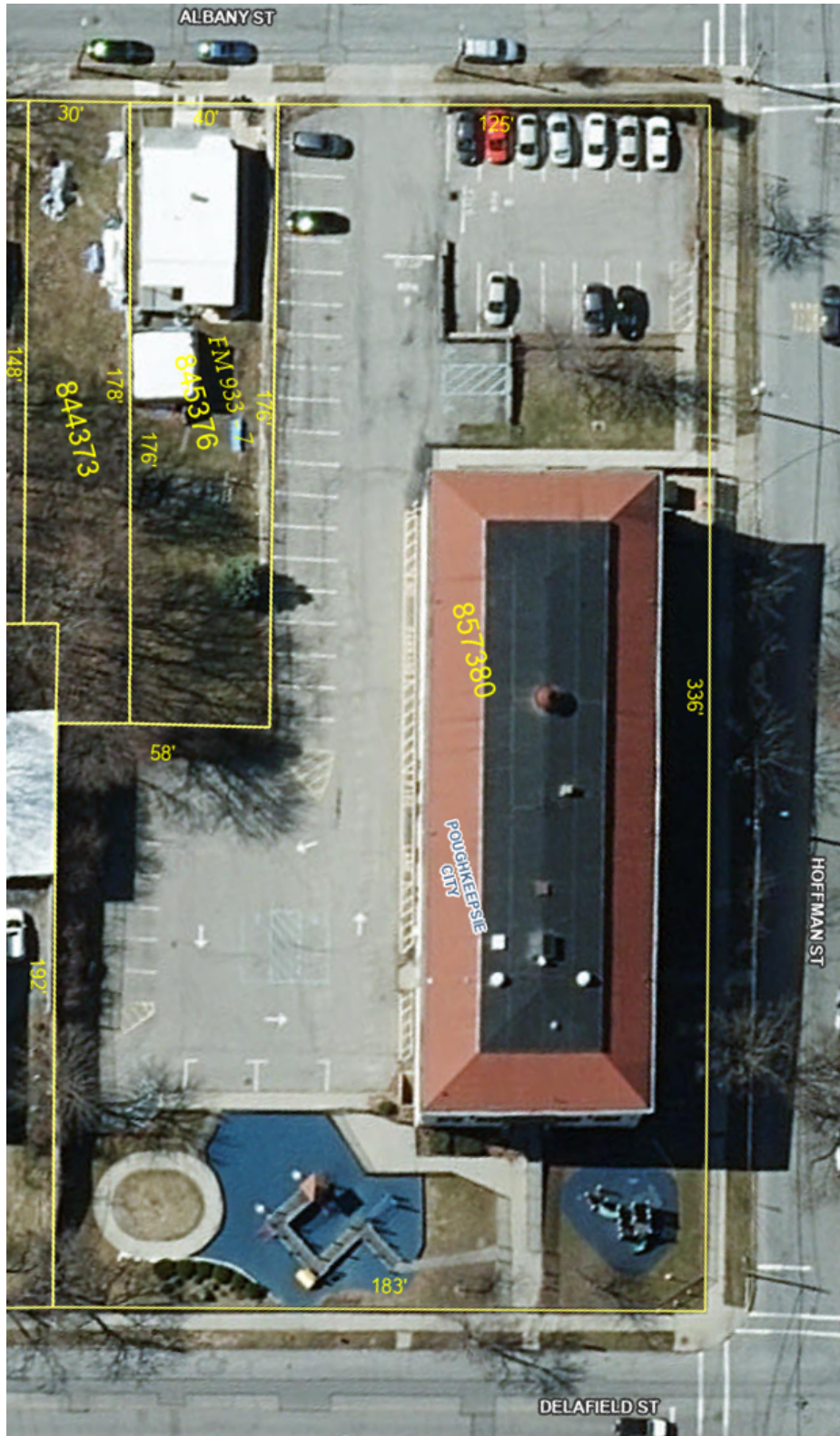
I look forward to meeting with you and the Board at the next available Zoning Board of Appeals meeting to discuss this proposal further. If you have any questions prior to the meeting, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink that reads "Jay Diesing". The signature is stylized with a large, looped "J" and "D".

Jay Diesing RA AIA

Current Site Conditions:



Overall site aerial view



View from Delafield Street



View from Hoffman Street



MARTIN J DIESING AIA
RICHARD K TOMPKINS AIA

TRANSMITTAL

Sent to: City of Poughkeepsie-Zoning Board of Appeals	From: Jay Diesing
Project: Astor Head Start - 50 Delafield Street	Project No: 22-09
Regarding: Area Varince Application	Date: 11-Oct-23

☐ Enclosed

☐ Under Separate Cover

Number of Copies	Document Title	Document Identification	Produced By
9	Letter to ZBA dated October 11, 2023		MAPC
9	ZBA Area Variace Application		MAPC
9	Site Plan	PB-1	MAPC
9	Short EAF		MAPC
9	Zoning Administrator Letter dated August 16, 2023		POK
1	Flash Drive with All submission documents		MAPC
1	Application Fee - Check #4001		MAPC

COMMENTS:

☐ For Your Information
☐ As Requested

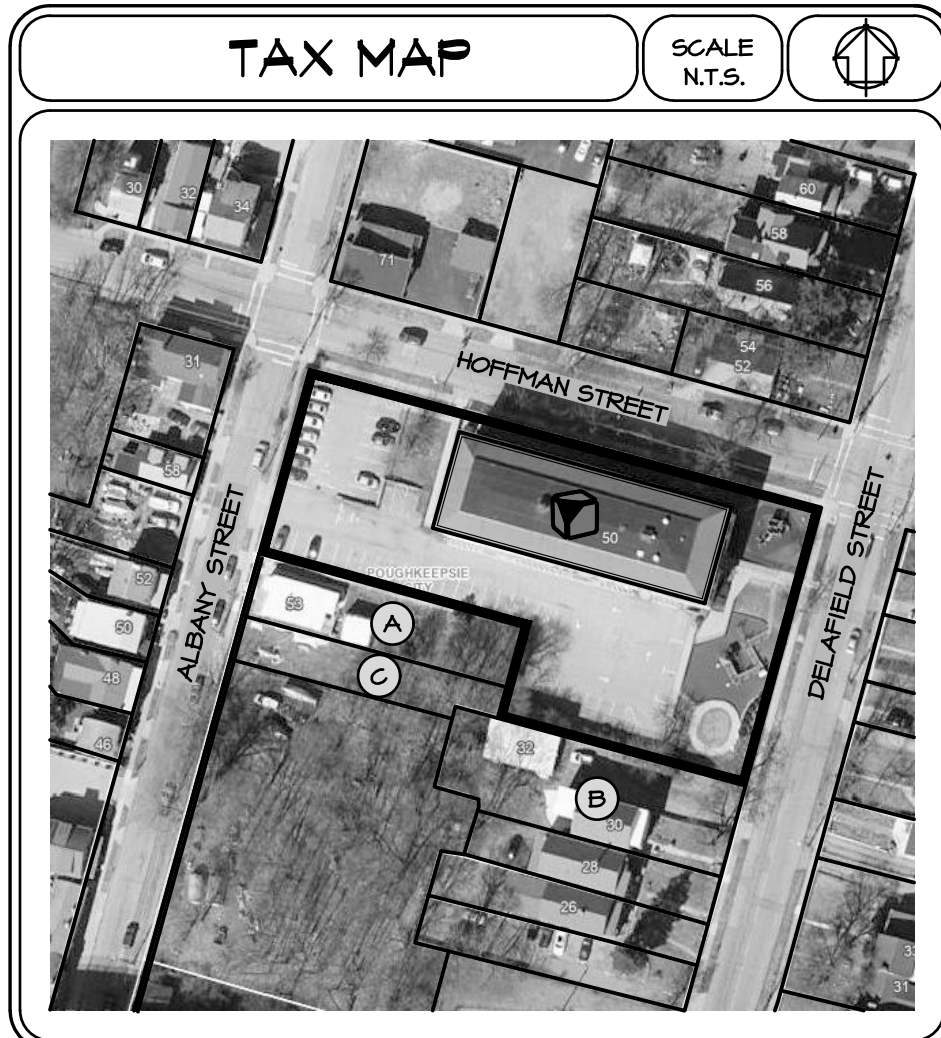
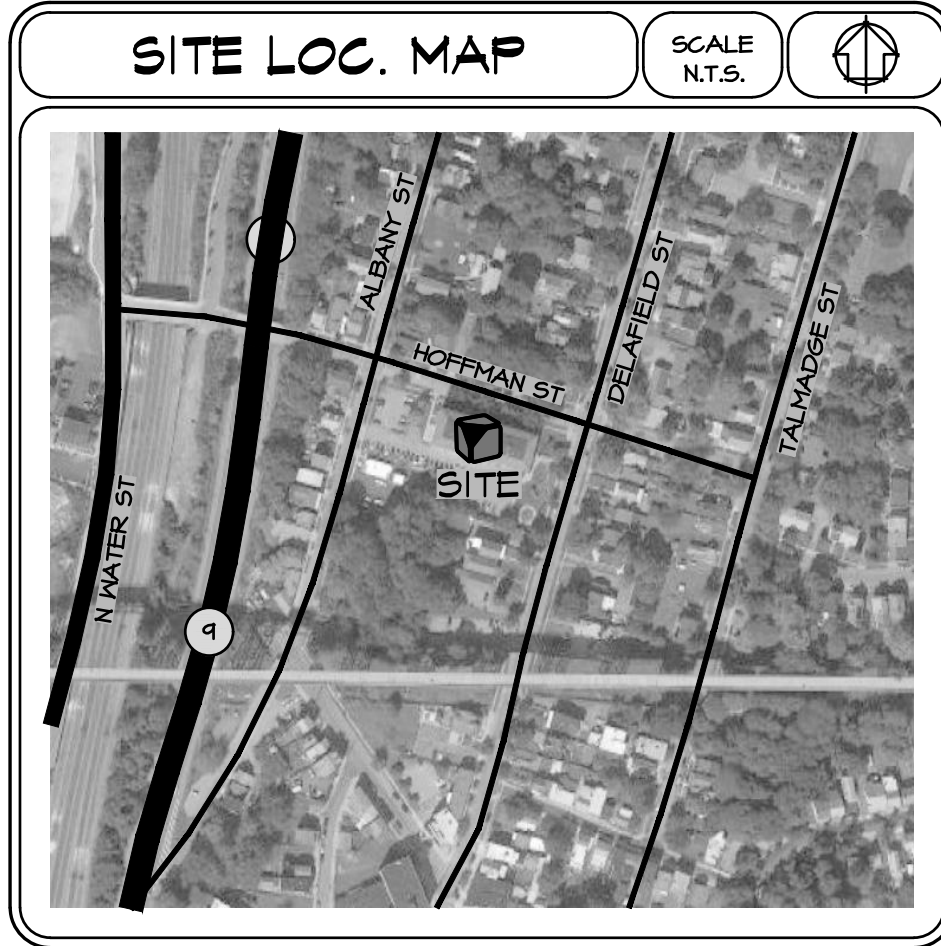
☒ For Your Approval
☐ Approved

☐ For Your Use
☐ Approved As Noted

☐ For Bidding
☐ Revise & Resubmit

COPIES TO:

ZONING DATA CHART				
CITY OF Poughkeepsie PARCEL # 131300-6062-54-051380-0000				
ZONE	R-4	REQUIRED	EXISTING	PROPOSED
LOT AREA	MIN	N/A	1.18 ± ACRES (51,408 ± SF)	NO CHANGE
LOT WIDTH	MIN	50'-0"	336'-0" ±	NO CHANGE
LOT FRONTAGE	MIN	30'-0"	336'-0" ±	NO CHANGE
BUILDING HEIGHT	MAX	3 STORIES	3 STORIES	NO CHANGE
LOT COVERAGE	MIN	35%	20.4%	NO CHANGE
OPEN SPACE	MIN	N/A	N/A	NO CHANGE
FRONT YARD SETBACK	MAX	10'-0"	44'-2" ±	NO CHANGE
SIDE YARD SETBACK	MAX	6'-0"	L= 44'-8" ± R= 14'-1" ±	NO CHANGE
REAR YARD SETBACK	MIN	15'-0"	112'-4" ±	NO CHANGE
REQUIRED PARKING SPACES	MIN	(1) PER CLASSROOM = (13) (1) PER STAFF ± (82) 101 TOTAL SPACES	51 SPACES	51 SPACES



TAX MAP INFORMATION

SYMBOL	GRID NUMBER	OWNER OF RECORD
■	6062-54-051380	ASTOR HOME FOR CHILDREN PO BOX 5005 RHINEBECK, NY 12512
(A)	6062-54-045316	FEDOR IRKLIENSKI 53 ALBANY ST POUGHKEEPSIE, NY 12601
(B)	6062-67-059363	JACQUELINE J. BRACCO 30 DELAFIELD ST POUGHKEEPSIE, NY 12601
(C)	6062-67-044373	FEDOR IRKLIENSKI 53 ALBANY ST POUGHKEEPSIE, NY 12601



2 TYP HEAT PUMP UNIT
SCALE: N.T.S.

PLANNING BOARD APPROVAL

CITY PLANNING BOARD
CITY OF Poughkeepsie, NEW YORK

SITE PLAN APPROVAL:

FILE NO.:
PROJECT NAME: ASTOR HEAD START
PROJECT LOCATION: 50 DELAFIELD STREET,
POUGHKEEPSIE NY 12601
APPLICANT: JAY DIESING, RA - MAURI
ARCHITECTS PC

OFFICIALLY APPROVED AT THE PLANNING BOARD MEETING
HELD THE DAY OF 2

PLANNING CHAIR:
DESIGNEE:
DATE SIGNED:
CONDITION (S):

OWNER / APPLICANT SIGNATURE

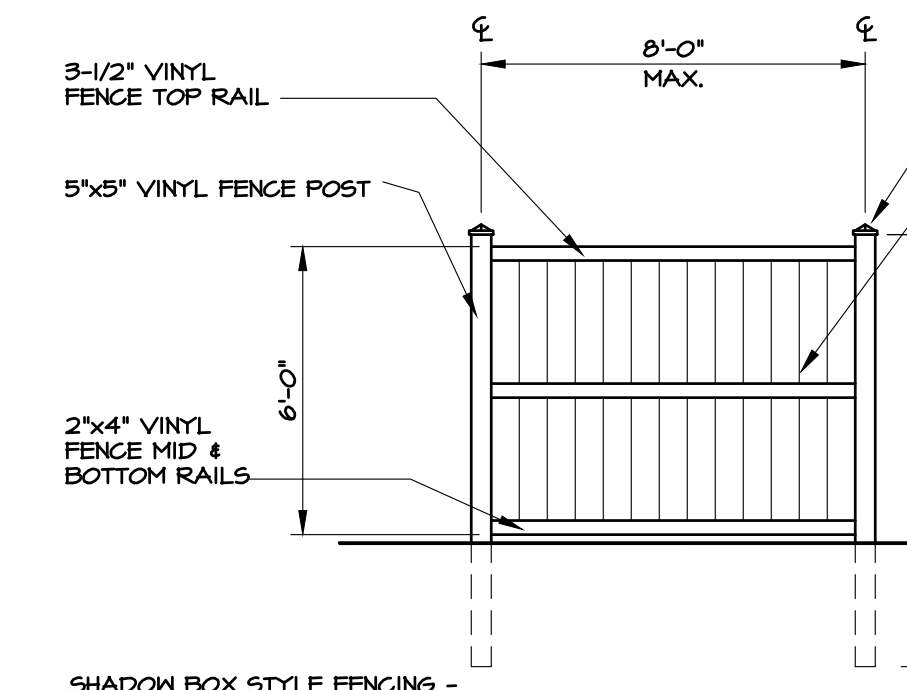
THE UNDERSIGNED APPLICANT(S) FOR THE PROPERTY AND THE UNDERSIGNED OWNER(S) OF THE PROPERTY SHOWN HEREIN CERTIFY THAT THEY ARE FAMILIAR WITH THIS MAP AND ITS NOTES AND ITS CONTENTS AS STATED HEREON INCLUDING ALL CONDITION OF APPROVAL.

THE APPLICANT AND OWNER UNDERSTAND THEIR OBLIGATION TO THE TOWN TO KEEP THIS PREMISES AS PER PLAN. APPROVAL BY THE PLANNING BOARD UNTIL A NEW OR REVISED PLAN FOR DEVELOPMENT OR USE OF THE SITE IS APPROVED BY THE PLANNING BOARD. THE APPLICANT AND OWNER UNDERSTAND THEIR OBLIGATION TO THE TOWN NOT TO OCCUPY THE PREMISES BEFORE A CERTIFICATE OF OCCUPANCY IS ISSUED BY THE TOWN FOR THE OCCUPANCY AS APPROVED HEREON.

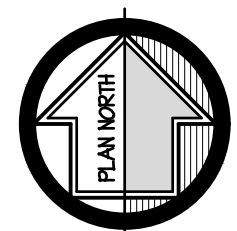
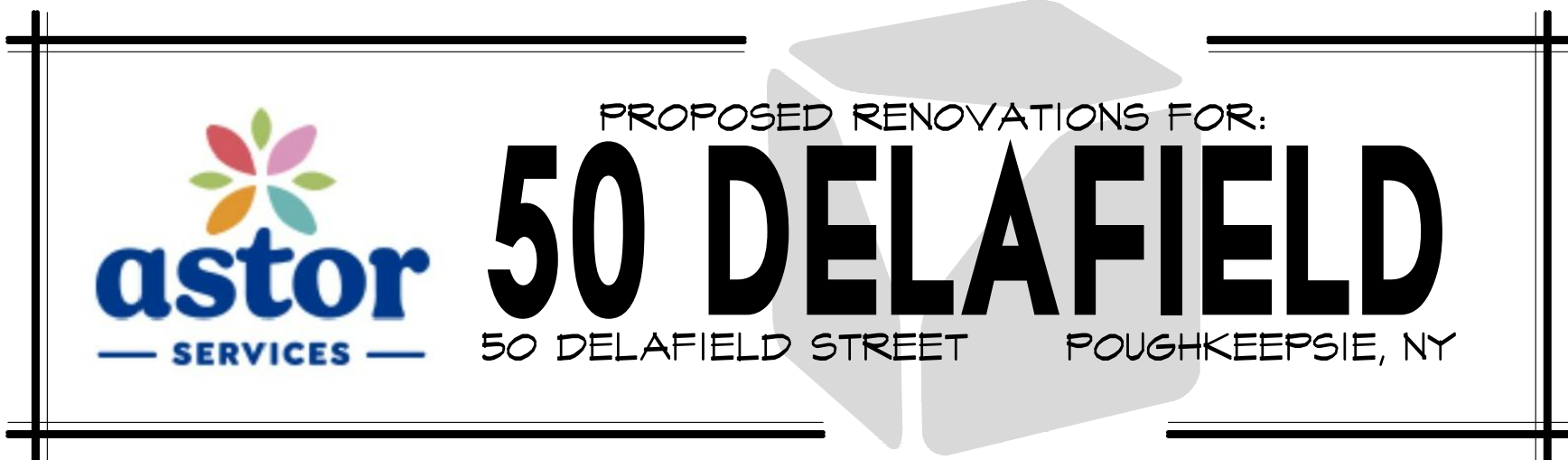
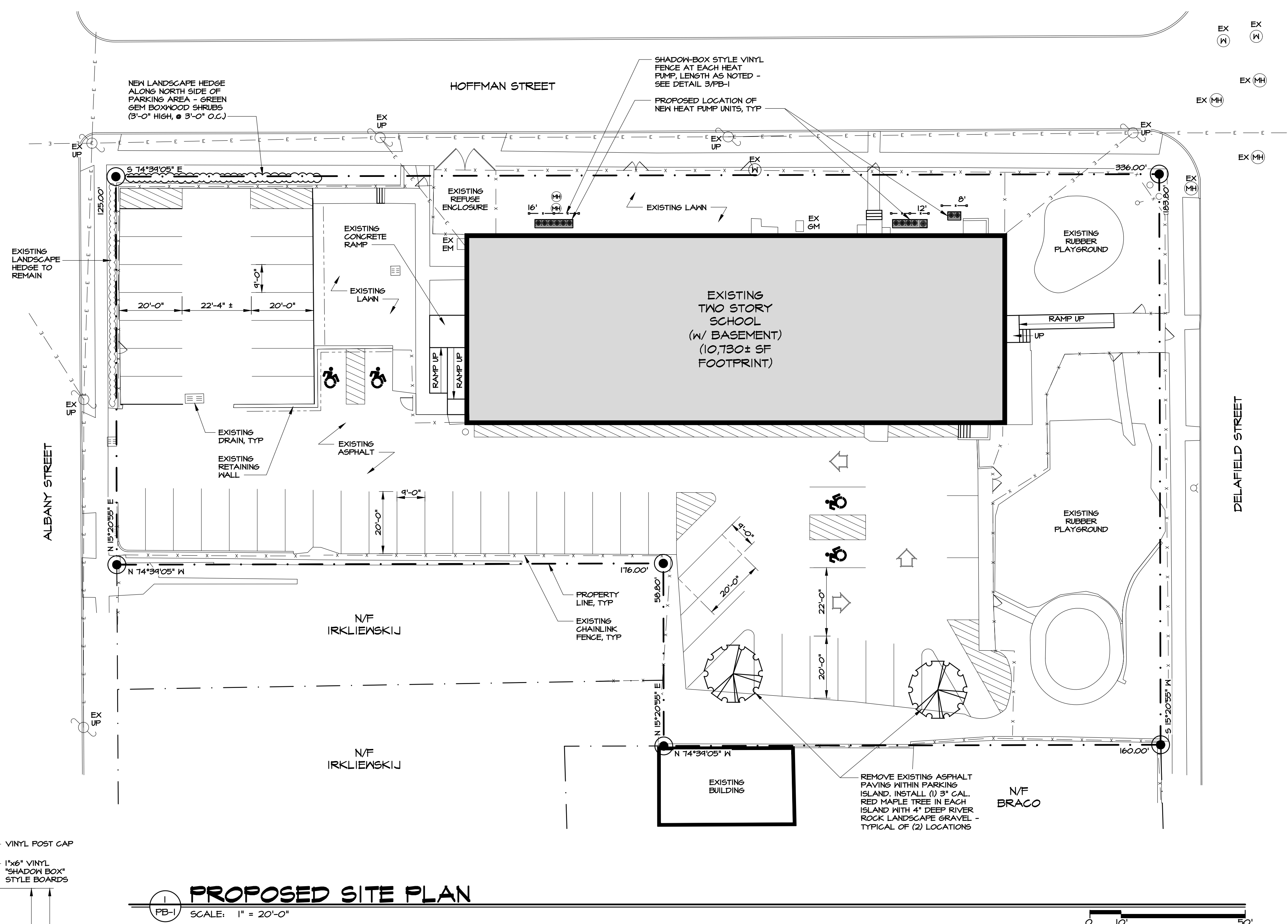
OWNER DATE
APPLICANT DATE

DEPARTMENTAL SIGNATURES

FIRE CHIEF DATE
POLICE CHIEF DATE
BUILDING INSPECTOR DATE
CITY ENGINEER DATE
COMMISSIONER OF PUBLIC WORKS DATE



3 FENCE DETAIL
SCALE: 1/4" = 1'-0"



project no.	22-04
date	25 JUL 2023
drawn by	DC
revision	
description	FENCING PARKING CITY COMMENTS
date	11 OCT 23

PROPOSED RENOVATIONS FOR:

50 DELAFIELD

50 DELAFIELD STREET Poughkeepsie, NY

astor SERVICES

PROPOSED SITE PLAN

MAURI ARCHITECTS PC

73 MANSON STREET Poughkeepsie NY 12601 845.452.0050 mauri-architects.com

PERMIT TO:

PB-1

PERMIT TO SECTION 645 (b) OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION AUTHORIZED ALTERATIONS TO THIS DOCUMENT IS A VIOLATION OF THE LAW

REGISTERED ARCHITECT

MARTIN T. DIESING

039240

STATE OF NEW YORK

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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Astor Head Start			
Project Location (describe, and attach a location map): 50 Delafield Street, Poughkeepsie, NY 12601			
Brief Description of Proposed Action: Installation of ductless-split heat-pump and air-conditioning units throughout the existing building including all necessary electrical and plumbing work.			
Name of Applicant or Sponsor: Jay Diesing, RA AIA - Mauri Architects PC		Telephone: (845) 452-1030 E-Mail: Jay@Mauri-Architects.com	
Address: 73 Mansion St			
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
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 ☒	YES ☐
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 of Poughkeepsie Building Department - Building Permit		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		1.18 acres	
b. Total acreage to be physically disturbed?		0.002 (100 sf) acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.18 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ Existing	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Existing	☐	☒	
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?	NO	YES	
	☐	☒	
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?	☐	☒	
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?	NO	YES	
	☒	☐	
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: _____ _____ _____			

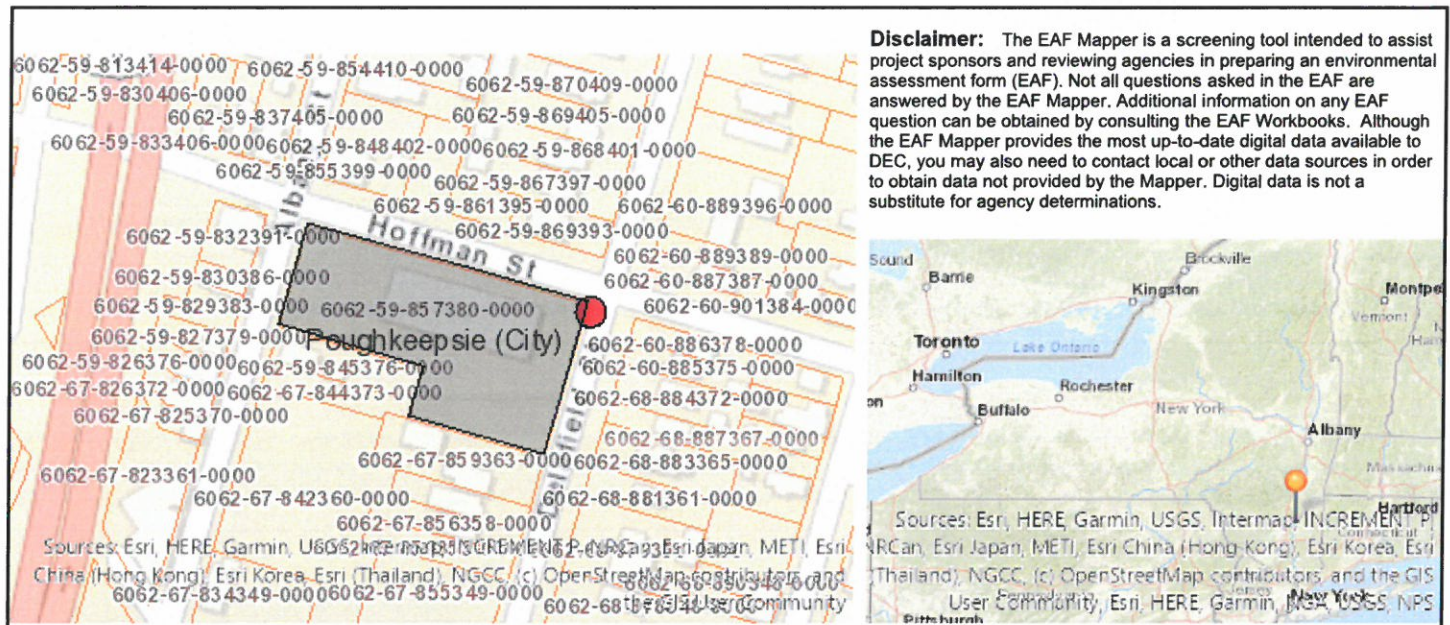
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Atlantic Sturgeon, Bald Eag...	NO	YES
	☐	☒
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	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:	☒	☐

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
	☒	☐

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
	☒	☐

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
	☐	☒

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: Jay Diesing, RA AIA - Mauri Architects PC Date: 25 July 23 Signature: <u>Jay Diesing</u> Title: <u>ARCHITECT</u>		



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]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Bald Eagle, Shortnose Sturgeon
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



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

August 16th, 2023

Jay Diesing/Mauri Architects PC
6339 Mill Street
Rhinebeck NY 12572

Re: 50 Delafield Street
ID # 124095
Site Plan Application # PB-2023-055

To whom it may concern,

The Development Department is in receipt of your Site Plan Application # PB-2023-055 relative to installing new HVAC units in the front yard and to legalize changes made to the site without approvals or permits for the property of 50 Delafield Street located in the Medium High-Density Residence District (R-4). The use of the property for a Pre-school is not proposed to be changed and is allowed per Section 19-3.15(2)(b)3 subject to issuance of a special permit but the Site Plan application was not completed and will require more information to confirm there has been no increase of intensity of use. Upon review of the provided plans, I've been able to determine some Area Variance(s) that will be required along with the changes made to the site to be approved by the Planning Board which are as follows;

1. Section 19-4.13(1) requires that all accessory uses shall be located either within the principal building or in any side or rear yard and such uses shall be located not nearer than six feet to an adjoining property line; the proposed HVAC units are located in the front yard of Hoffman Street.
2. Section 19-4.3(1) requires that whenever a parking area containing three or more spaces faces a street or a property line, a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center shall be provided between the parking area and the street line or property line; a landscape strip for the northern property line between the parking area and Hoffman Street was previously approved by the Planning Board and was a condition of variances granted on 11/5/97 which has now been removed and not proposed on the provided plans.
3. Section 19-4.3(1) requires that not more than 12 parking spaces shall be permitted in a continuous row, and not more than 24 spaces shall be permitted in a single parking area without being interrupted by landscaping approved by the Planning Board; a variance was granted on 11/5/97 for this section with a condition that 2 trees shall be planted and maintained on the southern side of the parking area within triangular shaped hatched areas, this was also approved by the Planning



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

Board. These trees have been removed and are not proposed along with the parking area being reconfigured.

4. **Section 19-4.3(2)** requires that where a parking area for three or more vehicles abuts a residential property, it shall be screened from view by landscaping, opaque fence or wall or other means approved by the Planning Board; green slats for the existing chain link fencing on the western and southern property lines was previously approved by the Planning Board which have been removed and not proposed on the provided plans.
5. **Section 19-4.3(5)(b)** requires that each parking space shall be not less than 20 feet long; all parking spaces are less than 20' long with varying dimensions other than the 2 parallel spaces which comply.
6. **Section 19-4.3(5)(b)** requires that each parking space shall be not less than 9 feet wide; the proposed angle parking spaces excluding the accessible space along with the westernmost accessible space are less than 9' wide with varying dimensions and the proposed western access aisle is 6.25' where 8' is required per **NYS Building Code Section 1106.1.1**.
7. **Section 19-4.3(5)(b)** requires that parking spaces shall be served by an aisle between rows of parking spaces of not less than 22 feet wide; the southernmost 6 parking spaces do not meet this requirement with varying dimensions.
8. **Section 19-4.3(11)(a)** requires that for Pre-schools, 1 parking space shall be provided per staff member plus 1 space for each classroom; as stated above, your Site Plan application was not completed and more information is required to confirm compliance with this section.
9. A 4' black rod fence was to be installed per previous Site Plan approval on the Delafield Street property line along with 40' of the northeastern property line; a chain link fence exists with no proposal to install 4' black rod fence.
10. Refuse enclosure was moved and apron extended from what was previously approved without Site Plan or a building permit.
11. Existing blacktop on northern portion of building was demolished and grass planted without a building permit.

Therefore, Area Variance(s) will be required from the Zoning Board of Appeals. After you obtain approvals from the Planning Board and Zoning Board you would then need to file all required Building permits and obtain an issued Certificate of Compliance from the Building Department.



BUILDING DEPARTMENT

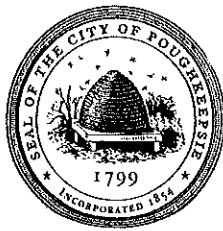
CITY OF POUGHKEEPSIE
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

If you have any questions, you may contact me at 845-451-4273 or at
jobrien@cityofpoughkeepsie.com.

Sincerely,

Joseph O'Brien
Deputy Zoning Administrator



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 20 Corlies Avenue

ZONING DISTRICT: R4

OWNER INFORMATION:

Name: Javier Ortega
Address: 89 Peach Road
Poughkeepsie, NY 12601
Phone: _____
Email: builderplus21@gmail.com

APPLICANT INFORMATION:

Name: _____
Address: _____

Phone: _____
Email: _____

CONSULTANT INFORMATION:

Name: Wayne Thompson, Esq.
Address: 17 Hasbrouck Drive, Poughkeepsie, NY 12603

Phone: 845-464-6693
Email: WayneThompson5@aol.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, Zoning Administrator

Date of decision/determination/violation: 05/08/2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 20 Corlies Avenue

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
19-3.15(4)(a)	10,000 sq. ft. (6838)	3162 sq. ft.
19-3.15(4)(e)	6' setback (5 ft)	1 foot

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: 20 Corlies Avenue

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):

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

DATE

Wayne Thompson, Esq.

Print Name Attorney for Owner

Wayne Thompson
ATTORNEY AT LAW
17 Hasbrouck Drive
Poughkeepsie, NY 12603

PHONE: 845-464-6693

FAX: 845-463-0203

EMAIL: WayneThompson5@aol.com

June 29, 2023

To: City of Poughkeepsie ZBA

RE: 20 Corlies Avenue

Project Description

Dear ZBA members:

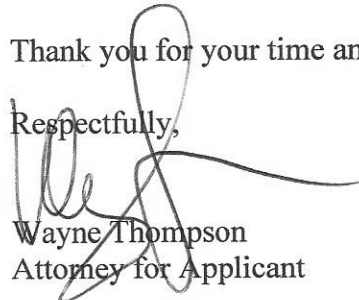
The applicant proposes to convert an existing single family residence into a 2 family home with residences on the first and second floors. Parking will be provided on site necessitating the small requested variances.

Architectural plans have been completed and determined that the project is feasible as it will be included as a small add-on to the extensive planned renovation of the building. The addition of the second unit will help defray the escalating cost of materials and labor and provide another nicely renovated home in the neighborhood.

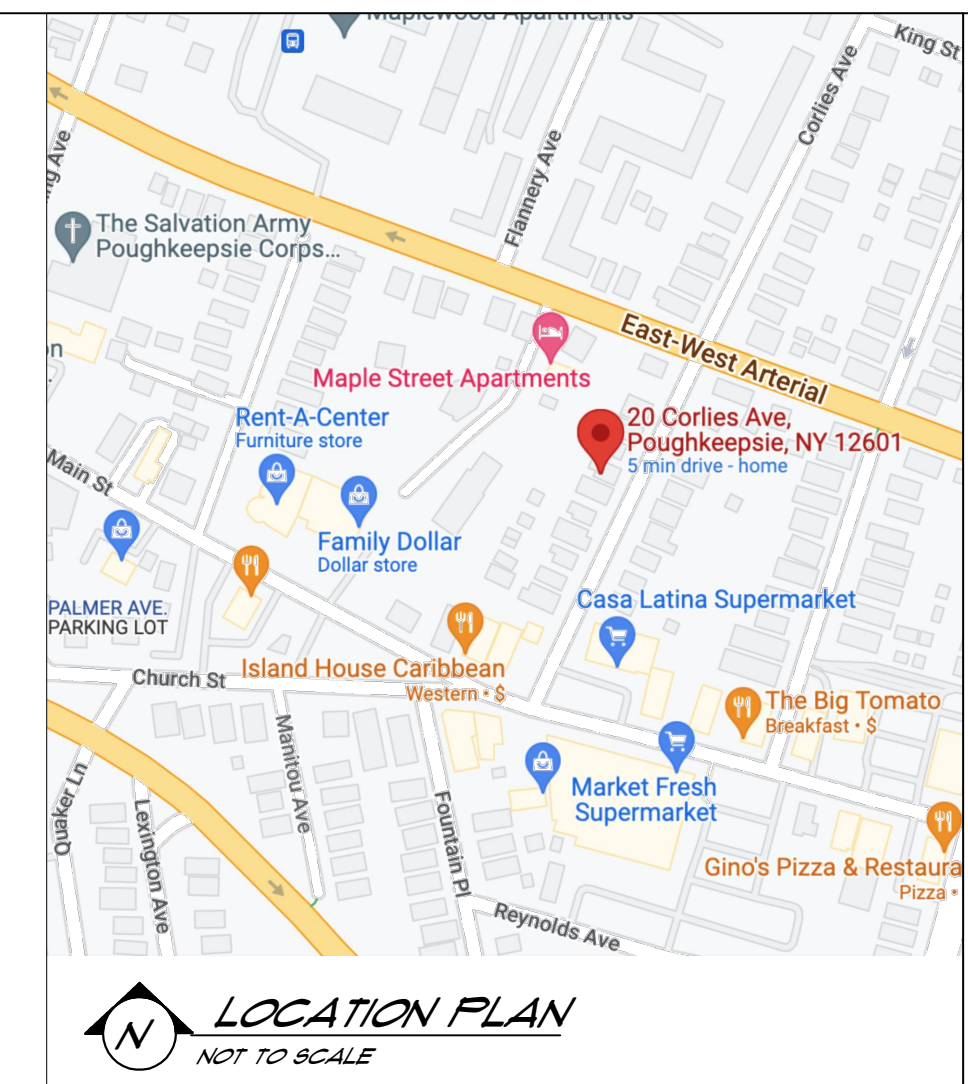
Once complete, the building will add rental inventory which the City desperately requires.

Thank you for your time and consideration.

Respectfully,



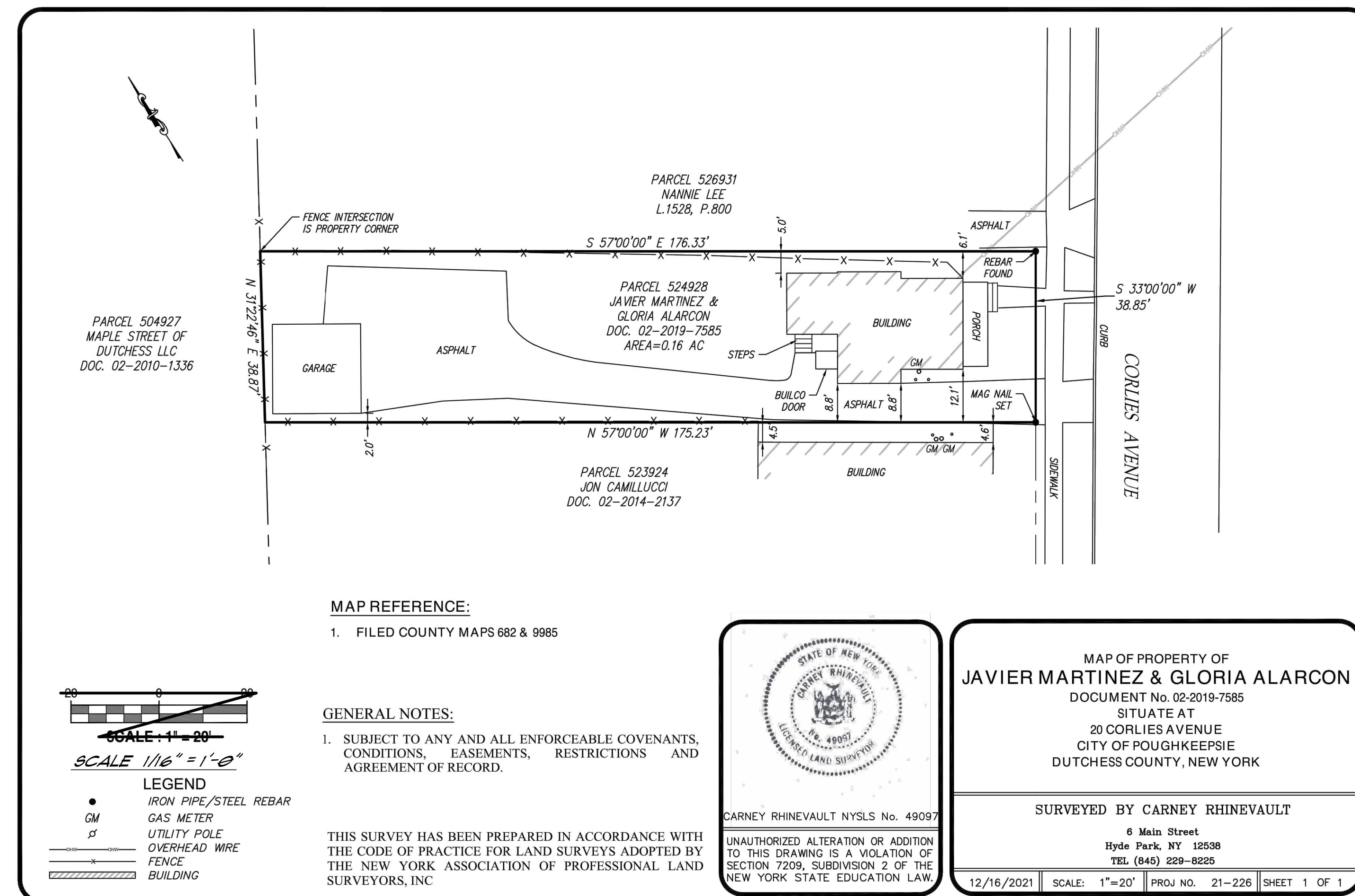
Wayne Thompson
Attorney for Applicant



REVISIONS
VARIANCES
REQUESTED

GRAND DESIGN
 18 GRAND STREET POUGHKEEPSIE NY 12601
 PHONE: (845) 392-1874 EMAIL GRANDDESIGN@GMAIL.COM

DATE ISSUED: MAY 06 2023	DRAWN BY: C/VJ	SCALE: AS NOTED	JOB #: 22062
-----------------------------	-------------------	-----------------	-----------------



OWNERS: JAVIER MARTINEZ & GLORIA ALARCON DOC. 02-2019-1585
TAX #131300-6161-25-524928-0000 - 0.16 AC. EXISTING 1 FAMILY RES (210)
PROPOSED CONVERSION TO 2 FAMILY RESIDENCE & SMALL ADDITION.

LOT AREA - 6,838 SF. STRUCTURES FOOTPRINTS = 1,507 SF.. OPEN AREA
= 5,331 OR 888. PARKING: 3 SPACES PROVIDED.

NOTE: PROPERTY DIMENSIONS & ADJACENT OWNERS AS PER SURVEY BY CARNEY RHINEVAULT NYLS #49097 DATED 11/26/2021, DUTCHESS COUNTY PROPERTY TAX MAP AND FIELD MEASUREMENTS.

1. SECTION 19-315(4XA) REQUIRES THAT 10,000 SQUARE FEET OF LOT AREA BE PROVIDED FOR A TWO FAMILY DWELLING. THE LOT IS 6,838 SQUARE FEET IN AREA.

VARIANCE REQUESTED TO SECTION 19-3.15(4)(A) FOR 3,162 SF DEFICIENCY.

2. SECTION 19-3.15(4X E) REQUIRES THAT 6 FOOT SIDE YARDS BE PROVIDED: WHILE THE EXISTING NORTH SIDE YARD VARIES FROM 6:1 TO 5 FEET, AS A LEGALLY NONCOMPLYING CONDITION IT IS NOT AN ISSUE. HOWEVER, SECTION 19-5.2 STATES THAT NO NEW NONCOMPLIANCE CAN BE CREATED, NOR CAN THE DEGREE OF NONCOMPLIANCE BE INCREASED. THE ADDITION IS PROPOSED TO BE SET-BACK 5' FEET FROM THE NORTH PROPERTY LINE, WHICH IS BOTH A NEW NONCOMPLIANCE AND AN INCREASE IN THE DEGREE OF NONCOMPLIANCE.

VARIANCE REQUESTED TO SECTION 19-5.2 PERMITTING 5'-0" SETBACK AT NORTH SIDE YARD AT NEW ADDITION.

3. SECTION 19-4.3(11XA) REQUIRES THAT FOUR (4) COMPLIANT OFF-STREET PARKING SPACES BE PROVIDED:

FOUR PARKING SPACES ARE INDICATED. 2 AT THE GARAGE AND 2 ON THE SITE .

4. SECTION 19-4.3(f) REQUIRES THAT WHENEVER A PARKING AREA CONTAINING THREE OR MORE SPACES FACES A STREET OR A PROPERTY LINE, A PLANTING AREA OF A MINIMUM WIDTH OF THREE FEET WITH PLANTINGS AT LEAST THREE FEET HIGH PLANTED THREE FEET ON CENTER SHALL BE PROVIDED BETWEEN THE PARKING AREA AND THE STREET LINE OR PROPERTY LINE; THE PROVIDED PLANS DO NOT SHOW ANY PROPOSED LANDSCAPING.

6' HIGH WOOD STOCKADE FENCING IS PROPOSED AT SIDE AND REAR YARD AS SHOWN ON THE PROPOSED SITE PLAN.

5. SECTION 19-4.3(B)(2) REQUIRES OFF-STREET PARKING AREAS SHALL BE ADEQUATELY ILLUMINATED FOR CONVENIENCE AND SAFETY, BUT NO LIGHTING FOR PARKING AREAS SHALL CAUSE GLARE ON ADJOINING PROPERTY;

PARKING LIGHTING IS PROPOSED ON DRAWING .

PLOT PLAN / SURVEY
FOR
20 CORLIES AVE.
POUGHKEEPSIE NY



$P-1$

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

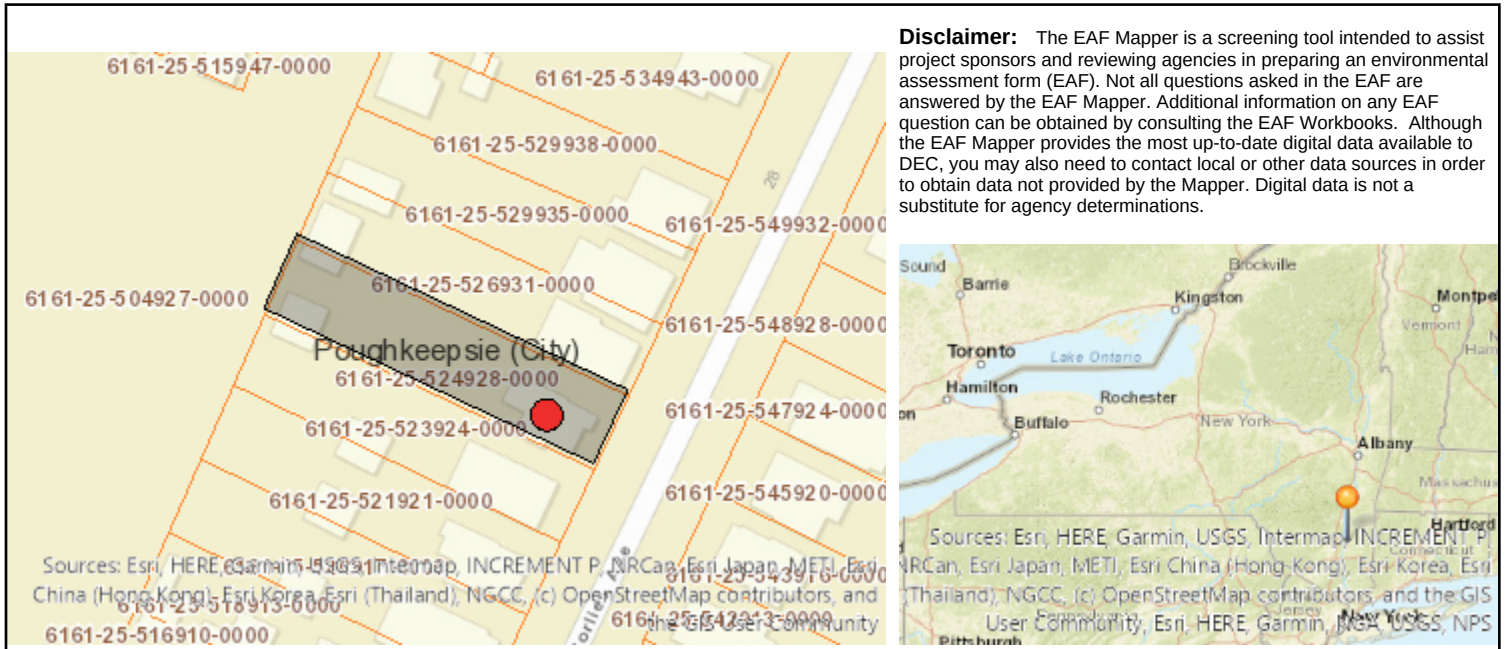
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 20 Corlies Avenue 1-2 Family Conversion			
Project Location (describe, and attach a location map): 20 Corlies Avenue, City of Poughkeepsie, NY			
Brief Description of Proposed Action: Convert existing single family to 2 family residence.			
Name of Applicant or Sponsor: Javier Ortega by Wayne Thompson Esq.		Telephone: 845-464-6693	
		E-Mail: WayneThompson5@aol.com	
Address: 17 Hasbrouck Drive, Poughkeepsie, NY 12603 (attorney); 89 Peach Road, Poughkeepsie, NY 12601 (owner)			
City/PO: Poughkeepsie		State: NY	Zip Code: 12603
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 ☒	YES ☐
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 ☒	YES ☐
3. a. Total acreage of the site of the proposed action?		0.16 acres	
b. Total acreage to be physically disturbed?		0.06 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.0 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
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?	NO	YES	
	☐	☒	
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?	☐	☒	
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?	NO	YES	
	☒	☐	
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: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ 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
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
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
	☒	☐
	☒	☐
	☐	☒
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
	☒	☐
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
	☒	☐
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
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Wayne Thompson, Esq.</u> Date: <u>06/12/2023</u> Signature: <u><i>Wayne Thompson</i></u> Title: <u>Attorney for Applicant</u>		



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]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: Javier Ortega

From: Tyler Maegerle, Junior Planner

Date: 6/27/2023

Re: 20 Corlies Avenue

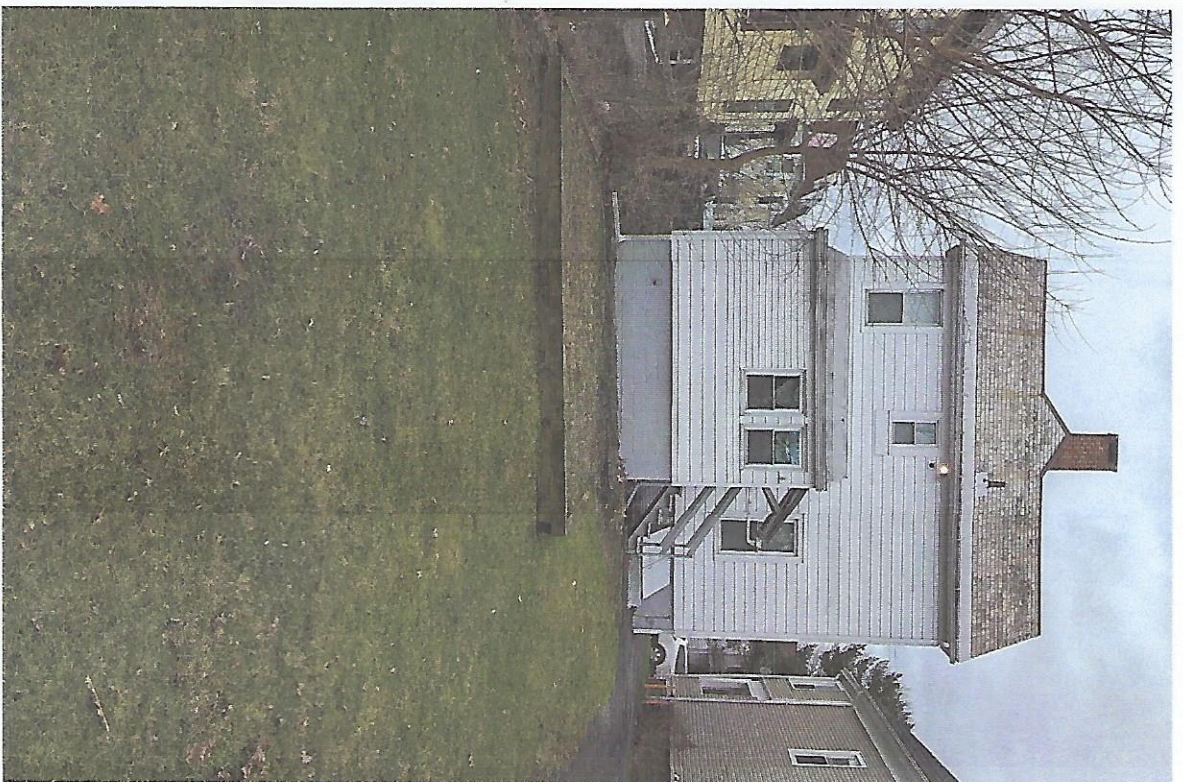
Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes conversion of a single-family dwelling to a two family dwelling.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(11) "construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system, or both, and conveyances of land in connection therewith." The action is therefore not subject to further environmental review.

48 HOUR PARKING

EXCEPT SUNDAYS & HOLIDAYS
ON ALL CITY STREETS AND LOTS
UNLESS OTHERWISE RESTRICTED
BY APPROPRIATE SIGNS

...SECTION 13-190.1





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

June 13th, 2023

Wayne Thompson

Re: 20 Corlies Avenue
ID: 107200
Zoning Review Request PD-2022-017

Dear Mr. Thompson,

The Development Department is in receipt of your zoning review request relative to the property at 20 Corlies Avenue and the proposed conversion of the existing building from a Single-family dwelling into a Two-family dwelling. This property is located within the Medium High-Density Residence District(R-4) which does allow Two-family dwellings per code Section 19-3.15(2)(a)2 of the Zoning Ordinance. Upon review of the provided plans, I've been able to determine that Area Variance(s) will be required which are as follows;

1. Section 19-3.15(4)(a) requires a minimum of 10,000sf of lot area; per the provided plan which is not drawn to scale, the lot is only 6,838sf.
2. Section 19-3.15(4)(e) requires a minimum of a 6' side yard; per the provided plan which is not drawn to scale, the right-side yard is only 4'6".
3. Section 19-4.3(5)(b) states that each required space, exclusive of drives and aisles, shall be not less than 20 feet long nor less than nine feet wide and shall be served by an aisle between rows of parking spaces of not less than 22 feet wide; per the provided plan which is not drawn to scale, the dimensions listed for the parking spaces appear to comply but no dimension was provided for the aisle width between spaces.

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

EXISTING COMPARABLE ZONING	
RE; 20 CORLIES AVENUE	
ADDRESS	EXISTING ZONING
8 CORLIES AVENUE	2 FAMILY
10 CORLIES AVENUE	1 FAMILY
12 CORLIES AVENUE	1 FAMILY
14 CORLIES AVENUE	2 FAMILY
16 CORLIES AVENUE	1 FAMILY
18 CORLIES AVENUE	2 FAMILY
20 CORLIES AVENUE	1 FAMILY
22 CORLIES AVENUE	1 FAMILY
24 CORLIES AVENUE	1 FAMILY
26 CORLIES AVENUE	1 FAMILY
28 CORLIES AVENUE	3 FAMILY
25 CORLIES AVENUE	1 FAMILY
23 CORLIES AVENUE	VACANT
21 CORLIES AVENUE	3 FAMILY
19 CORLIES AVENUE	1 FAMILY
17 CORLIES AVENUE	1 FAMILY
15 CORLIES AVENUE	1 FAMILY
13 CORLIES AVENUE	1 FAMILY
11 CORLIES AVENUE	1 FAMILY
9 CORLIES AVENUE	1 FAMILY
(3) 2 FAMILY - (14) 1 FAMILY (2) 3 FAMILY (1) VACANT	

Cost Information and Projection Forecast

Owner: Ortega, Javier

Purchase price	\$53,900.00
Closing cost	\$9,789.23
Renovation & Improvements	\$150,000.00
Interest	\$0.00
Refinance	\$0.00
Total Current Cost	\$213,689.23

Mortgage	\$0.00
Total invested	\$213,689.23

Renovation cost of 2 units	\$40,000.00
Total Future Invested	\$253,689.23

Income & expenses

One Family Dwelling		
Unit	Beds	Rent
1	3	\$1,200.00
Annual Rent		\$14,400.00

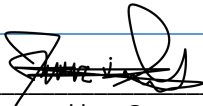
EXPENSES	Annual
Maintenance	\$975.00
Utilities (Electric & Sanatation	\$637.00
Management	\$0.00
Propety Tax	\$5,672.00
Insurance	\$1,265.00
Mortgage	\$0.00
Total Exp.	\$8,549.00

Return on Investment	\$5,851.00
	2.73%

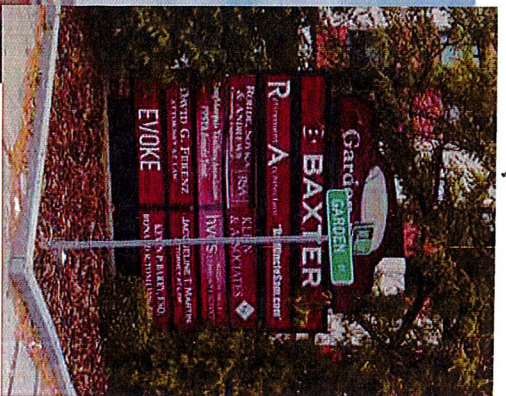
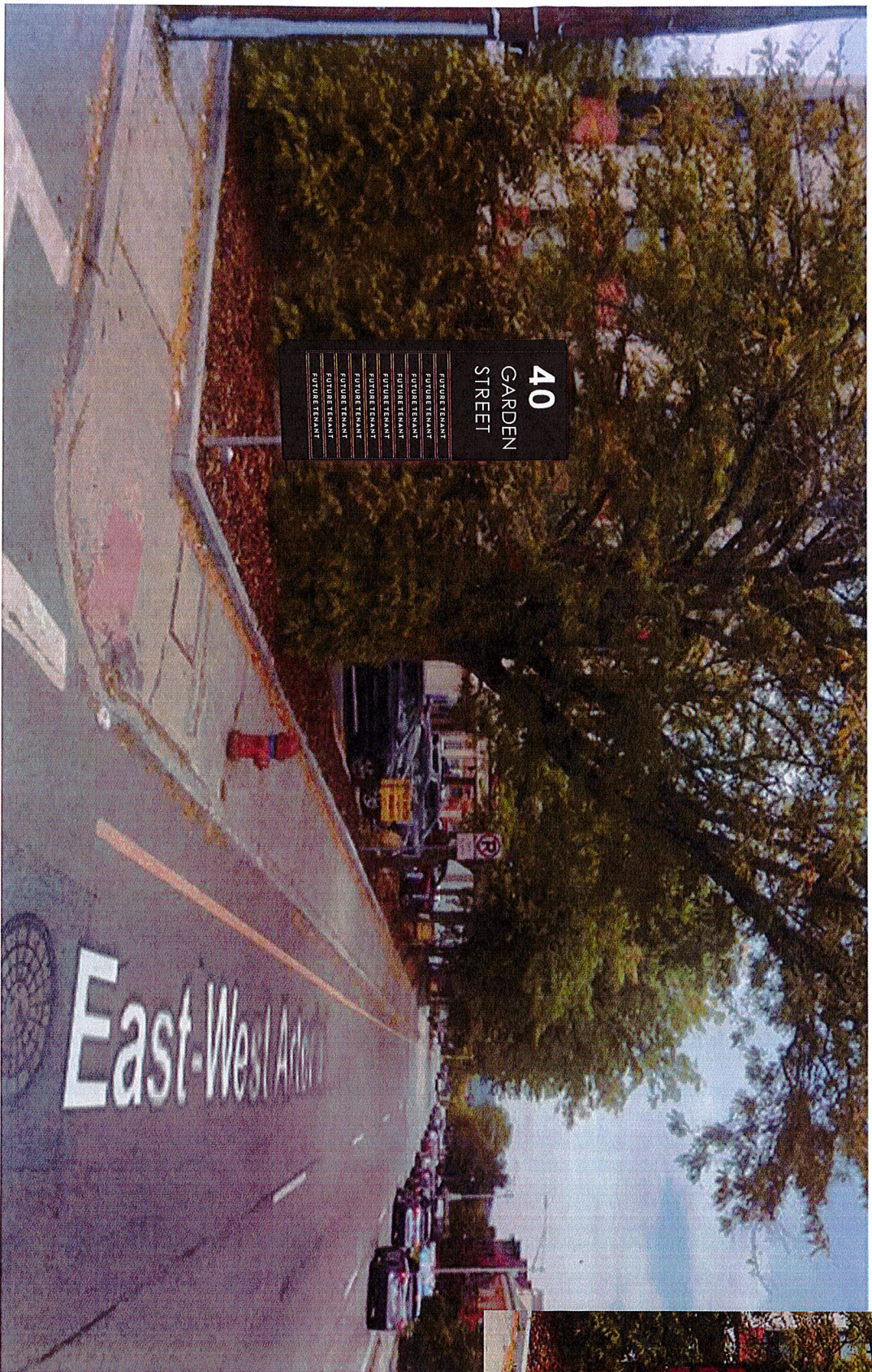
2 Family Dwelling		
Unit	Beds	Rent
2	3	\$1,800.00
1	3	\$1,200.00
Annual Rent		\$36,000.00

EXPENSES	Annual
Maintenance	\$1,175.00
Utilities (Electric & Sanatation	\$700.00
Management	\$0.00
Propety Tax	\$7,500.00
Insurance	\$1,450.00
Mortgage	\$0.00
Total Exp.	\$10,825.00

Return on Investment	\$25,175.00
	9.92%


 Prepared by: Guerra, James.
 Senior Accountant. 08/23/2023

100 sq.ft.
↓



Existing "40 Garden St." sign to be removed.

New Sign to be installed with minimum 5' setback from Property line.

GNS
GROUP
97 North Clinton Street
Poughkeepsie, NY 12601
845-471-4366 - phone
845-471-0987 - fax
www.gnsgroupid.com

Client/Project location:
Proposed signage
278 Mill Street

File Name:
BAXTER CONSL Proposed
signage_278 Mill Street
with tenants_07-11-22.cdr

Date: 11.22.21
rwsd 05.22.2023
Scale:

Client Approval: _____
Date: _____

This diagram is the property of GNS Group Ltd., and may not be reproduced without written consent until such time an agreement has been reached as to the terms and conditions of the sale of this diagram.



Sheet:
B.2



THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 278 Mill St.
ZONING DISTRICT: C2

OWNER INFORMATION:

Name: 40 Garden St. LLC
Address: 278 Mill St. Suite 100
Poughkeepsie, NY 12601
Phone: 845-471-1047
Email: Amanda@baxterbuilt.com

APPLICANT INFORMATION:

Name: GNS Group, Ltd.
Address: 97 N Clinton St.
Poughkeepsie, NY 12601
Phone: 845-471-4366
Email: nforrester@gnsgroutltd.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: Joseph O'Brien
Date of decision/determination/violation: 4/19/2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: _____

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>19-4.9(a)(d)2</u>	<u>6' height</u>	<u>5'</u>
<u>19-4.9(a)(d)2</u>	<u>36 sq ft sign</u>	<u>8 sq ft</u>
<u>19-4.9(a)(d)4</u>	<u>5 words max</u>	<u>40-50 words</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.

VARIANCE REQUEST JUSTIFICATION 1-5

- 1) THE GRANTING OF THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR BE A DETRIMENT TO NEARBY PROPERTIES. THE PROPERTY CURRENTLY HAS A LARGER FREESTANDING DIRECTORY SIGN AND THERE ARE NEIGHBORING FREESTANDING SIGNS ON THE ARTERIAL.
- 2) THERE IS NO FEASIBLE ALTERNATIVE TO THE AREA VARIANCE. THE SIZE HAS BEEN REDUCED FROM WHAT CURRENTLY EXISTS ON THE SITE THEREFORE REDUCING THE REQUESTED SQ. FT. FOR THE SIGN. The directory is needed for the tenants of the building.
- 3) THE REQUESTED VARIANCE IS NOT SUBSTANTIAL FOR THE AMOUNT OF TENANTS TO BE LISTED ON THE DIRECTORY.
- 4) THE VARIANCE WILL NOT HAVE AN ADVERSE AFFECT OR IMPACT ON THE PYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD.THERE IS CURRENTLY A SIGN IN THIS LOCATION AS WELL AS OTHER SIGNS ALONG THE ARTERIAL. SIGNS ARE NOT AN ENVIRONMENTAL ISSUE.
- 5) THE NEED FOR THE VARIANCE IS NOT SELF CREATED. WHEN THE SIGN ORDINANCE WAS RE WRITTEN THERE WAS NO INCLUSION FOR BUILDINGS WITH MULTIPLE TENANTS THEREFORE REQUIRING A VARIANCE. SELF CREATED IS NOT AUTOMATIC REASON FOR DISMISSAL OF APPROVALS FROM THE BOARD.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: _____

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):

photo of existing monument sign

SIGNATURE AND VERIFICATION

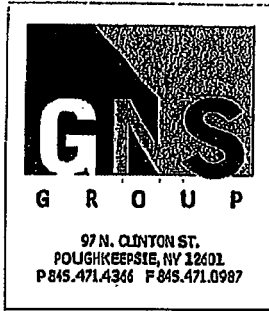
Please be advised that no application can be deemed complete unless signed below.

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.

Nancy Forrest
SIGNATURE OF APPLICANT

5/25/23
DATE

Nancy Forrest
Print Name



NOTICE of Owner's Consent

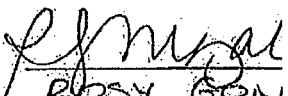
Date: 2/7/23

Property: 40 Garden St.

Owner of Record: 289 Main St., LLC
Address: 11 Garden Street
Poughkeepsie NY 12601

Phone: 845-471-1047

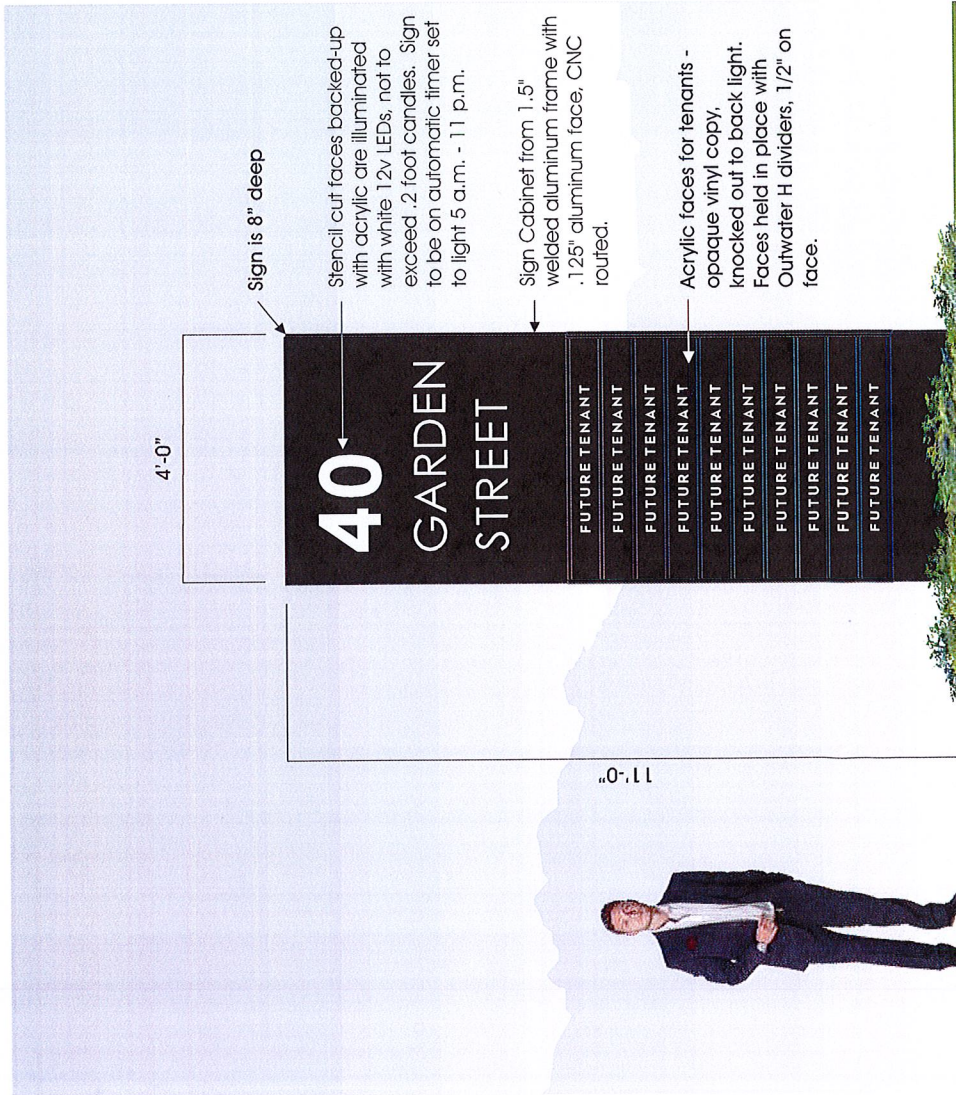
I (we) Rosy Gonzalez hereby give consent to the GNS Group, Ltd., Gloede Signs to act as my (our) agent with regard to this application.

Signed 
Print ROSY GON 2
Title EXECUTIVE PROPERTY MGR.

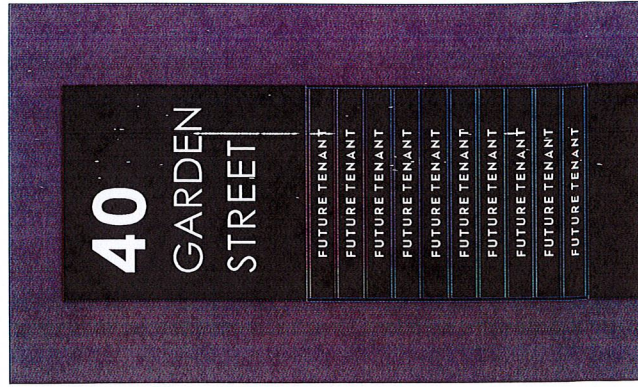


Perspective View

Tenant Panel Visible Opening:
5.75" x 46"
x 10 = 18.4 SF
Address = 3.75 SF
TOTAL = 22.2 SF



Elevation View of Proposed S/F Sign



Simulated Night View

Sheet: **B.1**

This diagram is the property of GNS Group Ltd., and may not be reproduced without written consent until such time an agreement has been reached as to the terms and conditions of the sale of this diagram.

Client Approval: _____
Date: _____

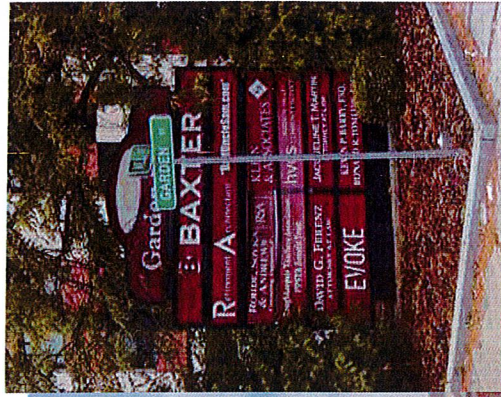
File Name:
BAXTER CONS\ Proposed
signage_278 Mill Street
with tenants_07-11-22.cdr

Client/Project location:
Proposed signage
278 Mill Street

97 North Clinton Street
Poughkeepsie, NY 12601
845-471-4366 - phone
845-471-0987 - fax
www.gnsgrouppltd.com



100 sq ft.



Existing "40 Garden St." Sign to be removed.

New Sign to be installed with minimum 5' setback from Property Line.



97 North Clinton Street
Poughkeepsie, NY 12601
845-471-4366 - phone
845-471-0987 - fax
www.gnsgroupita.com



Client/Project location:
Proposed signage
278 Mill Street

File Name:
BAXTER CONS' Proposed
signage_278 Mill Street
with tenants_07-11-22.cdr

Date: 11.22.21
rvsd 05.22.2023
Scale:

Client Approval: _____
Date: _____

This diagram is the property of GNS Group Ltd., and may not be reproduced without written consent until such time an agreement has been reached as to the terms and conditions of the sale of this diagram.

Sheet:

B.2



Underwriters
Laboratories Inc.

SURVEY NOTES

1. Copyright Johnson Surveying. All Rights Reserved. Reproduction or copying of this document may be a violation of copyright law unless permission of the author and / or copyright holder is obtained.
2. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.
3. Only boundary survey maps with the surveyor's embossed or red inked seal are genuine true and correct copies of the surveyor's original work and opinion. A copy of this document without a proper application of the surveyor's embossed or red inked seal should be assumed to be an unauthorized copy.
4. Certifications on this boundary survey map signify that the map was prepared in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is limited to persons for whom the boundary survey map is prepared, to the title company, to the governmental agency, and to the lending institution listed on this boundary survey map.
5. The certifications herein are not transferable.
6. The location of underground improvements or encroachments are not always known and often must be estimated. If any underground improvements or encroachments exist or are shown, the improvements or encroachments are not covered by this certificate.
7. Title Report Reference FHT1113 Dated February 21, 2022
8. Subject to covenants, easements, restrictions, conditions and agreements of record.
9. Subject to any right, title or interest the public may have for highway use.
10. Bearings and North shown herein are referenced to NAD 83--NY East using NYSNET RTN GPS.

TAX PARCEL NUMBER

City of Poughkeepsie, Dutchess County,
New York
6162-69-084135

DEED REFERENCE

Doc. #02 2011 5743
BHR Properties II, LLC
To
40 Garden Street, LLC
December 7, 2011

ZONING

Subject parcel is located with in the Urban Village (UV) as shown on a map entitled "City of Poughkeepsie Zoning District" Prepared by the City of Poughkeepsie Planning Board on November 29, 2019.

FLOOD ZONE

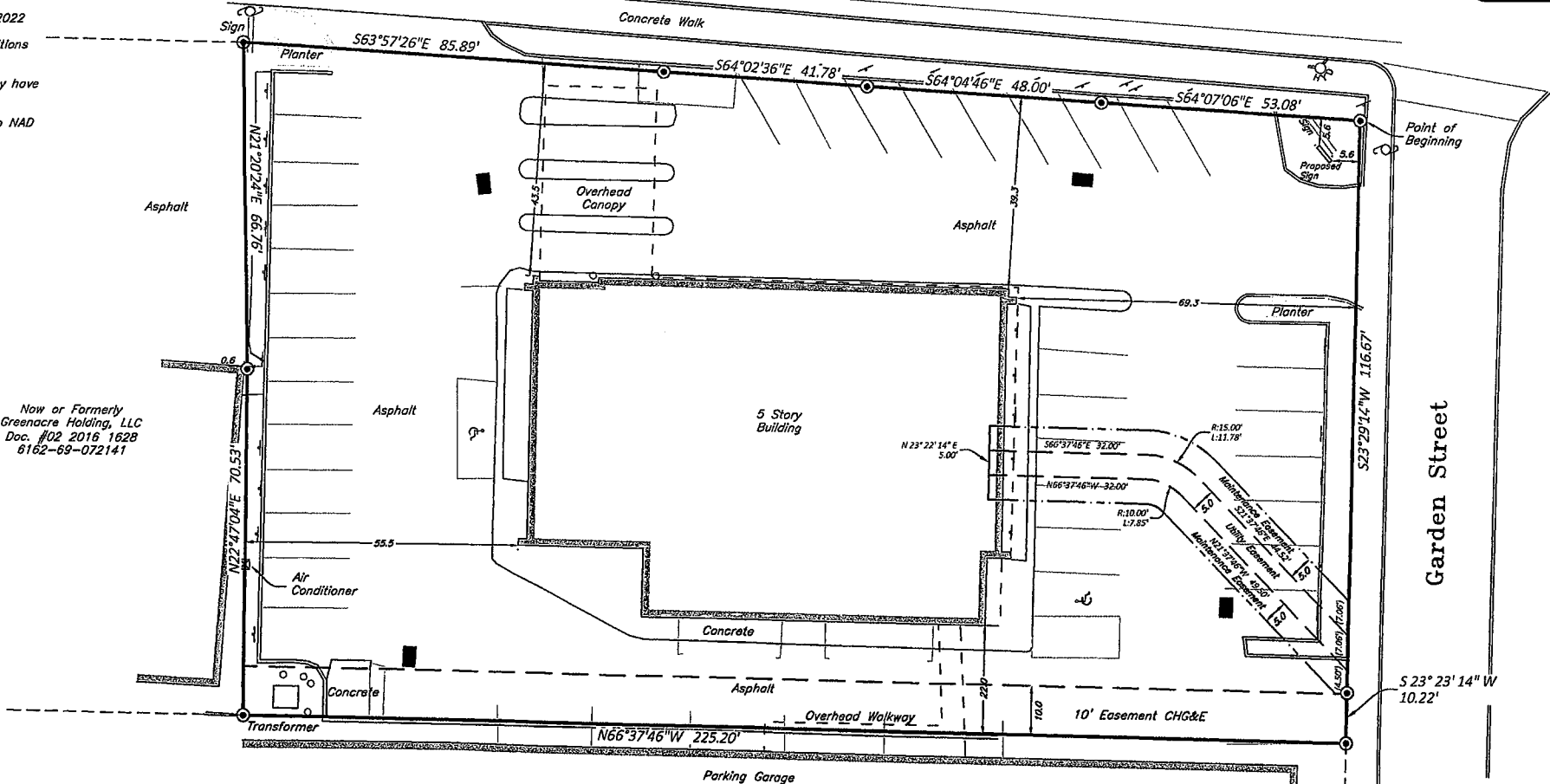
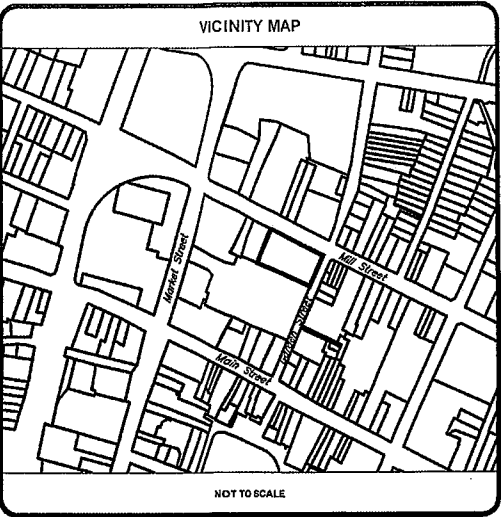
Subject parcel is located in Flood Zone "X" Unshaded as shown on FEMA FIRM 3602C0358E effective date 5/2/2012

PROPERTY ADDRESS

278 Mill Street, Poughkeepsie, NY 12601

PARKING NOTE

Total Spaces: 46
Handicap Spaces: 2



DESCRIPTION

Being a Parcel of land situate, lying and being in the City of Poughkeepsie, County of Dutchess and State of New York being bounded and describes as follows:
Beginning at a point located at the southerly intersection of Mill Street (AKA NYS Rt 44/55) and Garden Street, said point being the northeast corner of the herein described parcel; Thence along Garden Street S 23° 29' 14" W for a distance of 116.67 feet and S 23° 23' 14" W for a distance of 10.22 feet to a point, said point being the northeast corner of the lands, now or formerly, City of Poughkeepsie (Liber 1543, Page 505); Thence along the same N 65° 37' 46" W for a distance of 225.20 feet to a point, said point being the southeast corner of the lands, now or formerly, Greenacre Holding, LLC (Doc. #02 2016 1628). Thence along the same N 22° 47' 04" E for a distance of 70.53 feet and N 21° 20' 24" E for a distance of 66.76 feet to a point, said point being located on the southerly line of said Mill Street; Thence along the same the following four (4) courses:
1. S 63° 57' 26" E for a distance of 85.89 feet;
2. S 64° 02' 36" E for a distance of 41.78 feet;
3. S 64° 04' 46" E for a distance of 48.00 feet and
4. S 64° 07' 06" E for a distance of 53.08 feet to the Point or Place of Beginning.

SCHEDULE B

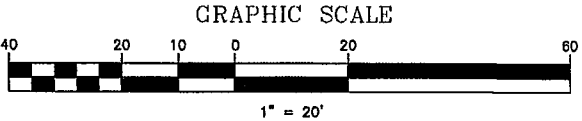
Liber 1450, Page 15-as shown hereon
Liber 1471, Page 512-as shown hereon

SURVEYOR'S CERTIFICATION

TO:
40 Garden Street,
First Hudson Title Agency LLC
Fidelity Title Insurance Company
TD Bank, N.A., ISADA, ATIMA

THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2018 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDE ITEMS 2, 3, 4, 6(A), 8, 10, 11(A), 13 and 19 OF TABLE A THEREOF.
THE FIELD WORK WAS COMPLETED ON MARCH 10, 2022.
DATE OF MAP March 16, 2022

rev.	date	description



JOHNSON SURVEYING
BRENDAN JOHNSON, PLS
10 Meadow Lane
Pleasant Valley, NY 12569
Phone No. (845) 380-0528
johnsonboundaries@gmail.com
Copyright 2014

278 MILL ST
**ALTA/NSPS SURVEY
PREPARED FOR
40 GARDEN STREET, LLC**
CITY OF POUGHKEEPSIE, COUNTY OF DUTCHESS, STATE OF NEW YORK

tax id	6162-69-084135
address	278 MILL STREET
date	3/17/2022
scale	1"=20'
project no.	22-039
project name	278 MILL ST
sheet	1 OF 1

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.

Part 1 – Project and Sponsor Information			
Monument Sign 278 Mill St.			
Name of Action or Project: 278 Mill St.			
Project Location (describe, and attach a location map): 278 Mill Street (corner of Garden St.)			
Brief Description of Proposed Action: Installation of a monument sign to replace existing one damaged by an accident			
Name of Applicant or Sponsor: GNS Group, Ltd		Telephone: 845-471-4366	
Address: 97 N Clinton St.		E-Mail: hforrest@gnsgruopltd.com	
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO ☐
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.			YES ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO ☒
If Yes, list agency(s) name and permit or approval:			YES ☐
3. a. Total acreage of the site of the proposed action?		0 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☒	☐	
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?	NO	YES	
	☒	☐	
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?	☒	☐	
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?	NO	YES	
	☒	☐	
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: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ 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
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	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:	☒	☐
_____ _____		
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
	☒	☐
_____ _____		
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
	☒	☐
_____ _____		
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
	☒	☐
_____ _____		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Nancy Forrest</u> Date: <u>3/27/23</u>		
Signature: <u>Nancy Forrest</u> Title: <u>applicant</u>		



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: GNS Group, Ltd.

From: Tyler Maegerle, Junior Planner

Date: 6/29/2023

Re: 40 Garden Street

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes installation of a replacement sign.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(2) "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part." The action is therefore not subject to further environmental review.



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

April 19th, 2023

GNS Group Ltd
97 N Clinton Street
Poughkeepsie NY 12601

Re: 278 Mill Street
ID # 339170
Sign Permit Application # 2023-14

To Whom it May Concern;

A review of the Sign Permit application # 2023-14 found it to be deficient to complete the review process and issue the permit. Below is/are the deficiencies found;

- ✓ 1. 19-4.9(9)(d)1. Requires the location of freestanding signs be located in the front yard and a minimum of 5' from the front property line; please submit a plot plan drawn to scale showing the proposed location.
- Variance 2. 19-4.9(9)(d)2. Limits the maximum height of freestanding signs in nonresidential zoning districts to 6'; the proposed plans indicate the height is 11'.
- Variance 3. 19-4.9(9)(d)2. Limits the sign face to a maximum of 36 square feet; the proposed sign is 44 square feet.
- noted on drawing 4. 19-4.9(8)(c)1.g.i. requires that signs on nonresidential properties may be illuminated from 5:00 a.m. until 11:00 p.m., or 1/2 hour past the close of business of the facility being identified or advertised, whichever is later. A business or facility that is open 24 hours a day is not required to turn off its sign(s); this will be indicated as a condition of approval on your permit if issued.
- noted on drawing 5. 19-4.9(8)(c)1.g.ii. requires that signs shall provide an automatic timer to comply with the intent of this section; there is no mention that an automatic timer will be installed on your application.
6. A building permit including electrical will be required for the sign and stated as a condition of approval if the permit is issued.

Variance For amount of words

Please submit the required additional information as listed above so that the review process can be completed and application approved. 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 at jobrien@cityofpoughkeepsie.com.

Page 1

Communication
letter resulting
in application
to ZBA



COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING AND DEVELOPMENT

October 2, 2023

To: Zoning Board of Appeals, City of Poughkeepsie
Re: **ZR23-279, 40 Garden Street Freestanding Sign – Area Variances**
Lot: 084135, US 44/55 and Garden Street

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m).

ACTION

The applicant is seeking three area variances for a new freestanding sign at the intersection of Garden Street and US Route 44/55, as follows:

- Sign area of 44 square feet (sf) where 36 sf is permitted (variance of 8 sf of sign area);
- Sign height of 11 feet where 6 feet is permitted (variance of 5 feet in sign height);
- Word count of 45-55 words where a maximum of 5 words is permitted (variance of 40-50 words).

COMMENTS

The matter of the variance request for sign area is determined to be a matter of local concern.

The requested sign height is almost twice what is allowed by the zoning, and the proposed word count is approximately 10 times what is allowed by code. In the answers provided to the required 5-part test, the applicant asserts that the need for these variances isn't self-created because "when the sign ordinance was re written [sic] there was no inclusion for buildings with multiple tenants..." However, the details in the current sign ordinance suggest that the omission of provisions supporting multi-tenant-panel signs was likely intentional. For example:

- Section 19-4.9(8)(b)4 requires signs shall be "easily legible." The proposed sign includes both the parcel address along with ten (10) separate tenant panels. Given the proposed volume of information that would be on this sign, much of it would be functionally illegible to drivers passing by on the adjacent state road;
- Section 19-4.9(8)(b)5 requires signs to have a minimum amount of information to avoid clutter and confusion. The proposed sign's ten (10) tenant panels would contain too much information to be safely read by passing drivers;
- Section 19-4.9(9)(d)4 stipulates the maximum word count of five words, which does not speak to an interest in supporting a proliferation of multi-tenant-panel signage which necessarily include more than five words.

The requested height and word count variances are substantial, and could be mitigated by rethinking the overall approach to this sign. For a property such as this, with so many tenants, an alternative involving a code-compliant freestanding sign that communicates a simpler identifier (such as the property address, "40 Garden Street"), paired with signage interior to the building that would direct visitors where to go once they've entered the structure, could eliminate the legibility and safety concerns associated with the sign as proposed.

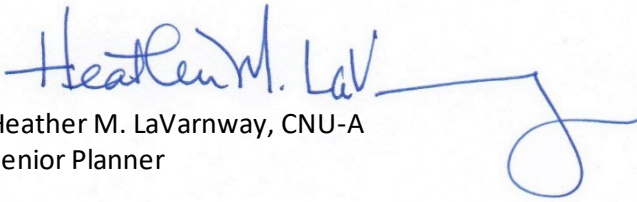
RECOMMENDATION

For the reasons stated above, we recommend the Board not grant the requested area variances for sign height or word count.

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 blue ink, reading "Heather M. LaV", followed by a long horizontal line and a large circular flourish.

Heather M. LaVarnway, CNU-A
Senior Planner

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 Numbers(s): **0841350000**

Project Name: **Freestanding Sign**

Applicant: **GNS Group Ltd**

Address of Property: **40 Garden St, Poughkeepsie, NY 12601**

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: **9/22/2023**

Entered By: **Garcia, Lori**

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: 9/15/2023	Notes:	☐ Major Project	
Date Received: 9/15/2023		Referral #: ZR23-279	
Date Requested: 9/22/2023			
Date Required: 10/13/2023	☐ Also mailed hard copy	Reviewer:	
Date Transmitted: 10/2/2023			



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 419 Maple Street

ZONING DISTRICT: R-4

OWNER INFORMATION:

Name: 419 Maple LLC

Address: 4217 16th Avenue
Brooklyn, NY 11204

Phone: 917-246-7337

Email: _____

APPLICANT INFORMATION:

Name: Wayne Thompson, Esq.

Address: 17 Hasbrouck Drive, Poughkeepsie, NY 12603

Phone: 845-464-6693

Email: WayneThompson5@aol.com

CONSULTANT INFORMATION:

Name: _____

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: Joseph O'Brien Code Enforcement

Date of decision/determination/violation: May 1, 2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 419 Maple 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.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-3.15(4)(c)2</u>	<u>11,200sf (5,608)</u>	<u>5,592sf</u>
<u>19-3.15(4)(e)2</u>	<u>15 ft (2.7' and 4.9') sides</u>	<u>10.1 and 12.3 ft</u>
<u>19-4.3(11)(a)</u>	<u>8 spaces</u>	<u>PB waiver for off site parking</u>
<u>19-4.11(1)(b)</u>	<u>Landscaping</u>	<u>Use of existing fence as property screen</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: _____

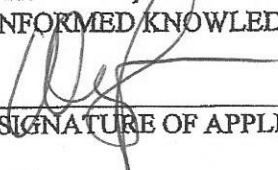
LIST OF REQUIRED ATTACHMENTS

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):

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.

 ESQ
SIGNATURE OF APPLICANT

6-19-2023
DATE

Wayne Thompson, Esq.
Print Name Attorney for Owner

VARIANCE JUSTIFICATIONS

419 MAPLE STREET

(to be further explained in front of the ZBA)

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.

No. The addition is very small compared to the overall scale of the building. Parking already exists in the rear yard although not approved yet. There is adequate parking available on the street.

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.

No. The owner purchased the property as an investment and in work had begun with a building permit. However, the building is in such poor shape that the only way to get a return on such a large financial outlay for the magnitude of this project is to add additional units.

3. Is/are the variance(s) substantial?

No. It is our belief that these requests for variances are minor. The area variance is something that is normally acceptable since the houses were built and utilized under pre-existing conditions. The required parking will be provided off site as the existing lot configuration and location of the arterial make on-site parking an impossibility.

4. Will the variances have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district?

No. Very little physical or environmental change will be affected by granting these variances as it is located on the arterial.

5. Is the need for the area variance the result of self-created difficulties on your part or unique to the property?

We do not believe that the area variance requested is the result of itself created difficulty. Rather, it is a result of the increase taxes, cost of materials, more stringent and expensive building codes, and future costs of maintaining the building. Ultimately, the granting of the variance will increase the available rental housing stock in the City which is in short supply.

Wayne Thompson
ATTORNEY AT LAW
17 Hasbrouck Drive
Poughkeepsie, NY 12603

PHONE: 845-464-6693

FAX: 845-463-0203

EMAIL: WayneThompson5@aol.com

June 29, 2023

To: City of Poughkeepsie ZBA

RE: 419 Maple Street

Project Description

Dear ZBA members:

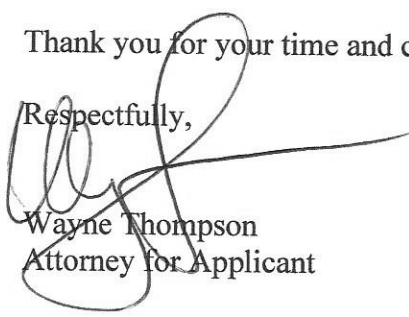
The applicant proposes to convert a dilapidated 2 family residence into a 4 family home with residences on the first and second floors. Parking will be provided off site at 29-31-North White Street as depicted in the supplemental documents.

Architectural plans have been completed and determined that the project is feasible as it will be part of an extensive interior and exterior renovation of the building. The addition of the additional units will help defray the escalating cost of materials and labor and provide another nicely renovated home in the neighborhood.

Once complete, the building will add rental inventory which the City desperately requires.

Thank you for your time and consideration.

Respectfully,


Wayne Thompson
Attorney for Applicant

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

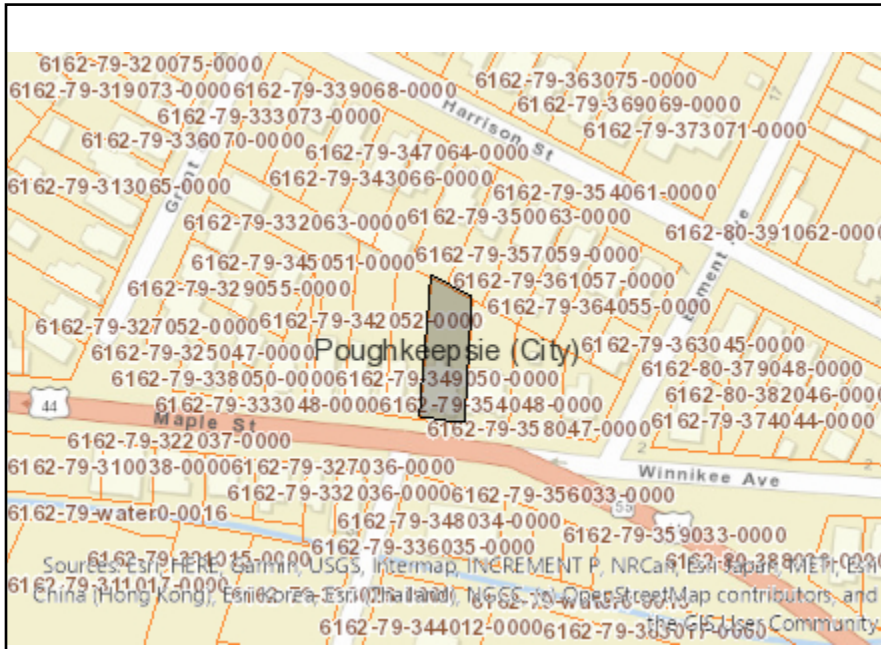
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Apartment Conversion			
Project Location (describe, and attach a location map): 419 Maple Street, Poughkeepsie, NY 12601			
Brief Description of Proposed Action: Convert Existing 2 Family to 4 family apartment building.			
Name of Applicant or Sponsor: Wayne Thompson, Esq.		Telephone: 845-464-6693 E-Mail: WayneThompson5@aol.com	
Address: 17 Hasbrouck Drive			
City/PO: Poughkeepsie		State: NY	Zip Code: 12603
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 ☒	YES ☐
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: Planning Board, ZBA		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		0.129 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.129 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
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?	NO	YES	
	☐	☒	
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?	☐	☒	
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?	NO	YES	
	☐	☒	
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: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ 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
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☒
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
	☒	☐
	☒	☐
	☒	☐
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
	☒	☐
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
	☒	☐
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
	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Wayne Thompson, Esq</u> Date: <u>06/19/2023</u> Signature: _____ Title: <u>Attorney for Owner</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



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]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to 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





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

May 1st, 2023

Yehuda Herzog

Re: 419 Maple Street
ID: 494100
Zoning Review Request PD-2023-019

Dear Mr. Herzog,

The Development Department is in receipt of your updated plans for your zoning review request relative to the property at 419 Maple Street and the proposed conversion of the existing Two Family dwelling into a Four Family dwelling. This property is located within the Medium High-Density Residence District(R-4) which does allow Multi-family dwellings per code Section 19-3.15(2)(a)4 of the Zoning Ordinance but would require Site Plan approval from the Planning Board. Upon review of the updated plot plan submitted on 4/21/23, I have been able to determine a few Variances from the Zoning Board of Appeals that would be required before approval from the Planning Board for Site Plan can be obtained, they are as follows;

1. Section 19-3.15(4)(c)2 requires a lot area of 11,200sf; the lot is only 5,608sf.
2. Section 19-3.15(4)(e)2 requires minimum side yards of 1/2 the height of the structure closest to the property line or 15 feet, whichever is greater; no elevation was provided but the left side yard is 2.7' and the right-side yard is 4.9'.
3. Section 19-4.3(11)(a) requires 8 parking spaces for the proposed use; the plan indicates parking will be located at the Winnikee Avenue/Bement Street Lot which is located within 600' of 419 Maple St. A waiver from the Planning Board will be required as part of the Site Plan approval per Section 19-4.3(9).
4. Section 19-4.11(1)(b) requires landscape strips shall be provided along all property lines of multifamily and nonresidential uses, said landscape strips shall be at least three feet wide and include evergreen planting and other landscaping of such type, height, spacing and arrangement as, in the judgment of the Planning Board, will effectively screen the activity on the lot from neighboring uses. New trees shall have a caliper of not less than eight inches three feet from the base and shall be at least six feet high when planted; no such landscaping is proposed.

After a Site Plan is approved by the Planning Board and the Area Variances listed above 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.

Please note that the City is currently in the process of revising and updating its Zoning Ordinance. The draft and map are available to view at www.PK4Keeps.org.



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

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



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: Wayne Thompson, Esq.

From: Tyler Maegerle, Junior Planner

Date: 6/29/2023

Re: 419 Maple Street

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes conversion of a two-family dwelling to a four family dwelling.

Based on the above description it is the determination of the planning division that the proposed action is classified as an Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(2) "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part." The action is therefore not subject to further environmental review.

419 Maple LLC
4217 16th Ave. #B1, Brooklyn, NY 11219
PHONE: (718) 208-8528

August 27, 2023

Dear Chairman and Members of the Zoning Board of Appeals.

I submit this financial justification regarding the request zoning change for the above referenced project.

Cost Information

Purchase price	\$174,000
Closing cost	\$28,527
Construction cost of 2 units (Including design, permits, and architectural plans)	\$241,721
Interest	\$35,000
Refinance cost	\$40,000
Total cost	\$519,248
Mortgage	\$280,000
Total invested	\$239,248

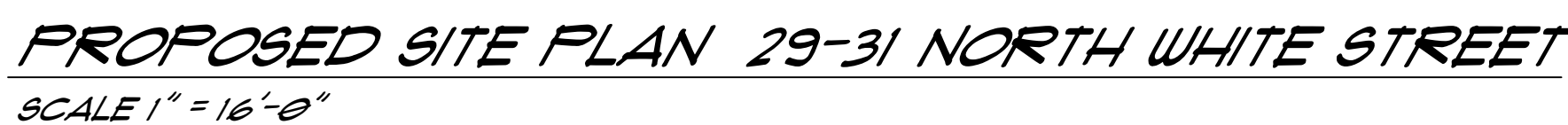
Construction cost of 4 units (Including design, permits, and architectural plans)	\$422,721
Total Cost	\$700,248
Mortgage	\$400,000
Total invested	\$300,248

Income & expenses

<u>2 Units</u>			<u>4 Units</u>		
Unit	Beds	Rent	Unit	Beds	Rent
1	2	\$1,800	1	1	\$1,600
2	2	\$1,800	2	1	\$1,600
			3	1	\$1,600
			4	1	\$1,600
Annual Rent		\$43,200	Annual Rent		\$76,800
EXPENSES		Annual	EXPENSES		Annual
Maintenance		\$4,752	Maintenance		\$7,680
Utilities (Electric & Sanitation)		\$7,00	Utilities (Electric & Sanitation)		\$1,000
Management		\$2,400	Management		\$4,800
Property Tax		\$3,500	Property Tax		\$3,500
Insurance		\$2,500	Insurance		\$2,500
Mortgage		\$24,848	Mortgage		\$35,497
Total Exp.		\$38,700	Total Exp.		\$54,977
Return on Investment		\$4,500	Return on Investment		\$21,823
		1.9%			7.3%

If you have any questions regarding this project, please do not hesitate to call us at (718) 208-8528.

The members of 419 Maple LLC



PROPERTY DESCRIPTION

29-31 NORTH WHITE STREET
CITY OF Poughkeepsie, NY 12601

OWNER - N. WHITE STREET AND
THOMPSON STREET LLC
4217-16TH. AVE.
BROOKLYN, NY 11204
TEL # 917-246-7337

TAX ID #
131300-6162-79-406019-0000
10,177.3 SF- 0.2336 ACRES
EXISTING 2 FAMILY RESIDENCE
ZONING DISTRICT, R-4
LOT SIZE 10,177.3 SF
BUILDING FOOTPRINT 1,070 SF.
OPEN SPACE 9,107 SF
PARKING AREA 6,278 SF
REMAINING OPEN SPACE
MINUS PARKING 2,829 SF

REQUEST: TO ENLARGE THE EXISTING
PARKING AREA TO ACCOMMODATE
THE 4 SPACES REQUIRED FOR THIS
2 FAMILY RESIDENCE WITH (2)
APARTMENTS SO AS
TO PROVIDE 6 OFF SITE PARKING
SPACES FOR 419 MAPLE STREET.
LOCATED WITHIN 600' OF THIS LOT.



NOTE:
DO NOT SCALE DRAWINGS - WRITTEN DIMENSIONS TAKE PRECEDENCE.
IN CASE OF DISCREPANCIES OR CONFLICTS, NOTIFY DESIGN PROFESSIONAL.
IT IS UNLAWFUL TO MODIFY A DOCUMENT BEARING THE SEAL AND SIGNATURE
OF A REGISTERED ARCHITECT OR PROFESSIONAL ENGINEER

GRAND DESIGN

18 GRAND STREET
POUGHKEEPSIE, NY
12601
845-392-1874

SURVEY / SITE PLAN

DRAWINGS FOR:

29-31 NORTH WHITE STREET

POUGHKEEPSIE, NEW YORK 12601

SCALE AS SHOWN

DATE
07/05 2023
PROJECT NO
22-123

DRAWN BY
CVJ

SHEET NO

S-1

EXISTING COMPARABLE ZONING	
RE; 419 MAPLE STREET	
ADDRESS	EXISTING ZONING
425 MAPLE STREET	1 FAMILY
421 MAPLE STREET	3 FAMILY
419 MAPLE STREET	2 FAMILY
417 MAPLE STREET	2 FAMILY
415 MAPLE STREET	2 FAMILY
413 MAPLE STREET	2 FAMILY
411 MAPLE STREET	2 FAMILL
418 MAPLE STREET	2 FAMILY
416 MAPLE STREET	1 FAMILY
414 MAPLE STREET	2 FAMILY
412 MAPLE STREET	2 FAMILY
410 MAPLE STREET	2 FAMILY
17 & 18 ROSE STREET	APARTMENTS
8 NORTH CHERRY STREET	DETACHED ROW BLDG.
(9) 2 FAMILY - (2) 1 FAMILY (1) 3 FAMILY (1) APARTMENTS	
(1) DETACHED ROW BUILDING	



**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 63 Thompson Street

ZONING DISTRICT: R-4

OWNER INFORMATION:

Name: Poughkeepsie Thompson Street LLC

Address: 584 Ackert Hook Road Rhinebeck NY 12572

Phone: 845-876-2501

Email: _____

APPLICANT INFORMATION:

Name: Wayne Thompson, Esq.

Address: 17 Hasbrouck Drive, Poughkeepsie, NY 12603

Phone: 845-464-6693

Email: WayneThompson5@aol.com

CONSULTANT INFORMATION:

Name: _____

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: Joseph O'Brien Code Enforcement

Date of decision/determination/violation: March 20, 2023

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

PROPERTY ADDRESS: 63 Thompson 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.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-3.15(4)(e)2</u>	<u>15' Side yard (11.3, 13.9)</u>	<u>3.7and 2.1ft</u>
<u>19-4.3(5)(a)</u>	<u>15' wide driveway (11.3')</u>	<u>3.7ft</u>
<u>19-4.3(1)</u>	<u>Landscaping</u>	<u>Front and side yard req't as indicated</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </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: 63 Thompson Street

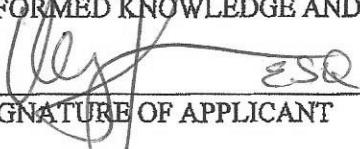
LIST OF REQUIRED ATTACHMENTS

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):

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

06/19/2023
DATE

Wayne Thompson, Esq.
Print Name Attorney for Owner

VARIANCE JUSTIFICATIONS

63 THOMPSON STREET

(to be further explained in front of the ZBA)

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.

No. The addition is very small compared to the overall scale of the building. There is adequate parking available on-site.

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.

No. The third floor was a pre-existing residence that is now sought to be brought into compliance.

3. Is/are the variance(s) substantial?

No. It is our belief that these requests for variances are minor.

4. Will the variances have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district?

No. Very little physical or environmental change will be affected by granting these variances and it will be contained primarily in the rear of the property.

5. Is the need for the area variance the result of self-created difficulties on your part or unique to the property?

The changes in the zoning laws created the need for these variances and the owner simply wishes to bring the building into compliance with current codes. Ultimately, the granting of the variance will increase the available rental housing stock in the City which is in short supply.

Subject: **RE: 63 Thompson**
Date: 3/20/2023 12:26:55 PM Eastern Standard Time
From: jobrien@cityofpoughkeepsie.com
To: waynethompson5@aol.com

Wayne,

A permit including a licensed plumber along with an application for a Certificate of Occupancy will need to be applied for to legalize the work and update the C.O. to reflect the current use. The following analysis will be based off the 2nd floor unit containing only 1 bedroom, the following deficiencies that would require a Variance are as follows;

1. Section 19-3.15(4)(e)2 requires the side yard be 1/2 the height of the structure closest to the property line or 15 feet, whichever is greater; the height of the building is not listed on the plans.
2. Section 19-3.15(4)(e)2 requires the rear yard be 1/2 the height of the structure closest to the property line or 15 feet, whichever is greater; the height of the building is not listed on the plans.
3. Section 19-4.3(1) requires when a parking area containing three or more spaces faces a street or a property line, a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center shall be provided between the parking area and the street line or property line; the rear property line does not show any proposed landscaping on the provided plans.
4. Section 19-4.3(5)(a) requires an access shall consist of at least one fifteen-foot wide lane for parking areas with fewer than 20 spaces; the provided plans show the access is only 11'3".
5. Section 19-4.3(5)(c) requires off-street parking areas shall be adequately illuminated for convenience and safety, but no lighting for parking areas shall cause glare on adjoining property; the provided plans do not show any proposed lighting.

Attached are the applications for Area Variance, Building Permit and Certificate of Occupancy. If you have any questions please let me know, thanks.

Joseph D. O'Brien

Deputy Zoning Administrator
62 Civic Center Plaza
Poughkeepsie, NY 12601
Office - 845-451-4273
Fax - 845-451-4006
jobrien@cityofpoughkeepsie.com

From: Wayne Thompson, Esq. <waynethompson5@aol.com>
Sent: Sunday, March 19, 2023 8:19 PM
To: O'Brien, Joseph <jobrien@cityofpoughkeepsie.com>
Subject: Re: 63 Thompson

Hi Joe, you told me on Friday that there was a discrepancy in the CO issued and the as builds submitted. The as builds are correct and we need to get this resolved immediately so a proper CO can be issued, The second floor apartment is a 1 bedroom with a laundry room and not a 2 bedroom. What do I need to do to get a CO? The apartment is currently vacant so it would be an ideal time for an inspection.

Thanks for your help.

Cheers,

Wayne Thompson, Esq.
Attorney At Law
17 Hasbrouck Drive
Poughkeepsie, NY 12603
845-464-6693 (p)
845-463-0203 (f)

In a message dated 3/16/2023 8:31:05 AM Eastern Standard Time, jobrien@cityofpoughkeepsie.com writes:

Wayne,

I'll see you Friday at 9.

Joseph D. O'Brien

Deputy Zoning Administrator

62 Civic Center Plaza

Poughkeepsie, NY 12601

Office - 845-451-4273

Fax - 845-451-4006

jobrien@cityofpoughkeepsie.com

From: Wayne Thompson <waynethompson5@aol.com>

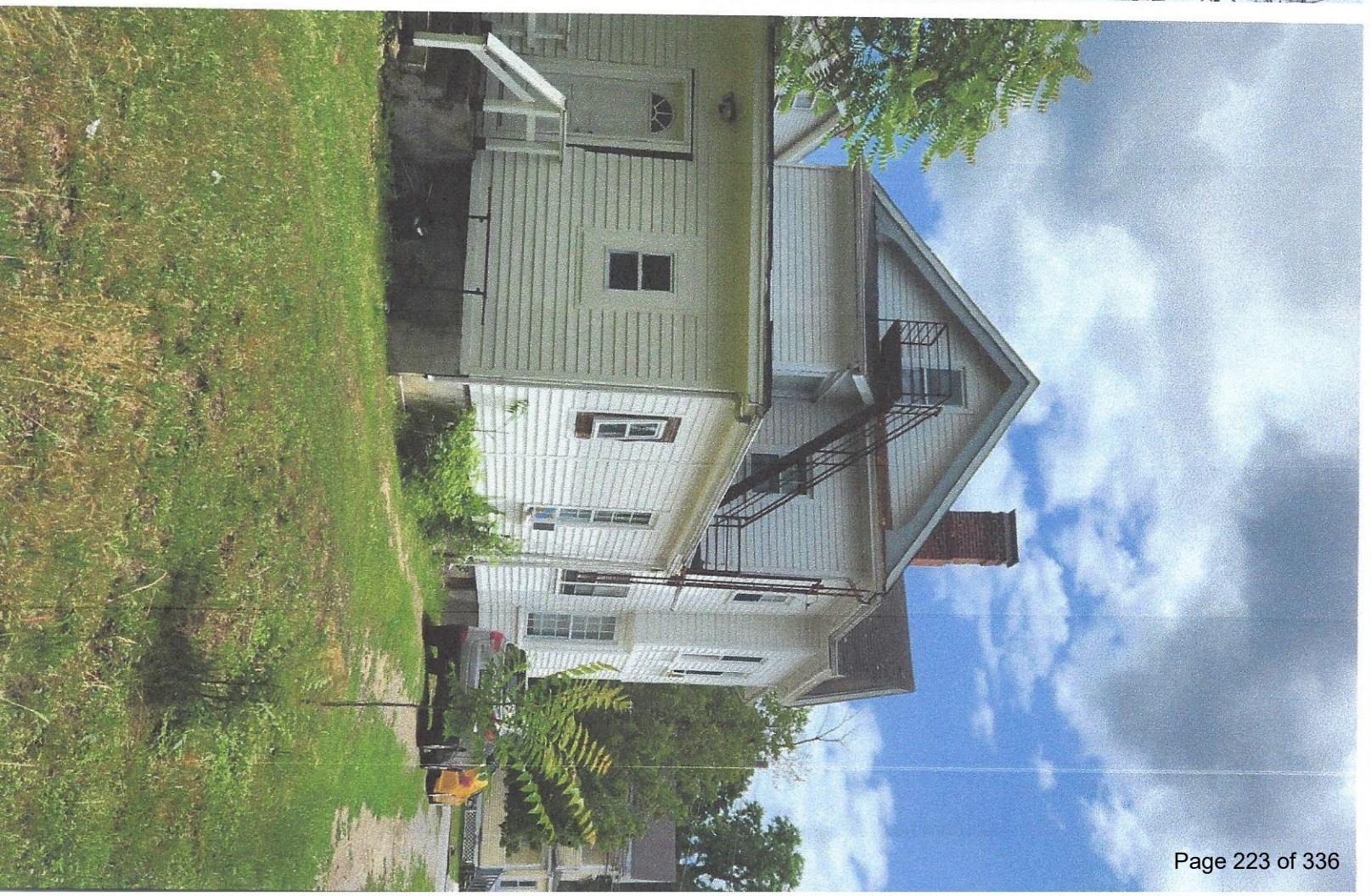
Sent: Wednesday, March 15, 2023 5:01 PM

To: O'Brien, Joseph <jobrien@cityofpoughkeepsie.com>

Subject: RE: project guidance

Hi Joe can we reschedule for Friday at 9?

Wayne Thompson



Wayne Thompson
ATTORNEY AT LAW
17 Hasbrouck Drive
Poughkeepsie, NY 12603

PHONE: 845-464-6693

FAX: 845-463-0203

EMAIL: WayneThompson5@aol.com

June 29, 2023

To: City of Poughkeepsie ZBA

RE: 63 Thompson Street

Project Description

Dear ZBA members:

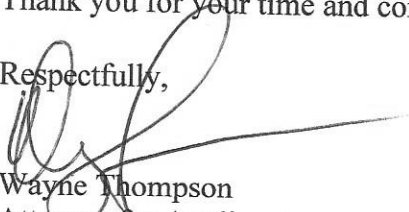
The applicant proposes to convert a current legal 2 family residence but former uncertified 3 floor, 3 family residence into a fully legal 3 family 3 floor residence. Parking will be provided both on site thus necessitating the small variances requested.

Architectural plans have been completed and determined that the project is feasible as it will be part of an extensive interior and exterior renovation of the building. Plans have been submitted to the Building Department and building requirements can be met as determined by the Building Department review. The addition of the additional unit will help defray the escalating cost of materials and labor and provide another nicely renovated home in the neighborhood.

Once complete, the building will add rental inventory which the City desperately requires.

Thank you for your time and consideration.

Respectfully,


Wayne Thompson
Attorney for Applicant

File: .survey.pdf
Missing or invalid reference

- LEGEND
- IRON PIPE/STEEL REBAR
 - TREE
 - EVERGREEN TREE
 - SHRUB
 - UTILITY POLE
 - GUY WIRE
 - OVERHEAD WIRE
 - IPF
 - CHAIN LINK FENCE
 - BUILDING

SCALE AS SHOWN
SCALE 1" = 15'-0"

PARCEL 301135
ANDRE ELLIS
DOC. 02-2016-5409

PARCEL 305134
POUGHKEEPSIE THOMPSON
STREET, LLC
DOC. 02-2019-8048
AREA=0.23 AC

PARCEL 310133
CELEDONIO SANTOS &
DAMIANA PEREZ
DOC. 02-2013-6715

PARCEL 303156
CLIFTON KEARNEY
L.1740 P.643

PARCEL 310154
THERESA BOYKIN & LOIS
LOCKRIDGE-BRELAND
DOC. 02-2019-4267

MAP OF PROPERTY OF
**POUGHKEEPSIE THOMPSON
STREET, LLC**

DOC. 02-2019-8048
SITUATE AT

63 THOMPSON STREET
CITY OF POUGHKEEPSIE,
DUTCHESS COUNTY, NEW YORK

SURVEYED BY CARNEY RHINEVAULT

6 Main Street
Hyde Park, NY 12538
TEL (845) 229-8225

05/21/2020 SCALE: 1" = 20' PROJ NO. 20-140 SHEET 1 OF 1

CARNEY RHINEVAULT NYSLS No. 49097
UNAUTHORIZED ALTERATION OR ADDITION
TO THIS DRAWING IS A VIOLATION OF
SECTION 7209, SUBDIVISION 2 OF THE
NEW YORK STATE EDUCATION LAW.



LOCATION PLAN NOT TO SCALE

DRAWING INDEX:

C-1 PLOT PLAN-SURVEY
LOCATION PLAN

A-1 BSMT. 1ST. & 2ND FLOOR PLANS

A-2 THIRD FLOOR PLAN &
ELECTRICAL PLAN

DISCLAIMER: SYNERGY DESIGN DOES NOT CERTIFY OR VERIFY THE
CONDITIONS OF THE SURVEY.

PLOT & SURVEY PLANS
63 THOMPSON STREET
CITY OF POUGHKEEPSIE, NY

REVISION / DATE

PLOT PLAN / 3/15/2022

PLOT PLAN 7/25/2022
ADDING SOUTH & EAST
LANDSCAPING.

Windows OLE Object

DRAWING NAME:
PLOT, SURVEY & LOCATION
PLANS

SCALE AS NOTED DRAWING #:

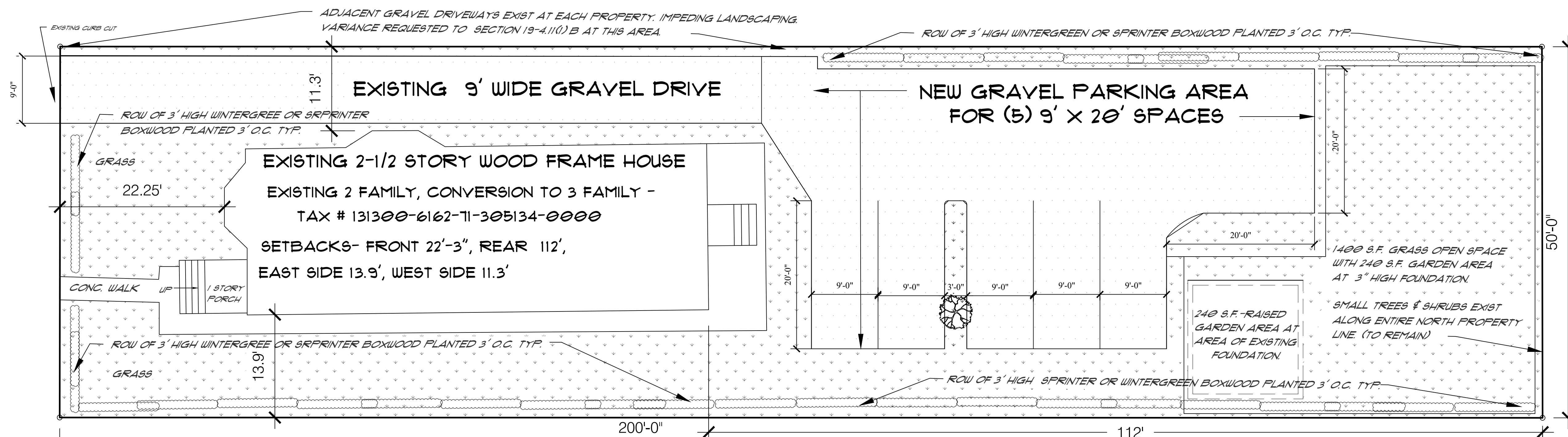
DATE

7/25/23

JOB NO.

12323

S- 1



PROPOSED PLOT PLAN
SCALE 1/8" = 1'-0"

LOT AREA - 10,000 S.F.- STRUCTURE AREA- 1,446 S.F. OPEN SPACE PROVIDED = 1,400 S.F.

VARIANCES REQUESTED: SECTION 19-4.11 (1) B REQUIRES THAT LANDSCAPE STRIPS SHALL BE PROVIDED ALONG ALL PROPERTY LINES
OF MULTIFAMILY AND NONRESIDENTIAL USES. REQUEST VARIANCE AT PORTION OF WEST PROPERTY LINE AS SHOWN.

SECTION 19-4.3(5) DRIVEWAY WIDTH REQUIRED 15', 9' EXISTS - 6' EXEMPTION REQUESTED.

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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Apartment Coersion			
Project Location (describe, and attach a location map): 64 Thompson Street			
Brief Description of Proposed Action: Add 3rd floor apartment			
Name of Applicant or Sponsor: Wayne Thomposn, Esq.		Telephone: 845-464-6693	
		E-Mail: WayneThompson5@aol.com	
Address: 17 Hasbrouck Drive			
City/PO: Poughkeepsie		State: NY	Zip Code: 12603
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 ☒	YES ☐
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 ☒	YES ☐
3. a. Total acreage of the site of the proposed action?		0.25 acres	
b. Total acreage to be physically disturbed?		0.04 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.0 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
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?	NO	YES	
	☐	☒	
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?	☒	☐	
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?	NO	YES	
	☒	☐	
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: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ 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
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
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
	☐	☒
	☒	☐
	☐	☒
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
	☒	☐
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
	☒	☐
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
	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Wayne Thompson, Esq</u> Date: <u>6-19-2023</u> Signature: _____ Title: <u>Attorney for owner</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



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]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

EXISTING COMPARABLE ZONING	
RE: 63 THOMPSON STREET	
ADDRESS	EXISTING ZONING
75 THOMPSON STREET	2 FAMILY
71 THOMPSON STREET	2 FAMILY
67 THOMPSON STREET	3 FAMILY
63 THOMPSON STREET	2 FAMILY
59THOMPSON STREET	2 FAMILY
57 THOMPSON STREET	VACANT
51 THOMPSON STREET	2 FAMILY
49 THOMPSON STREET	APARTMENT
50 THOMPSON STREET	3 FAMILY
52 THOMPSON STREET	1 FAMILY
54 THOMPSON STREET	2 FAMILY
56 THOMPSON STREET	3 FAMILY
62 THOMPSON STREET	2 FAMILY
43 NORTH CLINTON	3 FAMILY
80 SMITH STREET	2 FAMILY
54-58 SMITH STREET	APARTMENT
(8) 2 FAMILY - (1) 1 FAMILY (4) 3 FAMILY (2) APARTMENT (1) VACANT	

Poughkeepsie Thompson Street, LLC
63 Thompson Street, Poughkeepsie, NY 12601
Phone: (914) 760-1203

September 25, 2023

Dear Members of the Poughkeepsie Zoning Board of Appeals.

I submit this financial justification regarding the request zoning change for the above referenced project.

Cost Information

Purchase price	\$165,000
Closing cost	\$ 3,238
Cost of Unit 2 improvements	\$ 11,304
Interest	\$ 54,190
Refinance cost	-----
Total cost	\$233,732
Mortgage	\$150,000
Total invested	\$ 83,732

Construction cost of unit 3 (Including design, permits, and architectural plans)	\$ 35,200
Total Cost	\$268.932
Existing Mortgage	\$150,000
Total invested	\$118,932

Income & expenses

<u>2 Units</u>			<u>3 Units</u>		
Unit	Beds	Rent	Unit	Beds	Rent
1	2	\$1,400	1	2	\$1,400
2	1	\$1,300	2	1	\$1,300
			3	1	\$1,200
Annual Rent (Full Year)		\$32,400	Annual Rent (Full Year)		\$46,800
EXPENSES		Annual	EXPENSES		Annual
Maintenance		\$6,850	Maintenance		\$8,865
Utilities (Electric Landlord)		\$ 670	Utilities (Electric Landlord)		\$805
Unit Repairs		\$2,850	Unit Repairs		\$3,565
Property Tax		\$5,630	Property Tax		\$7,035
Insurance		\$2,243	Insurance		\$2,790
Mortgage		\$10,212	Mortgage		\$10,212
Total Exp.		\$28,455	Total Exp.		\$33,272
Return on Investment		\$3,945	Return on Investment		\$13,528
		4.7%			11.4%

If you have any questions regarding this project, please do not hesitate to call me at (914 760-1203)

Keiran Conway - Poughkeepsie Thompson Street, LLC.



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 7 Grant Street

ZONING DISTRICT: R-4

OWNER INFORMATION:

Name: BRRR Homes Corp
Address: 3 Anipoli Drive Unit 202
Monroe, NY 10950
Phone: _____
Email: _____

APPLICANT INFORMATION:

Name: Wayne Thompson, Esq.
Address: 17 Hasbrouck Drive, Poughkeepsie, NY 12603
Phone: 845-464-6693
Email: WayneThompson5@aol.com

CONSULTANT INFORMATION:

Name: _____
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: Code Enforcement

Date of decision/determination/violation: March 23, 2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 7 Grant 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.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
19-3.15(4)(a)	10,000sf (4791)	5209sf
19-4.3(11)	4 spaces	2 spaces on street

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: 7 Grant Street

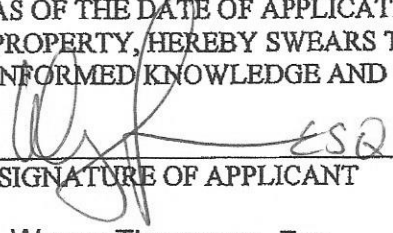
LIST OF REQUIRED ATTACHMENTS

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):

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

06/19/2023
DATE

Wayne Thompson, Esq.
Print Name Attorney for Owner

VARIANCE JUSTIFICATIONS

7 GRANT STREET

(to be further explained in front of the ZBA)

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.

No. The addition is very small compared to the overall scale of the building.

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.

No. The building was probably used as a 2 family prior to the foreclosure. Owner wants to legalize the use as a 2 family and bring into compliance.

3. Is/are the variance(s) substantial?

No. It is our belief that these requests for variances are minor.

4. Will the variances have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district?

No. Very little physical or environmental change will be affected by granting these variances and it will be contained primarily in the rear of the property where an additional parking spot is added.

5. Is the need for the area variance the result of self-created difficulties on your part or unique to the property?

The prior use and foreclosure created these difficulties. However, as a benefit, the granting of the variance will increase the available rental housing stock in the City which is in short supply.

The Development Department is in receipt of your zoning review record relative to the proposed conversion of the property at 7 Grant Street from a single family dwelling to a two family dwelling, including construction of a two story addition at the rear.

The property at 7 Grant Street is located in an area of the City zoned Medium High Density Residence (R-4) District. The use of property in R-4 Districts for two family dwellings is permitted, provided that all of the criteria relative to such use are satisfied. Your request has been reviewed and the following deficiencies noted to exist:

1. Section 19-3.15(4)(a) requires that 10,000 square feet of lot area be provided for a two family dwelling: the lot is 4791 square feet in area;
2. Section 19-4.3(11) requires that four (4) compliant off-street parking spaces be provided: three spaces are indicated, and two of these spaces are noted to be 18 feet deep where 20 feet is required. Additionally, the survey submitted indicates a retaining wall in the rear yard in the general area of the parking spaces shown on Sheet A-2. The retaining wall is not shown on Sheet A-2 and may interfere in the layout of those spaces.

The plot plan should show all features of the survey, and should also accurately reflect the information contained on the survey. For example, the survey indicates a north side yard of 1.1 to 1.4 feet in area, while the plot plan on A-2 appears to show a set-back of nearly four feet

It is suggested that you submit a revised sheet A-1 so a more accurate review can be conducted. It is clear, however, that area variances will be necessary.

Please feel free to contact me if you have any questions in this regard.

Very truly yours,
Judith Knauss

Deputy Zoning Administrator



Wayne Thompson
ATTORNEY AT LAW
17 Hasbrouck Drive
Poughkeepsie, NY 12603

PHONE: 845-464-6693

FAX: 845-463-0203

EMAIL: WayneThompson5@aol.com

June 29, 2023

To: City of Poughkeepsie ZBA

RE: 7 Grant Street

Project Description

Dear ZBA members:

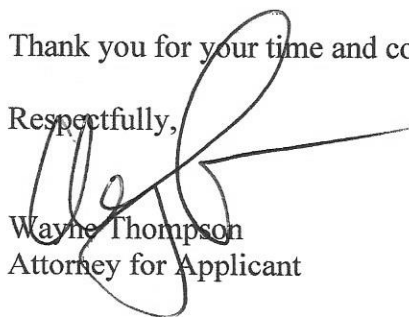
The applicant proposes to convert a dilapidated 1 family residence into a 2 family home with residences on the first and second floors. Parking will be provided both on site and street side as depicted in the plan.

Architectural plans have been completed and determined that the project is feasible as it will be part of an extensive interior and exterior renovation of the building. The addition of the additional units will help defray the escalating cost of materials and labor and provide another nicely renovated home in the neighborhood.

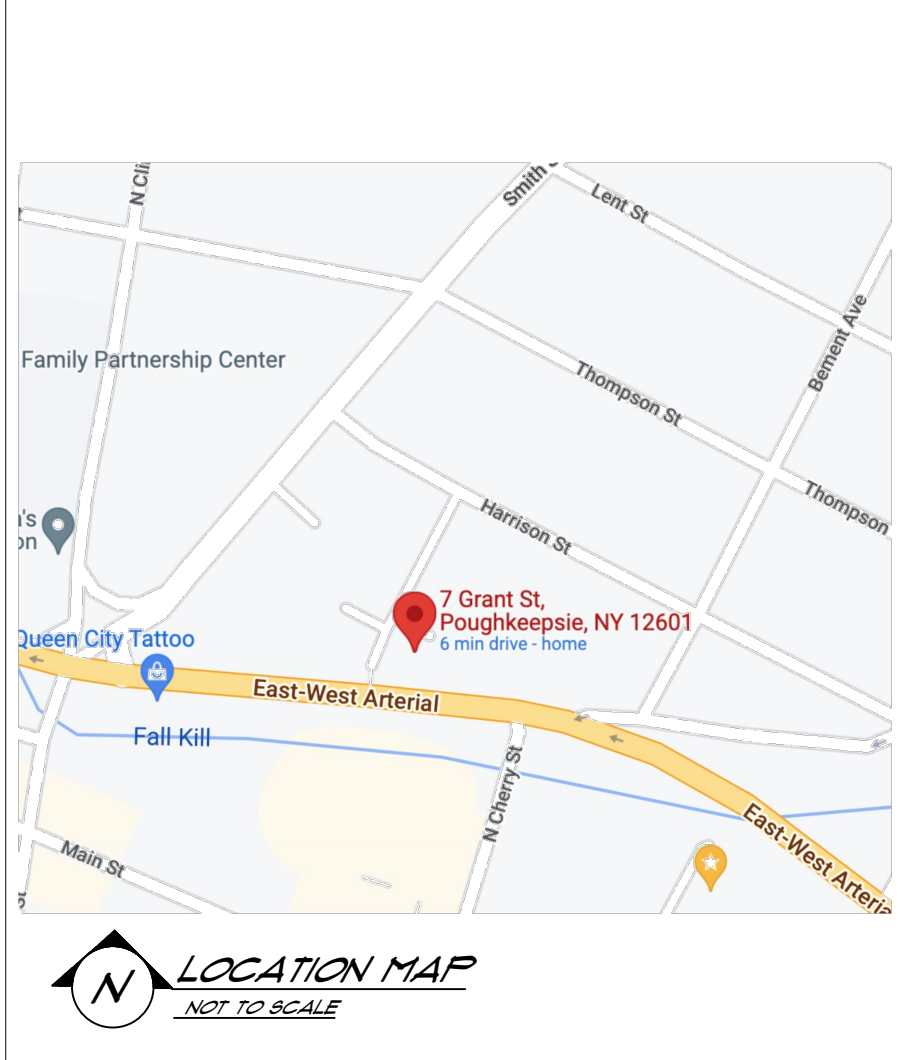
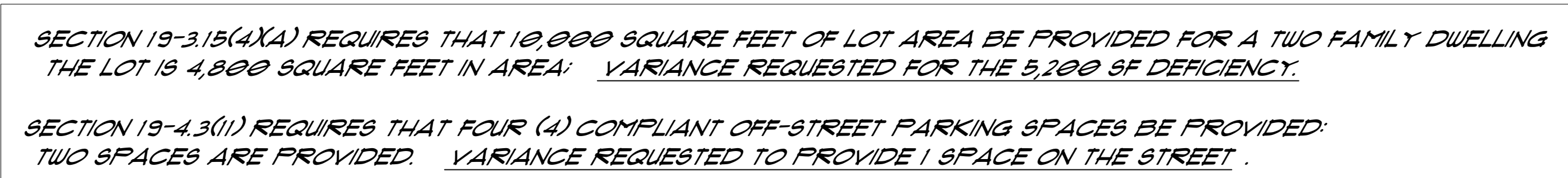
Once complete, the building will add rental inventory which the City desperately requires.

Thank you for your time and consideration.

Respectfully,



Wayne Thompson
Attorney for Applicant



REVISIONS	
PLOT PLAN	
03/15/2022	
09/22/2023	

DATE ISSUED: SEP 22, 2023		DRAWN BY: CVI	SCALE: AS NOTED	JOB #: 23098
------------------------------	--	------------------	-----------------	-----------------

I-FAMILY TO 2-FAMILY CONVERSION
FOR
LANDAU - BRRR HOMES CORP.
7 GRANT STREET
CITY OF POUGHKEEPSIE, NEW YORK

P-1

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

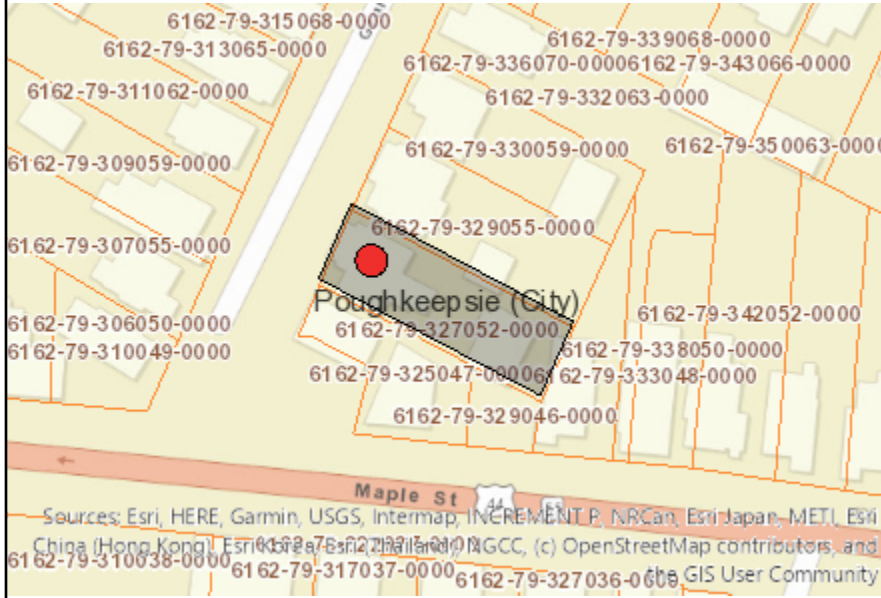
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Apartment Conversion			
Project Location (describe, and attach a location map): 7 Grant Street, Poughkeepsie, NY 12601			
Brief Description of Proposed Action: Convert single family to 2 family apartment			
Name of Applicant or Sponsor: Wayne Thompson, Esq.		Telephone: 845-464-6693 E-Mail: WayneThompson5@aol.com	
Address: 17 Hasbrouck Drive			
City/PO: Poughkeepsie		State: NY	Zip Code: 12603
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 ☒	YES ☐
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: Building permit		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		4800sf acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
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?	NO	YES	
	☐	☒	
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?	☐	☒	
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?	NO	YES	
	☐	☒	
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: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ 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
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☒
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:		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



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]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to 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

EXISTING COMPAIRABLE ZONING	
RE: 7 GRANT STREET	
ADDRESS	EXISTING ZONING
15 GRANT STREET	1 FAMILY
11 GRANT STREET	1 FAMILY
9 GRANT STREET	1 FAMILY
7 GRANT STREET	1 FAMILY
5 GRANT STREET	1 FAMILY
4 GRANT STREET	1 FAMILY
6 GRANT STREET	1 FAMILY
8 GRANT STREET	1 FAMILY
10 GRANT STREET	1 FAMILY
12 GRANT STREET	1 FAMILY
14 GRANT STREET	2 FAMILY
16 GRANT STREET	2 FAMILY
18 GRANT STREET	2 FAMILY
20 GRANT STREET	2 FAMILY
(4) 2 FAMILY - (9) 1 FAMILY	

financial statement for 7 Grant St

Purchase price	\$105,000
Closing cost	\$15,000
Construcion (Including desighen, permits, and architectural plans)	\$150,000
Intarest	\$30,600
Rifinance cost	\$25,000
Total Corrent cost	\$325,600
Mortgage	206,000.00
Total invested	\$119,600
Renovation cost of 2 units	\$150,000
Total Futer Invested	\$119,600

Income & expenses

1 Units		
Unit	Beds	Rent
1	4	\$2,750
Annual Rent		\$33,000

EXPENSES		Annual
Maintenance		\$4,940
Utilities (Electric & Sanatation		\$1,000
Management		\$1,650
Propety Tax		\$4,500
Insurance		\$2,000
Mortgage		\$18,492
Total Exp.		\$31,582

Return on Investment	\$1,418
	1.1%

2 Units		
Unit	Beds	Rent
1	3	\$2,200
2	2	\$2000
Annual Rent		\$50,400

EXPENSES		Annual
Maintenance		\$4,940
Utilities (Electric & Sanatation		\$1,000
Management		\$2,520
Propety Tax		\$4,500
Insurance		\$2,500
Mortgage		\$18,492
Total Exp.		\$33,952

Return on Investment	\$16,908
	12.2%

CASE #:

FEE: \$350.00
CODE: A2112
ID#

APPLICATION TO THE ZONING BOARD OF APPEALS
CITY OF POUGHKEEPSIE, NEW YORK

REQUEST FOR INTERPRETATION
(TYPE, OR PRINT IN DARK INK)

I. PROPERTY: 375-379 Main Street

ZONING DISTRICT: PID-HC (Historic Core)

II. PROPERTY OWNERSHIP

Name of Owner: 375 Main LLC

Address: 147 Union Street

Poughkeepsie, NY 12601

III. APPLICANT INFORMATION

Name of Applicant: Chai Developers LLC / represented by Natalie Quinn, KARC Consulting

Address: 147 Union Street

Poughkeepsie, NY 12601

Phone#: 845.874.7166 917.696.4402

Email: natalie@karcpc.com berry@chaibuilders.com

(If the applicant is not the owner, proof that the owner consents to the application must be provided.) Bernard Kohn is primary owner of 375 Main LLC (property owner) and Chai Developers LLC (applicant)

IV. SUBJECT OF APPEAL

Pursuant to the provisions of Section 19-8.4 of the Zoning Ordinance, this application, relative to the above-referenced property, constitutes an appeal from the decision of the Zoning Administrator, or other City of Poughkeepsie Agent (Name and Title of agent: Joseph D. O'Brien, Deputy Zoning Administrator)

A copy of this decision, dated June 23, 2023, must be attached.

V. APPEAL REQUEST

This appeal takes the form of a request for (check one):

- 1) ☒ The meaning of a portion of the text of the Zoning Ordinance, or any condition or requirements specified or made under the provisions of said Ordinance, and whether or not the appellant has complied therewith; or,
- 2) ☐ The exact location of a district boundary shown on the zoning map; or,
- 3) ☐ Approval for a change from one legal nonconforming use to another nonconforming use.

VI. RATIONALE FOR REQUEST (Attach additional sheets as necessary):

Please see attached cover letter and other attachments for rationale of request.

VII. LIST OF REQUIRED ATTACHMENTS

1. Electronic version of all submission materials
2. Site or plot plan (8) copies
3. Other attachments deemed pertinent by applicant (please list):
3. Cover Letter, dated August 3, 2023
4. Original Zoning Review Request submission (form and supplemental narrative)
5. ZEO Determination, dated June 23, 2023
6. Notated PID Zoning Code with relevant sections highlighted

VIII. SIGNATURE AND VERIFICATION

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

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

Natalie Quinn

Signature of Applicant

DATE: August 4, 2023

August 4, 2023

Ms. Lori Garcia
ZBA Board Secretary
City of Poughkeepsie
1 Civic Center Plaza
Poughkeepsie, NY 12601

Mr. Scott Parker
ZBA Chairman
City of Poughkeepsie
1 Civic Center Plaza
Poughkeepsie, NY 12601

**RE: Review Process for Hotel Uses in PID-HC (375-379 Main Street)
 Interpretation Request**

Dear Ms. Garcia & Mr. Parker,

Enclosed, please find eight (8) copies of the following materials in support of an Interpretation request:

1. Zoning Interpretation Application, dated August 4, 2023
2. Cover Letter with Rational for Request, dated August 4, 2023
3. Parcel map and zoning map
4. Original Zoning Review Request Form, submitted June 12, 2023
5. Zoning Determination, dated June 23, 2023
6. Notated PID Zoning Code

A zoning review request was filed on June 12, 2023 to clarify the approval process for adaptive reuse of an existing building at 375-379 Main Street (formerly office furniture retail and storage) into a boutique hotel. Currently, no additions or expansions to the building are being proposed. A zoning determination from the City of Poughkeepsie was received on June 23, 2023, indicating that site plan approval by the Planning Board would be required for the proposed change of use. A “previous determination” was cited as support for this current determination. An official letter for the previous determination was not provided, but a Planning Board recommendation sheet referencing the determination was provided and is included within this submission’s attachments.

Below, please find the applicant's rationale for filing a request for interpretation from the Zoning Board of Appeals:

Within the PID Zoning Code, Table 3.37-1 designates Hotels as a "P*" use within the PID-HC subdistrict. The code states in Section 19-3.37(6)(a) "Permitted uses designated by P* in Table 3.37-1 have been determined not to negatively impact parking, loading, drainage or utilities and therefore do not require site plan review by the Planning Board." This section of the code clearly conveys an intent for a streamlined approval process for designated uses, as well as a determination that changes to parking, loading, drainage, and utilities have been previously considered and should not be used a justification to divert the intention of a streamlined approval process.

The above referenced table and Section 19-3.37(6)(a) convey the intent of the zoning district regulations. The intent of streamlined approval process is further supported by the overarching goals of the Poughkeepsie Innovation District (PID) code, as enumerated in Section 19-3.37(1). Subbullet "f" of this section states the following as a key component of the policy:

Recommendations for efficient governance and implementation through the fostering of partnerships, a streamlined development process, and marketing of the Poughkeepsie Innovation District.

While an updated zoning code can in and of itself be one means of streamlining the development approval process by providing modern regulations that clearly communicate the development goals of a community, the implementation of "permitted-by-right" measures is another important tool for achieving this goal. Review of the PID code shows that identification of uses permitted-by-right, as indicated by P* within the permitted use table, is one, if not the only, measure included within the PID code that could substantially streamline the approval process for certain uses within the PID-HC subdistrict.

Furthermore, the Zoning Determination Letter dated June 23, 2023 states that despite the P* classification of hotels as a permitted use, review by the Planning Board will still be required due to the fact that "Table 3.37-4 classifies hotels as "Other Uses" and therefore parking shall be determined by the Planning Board during Site Plan Review." Our rationale is further based on the fact that the above statement is incorrect. A note beneath Table 3.37-4 indicates that "***Further enumeration of the individual uses categorized within each use group can be found Section 19-3.37(14), Definition of terms, under the definition of "parking use groups."" Within the definitions section of the code, the following uses are identified as "other uses," a list which expressly does not include "hotel":

OTHER, REQUIREMENTS TO BE DETERMINED ON A CASE-BY-CASE BASIS — Theater, cabaret, auditorium, banquet facility, cultural facilities, recreational facility, and markets for arts, crafts, or food, colleges, universities, vocational schools, day-care centers.

We do acknowledge the cause for confusion and lack of clarity at this portion of the code as “hotel” is not expressly listed in any of the parking use group definitions. Similarly, other P* uses – such as Artisan Manufacturing and Community Facility – are also not classified within any parking use group. However, a number of other uses that are permitted within the PID-HC subdistrict as P* uses - such as Art studio, broadcast studio, home occupation, offices (business, professional or medical) - are classified within the Office and Non-Retail Commercial parking use group. Thus, based on the fact that hotels are identified within the permitted use table as a “P*” use, expressly not requiring Planning Board approval, plus the fact that hotels are omitted from the “Other Uses” parking use group, we believe that hotels should therefore be classified within the Non-retail Commercial parking use group and that parking requirements should not be used as a tool to require Planning Board approval where the codes expressly waives that requirement.

Furthermore, it is worth noting that it appears to be an intentional move of the PID zoning code to remove parking requirements from the PID-HC subdistrict, as illustrated in the Table 3.37-4 by a parking requirement of zero (0) for all parking use groups within the PID-HC subdistrict. In more modern codes, especially in central commercial districts with an existing built form, the removal of parking requirements is often used as a tool to facilitate investment and the highest-and-best use of space. Removal of on-site parking requirements is especially helpful for the adaptive reuse of existing structures that were built before parking requirement formulas were invented, and therefore occupy the full extent of the parcel on which they sit. The removal of parking requirements within specific districts and for specific uses does not mean that parking will not be provided, it simply acknowledges that the provision of on-site parking for each individual site is not conducive with good urban form¹.

Based on the above rationale, we are therefore seeking an interpretation from the Zoning Board of Appeals that Section 19-3.37 of the zoning code intends for hotel uses within the PID-HC subdistrict to be exempt from Planning Board review.

Thank you for your time and consideration of this request.

Sincerely,

Natalie Quinn

Natalie Quinn

¹ Speck, Jeff. Walkable City Rules (excerpt). 2108. https://issuu.com/theparkingprofessional/docs/walkablecity_tpp

**Parcel Number**

131300-6162-78-160058-0000

Parcel Location

375-379 Main St

Municipality

Poughkeepsie City

Owner Name

375 Main LLC (P)

Primary Owner Mailing Address

147 Union St
Ste 101
Poughkeepsie, NY 12601

**Parcel Details**

Lot Size (acres):	0.28 AC (C)	Split Town:	-
Filed Map:	-	Agri. District:	None
File Lot #:	-	School District:	(131300) Poughkeepsie City SD
Land Use Class:	(453) Large retail		

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
\$74,800	\$2,300,000	\$2,300,000	\$2,300,000	\$2,300,000	\$0
Tax Code:	Roll Section:	Uniform %:	Full Market Value:		
N (Non-Homestead)	1 (Taxable)	100	\$2,300,000		
Tentative Roll:	Final Roll:	Valuation Date:			
5/1/2023	7/1/2023	7/1/2022			

Last Sale / Transfer

Sale Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
\$2,300,000	11/28/2022	22022	4970	J	1

Site Information**Site 1**

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(3) Comm/public	(3) Comm/public	(3) Normal		(D05) Large retail

Commercial / Industrial / Utility Building Information

Site 1, Section 1, No. 1

Year Built:	No. Stories:	Gross Floor Area:	Boeck Model:	
1840	5	44,708	(0319) 2 sty Str/off/apt load sup	
Air Cond. %:	Sprinkler %:	Alarm %:	No. Elevators:	Basement SF:
0	0	0	0	0
Number Identical:	Condition Code:	Constr. Qual:		
0	3	(1) Average -		

Site 1, Section 2, No. 1

Year Built:	No. Stories:	Gross Floor Area:	Boeck Model:	
1930	5	8,400	(0844) 5-7 sty warehse reinf conc	
Air Cond. %:	Sprinkler %:	Alarm %:	No. Elevators:	Basement SF:
0	0	0	0	0
Number Identical:	Condition Code:	Constr. Qual:		
0	3	(1) Average -		

Commercial Rental Information

Site 1, Use 1

Used As:			Unit Code:	Total Rent Area:	Total Units:
(D05) Large retail			-	53,108	0
Area 1 Bed. Apts.:	Area 2 Bed. Apts.:	Area 3 Bed. Apts.:	No. 1 Bed. Apts:	No. 2 Bed. Apts:	No. 3 Bed. Apts:
0	0	0	0	0	0

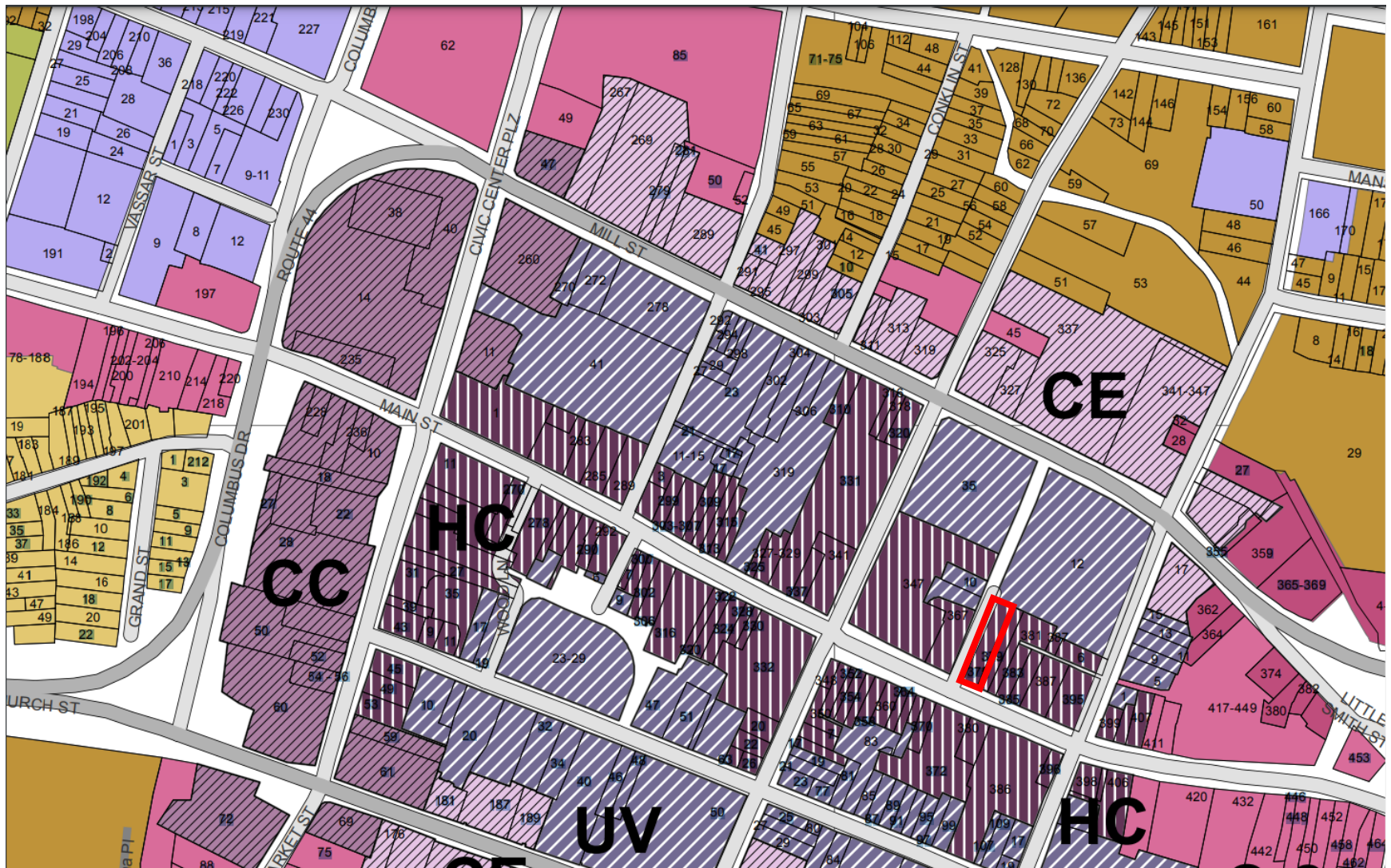
Special District Information

Special District: GP000

Special District Name:	Primary Units:	Ad Valorem Value:
Greater Pok Lib Dist	0	\$2,300,000

ABSOLUTELY NO ACCURACY OR COMPLETENESS GUARANTEE IS IMPLIED OR INTENDED. ALL INFORMATION ON THIS MAP IS SUBJECT TO CHANGE BASED ON A COMPLETE TITLE SEARCH OR FIELD SURVEY.

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**THE CITY OF POUGHKEEPSIE
NEW YORK**
DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$50.00
CODE: ZRSP
ID# _____

ZONING REVIEW REQUEST

Property Address: 375-379 Main Street
Parcel Grid #: 131300-6162-78-160058-0000

Contact Info: ☐ Applicant ☐ Owner ☒ Consultant ☐ Other: _____

Name: Natalie Quinn
Phone number: 845-874-7166
Email (required): natalie@karcpc.com

Current use of property: vacant / formerly office furniture storage and retail

Proposed use of property: Adaptive reuse of existing structure to develop a hotel with amenities. Hotel amenities will include gift shop, restaurant with lounge, kitchen, conference/ event space, fitness and wellness studios, zen garden, roof terrace, and back-of-house office & storage

Additional questions: Please see attached narrative

Official use only:

- ☐ Additional information required for review (date: _____)
- ☐ Zoning District: _____
- ☐ Use Variance from the Zoning Board of Appeals
- ☐ Area Variance(s) from Zoning Board of Appeals
- ☐ Requires ☐ Site Plan ☐ Special Permit approval from Planning Board
- ☐ Requires Sign Permit from ☐ Planning Staff ☐ Planning Board
- ☐ Requires Building Permit
- ☐ Requires other approvals or reviews:
 - ☐ Historic District and Landmarks Preservation Commission
 - ☐ Waterfront Advisory Committee ☐ Shade Tree Commission

Notes: _____

Responded by: ☐ email ☐ letter ☐ phone ☐ in person ☐ email/letter attached

Judith Knauss, Deputy Zoning Administrator
Joseph O'Brien, Deputy Zoning Administrator

Date

**Zoning Review Request
375-379 Main Street
Additional Questions**

We are seeking clarification on the parking requirement and approval process for hotels in the PID-HC zoning district.

We believe that the proposed use, as described on the attached ZRR form, aligns directly with the definition of "Hotel" at defined in Section 19-2.2 of the zoning code, including all accessory uses. Please confirm use designation.

Within the PID-HC zoning district, hotels are designated as a "P*" use in Table 3.37-1. The code states in Section 19-3.37(6)(a) "Permitted uses designated by P* in Table 3.37-1 have been determined not to negatively impact parking, loading, drainage or utilities and therefore do not require site plan review by the Planning Board."

However, in the parking standards section of 19-3.37, "hotel" is not listed in Table 3.37-4, nor is it listed in any of the defined Parking Use Groups in Section 19-3.37(14) *Definition of terms*. Please confirm whether a hotel would be classified as "Office and Non-Retail Commercial" or "Other uses" with regards to parking requirements.

If a hotel would be classified as "office and non-retail" then we believe the project does not require Planning Board approval due to the P* use classification and 0 parking requirement. However, if a hotel is classified as "Other use," then Table 3.37-4 states that "Other uses" will have a parking requirement "as determined to be appropriate by the Planning Board during site plan review."

If it is deemed that a hotel would be classified as "other use" with regards to parking standards, please clarify the necessary approval process. In such a case it would seem that the code contradicts itself since the use table specifically states that Planning Board approval is not required (and specifically notes that parking has been considered) and yet the parking standard table states that the Planning Board must determine the parking requirement. If Planning Board approval is required, would review be limited solely to establishing a parking requirement?



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

June 23rd, 2023

Natalie Quinn

Re: 375-379 Main Street
ID: 286090
Zoning Review Request PD-2023-050

Dear Ms. Quinn,

The Development Department is in receipt of your zoning review request relative to the property at 375-379 Main Street and the proposed conversion of the existing building from a Retail store with storage into a Hotel with amenities. This property is located within The Historic Core Subdistrict (PID-HC) which does allow Hotels per code Section 19-3.37(7) Table 3.37-1 of the Zoning Ordinance. Although this permitted use has been designated to not require site plan review by the Planning Board, Table 3.37-4 classifies Hotels as "Other uses" and therefore, parking shall be determined by the Planning Board during Site Plan review. Section 19-3.37(13)(a) states that the Planning Board may use Section 19-4.3 of this chapter as guidance on standards or requirements that are not addressed herein. Section 19-4.3(11)(b) requires Hotels provide 1.25 spaces per rental unit.

As no plans were provided for the purpose of this review, at this time I will not be able to confirm compliance with the rest of the zoning code and variances from the Zoning Board of Appeals could be required. To address a specific question in your attached narrative, the Planning Board would review the entire Site for approval and would not just address the number of parking spaces required consistent with prior determinations of this office.

After Site Plan approval is granted by the Planning Board and all Area Variances are granted by the Zoning Board of Appeals if required, 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

From: [Joseph O'Brien](#)
To: [Natalie Quinn](#)
Cc: [Eric Philipp](#)
Subject: RE: 375-379 Main Street
Date: Wednesday, July 5, 2023 9:59:09 AM
Attachments: [3958_001.pdf](#)

Natalie,

Attached is the previous determination, let me know if there is anything else I can assist with, thanks.

Joseph D. O'Brien

Deputy Zoning Administrator

62 Civic Center Plaza

Poughkeepsie, NY 12601

Office - 845-451-4273

Fax - 845-451-4006

jobrien@cityofpoughkeepsie.com

From: Natalie Quinn <natalie@karcpc.com>
Sent: Friday, June 30, 2023 3:55 PM
To: Joseph O'Brien <jobrien@cityofpoughkeepsie.com>
Cc: Eric Philipp <EPhilipp@cityofpoughkeepsie.com>
Subject: RE: 375-379 Main Street

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Joe,

Thank for the response. Will you please send me the "prior determination of this office" referenced in your letter regarding full site plan review.

Thank you and have a nice 4th of July!

Best,
Natalie

KARC
PLANNING CONSULTANTS, INC.

WBE Certified NY and NJ
DBE Certified

US SBA WOSB and EDWOSB Certified

KARC Planning Consultants

PO Box 924

Poughkeepsie, NY 12602

845.874.7166 (Mobile)

Natalie@karcpc.com

[https://link.edgepilot.com/s/510b5652/F20_iQOmYEydoeRPCOl1g?
u=https://www.karcpc.com/](https://link.edgepilot.com/s/510b5652/F20_iQOmYEydoeRPCOl1g?u=https://www.karcpc.com/)

From: Joseph O'Brien <jobrien@cityofpoughkeepsie.com>

Sent: Friday, June 23, 2023 2:53 PM

To: Natalie Quinn <natalie@karcpc.com>

Cc: Eric Philipp <EPhilipp@cityofpoughkeepsie.com>

Subject: 375-379 Main Street

Natalie,

Attached is the requested zoning review for 375-379 Main St, please let me know if you have any questions, thanks.

Joseph D. O'Brien

Deputy Zoning Administrator

62 Civic Center Plaza

Poughkeepsie, NY 12601

Office - 845-451-4273

Fax - 845-451-4006

jobrien@cityofpoughkeepsie.com

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.



**CITY OF POUGHKEEPSIE
PLANNING DEPARTMENT
MAY 19, 2020**

375 AND 379 MAIN STREET - ADAPTIVE REUSE / BOUTIQUE HOTEL

Site Plan application for the proposed adaptive re-use of a furniture store and warehouse to a 79 unit boutique hotel in the buildings at 375 and 379 Main Street, which will involve combining those two lots into a single lot of record. Grid #6161-78-160058 and 6162-78-163057; Owner: Steven and Thomas Chickery; Applicant: Urban Green Foods, LLC (Eric Anderson); Consultant: Matthew Cordone, PLLC; Zoned Poughkeepsie Innovation District - Historic Core (PID-HC); File #2019-060

Project Description

The applicant proposes to convert the existing furniture store and warehouse in the buildings at 375 and 379 Main Street to a 79 unit boutique hotel, which will include combining the two lots into a single lot of record, and creating a roof-top terrace space on the five story portion of the building for the exclusive use of guests of the hotel. Hotels are classified as “other uses” within Table 3.37-4 of the PID-HC; therefore, off-street parking requirements for the project are “As determined to be appropriate by the Planning Board during site plan review.”

History of Review

The application was first presented to the Planning Board on October 15, 2019. The project is classified as a Type II Action under SEQR and no further SEQR action is required. A Public Hearing was scheduled for November 19, 2019. That hearing has been opened and adjourned several times, including on January 21, 2020.

At the January meeting, the Planning Board voted that an escrow account of \$3,000 be established by the applicant for architectural review services by MASS Design Group or another architectural consulting firm. Also at the January meeting, the Planning Board determined that the off-street parking requirement for the hotel would be thirty (30) spaces.

At the February meeting, the Public Hearing was closed. The Planning Board reviewed MASS Design Group comments and the revisions made to the plans in response to those comments and comments from various City Departments.

Recommendations

In addition to the comments previously made, it is recommended that the Planning Board provide the applicant feedback as follows:

- Review of any revised plans submitted by applicant
- Review of architecture review letter submitted by MASS Design Group

Documents Entered into Record

Date	Description	Author	Comments
8/28/19	Site Plan Application	Urban Green Foods, LLC (Eric Anderson)	Application for site plan review
10/7/19	Site Plan set	Matthew Cordone, AIA	Site plan and supporting documentation, revised through 10/7/19
7/25/19	Full EAF	Eric Anderson	Full Environmental Assessment Form
8/26/19	Letter of Authorization	Steven Chickery	Letter from the property owner authorizing the Urban Green Foods, LLC to make the application
10/30/19	Fire Dept. Comments	Fire Chief Johnson	Standard comments from the Fire Dept.
11/2/19	Police Department Comments	Police Department	Comments of the Police Department
11/7/19	County Planning Comments	Heather LaVarnway	Dutchess County Planning Department Comments: local concern, with comments
11/12/19	Engineering Department Comments	Joseph Kane, Asst Civil Engineer	Form 1 from the Engineering Department, with comments/conditions
Unknown	Revised Site Plan set	Matthew Cordone, RA	Revised site plan set (not all sheets carry revision dates as required)
Unknown	Historical photo	Unknown	Historical photo of the Perlmutter Furniture store showing original facade
Unknown	Before and After renderings	Unknown	Renderings of the existing and proposed elevations
11/27/19	Memorandum to Natalie Quinn on parking requirements	Eric Anderson	Narrative of plan to address parking requirement
2/18/20	Revised plan set	Matthew Cordone	Revised set of project drawings
2/21/20	Letter	MASS Design Group	Comments and recommendations regarding architectural design
3/6/20	Façade Drawings	Matthew Cordone	SK-2, SK-3, renderings of selected "option 1"
3/9/20	Revised plan set	Matthew Cordone	Revised set of project drawings and cover letter detailing revisions

Motions & Resolutions

It is recommended that the Planning Board consider adopting the following resolution:

WHEREAS, the Planning Board has received an application for Site Plan Review relative to the proposed conversion of the existing buildings at 375 and 379 Main Street to a mixed use building

with a hotel (with guest amenities such as a business center, gym and roof top lounge) and a bakery;
and,

WHEREAS, the use is one which is permitted in the Poughkeepsie Innovation District Urban Historic Core (PID-HC); and,

WHEREAS, at the January 22, 2020 meeting the Board determined that the proposed use shall require thirty (30) off-street parking spaces to be provided; and

WHEREAS, the required thirty (30) parking spaces will be provided via fee in lieu of off-street parking as outlined in Section 19-3.37(13)(e) of the Zoning Ordinance; and,

WHEREAS, the project is classified as a Type II action under SEQRA and is not subject to further environmental review; and

WHEREAS, the action is more fully detailed on the application form and revised plans dated 3/9/20, and revised elevations dated 3/6/20, prepared by Matthew Cordone, Architect; and,

WHEREAS, upon completion of the project, prior to the issuance of the final certificate of occupancy, an as-built site plan set shall be submitted to the Planning Department for certification of compliance with Planning Board approval; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Board grant site plan approval for the proposed conversion with the following conditions:

- The lots be combined into a single lot of record;
- All signage, whether shown on this plan or not, will require the filing of an application for sign permit for review and approval;
-

Motion:

Second:

Carried:

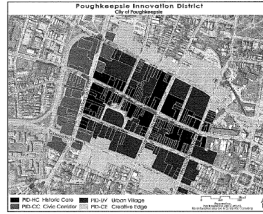
Section 19-3.37. Poughkeepsie Innovation District (PID).¹ [Ord. No. O-19-2, 2-11-2019, § 1]

- (1) *Purpose of district.* The purpose of the Poughkeepsie Innovation District (PID) zoning is to implement the principles and overall objectives established in the Poughkeepsie Innovation District-Policy Framework (PID-PF). The PID-PF provides a detailed implementation framework for executing the principles advanced by previous planning efforts such as the Poughkeepsie City Center Revitalization Plan (PCCRP) and the Main Street Economic Development Strategy (MSEDS). The purpose of the Poughkeepsie Innovation District (PID) and subdistricts, as further described in Section 19-3.37(4) below, is to revitalize the City of Poughkeepsie's historic Central Business District through the fostering of a walkable mixed-use neighborhood that supports quality residential development and institutional spaces for learning and socializing, as well as work spaces for Poughkeepsie's creative and innovative businesses.

Specifically, the six key components of the Poughkeepsie Innovation District-Policy Framework include:

- (a) Land use and urban design regulations that encourage transit-oriented development and the preservation of Main Street's historic character.
 - (b) Proposals for stimulating local revitalization through the building of a creative economy that supports and enhances Poughkeepsie's creative and applied arts industries while also coordinating with local institutions to improve education and workforce development opportunities.
 - (c) Recommendations for connecting the Poughkeepsie Innovation District to the rest of the City and region through an integrated transit network with multimodal connections.
 - (d) Strategies for retaining and enhancing affordable housing within the Poughkeepsie Innovation District.
 - (e) Strategies for remediating and redeveloping vacant properties, including surface parking lots.
 - (f) Recommendations for efficient governance and implementation through the fostering of partnerships, a streamlined development process, and marketing of the Poughkeepsie Innovation District.
- (2) *Boundaries of Poughkeepsie Innovation District.* The PID centers upon a portion of Poughkeepsie's historic Main Street, a cluster of civic institutions, and a regional bus hub. The area within the PID is sometimes referred to as the City's Central Business District. The northern and southern boundaries of the district are delineated by the westbound and eastbound arterials, Mill Street and Church Street, respectively, with the PID incorporating parcels on either side of the roadways. Columbus Drive serves as the district's boundary to the west, and Hamilton Street delineates the eastern boundary. Parcels on both sides of Hamilton Street are included within the PID. The boundaries of the Poughkeepsie Innovation District and subdistricts are shown in Figure 3.37-1.

1. Editor's Note: Former Section 19-3.37, Transportation Center District (T) [Ords. (two) of 2-22-1982, as amended, was deleted pursuant to L.L. No. 4-2014, 11-17-2014, § 3.

Figure 3.37-1. Poughkeepsie Innovation District and Subdistrict Boundaries

- (3) *Pre-approved building forms.* The PID regulations provide building owners and developers with broad latitude to build as-of-right a variety of land uses within the Poughkeepsie Innovation District. The PID offers four different subdistricts that allow for a variation of land uses within a single district as long as building placement, dimensions, and facades meet the prescribed typologies. These regulations are designed to streamline the development review process by establishing clear guidelines that are mutually understood by the Planning Board and the development community as consistent with the Poughkeepsie Innovation District-Policy Framework.
- (4) *Subdistricts.* The land use and development objective of each of the four PID subdistricts is described below.
- (a) The Historic Core (PID-HC) Subdistrict is a medium-density commercial corridor with vertically mixed buildings characterized by engaging ground floor uses such as restaurants, bars, retail, personal services, artisan manufacturing, and galleries that are flush with the front property line and maintain high levels of ground floor transparency to create an engaging pedestrian environment. In addition to and not in lieu of the requirements set forth in Section 19-4.5, preservation of historic architecture is encouraged when possible, and new development should complement the existing character of the corridor.
 - (b) The Urban Village (PID-UV) Subdistrict is a higher-density multifamily residential district with allowances for some office uses and artisan manufacturing, and ground floor uses such as restaurants, bars, retail, personal services, and galleries to support the residential population. Pedestrian plazas and parks are permitted within the district.
 - (c) The Civic Corridor (PID-CC) Subdistrict is an area containing medium-density, well-designed institutional buildings with significant public access. Civic and educational uses with student housing and quality open space and pedestrian plazas are encouraged.
 - (d) The Creative Edge (PID-CE) Subdistrict is intended to be a lower-density transition district that allows for artisan manufacturing, such as microbreweries or custom furniture making, office, and live-work spaces to support the innovation economy, with some allowance for low-density residential such as townhomes and two-family dwellings, especially on parcels abutting neighboring residential communities.
- (5) *Applicability.*
- (a) The provisions of this Section 19-3.37 shall apply to the PID and shall be in addition to other requirements of the City Zoning Ordinance. In the event of any direct conflict, the provisions of this section shall control.
 - (b) All new uses of land and structures, changed uses of land and structures, and significant facade changes shall comply with Section 19-3.37. Existing nonconforming uses may continue as provided in Chapter 19, Article V, of the City Zoning Ordinance, except as may be otherwise

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provided in this section.

- (c) This section uses the term "shall" when a standard is required and "should" when the standard is to be applied, unless the Planning Board finds strong justification for an alternative solution in an unusual and specific circumstance. The terms "encouraged" and "permitted" mean preferred but not required.
- (d) In order to encourage mixed uses, more than one principal building and more than one principal use shall be allowed on any lot or parcel in the PID District, subject to all approval criteria contained herein.

(6) *Site plan review.* Site plan review shall be required of all proposed development as outlined in Section 19-6.1.

As a subbullet, we believe the intent of Section 19-3.37(a) is to serve as an exception to the requirements listed in 19-6.1

- (a) Permitted uses designated by P* in Table 3.37-1 have been determined not to negatively impact parking, loading, drainage or utilities and therefore do not require site plan review by the Planning Board.

(7) *Permitted uses.* Permitted uses for each of the four subdistricts are included in Table 3.37-1 below.

- (a) The permitted uses listed in Table 3.37-1 are intended as a general reference, and therefore are not exhaustive. The listed uses represent general examples of desired and discouraged uses within the PID. The authority to interpret uses not explicitly listed is vested in the Planning Board or designee. Written justification of the interpretation must be filed with the formal decision letter and the following criteria contemplated:
 1. Unlisted uses permitted within a district should have equal or lesser intensity than other permitted uses within a specific subdistrict with regards to parking requirements, occupancy, traffic, and effects on the pedestrian environment.
 2. Unlisted uses permitted within a district shall not be inconsistent with explicitly permitted uses identified in Table 3.37-1.
- (b) *Accessory uses.* The following accessory uses and structures are permitted in the PID in connection with any permitted or lawfully existing use within each subdistrict:
 1. Accessory dwelling units are permitted within the PID only if constructed behind the front building line of the primary use.
 2. Off-street parking is permitted, provided that it is located behind the front building line of the primary use or in the interior of the lot and not visible from the street.
 3. Structures for housing pets, playhouses, garden houses, and greenhouses are permitted behind the front building line of the primary use.
 4. Structures for home occupations are permitted, provided the structure is located behind the front building line of the primary use and not visible from the street.
 5. Signs are permitted subject to regulations of Section 19-4.9 of the Poughkeepsie City Code.
 6. Solar collectors and micro wind turbines are permitted. Features may extend up to 15 feet above the maximum height limit, as long as the combined total coverage of the rooftop features do not exceed 25% of the roof area when typical features (such as elevator

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penthouses) are present. If rooftop features exceed the 25% roof coverage, solar collectors may only extend seven feet above maximum height limits.

7. Food trucks are permitted as an accessory use for a definitive period of time and subject to permitting requirements.
- (c) *Ground floor uses.* In order to promote a walkable urban environment with active storefronts along Poughkeepsie's primary commercial streets, all street-facing ground floor uses for buildings located in the PID-HC Subdistrict shall be limited to nonresidential uses.
- (d) *Parks and programming.* Permanent parks and outdoor recreational spaces are permitted as-of-right in all subdistricts, subject to design standards outlined in Section 19-3.37(12)(d), with the exception of the PID-HC Subdistrict. The exclusion of parkland from the Historic Core Subdistrict is intended to encourage a consistent streetwall and maximize the efficiency of land use within the commercial corridor.
- (e) *Prohibited uses.*
 1. Drive-in or drive-through facilities, whether standalone or used in connection with any other use, are prohibited.
 2. Surface parking as a principle use is prohibited within the PID.
 3. Front yard parking spaces are prohibited.

Table 3.37-1: Uses Permitted by Subdistrict

Use	PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
Adult Bookstores				
Agriculture (Urban)	P	P	P	P
Art Studio	P*	P	P	P
Auditorium		P	P	
Artisan Manufacturing (Includes Artisan Food and Beverage)	P*	P	P	P
Auto Related				
Bank or Credit Union	P*	P	P	P
Banquet Facility			P	P
Bar or Tavern	P*	P	P	P
Broadcast Studio	P*		P	P
Cafe or Coffee Shop	P*	P	P	P

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Table 3.37-1: Uses Permitted by Subdistrict

Use	PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
Cemetery				
Colleges, Universities, Vocational Schools	P	P	P	P
Community Facilities (Uses, Public)	P*	P	P	P
Convenience Store	P	P	P	P
Convenience Store with Gasoline Pumps				
Cultural Facility	P*	P	P	P
Day-Care Center	P		P	P
Drive-In or Drive-Through Establishment				
Dwelling, Multifamily	P*	P	P	P
Dwelling, Single-Family				
Dwelling, Two-Family				P
Home Occupation (subject to Section 19-4.1)	P*	P		P
Hotel	P*	P	P	
Live/Work Space	P*	P	P	P
Market for Arts, Crafts, or Food	P	P	P	P
Nightclub	P	P		
Offices, Business, Professional, or Medical	P*	P	P	P
Parking as Principal Use				
Parking Structure		P	P	

Table 3.37-1: Uses Permitted by Subdistrict

Use	PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
Parks, Pocket		P	P	P
Personal Service	P*	P	P	P
Recreational Facility	P*	P	P	P
Restaurant, Standard	P*	P	P	P
Retail (less than 10,000 square feet)	P*	P	P	P
Retail (more than 10,000 square feet)		P		
Sidewalk Cafe (subject to Section 15-14)	P*	P	P	
Student Housing	P	P	P	
Student Residence	P	P	P	P
Theater or Cabaret	P	P	P	P

(8) Dimensional Standards.

- (a) *Applicability.* All new construction and/or enlargement of existing structures shall be subject to the permitted building heights, lot coverage, and dimensional standards presented in Table 3.37-2 and the subsections below.
- (b) *Distance between principal buildings.* The minimum distance between principal buildings on a single parcel shall be 2/3 of the height of the taller principal building or 25 feet, whichever is greater.
- (c) *Building height.* Building height shall be measured in number of stories above the finish grade elevation fronting on a public street, park, or plaza, excluding exceptions listed in Section 19-4.14(2). Stories built below the grade of the street shall not be counted toward building height. Stories shall not exceed 14 feet in height, except for a ground-floor commercial, public, or cultural facility, which must be at least 14 feet in height and may be up to 20 feet in height.
- (d) *Front yard setbacks.* A larger maximum front-yard setback may be allowed in all subdistricts except the PID-HC, subject to Planning Board approval, if the area in front of a building has no parking spaces and is landscaped and used in a manner that enhances street life by such means as publicly accessible pocket parks, plazas, outdoor dining areas, or public art. Such outdoor space shall be landscaped with plant materials that are appropriate to the use and location and in a configuration that is approved by the Planning Board.
- (e) *Side yard setbacks.*
 1. A side yard setback shall not be required, but, if provided, shall not be less than six feet in

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width.

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(f) *Upper-story setbacks.* Upper-story setbacks are utilized to reduce perceived building scale and height, ensuring a human-scaled urban form and sufficient access to light and air.

1. Upper-story setbacks on principal buildings adjacent to preexisting structures with wall openings shall be regulated by Section 19-3.23(4)(e).
2. All stories above a building's base height shall be set back at a minimum of five feet from the front building line. A building's base height is measured as twice the width of the public right-of-way on which the building fronts.

Table 3.37-2: Dimensional Standards by Subdistrict

		PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
	Lot Area	—	—	—	—
	Main Building Height				
a	Minimum Height	2 stories	3 stories	3 stories	2 stories
b	Maximum Height	5 stories	6 stories	6 stories	5 stories
	Maximum Accessory Building Height				
	Housing	2 stories			
	Other	1 story			
c	Minimum Lot Coverage¹	75%	50%	50%	50%
d	Minimum Open Space²	—	15%	15%	15%
	Building Placement³				
e	Front Yard (minimum/maximum)	0 feet/0 feet	0 feet/6 feet	0 feet/15 feet	0 feet/15 feet
f	Side Yard, per side (minimum/maximum) ⁴	0 feet/0 feet	0 feet/10 feet	0 feet/—	0 feet/15 feet
g	Rear Yard (minimum)	0 feet	8 feet	8 feet	15 feet

Table 3.37-2: Dimensional Standards by Subdistrict

		PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
h	Frontage Occupancy (minimum/maximum)	100%/—	80%/100%	80%/100%	70%/100%
	Parking Setbacks (minimum)	40 feet			

NOTES:

¹ Minimum lot coverage is calculated as a percentage of the total lot area.

² Minimum open space is calculated as a percentage of the total lot area. Minimum open space requirements are waived for lots under 5,000 square feet. Green roofs may be counted towards open space requirements.

³ Recessed entryways as permitted within frontage types [Section 19-3.37(10)(b)] are not considered setbacks and do not detract from the percentage of frontage occupancy.

⁴ A side yard shall not be required, but, if provided shall not be less than six feet in width.

(9) Special Dimensional Standards.

- (a) *Bonus heights.* In order to encourage superior design, sustainable land use, and inclusive development, an incentive of additional stories as described below is offered to applicants of housing developments in the PID-UV and PID-CC Subdistricts if their buildings incorporate any one of the following features. Maximum cumulative bonuses shall not exceed three stories.

1. *Affordable housing.*

- (i) Three additional stories may be added to the maximum permitted building height for developments that include 20% or more of the total units as affordable housing. Fifty percent of the affordable units shall be priced to be affordable at 60% to 80% of Dutchess County AMI, and 50% of the affordable units shall be priced to be affordable at 80% to 100% of Dutchess County AMI.
 - (ii) Two additional stories may be added to the maximum permitted building height for developments that include more than 10% of units as affordable housing with 50% of the affordable units priced to be affordable at 60% to 80% of Dutchess County AMI and 50% of the affordable units priced to be affordable at 80% to 100% of Dutchess County AMI.
2. *Green building practices.* One additional story may be added to the maximum building height for developments that acquire Gold or Platinum certification through LEED Building and/or Neighborhood Development Rating System. If not LEED certified, the applicant is required to demonstrate, through submission of plans, details and certifications by accredited green building/architectural professionals, that the proposed site and building techniques are of similar or greater value in terms of water use, energy efficiency,

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stormwater management, and carbon emissions, as LEED Gold or Platinum certification. The applicant and the applicant's LEED-certified professional shall work in concert with City staff to identify the LEED rating system to be used to guide the development and advise the Planning Board accordingly.

- (b) *Through lots.* On a through lot in any subdistrict, front yard setbacks and frontage occupancy requirements as mandated in Table 3.37-2 shall be met on both street frontages.
- (c) *Corner lots.* On a corner lot in any subdistrict, front yard setbacks and frontage occupancy requirements as mandated in Table 3.37-2 shall be met on each street. A corner lot in the PID-HC, PID-UV, and PID-CC Subdistricts shall have two front yards and two side yards. In the PID-CE Subdistrict, one rear yard shall be provided in each corner lot, and the owner shall designate the rear yard on his or her application for a permit.

(10) Building standards.

- (a) *Transparency.* Transparency, which is achieved through the arrangement, proportioning, and design of windows, is important in creating active building facades that are visually engaging and connect a building's interior activities with the public realm. Window patterns within the PID shall contribute to superior architectural design and complement neighborhood character in accordance with the transparency requirements presented below.
 - 1. Mirrored, overly reflective, or darkly tinted glass shall not be permitted.
 - 2. Security grills are prohibited within the PID.
 - 3. To maintain transparency and activation, windows on ground floors may not be more than 30% obstructed by posters, signs, paper, blinds, curtains, or other materials.

Table 3.37-3: Transparency Requirements by Subdistrict					
		PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
a	Ground floor transparency, front facade (minimum)	70%	50%	70%	40%
b	Ground floor transparency, corner building side facade (minimum)	40%	25%	40%	25%
c	Upper floor transparency, front and corner building side facades (minimum)	25%	25%	25%	25%

Table 3.37-3: Transparency Requirements by Subdistrict

		PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
d	Ground floor window sill height, front and corner building side facades (minimum/maximum)	0.5 foot/2.5 feet	—	0.5 foot/2.5 feet	—

(b) Frontages. (See Figure 3.37-2)

1. *Forecourt*. A frontage type where part of the facade is set back from the front property line and framed by three or more sides of the building for civic use. The space allows for gardens, gathering space, outdoor seating, or similar civic space. Landscaping is encouraged. Forecourts are a semipublic space that should be inviting and accessible from the adjacent sidewalk.
 - (i) Permitted in PID-UV, PID-CC, PID-CE.
2. *Shopfront A*. A frontage type that is lined up directly on the front property line. This type of frontage is located on the ground floor and typically has a larger height than the upper stories with a high transparency level. Shopfront A frontage is conventional for retail use with a prominent entrance and large windows facing the sidewalk.
 - (i) Permitted in PID-HC, PID-UV, PID-CC, PID-CE.
3. *Shopfront B*. A frontage type where the front facade is set back. This type of frontage is located on the ground floor and typically has a larger height than the upper stories with a high transparency level. Shopfront B frontage is conventional for restaurant use with a main entrance facing the sidewalk. Use of the setback space, such as outdoor seating, is encouraged but not required.
 - (i) Permitted in PID-UV, PID-CC, PID-CE.
4. *Shopfront C*. A frontage type that is lined up directly on the front property line. This type of frontage is located on the ground floor and typically has a larger height than the upper stories with a high transparency level. Shopfront C frontage is conventional for retail or restaurant use. The main entrance must be facing the sidewalk but allows for it to recede into the facade and setback from the front property line.
 - (i) Permitted in PID-HC, PID-UV, PID-CC, PID-CE.
5. *Stoop*. A frontage type that allows for an elevated first floor. The stairs of the stoop are lined up with the front property line and engage the sidewalk, yet provide privacy for the building. A sunken light well, a fence or landscaped area in front of the facade may be used to define the front property line but is not required.
 - (i) Permitted in PID-UV, PID-CE.
6. *Plaza*. A frontage type where part of the facade, if not all, is set back and framed by at

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most two sides of the building. The space allows for landscaping, gathering space, outdoor seating or other civic spaces. Plazas are a public space that must be inviting and accessible from the adjacent sidewalk. This frontage must also be available to the public for the majority of the day.

(i) Permitted in PID-UV, PID-CC, PID-CE.

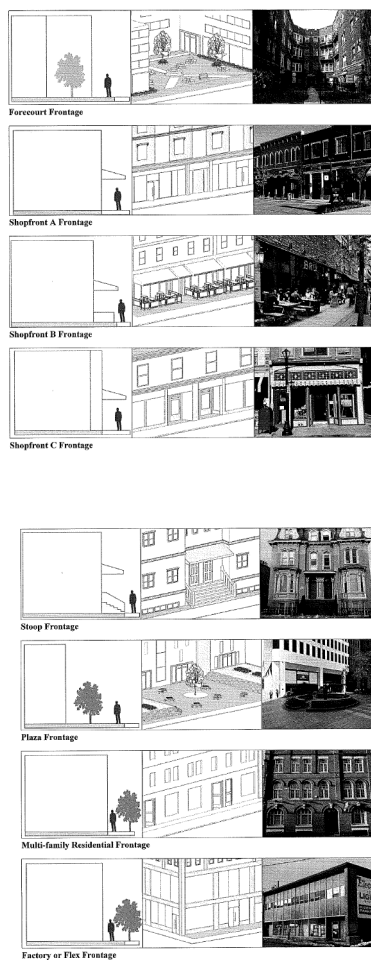
7. *Multifamily residential.* A frontage type that is lined directly on or close to the front property line and has a prominent entrance facing the sidewalk. This frontage type allows for a high percentage of transparency on the ground floor level for residential uses, but does not require as much transparency as a shopfront frontage.

(i) Permitted in PID-UV, PID-CC, PID-CE.

8. *Factory or flex.* A frontage type that applies to existing industrial buildings. Intended for adaptive re-use and allows for design changes but is not necessary. This frontage style can resemble a shopfront facade if possible but does not require as much transparency on the ground level.

(i) Permitted in PID-CE.

Figure 3.37.2. Building Frontage Types - See Section 19.3.37(10)(b)1 through 8



(c) Design and architecture.

1. *Entrance orientation.* The main entrance for buildings in all subdistricts shall be located on the front facade. Buildings situated on corner lots are only required to have one main entrance, and an entrance may be located on the corner of the building. The maximum distance between ground floor entrances shall be 50 feet.
2. *Shopfront entrance orientation.* The principal pedestrian entrances for shopfront buildings within the PID-HC Subdistrict shall be directly connected to the sidewalk. Principal entrances to shopfronts shall be highlighted through the use of architectural features such as roofs, recessions into the facade or other details that express the importance of the entrance.
3. *Historic rehabilitation.* New construction and rehabilitation in the PID-HC Subdistrict shall reflect the traditional architecture of Main Street in building and roof forms, window proportions, materials, colors and details.
4. *Blank walls.* Architectural features and windows shall be continued on all sides of the building that are clearly visible from a street or public parking area to avoid visible blank walls.
5. *Facade articulation.* Buildings of 40 feet or more in width along a lot frontage shall be articulated, reducing their apparent size and contributing to a human-scale development. The mass of these buildings shall be broken up using a variety of architectural details such as divisions or breaks in materials, window bays, separate entrances and entry treatments, variation in roof lines, awnings, and positive and recessed massing. Recessed massing shall not be more than three feet behind the building line.
6. *Awnings.* Glass, metal, canvas, and canvas-like awnings are encouraged along street frontages, and may encroach up to six feet into the front setback. The base of the awning shall be a minimum of seven feet and maximum of nine feet above grade.
7. *Roofs.* Buildings shall have sloped, mansard, flat, curved or a combination of roofs with articulated parapets and cornices. Parapets shall be a minimum of 42 inches high or as may be otherwise required to conceal mechanical equipment to the satisfaction of the Planning Board. Towers are also allowed at the discretion of the Planning Board.
8. *Screening.* All mechanical equipment, whether roof- or ground-mounted, shall be completely screened from adjacent properties and streets in a manner that is compatible with the architectural treatment of the principal building.

(11) Streetscape standards.

- (a) *On-street parking.* On-street parking is encouraged, whenever possible, to provide convenient public parking for nearby parkland and commercial uses, to reduce the need for off-street surface lots and structures, to calm vehicle speeds, and to protect pedestrians from vehicular traffic.
- (b) *Activation and art.* Art installations, pocket parks, benches, and sitting spaces, and seasonal dining areas with movable tables, chairs, umbrellas, and low planters or partitions are encouraged on or adjacent to the sidewalk and may be approved by the Planning Board if there is sufficient unobstructed space for pedestrian through traffic and all requirements of Section 15-14, entitled "Sidewalk cafes," are met.

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(c) *Fences, walls and hedges.*

1. Fences, hedges and walls and all supporting structures must be entirely on the property of the party erecting the fence and shall not encroach upon a public right-of-way or adjacent property.
2. Fences, hedges and walls are not applicable towards a development's minimum frontage occupancy requirements.
3. All fences and walls shall be installed so that the finished side shall face outward; all bracing shall be on the inside of the fence.
4. Retaining walls should be faced with masonry or other decorative screening, textures, design, or landscaping to minimize the blank appearance of walls and ensure compatibility with existing structures.
5. Fence and wall design should be compatible with the character of surrounding development.
6. Heights.
 - (i) The height of all fences, walls and hedges shall be measured from the finished grade to the top of the fence/wall/hedge.
 - (ii) Within the front yard, a fence or wall shall not exceed a maximum of four feet in height. Unless otherwise stated or approved, a fence or wall shall not exceed a maximum of eight feet in height.
 - (iii) Fences, walls and hedges should not be located within five feet of a driveway or a street intersection.
 - (iv) A maximum of 10 feet in height shall be allowed to enclose a private or public tennis court, basketball court, or sports court, provided that the fence is not more than 60% opaque, and provided the fence is set back at least 10 feet from the property line.
7. All fences and walls shall be maintained and, when necessary, repaired or replaced.

(12) Site standards.

- (a) *Front yard landscaping.* Any front setback areas not devoted to structures, driveways, walkways, and sidewalks shall be appropriately planted or landscaped. Landscaping shall include a combination of grass, shrubs, street trees, shade trees, and ornamental plantings in such manner as to minimize erosion and stormwater runoff and to maintain or improve the aesthetics of such development.
 1. In landscaped areas, not less than 25% shall be planted with growth other than grass.
 2. Native and less water-intensive species are encouraged.
- (b) *ADA requirements.* Sites and buildings shall meet ADA requirements and shall apply universal design principles whenever possible to ensure unrestricted access to those with mobility impairments.
- (c) *Large lot development standards.* This subsection establishes the vision for the redevelopment of larger surface parking lots within the Poughkeepsie Innovation District. The intent of this

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subsection is to create a walkable, human-scaled urban fabric through design standards to guide the development of larger parcels. While some parcels may be suitable for larger single-building developments such as a supermarket, many larger parcels present the opportunity for multiple buildings to be developed on a single site, connected with a network of pedestrian thoroughways, public plazas, and potentially new streets. To promote the optimum use of larger parcels within the PID, applicants may be required to prepare a conceptual master plan. (NOTE: Conceptual master plans may be developed at various levels of detail. Generally, the more specific the master plan, the less review that will be required as the future permitted uses are built. In reviewing and approving a conceptual master plan, the Planning Board shall indicate the extent to which the plan will be binding upon future decisions.) The following development standards shall be used by the Planning Board in the course of site plan review and/or conceptual master plan review.

1. *Applicability.* Applicants for development on sites larger than one acre shall consider the feasibility of including the following site design features.
 - (i) *Multiple structures.* In order to encourage mixed uses, more than one principal building and more than one principal use shall be allowed on large lots in the PID, subject to all approval criteria contained herein.
 - (ii) *Pedestrian circulation.* Pedestrian alleys, thoroughways, and shared streets should be considered in order to break up larger blocks and facilitate pedestrian access and safety.
 - (iii) *Building orientation.* For sites with multiple buildings proposed, building entrances must be oriented towards streets and public spaces.
 - (iv) *Spacing of buildings.* For sites with multiple buildings proposed, each building must be spaced a minimum of eight feet from all other buildings unless a party wall is shared.
 - (v) *Focal points.* Where feasible, site design should provide for focal points, such as public outdoor space, parks, plazas, paths, and architectural elements of interest.
 - (vi) *Common open space.* Common open space totaling not less than 15% of the total lot size shall be provided in perpetuity. Parking areas, roads, buildings, other impervious surfaces, and their improvements shall not be included in the calculation to determine the amount of available open space. However, the entire tract, apart from these exceptions, shall be considered in determining the required amount of open space. The following facilities or improvements may be located on open space land: water systems, stormwater systems, bike paths, walking trails, and other common community facilities that do not involve buildings, such as tennis courts, swimming pools, and playgrounds.
- (d) *Parks and civic space design standards.* Parks and civic space include public open space and privately owned public spaces in the PID such as forecourts, greens, squares, plazas, pocket parks, and playgrounds. The standards are intended to encourage lively, pedestrian-friendly and attractive civic spaces. The following programming and design standards shall be evaluated by the Planning Board in the course of site plan review.
 1. *Placement and access.* Civic spaces shall be visually and physically accessible, providing pedestrian access from a public sidewalk or a private walkway open to the public.

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2. *Landscaping.* Grass, shade trees, and native and ornamental plantings are encouraged.
3. *Amenities.* Civic spaces may accommodate active or passive recreational activities. However, generally encouraged amenities include comfortable seating for small groups and individuals, water features, public art, sufficient lighting, and play equipment.
4. *Maintenance.* Privately owned civic space shall be maintained by its owner or a private entity such as a property owners' association, nonprofit organization, or business improvement district. At the time of site plan approval, a general statement as to how common open space is to be maintained may be required.

(13) Parking standards.

- (a) *Off-street parking requirements.* Off-street parking shall comply with the following standards as depicted in Table 3.37-4. The Planning Board may use Section 19-4.3 of this chapter as guidance on standards or requirements that are not addressed herein. In the event of a conflict, Section 19-3.37 shall control.

Table 3.37-4. Off-Street Parking Requirements by Subdistrict				
	PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
Multifamily Residential Dwelling	0	0.5 space per unit plus 1 visitor space per 10 units	0.5 space per unit plus 1 visitor space per 10 units	0.5 space per unit plus 1 visitor space per 10 units
Student Housing and Student Residence	—	1 per bedroom with potential to waive if within 1,320 feet of public parking facility	1 per bedroom with potential to waive if within 1,320 feet of public parking facility	—
Two-Family and Townhouse Residential	—	—	—	1.0 space per dwelling unit
General Retail	0	0	1 space per 500 square feet of GFA	1 space per 500 square feet of GFA
Personal Service Business	0	0	1 space per 350 square feet of GFA	1 space per 350 square feet of GFA
Restaurant, Cafe, or Bar	0	1 space per 250 square feet of GFA	1 space per 250 square feet of GFA	1 space per 250 square feet of GFA
Office and Nonretail Commercial	0	0	1 space per 400 square feet of GFA	1 space per 400 square feet of GFA

Table 3.37-4. Off-Street Parking Requirements by Subdistrict

	PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
Other uses	As determined to be appropriate by the Planning Board during site plan review			

NOTES:

*Gross Floor Area (GFA)

**Further enumeration of the individual uses categorized within each use group can be found Section 19-3.37(14), Definition of terms, under the definition of "parking use groups."

(b) *Parking placement.*

1. All parking may be located adjacent to a building but not between the building and the front lot line.
2. All parking spaces shall be set back at least 40 feet from the front property line and screened from view of the street by landscaping as dictated in Section 19-3.37(13)(f) below.

(c) *Compact car requirements.*

1. Within the PID, up to 33% of the required number of parking spaces may use dimensions for compact cars, provided that such parking spaces are clearly designated as compact car spaces.
2. Within the PID, the dimensions of compact car parking spaces shall be seven feet nine inches by 18 feet.

(d) *Maximum parking permitted.* Surface parking spaces shall not exceed 115% of the minimums required in Table 3.37-4.(e) *Fee in lieu of off-street parking.* An optional waiver with a fee in lieu of parking provides applicants with an alternative to restrictive on-site parking requirements and can encourage better and more efficient site design.

1. Where an applicant does not meet the required number of off-street parking spaces for development within the Poughkeepsie Innovation District, the applicant may seek a waiver from the Planning Board.
2. In determining whether or not to issue a parking waiver, the Planning Board shall consider: 1) the constraints prohibiting the applicant from providing sufficient parking; 2) the proximity of municipal parking facilities; and 3) the availability of sufficient parking in identified municipal parking facilities.
3. Prior to the granting of a parking waiver, the Planning Board may require the submission of studies and plans by the applicant demonstrating that practical considerations preclude the provision of such parking spaces on site.
4. If the Planning Board issues a waiver pursuant to this section, the applicant shall pay a one-time fee in lieu to the Planning Department according to a fee schedule established in

Table 3.37-5 below.

5. Fees imposed pursuant to this section shall be paid prior to final site plan or subdivision approval and shall be set in a fund to be used exclusively for capital improvements to municipal public parking facilities or for the acquisition of property for municipal public parking facilities. All expenditures from this fund shall be made at the recommendation of the Commissioner of Public Works and consent of the Common Council.

<i>Table 3.37-5. Parking Fee Schedule</i>	
Number of Parking Spaces Waived	Fee per Waived Parking Space*
1 to 6	\$500
7 to 10	\$1,000
11 to 20	\$3,000
More than 20	\$5,000

NOTE:

**This fee per space shall be applied to the total number of spaces waived for a particular project. For example, if 22 spaces are to be waived at \$5,000 per space, the fee in lieu of parking would be \$110,000.*

- (f) *Shared parking.* In any PID subdistrict, the Planning Board may, in its sole discretion, approve the joint use of a parking facility and a reduction in the parking requirement by up to 40% for two or more principal uses or buildings either on the same lot or within 600 feet of each other, where it is clearly demonstrated that the reduction in spaces and shared use of the parking facility will substantially meet the intent of the requirements for both lots or uses, due to variation in the time of peak demand and the lack of reserved parking limiting effective shared use. The Planning Board is under no obligation to approve shared parking unless it finds that the shared parking scheme is in the best interest and welfare of the City and its residents. In such cases, off-street parking requirements of a given use may be met with off-site, shared off-street parking or on-site parking shared by more than one tenant. Such joint parking facilities are governed by the following:
 1. *Townhouses and two-family residential.* All parking shall be provided on site.
 2. *All other uses.* Off-street parking spaces shall be located on the same lot as the main building or within 600 feet of the use, as measured along the nearest pedestrian accessway.
 3. *Shared parking study.* Applicants shall submit a shared parking analysis to the Planning Board that clearly demonstrates the feasibility of shared parking. Such study shall address, at a minimum, the spatial relationship between the sites and/or tenants, the size and type of proposed development and resulting parking demand, including peak demand periods, the combined parking demand of uses that will be sharing the parking area, and the anticipated peak parking and traffic loads for all uses sharing the parking spaces. Based on the study, the Planning Board may approve or disallow the proposed shared parking plan.
 4. *Shared parking agreement.* A shared parking plan will be enforced through written agreement among all owners of record. The agreement shall incorporate covenants and/or a lease for a minimum term of two years and shall be marked on the final approved site

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plan. If a use subject to a shared parking agreement is enlarged or changed, the Planning Board shall have the discretion to require full compliance for each separate use upon finding that conditions justifying joint use no longer exist.

(g) *Parking area landscaping.*

1. *Applicability.* Surface parking facilities are discouraged within the PID. However, if provided, interior parking lot landscaping is required for all off-street parking areas, regardless of size. The requirements herein apply to all development, except two-family homes and townhouses.
2. *Requirements.*
 - (i) *Placement and screening.* All parking spaces shall be set back at least 40 feet from the front property line and screened from view of the street by landscaping at least three feet in height, opaque fencing with the finished side facing the street, or other means as approved by the Planning Board. This planting and screening requirement may be waived along property lines abutting other off-street parking lots.
 - (ii) *Terminal ends of freestanding rows.* Landscape islands shall be installed at the terminal ends of any freestanding rows or bays of parking. Freestanding rows or bays of parking are those that are not abutting the parking lot perimeter and can have a single or double row of parking.
 - (iii) *Landscape islands.* A landscape island shall be provided every ninth parking space for rows of parking that are more than eight spaces in length. There shall be no more than eight continuous parking spaces in a row without a landscape island. In all parking areas with more than 12 spaces, landscaped areas totaling 10% of the paved parking lot area shall be provided via islands wholly contained within the paved area.
 - (iv) *Trees in landscaped islands.* Each parking island shall be a minimum of nine feet by 18 feet in size and shall be planted with at least one shade tree with a minimum mature height of at least 60 feet selected from a list of preferred tree species as approved by the Shade Tree Commission pursuant to Chapter 17 1/2, Trees, of the City Code. The use of a single tree species throughout the parking area is not encouraged.
 - (v) *Soil.* Trees planted in paved areas/landscaped islands shall be provided with adequate soil volume to permit proper watering. Adequate soil volume can vary in size, according to selected tree species, but in no instance shall the surface area be less than 25 square feet. An additional five linear feet, at a depth of three feet, of structural soil, which prevents soil compaction, shall be used underneath pavement that surrounds said landscape islands.
 - (vi) *Lighting.* Off-street parking areas shall be adequately illuminated for convenience and safety.
 - (vii) *Curbs.* A variety of curb types may be utilized for interior parking lot landscaped areas. Permitted types include ribbon, mountable, and slotted curbs.
 - (viii) *Snow accommodation in parking areas.*
 - a. Parking lots should provide open lawn areas to accommodate snow storage. Any

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landscaping located in snow storage areas should be selected to withstand harsh snow storage conditions.

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- b. All parking lot landscaping shall be salt tolerant.

(h) *Required bicycle parking.*

1. Bicycle parking shall comply with the following standards as depicted in Table 3.37-6.

<i>Table 3.37-6. Bicycle Parking Requirements</i>		
	Long-term Bicycle Parking Requirements	Short-term Bicycle Parking Requirements
All Residential Uses	0.5 space per bedroom. Minimum requirement is 2 spaces.	0.05 space per bedroom. Minimum requirement is 2 spaces.
Retail	1 space for each 12,000 square feet of floor area. Minimum requirement is 2 spaces.	1 space for each 5,000 square feet of floor area. Minimum requirement is 2 spaces.
Office and Nonretail Commercial	1 space for each 10,000 square feet of floor area. Minimum requirement is 2 spaces.	1 space for each 20,000 square feet of floor area. Minimum requirement is 2 spaces.
Other uses	As determined to be appropriate by the Planning Board during site plan review	

2. Bicycle parking shall be located and clearly designated in a safe and convenient location, at least as convenient as the majority of auto spaces provided.
3. Facilities shall be designed to accommodate U-shaped locking devices and shall support bicycles in a stable position without damage to wheels, frame or other components and shall be securely anchored and of sufficient strength to resist vandalism and theft.

(14) *Definition of terms.* The following definitions apply to Section 19-3.37 of the Poughkeepsie City Code. Terms not defined in this subsection shall be defined as provided in Section 19-2.2:

ACCESSORY DWELLING UNIT (ADU) — A secondary house or apartment with its own kitchen, living area and separate entrance that shares the building lot of a larger, primary house. The ADU may be attached to an existing house or garage, or it may be built as a standalone unit.

AFFORDABLE HOUSING — Housing for income-eligible residents as determined by Section 19-3.37(9)(a)1 herein and/or grant, subsidy or financing sources for a housing project.

AGRICULTURE, URBAN — Urban agriculture includes production (beyond that which is strictly for home consumption or educational purposes), distribution and marketing of food and other products within areas not dominated by other agricultural activities. Examples include community, school, backyard, and rooftop gardens, innovative food-production methods that maximize production in a small area, community-supported agriculture based in urban areas, and family farms located in metropolitan greenbelts.

ARTISAN FOOD AND BEVERAGE — Small-scale production or preparation of food made on site

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with limited to no automated processes involved and may include direct sales to or consumption by consumers. This definition includes uses such as small-batch bakeries, craft breweries and cideries as regulated by the State of New York, artisan distilleries as regulated by the State of New York, small-batch candy shops, and local cheesemakers. This use may or may not have outdoor seating or patios as an accessory use, depending on the zoning subdistrict in which it is located.

ARTISAN MANUFACTURING — Application, teaching, making, or fabrication of crafts or products by an artist, artisan or craftsperson either by hand or with minimal automation and may include direct sales to consumers. This definition includes uses that employ activities and processes such as small-scale fabrication, welding, and coating, that are typically not permitted in nonindustrial zoning districts. This definition shall not include artisan food and beverage preparation or sales. Artisan manufacturing excludes heavy industrial processing or distribution of sand, gravel, clay, turf, soil, rock, stone, metals, petroleum and petroleum products and similar raw materials.

AUTO-RELATED — Auto-related uses include automobile sales, repair, service, gasoline stations, junkyards, wrecking, and wash facilities.

BASE HEIGHT, BUILDING — A building's base height is defined as two times the width of the public right-of-way on which the building fronts.

COMMUNITY FACILITY — A building used and occupied by a not-for-profit religious or membership corporation providing religious, charitable, recreational, entertainment, guidance, counseling or other similar amenities and facilities on a nonprofit basis similar to organizations commonly described as YMs, YWs, Boys & Girls Clubs, scout groups and other fraternal membership groups.

FRONT BUILDING LINE — The plane of a building that borders the public right-of-way, parallel to or coterminous with the front property line.

FRONT PROPERTY LINE — The boundary separating the lot from the public right-of-way.

FRONTAGE OCCUPANCY — The percentage of the lot width that must be occupied by either a front building facade or structures that screen parking, located within the area between the minimum and maximum front setback.

GREEN ROOF — A vegetated roof design that is explicitly designed to absorb rainfall or snowmelt, typically to manage stormwater, mitigate the heat island effect, provide a habitat for urban wildlife, or offer leisure and recreational space for building occupants.

HOME OCCUPATION — An occupation or business activity which results in a product or service for financial gain and is conducted in whole or part in the dwelling unit or accessory building and is clearly an accessory or incidental use and subordinate to the residential use of the dwelling unit.

LIVE/WORK SPACE — Dwelling units that include space for both commercial and residential functions. The commercial function may be anywhere in the unit and is intended to be occupied by a business operator who lives in the same structure that contains the commercial activity or industry.

NIGHTCLUB — An establishment operated as a place of entertainment, characterized by any or all of the following as a principal use: 1) live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians; 2) dancing; and/or 3) the dispensing of alcoholic beverages for consumption on the premises.

PARK, POCKET — A small park, less than 2,500 square feet in area and accessible to the general public, that is located in close proximity to a public sidewalk, and provides green space, landscaping, benches and other pedestrian amenities and which may include art.

PARKING USE GROUPS —

MULTIFAMILY RESIDENTIAL — Multifamily dwelling units and live/work space in a multifamily residential building.

GENERAL RETAIL — Retail less than 10,000 square feet, retail greater than 10,000 square feet, convenience store.

PERSONAL SERVICE BUSINESS — Bank, credit union, hair salon, nail salon.

RESTAURANT, CAFE, OR BAR — Bar, tavern, cafe, coffee shop, nightclub, standard restaurant.

OFFICE AND NONRETAIL COMMERCIAL — Art studio, broadcast studio, home occupation, offices (business, professional or medical).

OTHER, REQUIREMENTS TO BE DETERMINED ON A CASE-BY-CASE BASIS — Theater, cabaret, auditorium, banquet facility, cultural facilities, recreational facility, and markets for arts, crafts, or food, colleges, universities, vocational schools, day-care centers.

PUBLIC RIGHT-OF-WAY — The public right-of-way includes the entire street width, as measured from front property line to front property line, inclusive of sidewalks.

SECURITY GRILL — Solid metal or open-grated metal grills designed to be pulled down, folded over, or attached in front of or behind the entrance door or doors, vestibule, window display, storefront, or any other openings that face the public streets and sidewalks to prevent entry to the premises. A solid metal grill shall not be defined to include solid metal garage doors that face public streets and sidewalks and act as a primary entrance to a building rather than a security device.

SHARED PARKING — A land use development strategy that optimizes parking capacity by allowing complementary land uses to share spaces rather than producing separate spaces for separate uses.

STREETWALL — One of the long side boundaries of a street, formed by front building facades, hedges, etc. The streetwall is typically parallel to or coterminous with the front property line. The streetwall is instrumental in defining the district's public space.

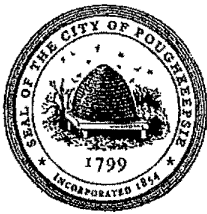
STUDENT HOUSING — A building associated with a college, university, or educational facility containing living quarters for students.

THEATER — A building or space, or portion thereof, used for cultural education and experiences, motion pictures, live productions, or other entertainment, including, but not limited to, museums, art galleries, aquariums, amphitheaters, theaters, cultural entertainment facilities and performance halls.

USABLE OPEN SPACE — An unenclosed portion of the ground of a lot which is not devoted to driveways or parking spaces.

Hotel is not listed as a use in the "other uses" parking group

Other uses not categorized w/ in any parking use group:
-Artisan
- manufacturing
- Community facility



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 357 HOOKER AVENUE
ZONING DISTRICT: C-1

OWNER INFORMATION:

Name: HIGHWAY DISPLAYS INC
Address: 404 MAPLE STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-452-2121
Email: MSCHW1020@AOL.COM

APPLICANT INFORMATION:

Name: TERRICIANA A. BROWN
Address: 4 BALDING AVENUE
POUGHKEEPSIE, N.Y. 12601
Phone: 845-416-3921 OR 845-264-8680
Email: TERRICIANA146@YAHOO.COM

CONSULTANT INFORMATION:

Name: CIRO INTERANTE
Address: 25 MARKET STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-473-7572
Email: CIROINT@GMAIL.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

Date of decision/determination/violation: JULY 6, 2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 357 HOOKER AVENUE

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>19-4.3 (1)</u>	<u>PLANTING</u>	<u>REQUEST 100% VARIANCE</u>
<u>19-4.3 (5)(b)</u>	<u>9' WIDE PARKING</u>	<u>NONE</u>
<u>19-4.11 (1)(b)</u>	<u>LANDSCAPING OR OPAQUE SCREENING</u>	<u>REQUEST 100% VARIANCE</u>
<u>19-4.13 (1)</u>	<u>ACCESSORY USES</u>	<u>NONE</u>
<u>19-4.14 (3)(a)</u>	<u>NO FENCE WITHIN 10' OF ADJACENT BUILDING</u>	<u>NONE - NO WINDOWS IN ADJACENT BUILDING</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: 357 HOOKER AVENUE

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):

AUTHORIZATION EMAIL FROM PROPERTY OWNER
EXHIBIT "A"
PICTURES

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

8/3/23
DATE

TERRICIANA A. BROWN
Print Name

Highway Displays

1 message

Marcy Schwartz <mschw1020@aol.com>
To: "cioint@gmail.com" <cioint@gmail.com>

Fri, Jun 16, 2023 at 12:56 PM

Please be advised that **Ciro Interrante** and **Terriciensa Brown** are authorized to represent Highway Displays in the approval process.

-**Marcy K. Schwartz, Esq.**
President
Highway Displays, Inc.

APPLICATION TO THE PLANNING BOARD
CITY OF POUGHKEEPSIE, NEW YORK

Application for Site Plan, Special Permit & Facade Approval

I. PROPERTY ADDRESS: <u>357 HOOKER AVENUE</u> II. PROPERTY OWNER: <u>HIGHWAY DISPLAYS, INC.</u> ADDRESS: <u>404 MAPLE ST.</u> <u>POUGHKEEPSIE</u> <u>N.Y. 12601</u> (state and zip code) PHONE NUMBER: <u>845-452-2121</u> (include area code) III. NAME OF APPLICANT: <u>TERRICIENA A. BROWN</u> ADDRESS: <u>4 BALDING AVENUE</u> <u>POUGHKEEPSIE</u> <u>N.Y. 12601</u> (state and zip code) PHONE NUMBER: <u>845-416-3921</u> (include area code) EMAIL ADDRESS: <u>TERRICIENA 146 @ YAHOO.COM</u> (If applicant is NOT the owner, proof of owner's consent to the application MUST be provided.) IV. CONSULTANT: <u>CIRO INTERRANTE ARCHITECT, P.C.</u> ADDRESS: <u>25 MARKET STREET, SUITE 3</u> <u>POUGHKEEPSIE</u> <u>N.Y. 12601</u> (state and zip code) PHONE NUMBER: <u>845-473-7572</u> (include area code) V. PROPOSED USE or FAÇADE CHANGE (Summarize proposed use or uses): <u>EXISTING RESTAURANT</u> <u>USE TO REMAIN UNCHANGED. REPLACE FRONT WINDOW WITH OVERHEAD DOOR.</u> VI. ZONING DISTRICT: <u>C-1 NEIGHBORHOOD COMMERCIAL</u>	OFFICE USE ONLY CODE: PLSF ID # _____ FEE: _____ Total, from: \$500, plus \$ _____ (\$150 per 1000 square feet of floor area), plus \$ _____ (\$35 per number of required parking spaces), plus \$ _____ (\$500 for special permit, if applicable)
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(Proceed to XVII for special permit & façade approval only)

PROJECT INFORMATION

New construction: _____ (yes) X (no)
Change of use: _____ (yes) X (no)
Expansion/addition: _____ (yes) X (no)
Alteration: X (yes) _____ (no)
Cost of Construction: \$ 25,000 ±

LOT AND BULK INFORMATION:

Lot area: 0.60 (acres) 26,136 (square feet)
Building Footprint: 0 (proposed square feet for new construction)
0 (existing square feet for change of use/expansion)
0 (additional proposed square feet for expansion)
2,580 (total building footprint, square feet)
Lot Coverage: 9.890 (percentage, building coverage only)
Gross Floor Area: 0 (proposed square feet for new construction)
0 (existing square feet for change of use/expansion)
0 (additional proposed square feet for expansion)
2,580 (total gross floor area, square feet)
Building Height: 1 (stories) 22' (feet)
Floor Area Ratio: 9.890 (ratio of gross floor area divided by lot area)

VIII. PROJECT PARKING INFORMATION

A) Number of Off-Street Parking Spaces required: 25
B) Number of Off-Street Parking Spaces provided: 48
C) Waiver Requested: _____ (Yes) X (No)
Is municipal parking available within 600 feet? _____ (Yes) X (No)

If yes, name all such municipal facilities: N/A

(If a waiver is requested based on proximity to municipal facilities, a written request for such waiver, addressed to the City Planning Staff and the Chairman of the Planning Board, must be submitted with the application.)

If a private parking facility is to be utilized, is such facility within 600 feet?

N/A _____ (Yes) _____ (No)

If yes, provide the address of the facility, name of the property owner, number of spaces in the lot, number of spaces available for lease, and length of lease. Attach copy of lease. Additional information may be required by the Planning Board):

IX. RESIDENTIAL PROPOSALS N/A

A) Type of Development: _____
(Townhouse, condominium, multiple residence rental, etc.)

B) Unit Breakdown:

Number of efficiency or "studio" units: _____

Number of one (1) bedroom units: _____

Number of two (2) bedroom unit's _____

Number with three or more bedrooms: _____

Total number of units: _____

C) Is funding public? _____ Yes _____ No

If yes, describe funding source: _____

X. OFFICE PROPOSALS (____ Medical/Dental ____ Professional ____ Business)

N/A A) Number of Employees: _____

B) Number of doctors/dentists/medical practitioners: _____

C) Days/Hours of Operation: _____

XI. SERVICE BUSINESS PROPOSALS

N/A

- A) Specify Business: _____
(e.g., laundromat, drycleaner, beauty parlor, travel agency, banks)
- B) Number of Employees: _____
- C) Number of Washing Machines (for laundromat): _____
- D) Days/Hours of Operation: _____

XII. MERCANTILE PROPOSALS (Retail _____ Wholesale _____)

N/A

- A) Type of Mercantile (specify): _____
- B) Number of Employees: _____
- C) Days/Hours of Operation: _____

XIII. STANDARD RESTAURANT/FAST FOOD RESTAURANT/COFFEE SHOP/DONUT SHOP/NIGHTCLUB/DISCOTHEQUE/BAR PROPOSALS

- A) Specify Use: RESTAURANT
- B) Number of seats (excluding bar stools and outdoor seating): 60
- C) Meals served (i.e., breakfast, lunch, dinner): LUNCH & DINNER
- D) Type of Menu: BAR BE QUE
- E) Days/Hours of Operation: M, T, W, T - 11AM - 10PM & F, S, S 11AM - 1AM
- F) Entertainment (live and/or recorded): YES F, S, S 4-8 PM
- G) Will the restaurant contain a bar/lounge?: X Yes _____ No
- H) If yes, how many seats at the bar? 15
- I) Is a drive-through window proposed? NO
- J) Is a walk-up window proposed? NO
- K) Is an outdoor seating area proposed? YES
- L) If yes, how many seats are proposed? 10
- M) If yes, is outdoor cooking proposed? YES

XIV. INDUSTRIAL/COMMERCIAL PROPOSALS (Automobile repair, taxi, motor vehicle sales, warehouse, manufacturing, animal hospital, research facilities, etc.)

N/A

- A) Specify Use: _____
- B) Number of shifts (if any): _____
- C) Number of employees: _____
(If shifts are proposed, list number of employees per shift)
- E) Number of work bays (if automobile repair): _____
- F) Days/Hours of operation: _____

CIA

**Ciro Interrante Architect, P.C.
25 Market Street, 3rd Floor
Poughkeepsie, New York 12601**

(845) 473-7572

July 30, 2023

**Zoning Board
City of Poughkeepsie
PO Box 300
Poughkeepsie, NY 12602**

**RE: 357 Hooker Avenue
Poughkeepsie, New York 12601**

Dear Zoning Board,

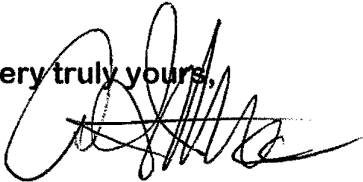
The proposal is to operate a restaurant business as tenant in an existing restaurant building. The existing restaurant and developed site were originally constructed in the 1960s for a new Friendly's ice cream restaurant. The site and building has operated for restaurant use continuously since then. For this current applicant no changes to the existing site plan are proposed with the exceptions of the following site improvements:

- 1. The installation of a concrete slab in the front of the building**
- 2. Replacement of the existing front window with an overhead door to allow for outdoor dining at the front of the restaurant.**
- 3. The installation of a concrete slab at the rear right side of the building also for additional seating for outdoor dining.**
- 4. The installation of a concrete slab at the rear of the building to provide a location for a barbecuing grill.**
- 5. The installation of a small storage unit at the rear of the parking lot.**
- 6. The installation of a 6'-0" high stockade style fence on the right side of the building to provide privacy for dining.**

No other changes to the existing facility are proposed.

Please review the site plan and exterior elevation view of the front of the building for further understanding.

Very truly yours,

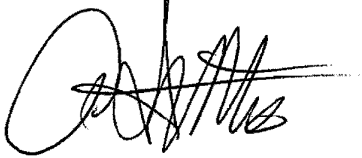


Ciro Interrante, Architect

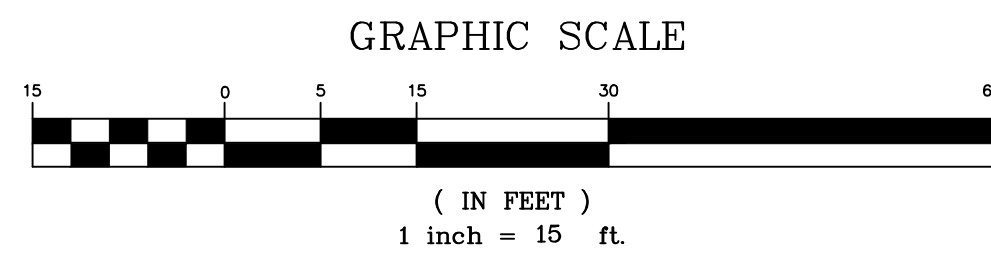
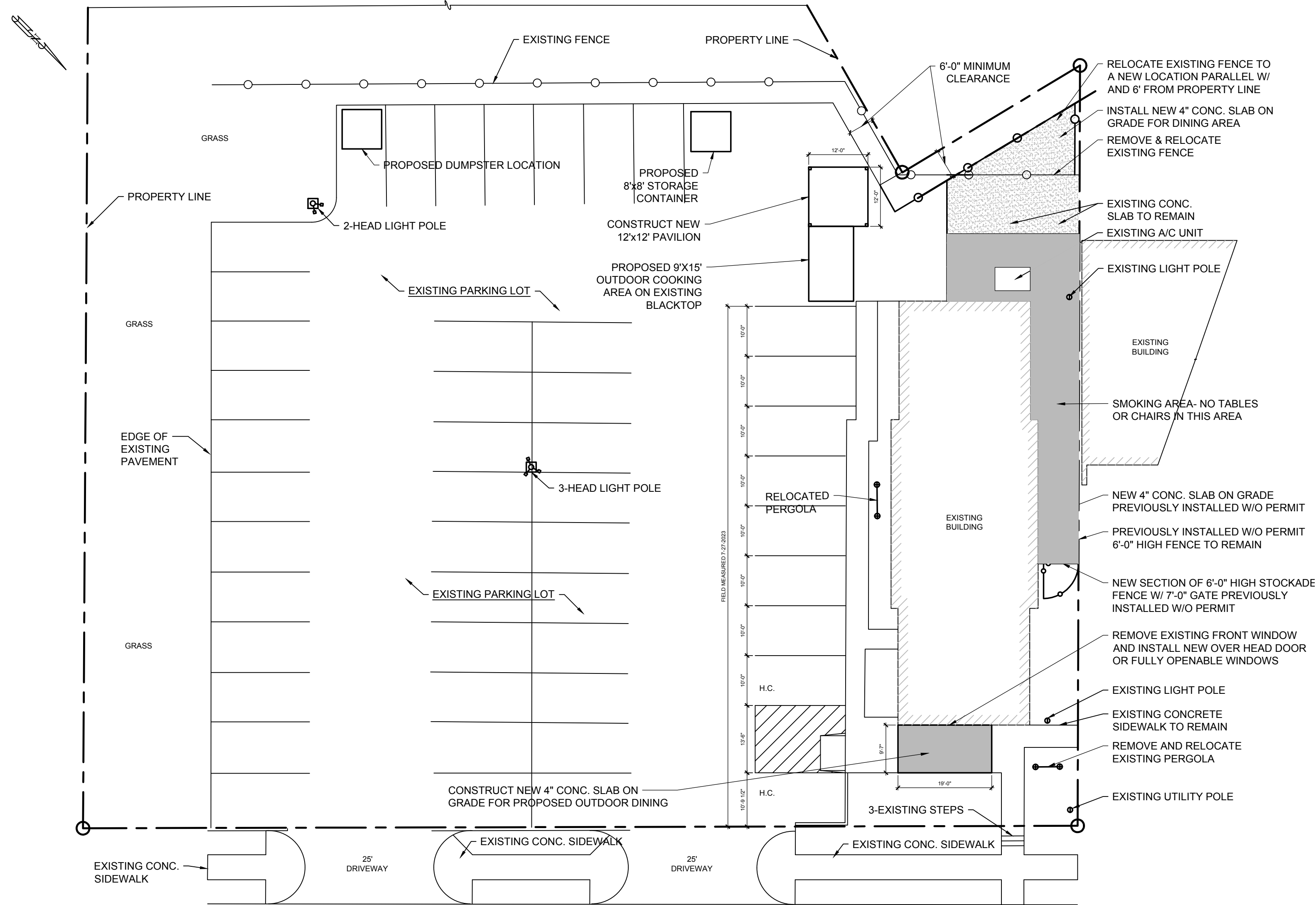
4. **Section 19-4.13(1)** - The storage container has been moved to provide the 6'-0" minimum clearance required. See revised the site plan was revision date of July 27, 2023.
5. **Section 19-4.14(3)(a)** - Please see the attached photographs of the adjacent building. There are no windows of the adjacent building in the wall facing the subject property.

Please review the site plan and exterior elevation view of the front of the building for further understanding.

Very truly yours,

A handwritten signature in black ink, appearing to read 'C. Interrante', with a large, stylized initial 'C' and a horizontal line extending to the right.

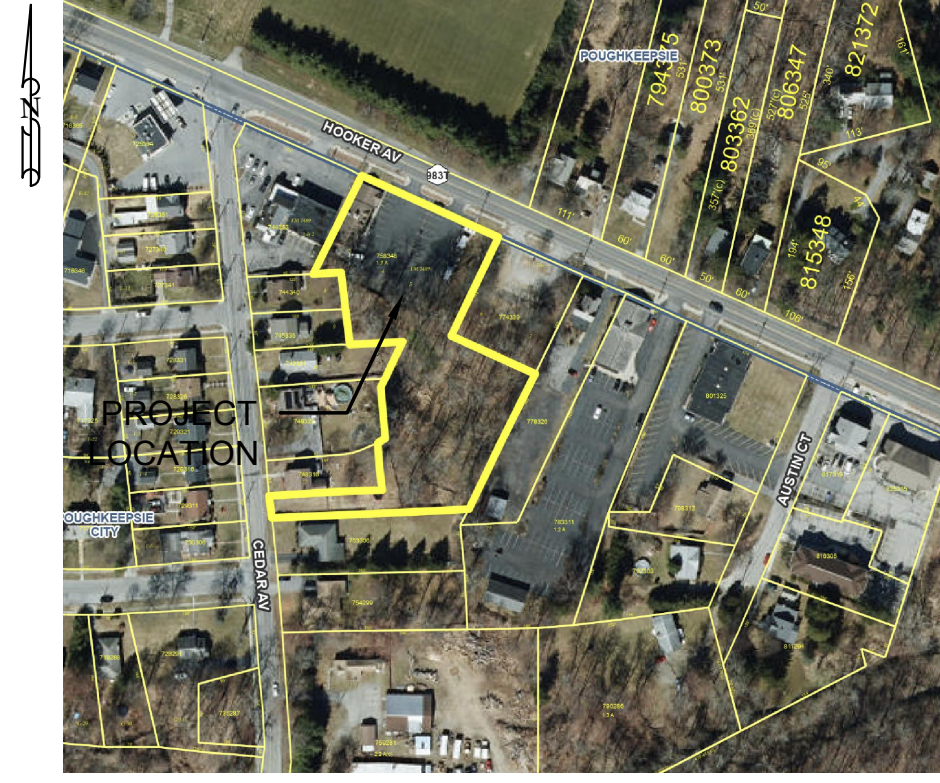
Ciro Interrante, Architect



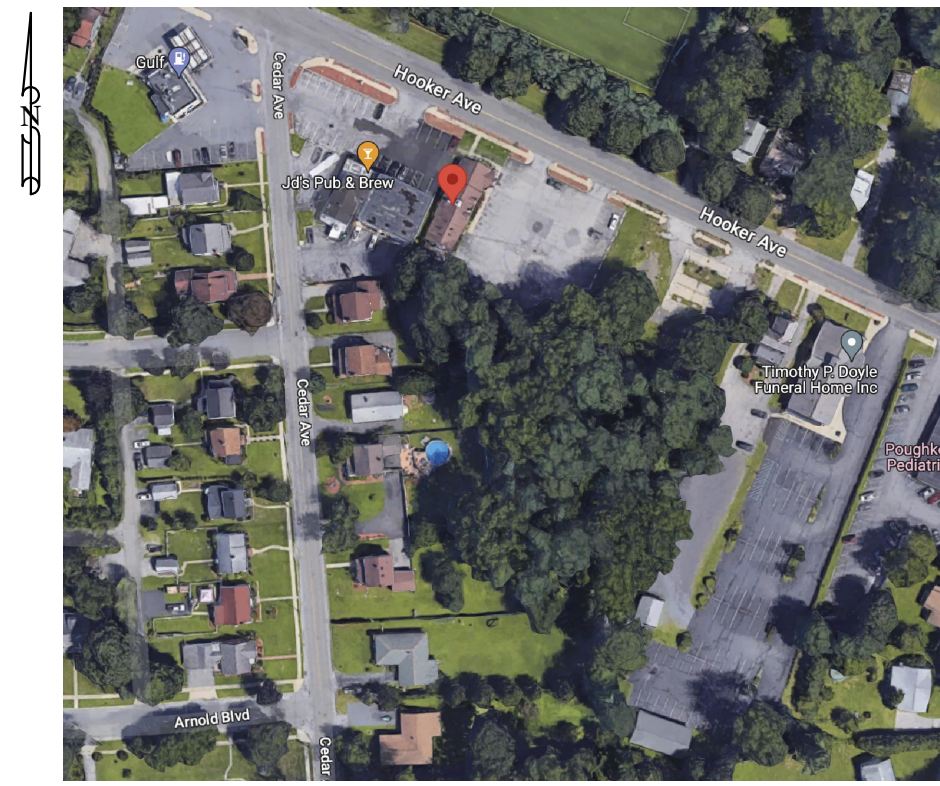
1 SITE PLAN
SP1 SCALE: 1" = 16'-0"



2 EXISTING FRONT ELEVATION
SP1 SCALE: 1/4"=1'-0"



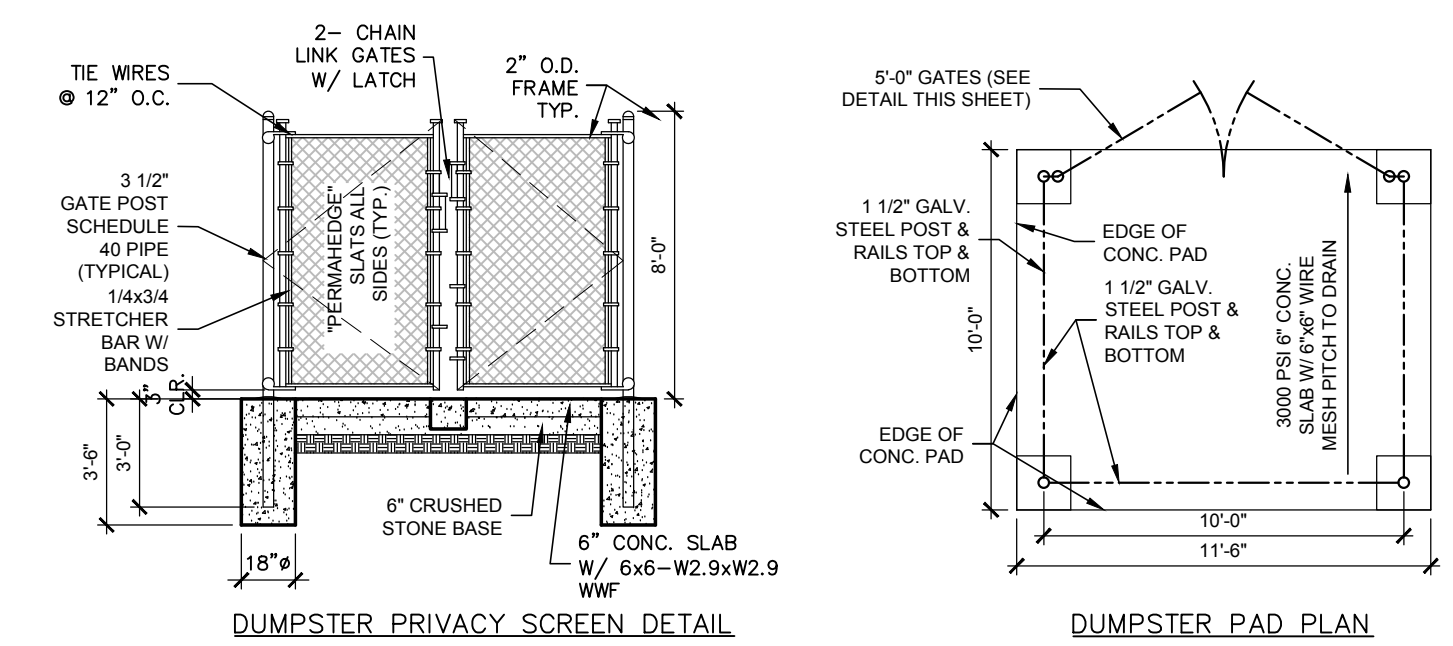
3 PARCEL MAP
SP1 SCALE: N.T.S.



4 GOOGLE MAP
SP1 SCALE: N.T.S.



5 GOOGLE STREET VIEW
SP1 SCALE: N.T.S.



6 DUMPSTER DETAILS
SP1 SCALE: N.T.S.

Revisions	NO. 1	08/01/23	ZONING REPLY
	NO. 2	09/19/23	PLANNING COMMENTS
Date:	No.	Date:	Description:



CIRO INTERRANTE ARCHITECT P.C.
25 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7572 Office (845) 473-7525 Fax

DRAWN BY: S.T.T. CHECKED BY: C.I. ISSUED DATE: 06-09-2023

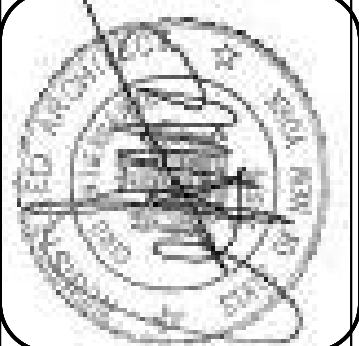
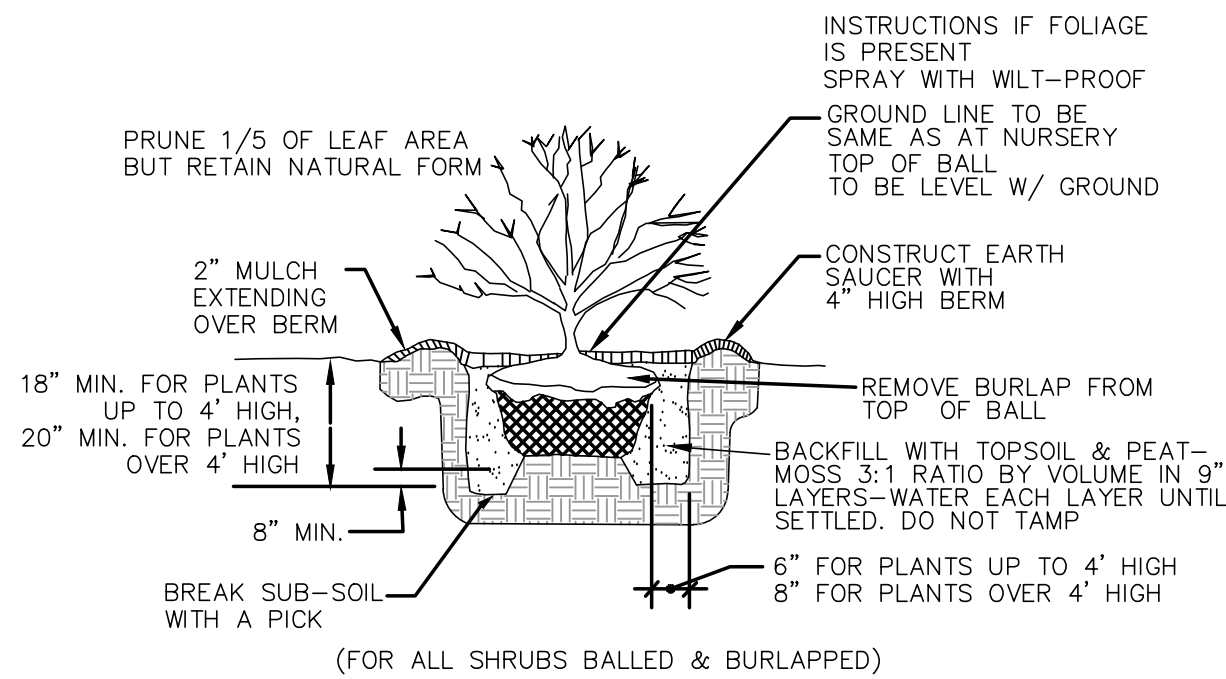
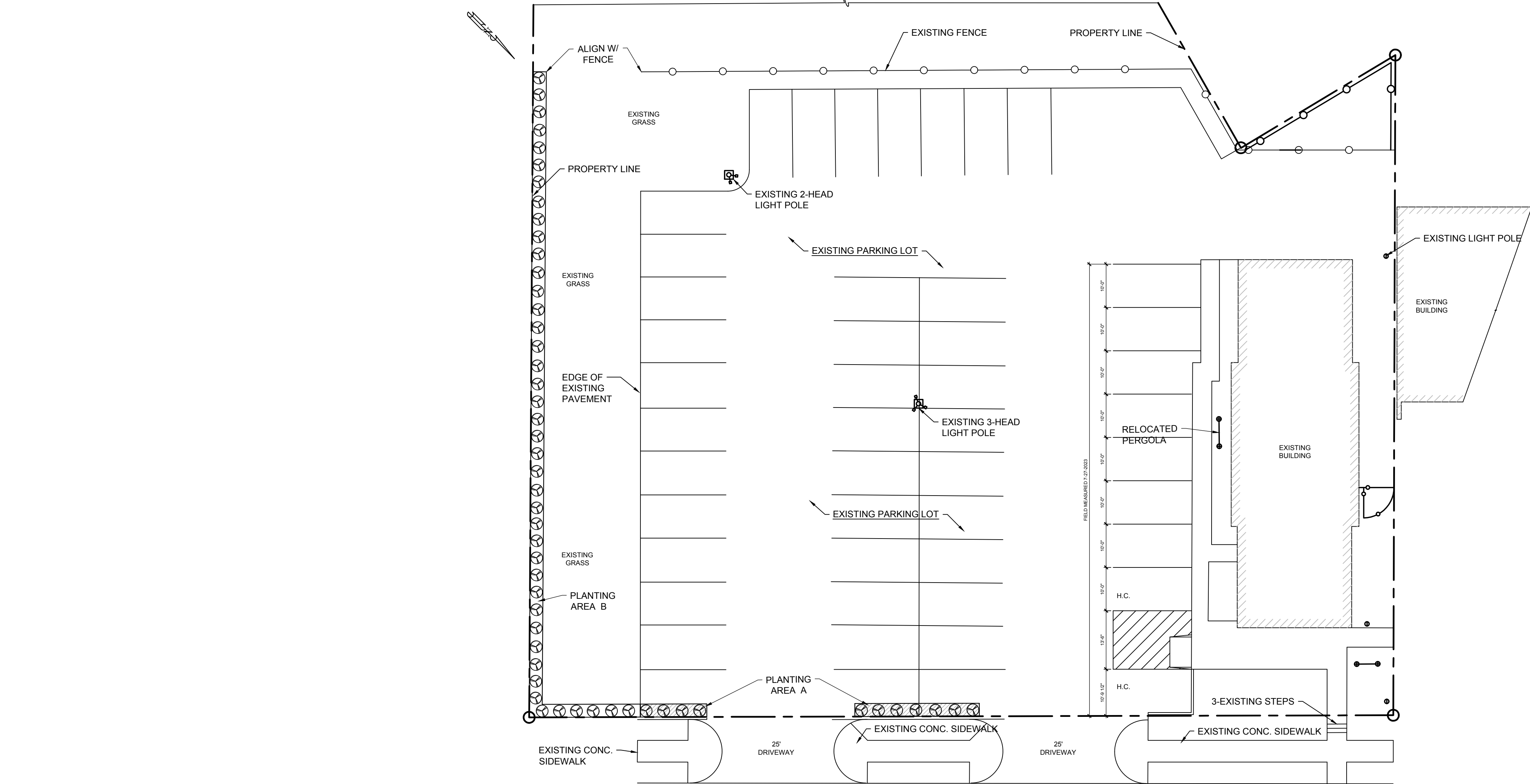


IMAGE OF SITE PLAN
PROPOSED SITE PLAN FOR:
GENEVA'S BLUES HOUSE
SOUTHERN BARBEQUE
357 HOOKER AVENUE
POUGHKEEPSIE, NY 12601

Project Number. 23-16

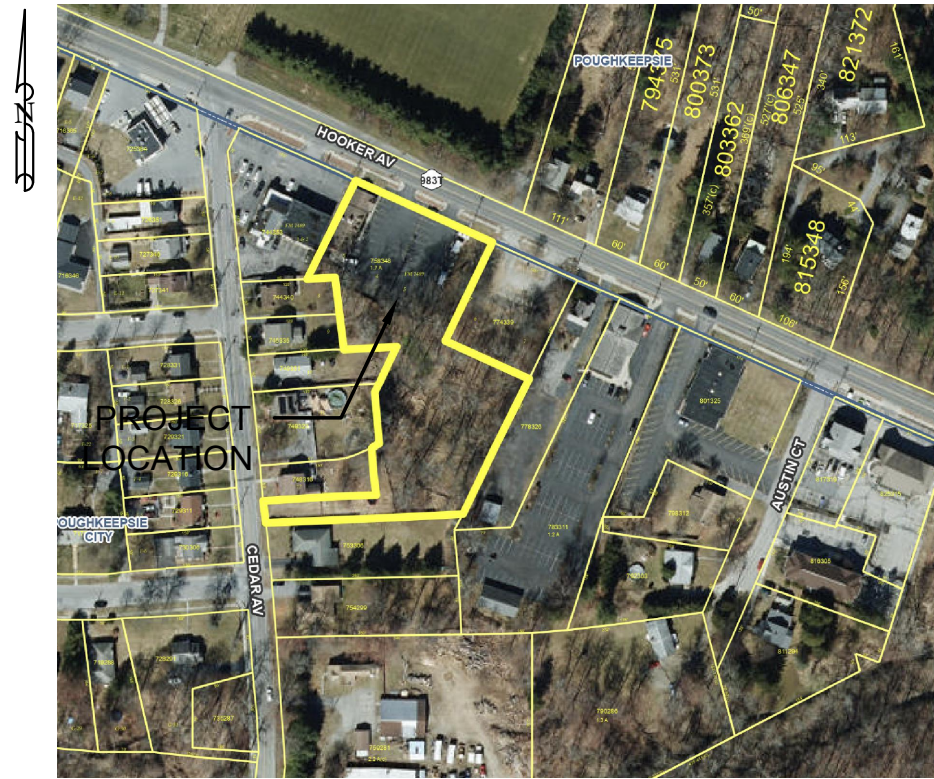
SHEET NO.
SP1
SITE PLAN



2 SHRUB PLANTING DETAIL
LP1 SCALE: N.T.S.

PLANTING AREA KEY	
PLANTING AREA A	
	CUT & REMOVE A 3 FOOT WIDE STRIP OF BLACKTOP FROM THE EXISTING PARKING LOTS. DIG DOWN, 30 INCHES & REMOVE EXISTING SUB BASE OF PARKING LOT. REPLACE WITH TOPSOIL MODIFIED BY ADDING FERTILIZER AND PEAT MOSS AS RECOMMENDED. PLANT, 3 FOOT HIGH GOLD FLAME SPIREA AT 3 FEET ON CENTER.
PLANTING AREA B	
	CULTIVATE SOIL, ADD PEAT MOSS & FERTILIZER AS RECOMMENDED. PLANT IN A 3 FOOT WIDE STRIP ALONG THE PROPERTY LINE 3 FEET HIGH GOLD FLAME SPIREA AT 3 FEET ON CENTER IN AREA SHOWN ON SITE PLAN.

LANDSCAPING SCHEDULE					
TYPE	SYMBOL	QUANTITY	COMMON NAME	MATURE WIDTH	MATURE HEIGHT
SHRUBS		GFS	53	GOLD FLAME SPIREA	3' - 4'
					3'



3 PARCEL MAP
LP1 SCALE: N.T.S.

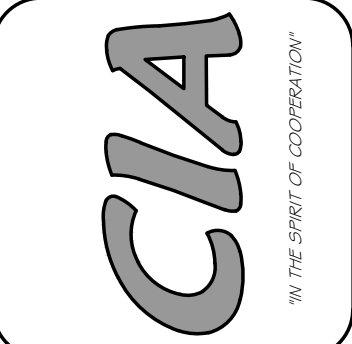


4 GOOGLE MAP
LP1 SCALE: N.T.S.



5 GOOGLE STREET VIEW
LP1 SCALE: N.T.S.

Revisions		Description:	
No.	Date:	No.	Date:



CIRO INTERRANTE ARCHITECT P.C.			
25 MARKET STREET			
POUGHKEEPSIE, NEW YORK 12601			
(845) 473-7572 Office			
DRAWN BY:	S.T.T.	CHECKED BY:	C.I.
ISSUED DATE:		09-19-2023	

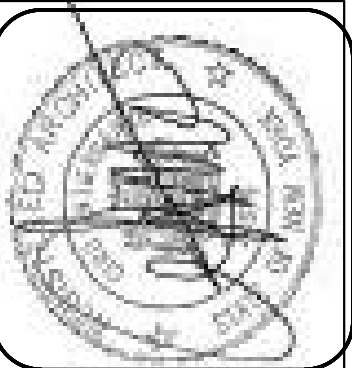


IMAGE OF SITE PLAN	
PROPOSED SITE PLAN FOR:	
GENEVA'S BLUES HOUSE	
SOUTHERN BARBEQUE	
357 HOOKER AVENUE	
POUGHKEEPSIE, NY 12601	

Project Number:	23-16
-----------------	-------





**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: Terricena A. Brown

From: Tyler Maegerle, Junior Planner

Date: 9/11/2023

Re: 357 Hooker Avenue

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes the operation of a restaurant.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(18) "reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part." The action is therefore not subject to further environmental review.

617.20
Appendix B
Short Environmental Assessment Form

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.

Part 1 - Project and Sponsor Information			
Name of Action or Project: 357 HOOKER AVENUE			
Project Location (describe, and attach a location map): 2/10 MILE WEST OF RAYMOND AVE. ON SOUTH SIDE OF HOOKER AVE.			
Brief Description of Proposed Action: OPERATE AN EXISTING RESTAURANT AND MAKE MINOR IMPROVEMENTS AND ALTERATIONS TO IMPROVE SERVICE AND VARIETY OF FOOD PRODUCT.			
Name of Applicant or Sponsor: TERRICIENA A. BROWN		Telephone: 845-416-3921 E-Mail: TERRICIENA146@YAHOO.COM	
Address: 4 BALDING AVENUE			
City/PO: POUGHKEEPSIE		State: NY	Zip Code: 12601
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 ☒ YES ☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: PLANNING BOARD - SITE PLAN APPROVAL			NO ☐ YES ☒
3.a. Total acreage of the site of the proposed action?		0.6 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.6 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☐	YES ☒	N/A ☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO ☐	YES ☒
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 ☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO ☒	YES ☐
b. Are public transportation service(s) available at or near the site of the proposed action?		☐	☒
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		☐	☒
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 ☒
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO ☐	YES ☒
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO ☐	YES ☒
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO ☒	YES ☐
b. Is the proposed action located in an archeological sensitive area?		☒	☐
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?		NO ☒	YES ☐
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: _____		☒	☐
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ 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 ☐
16. Is the project site located in the 100 year flood plain?		NO ☒	YES ☐
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? ☒ NO ☐ YES		NO ☐	YES ☒
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ ☐ NO ☒ YES			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	☒	☐
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
_____	☒	☐
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
_____	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>CIRIO INTER RANTE, ARCHITECT</u> Date: <u>6-15-23</u> Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing:		
a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Name of Lead Agency Date	
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer	
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)	

PRINT



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: Terricena A. Brown

From: Tyler Maegerle, Junior Planner

Date: 9/11/2023

Re: 357 Hooker Avenue

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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

September 6th, 2023

Terriciena Brown
4 Balding Avenue
Poughkeepsie NY 12601

Re: 357 Hooker Avenue
ID # 235162
Area Variance Application # ZBA-2023-031

To whom it may concern,

The Development Department is in receipt of your updated plans for your Area Variance Application # ZBA-2023-031 relative to the Restaurant located at 357 Hooker Avenue. This property is located within the Neighborhood Commercial District (C-1) which does Restaurants per code Section 19-3.22(2)(a)3 of the Zoning Ordinance. Upon review of the provided updated plans, its possible that no area variances will be required if the following 2 items are approved by the Planning Board and more information is provided for item 3 below;

1. Section 19-4.3(1) requires that whenever a parking area containing three or more spaces faces a street or a property line, a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center shall be provided between the parking area and the street line or property line. The planting plan for this strip shall be approved by the Planning Board as part of the site plan review; no such proposal was indicated on the provided plans.
2. Section 19-4.11(1)(b) requires landscape strips or opaque screening shall be provided along all property lines as approved by the Planning Board; no such proposal is indicated on the provided plan.
3. Section 19-4.14(3)(a) requires that no such fence, wall or ledge shall be permitted nearer than 10 feet to any wall or an adjoining building that contains legal windows; the provided plan indicates a fence to be installed on the right side of the property but does not indicate the neighboring building. Also please note the plan indicates this is an existing fence but was installed without a building permit. Please provide a full view of the wall located next to the fence for both buildings including the upper levels.

Please submit the requested information for item 3 to determine if a variance will be required. If the Planning Board denies your Site Plan due to the lack of landscaping identified in items 1 and 2, then a variance will be required for those code sections.



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

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

Ciro Interrante Architect, P.C.
25 Market Street, 3rd floor
Poughkeepsie, New York 12601

(845) 473-7572

October 16, 2023

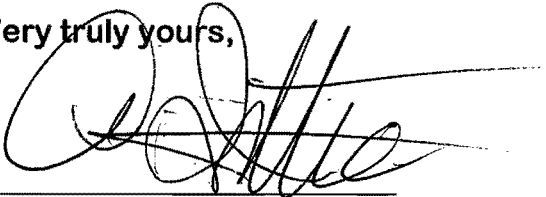
Zoning Board
City of Poughkeepsie
PO Box 300
Poughkeepsie, NY 12602

RE: 357 Hooker Avenue
Poughkeepsie, New York 12601

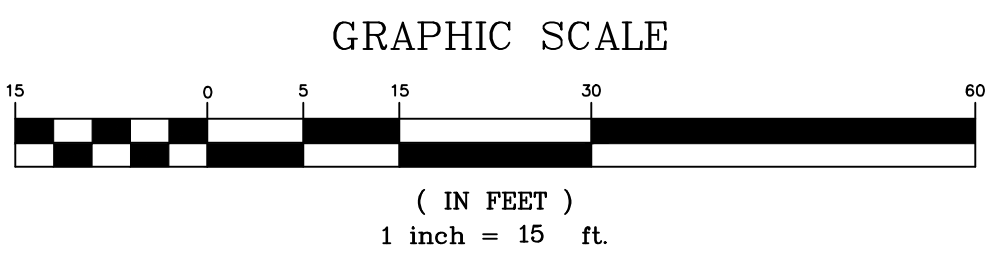
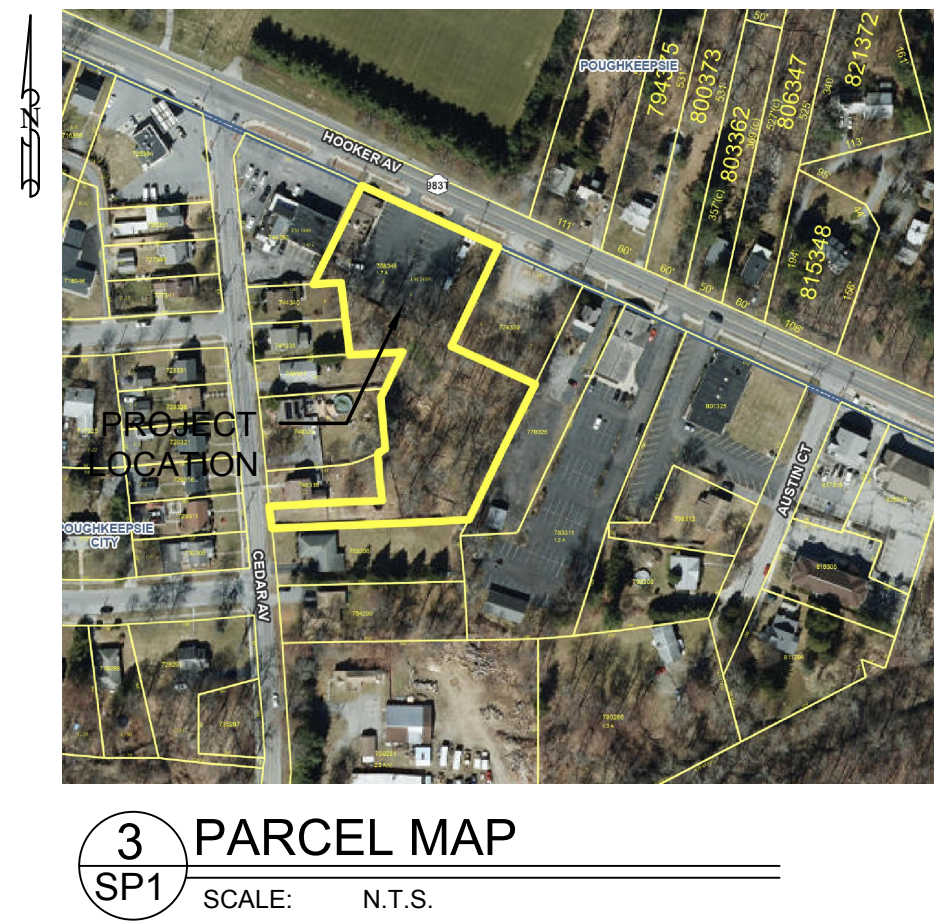
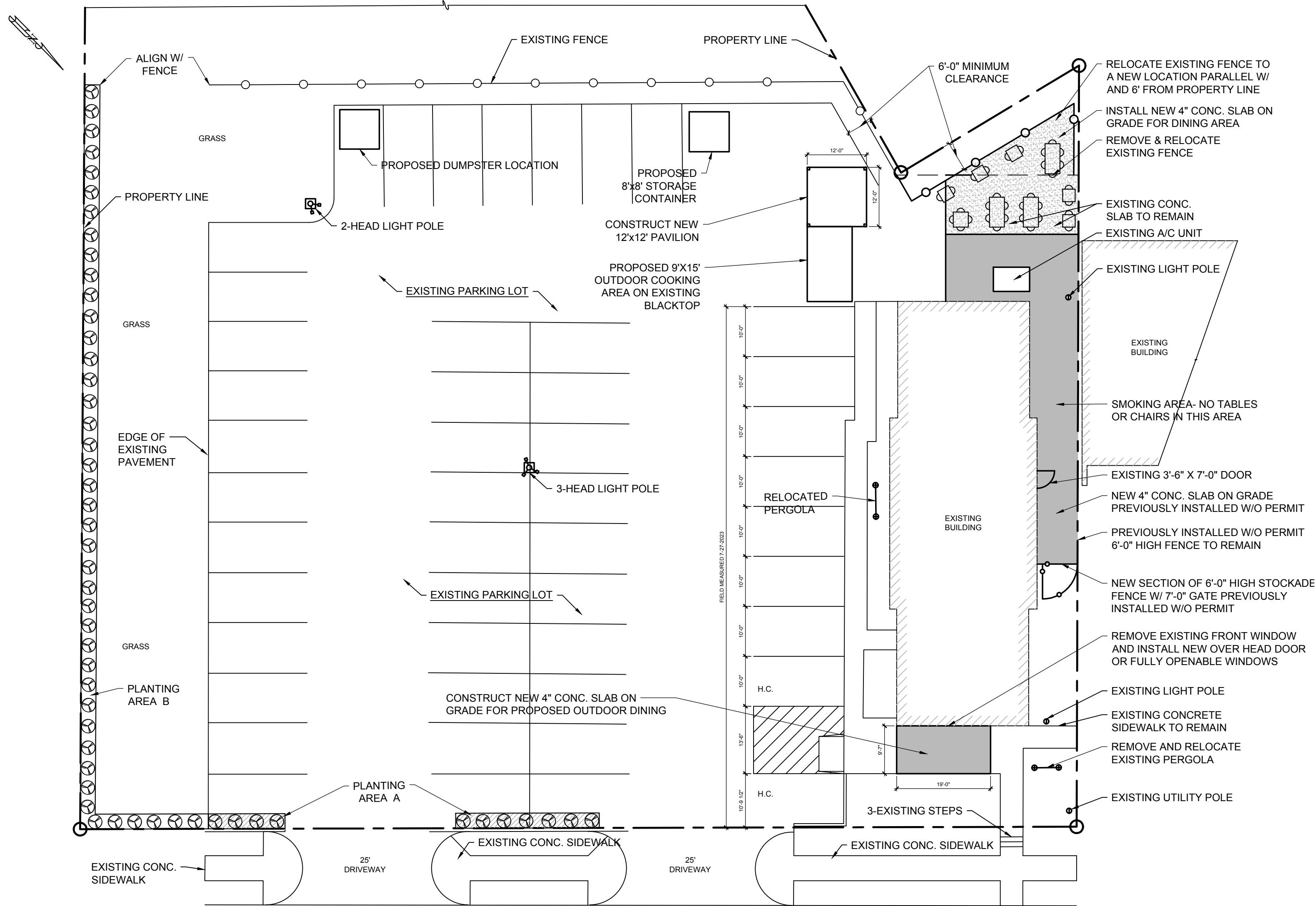
Dear Zoning Board,

Please review the submitted amended site plan for the above referenced project with a revision date of October 11, 2023. At the last zoning board meeting a request was made to show a seating arrangement for the proposed outdoor seating area at the rear of the site. An arrangement of tables and chairs has been shown on the site plan at the rear of the building. Also, schedules have been added to show the hours of operation and the indoor seating capacity of the restaurant as well as the outdoor seating capacity. Also, the landscape drawing, LP1, showing the landscaping that a variance is requested for, has been eliminated and the landscaping plan has been combined with the site plan drawing SP1.

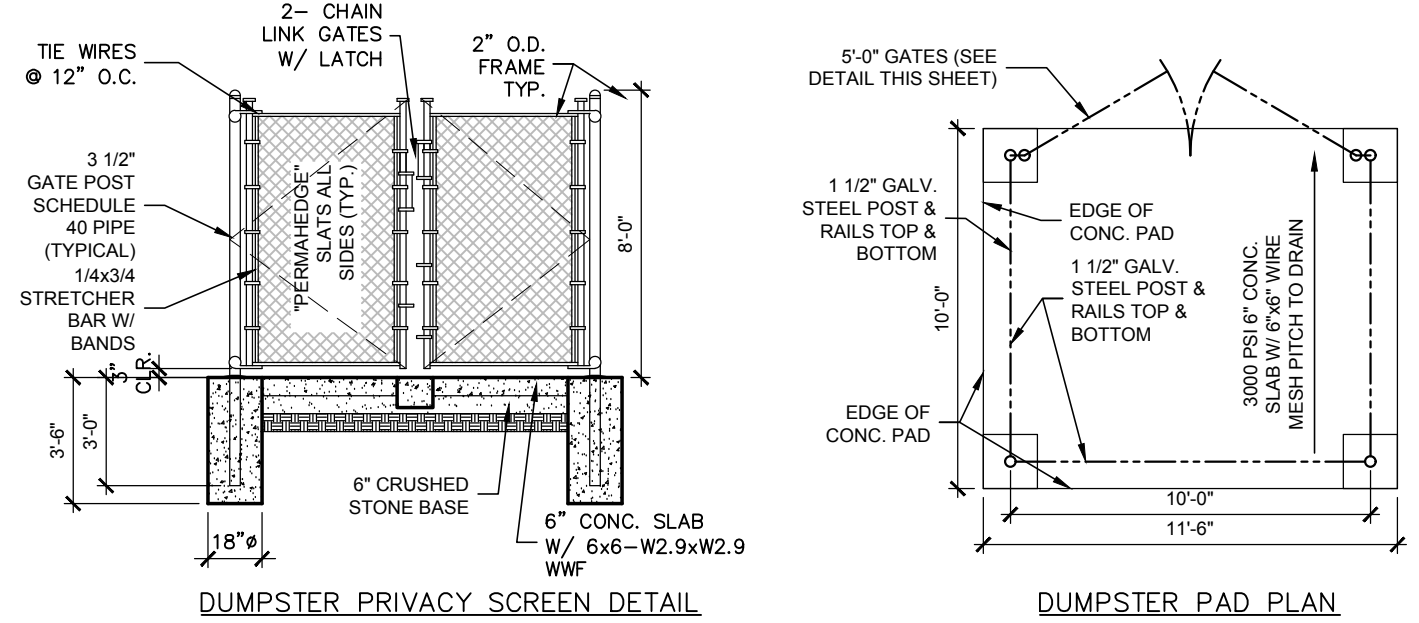
Very truly yours,

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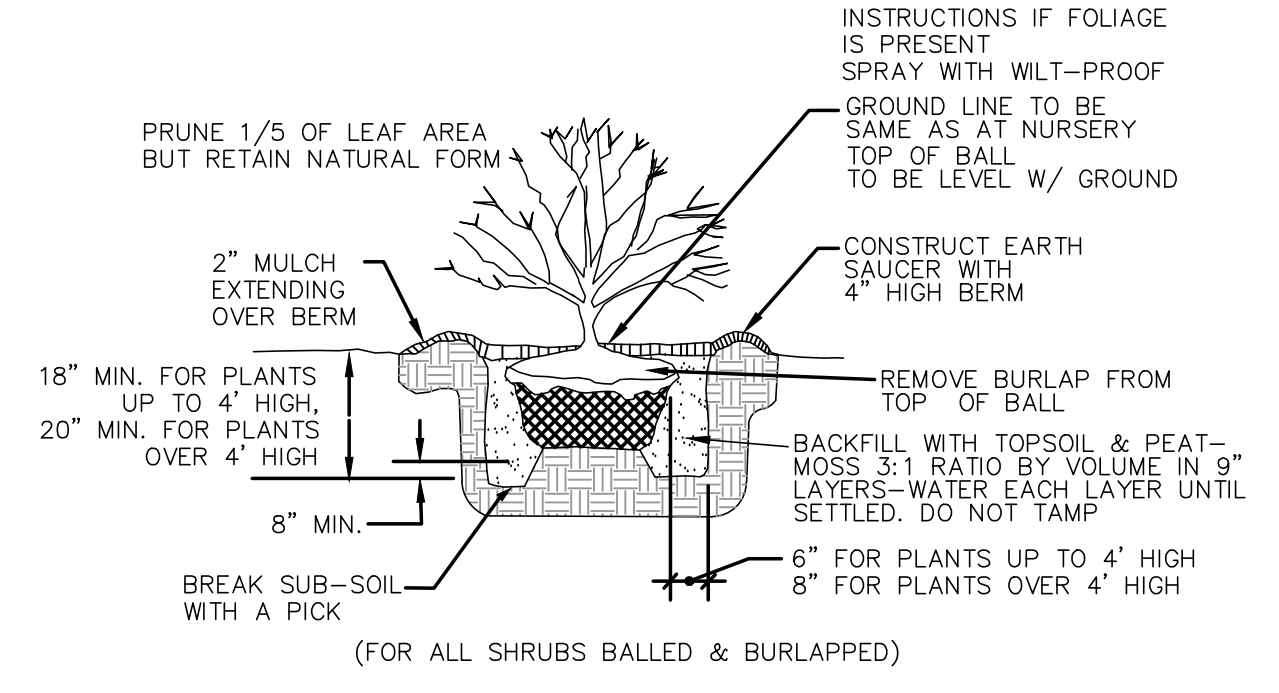
Ciro Interrante, Architect.



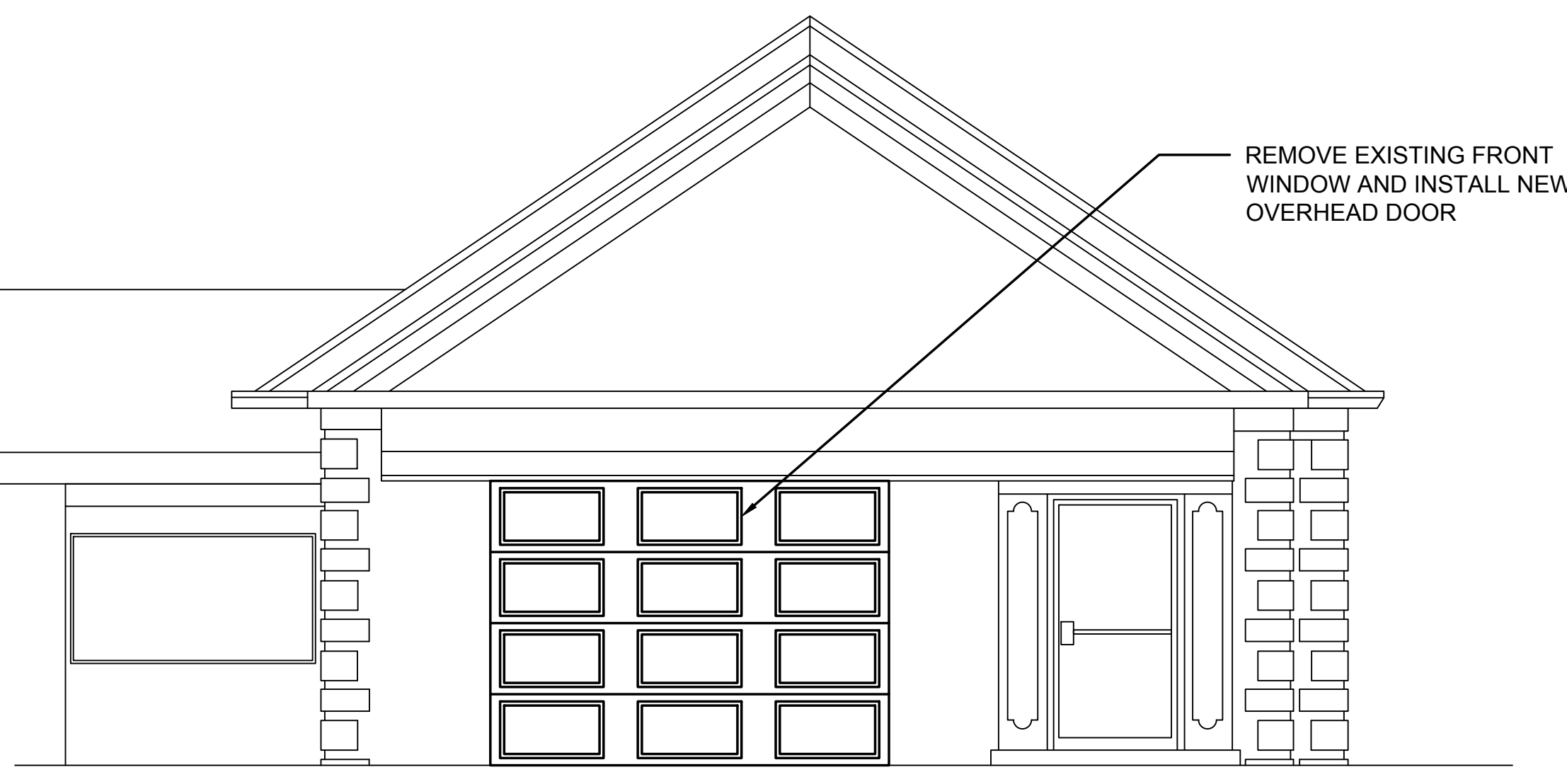
1 SITE PLAN
SCALE: 1" = 16'-0"



6 DUMPSTER ENCLOSURE DETAILS
SCALE: N.T.S.



7 SHRUB PLANTING DETAIL
SCALE: N.T.S.



2 EXISTING FRONT ELEVATION
SCALE: 1/4"=1'-0"

PLANTING AREA KEY					
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CUT & REMOVE A 3 FOOT WIDE STRIP OF BLACKTOP FROM THE EXISTING PARKING LOTS. DIG DOWN, 30 INCHES & REMOVE EXISTING SUB BASE OF PARKING LOT. REPLACE WITH TOPSOIL MODIFIED BY ADDING FERTILIZER AND PEAT MOSS AS RECOMMENDED, PLANT, 3 FOOT HIGH GOLD FLAME SPIREA AT 3 FEET ON CENTER.					
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CULTIVATE SOIL, ADD PEAT MOSS & FERTILIZER AS RECOMMENDED. PLANT IN A 3 FOOT WIDE STRIP ALONG THE PROPERTY LINE 3 FEET HIGH GOLD FLAME SPIREA AT 3 FEET ON CENTER IN AREA SHOWN ON SITE PLAN.					

LANDSCAPING SCHEDULE						
TYPE	SYMBOL	QUANTITY	COMMON NAME	MATURE WIDTH	MATURE HEIGHT	
SHRUBS		GFS	53	GOLD FLAME SPIREA	3' - 4'	3'

HOURS OF OPERATION						
MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
CLOSED	11-10	11-10	11-12	11-1AM	11-1AM	11-10
				LIVE MUSIC	BLUES MUSIC	

SEATING CAPACITY	
INTERIOR: 70 CHAIRS & TABLES (INCLUDING 12 @ BAR)	
EXTERIOR: 32 CHAIRS & TABLES	

Revisions		NO.	DATE	DESCRIPTION
NO. 1		08/01/23	ZONING REPLY	
NO. 2		09/19/23	PLANNING COMMENTS	
NO. 3		10/11/23	ZONING COMMENTS	



CIRO INTERRANTE ARCHITECT P.C.
25 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7572 Office
(845) 473-7572 Fax

DRAWN BY: S.T.T. CHECKED BY: C.I. ISSUED DATE: 06-09-2023

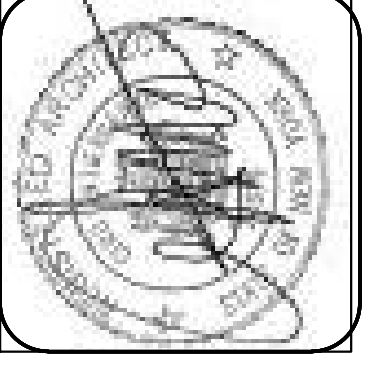
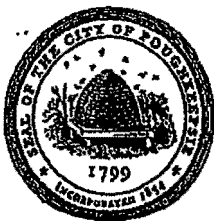


IMAGE OF SITE PLAN
PROPOSED SITE PLAN FOR:
GENEVA'S BLUES HOUSE
SOUTHERN BARBEQUE
357 HOOKER AVENUE
POUGHKEEPSIE, NY 12601

Project Number: 23-16

SHEET NO.
SP1
SITE PLAN



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 100 CANNON STREET

ZONING DISTRICT: C2

OWNER INFORMATION:

Name: REDEEMED CHRISTIAN FELLOWSHIP
Address: 100 CANNON STREET
POUGHKEEPSIE, NEW YORK 12601
Phone: 845-452-1512
Email: KJMCBEAN@GMAIL.COM / RCFCOGOP@GMAIL.COM

APPLICANT INFORMATION:

Name: BISHOP DR. KENDRICK McBEAN, PASTOR
Address: 100 CANNON STREET
POUGHKEEPSIE, NEW YORK 12601
Phone: 845-591-8787 CELL
Email: KJMCBEAN@GMAIL.COM

CONSULTANT INFORMATION:

Name: CIRO INTERRANTE
Address: 25 MARKET STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-473-7572
Email: CIROINT@GMAIL.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

Date of decision/determination/violation: AUGUST 18, 2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 100 CANNON 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.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-4.14(3)(2)</u>	<u>10'</u>	<u>5.5'</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 19-8.4 (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: 100 CANNON STREET

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):

SEE EXHIBIT "A"

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.

Kenrick McBean
SIGNATURE OF APPLICANT

8-27-2023
DATE

KENRICK McBean
Print Name

EXHIBIT "A" - 100 Cannon Street

- 1. The granting of the variance will not produce an undesirable change. The fence along the south property line will be partially hidden by existing ornamental vegetation. The fence along the front property line will be a decorative fence.**
- 2. The variance request is for the side property line. There are no alternative methods to achieve the desired outcome.**
- 3. The variance is not substantial. The distance from the adjacent house to the proposed fence varies. The variance requested is for 5'-6" or less.**
- 4. The requested variance will not have an inverse impact in the neighborhood. As stated previously, the fence will be partially hidden by existing in ornamental vegetation.**
- 5. The hardship is not self-created. The zoning regulations create a hardship by imposing setback regulations on the side property line, where a previous fence exists (before zoning) and is proposed to be replaced with a new fence.**

CIA

Ciro Interrante Architect, P.C.
25 Market Street, 3rd Floor
Poughkeepsie, New York 12601

(845) 473-7572

August 17, 2023

Joseph O'Brien Deputy Zoning Administrator
City of Poughkeepsie
PO Box 300
Poughkeepsie, NY 12602

RE: Proposed Fence for
Redeemed Christian Fellowship Church
100 Cannon Street
Poughkeepsie, New York 12601

Dear Mr. O'Brien:

This correspondence is in response to your letter dated 8/2/23 regarding the Redeemed Christian Fellowship Church located at 100 Cannon St. in Poughkeepsie, New York. In addition to your letter, you also provided information regarding fence permit requirements. Please see the attached site plan that I prepared at the request of Bishop Dr. Kendrick McBean (Pastor). The site plan shows the location of the buildings on the property and adjacent to the property in question. The new fence proposed along the front of the lawn area to the left side of the church will be an ornamental iron fence as selected by the parish. An additional fence running in a westerly direction on the left side of the property will be a 6-foot-high chain-link fence with green vinyl slats to provide security and privacy from the adjacent property. I hope this site plan meets with your approval and you will issue building permit number BP – 23–1267. Please contact me if you have any questions regarding this letter and site plan.

Very truly yours,

Ciro Interrante, Architect



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: Bishop Dr. Kendrick McBean

From: Tyler Maegerle, Junior Planner

Date: 9/12/23

Re: 100 Cannon Street

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes replacement and legalization of a fence.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(2) "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;." The action is therefore not subject to further environmental review.

617.20
Appendix B
Short Environmental Assessment Form

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.

Part 1 - Project and Sponsor Information							
Name of Action or Project: 100 CANNON STREET							
Project Location (describe, and attach a location map): PROJECT IS LOCATED ON THE CORNER OF CANNON STREET AND SOUTH HAMILTON STREET							
Brief Description of Proposed Action: CONSTRUCT A NEW FENCE ALONG A PORTION OF SOUTH HAMILTON STREET AND FOR A SHORT DISTANCE ALONG THE SOUTH PROPERTY LINE.							
Name of Applicant or Sponsor: BISHOP DR. KENDRICK McBEAN, PASTOR		Telephone: 845-591-8787					
		E-Mail: KJMCBEAN@GMAIL.COM					
Address: 100 CANNON STREET							
City/PO: POUGHKEEPSIE		State: NY	Zip Code: 12601				
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%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;">☒</td> <td style="text-align: center; padding: 5px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: ZONING BOARD APPROVAL			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;">☐</td> <td style="text-align: center; padding: 5px;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3.a. Total acreage of the site of the proposed action? _____ 1.22 acres b. Total acreage to be physically disturbed? _____ 0.0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 1.22 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. ☒ Urban ☐ Rural (non-agriculture) ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
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	
	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☒	
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	
	☐	☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	☐	☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	☐	☒	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
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?	NO	YES	
	☒	☐	
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: _____	☒	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ 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	
	☒	☐	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	☒	☐	
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? ☐ NO ☐ YES	NO	YES	
	☒	☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____			
	☐ NO ☐ YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO ☒	YES ☐
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 ☐
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 ☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>CIRO INTERRANTE</u> Date: <u>8-18-23</u> Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	☐ ☐	☐ ☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT







**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND 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: 7 MORGAN AVENUE
ZONING DISTRICT: R-4

OWNER INFORMATION:

Name: PATTERSON CALHOUN, LLC
Address: 10 FITCHETT STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-380-8627
Email: JAMES.AA.PATTERSON@GMAIL.COM

APPLICANT INFORMATION:

Name: PATTERSON CALHOUN, LLC
Address: 10 FITCHETT STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-380-8627
Email: JAMES.AA.PATTERSON@GMAIL.COM

CONSULTANT INFORMATION:

Name: CIRO ENTERRANTE ARCHITECT, P.C.
Address: 25 MARKET STREET SUITE 3
POUGHKEEPSIE, N.Y. 12601
Phone: 845-473-7572
Email: CIROINT@GMAIL.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 D. O'BRIEN

Date of decision/determination/violation: JULY 20, 2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 7 MORGAN AVENUE

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
19-3.15(4)(c)	36,000 Φ	22,200 Φ
19-3.15(4)(c) 2	15'	9'
19-4.15(4)(f)	20'	10'
19-3.15(4)(i)	3,600 Φ	
19-4.3(5)(a)	15'	1'
19-4.3(5)(b)	20'	2'
19-4.3(5)(c)	LIGHTING	
19-4.3(11)(a)	18 PARKING SPACES	5 PARKING SPACES
19-4.13(2)	SIDE OR REAR YARD PARKING	1 PARKING SPACES
19-4.14(3)(a)	10' TO WINDOW WALL	4 FEET

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?
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ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 7 MORGAN AVENUE

LIST OF REQUIRED ATTACHMENTS

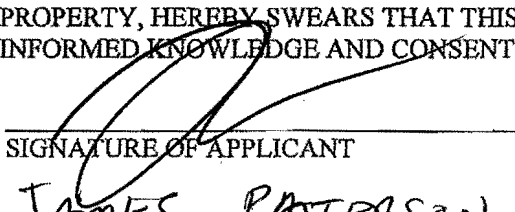
- ✓1. Letter or communication which resulted in application to the ZBA.
- 2. Site or Plot Plan: Nine (9) copies.
- 3. Color photos of site conditions: Nine (9) copies
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- 5. Electronic file submission of the plot plan and color photos
- 6. Other attachments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

SEE EXHIBIT "A"

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

8/11/23
DATE

JAMES PATTERSON
Print Name

Ciro Interrante Architect, P.C.
25 Market Street, 3rd floor
Poughkeepsie, New York 12601

(845) 473-7572

October 16, 2023

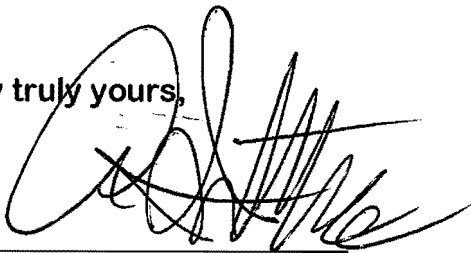
Zoning Board
City of Poughkeepsie
PO Box 300
Poughkeepsie, NY 12602

RE: 7 Morgan Avenue
Poughkeepsie, New York 12601

Dear Zoning Board,

Please review the submitted amended site plan for the above referenced project with a revision dater of October 13, 2023. At the last zoning board meeting a request was made to show the turning radius for cars backing out of the parking stalls and another request was to show the existing residential buildings on the right and left side of the vacant lot. I took field measurements from the street curb to the sidewalk and to the house and house porch of the houses on the right and left of the property. The site plan has been amended to show all the field measured dimensions. Also, the entrance driveway has been widened to 15'-0" bringing it into compliance with the zoning requirement.

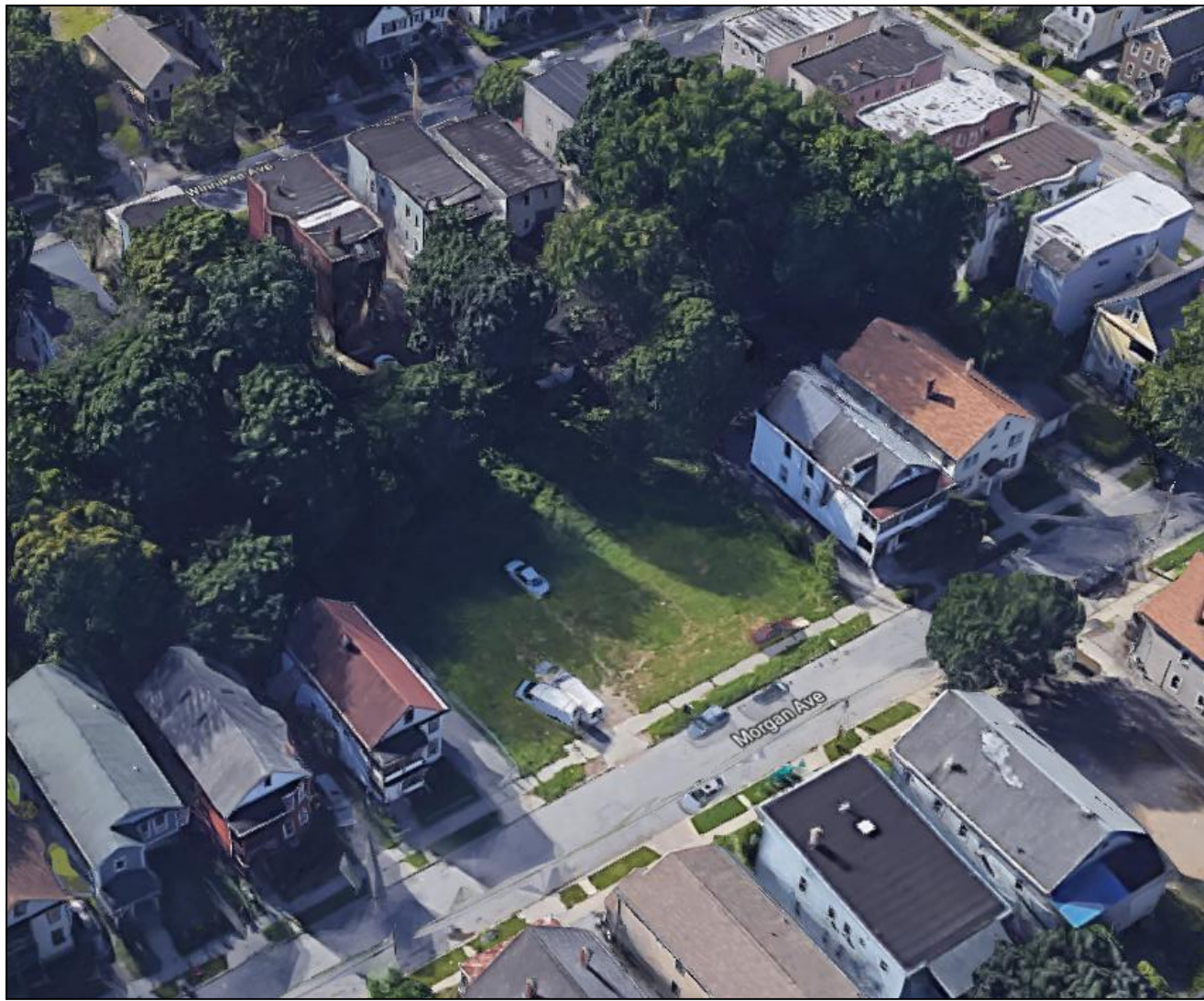
Very truly yours,

A handwritten signature in black ink, appearing to be 'C. Interrante', written over a horizontal line.

Ciro Interrante, Architect:



2 PARCEL MAP – LOT# 458149
SCALE: N.T.S.

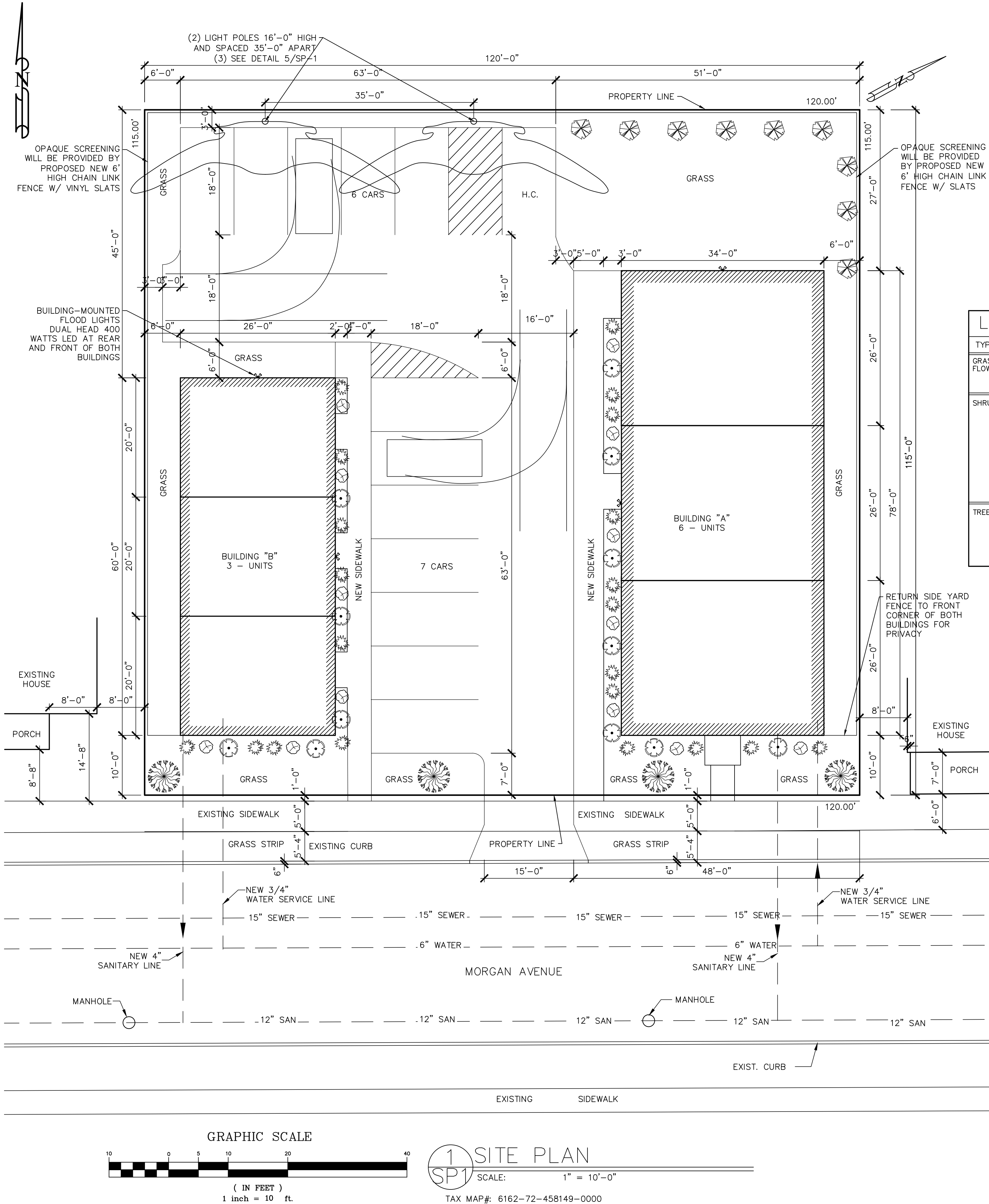


3 AERIAL VIEW
SCALE: N.T.S.

DATA TABLE		
ZONE R-4 MEDIUM HIGH DENSITY RESIDENTIAL DISTRICT		
	REQUIRED	PROPOSED
LOT AREA	(4,000 SF. / UNIT)	0.317 Ac. (13,800 SF.)
LOT WIDTH	30 FT.	120 FT.
LOT DEPTH	115 FT.	115 FT.
LOT FRONTAGE	30 FT.	120 FT.
LOT COVERAGE (BUILDING)	40 %	30.5 %
OPEN SPACE	3,600 SF	7,131 SF
YARDS		
FRONT	20 FT.	10 FT.
SIDE	15 FT.	6'/6"
REAR	15 FT.	27 FT.
BUILDING HEIGHT	3 / 40 FT.	2/26 FT. +/-
BUILDING AREA		4,212 SF
TOTAL PARKING		
2 CARS / UNIT	18 CARS	13 CARS

GENERAL NOTES:

- OWNER / APPLICANT: 21st CENTURY LIVING, LLC
10 FITCHETT STREET
POUGHKEEPSIE, NY. 12601
- ARCHITECT: CIRO INTERRANTE, ARCHITECT
25 MARKET STREET, SUITE 3
POUGHKEEPSIE, NY 12601
- ZONING DATA: ZONING DISTRICT: R4
MEDIUM HIGH-DENSITY RESIDENTIAL
TAX MAP: 6162-72-458149-0000
- MAP REFERENCE: PROPERTY LINE INFORMATION TAKEN
FROM DUTCHESS
COUNTY PARCEL ACCESS



4 GOOGLE STREET VIEW
SCALE: N.T.S.

LANDSCAPING SCHEDULE					
TYPE	SYMBOL	QUANTITY	COMMON NAME	MATURE WIDTH	MATURE HEIGHT
GRASS/ FLOWER	DFG	21	DWARF FOUNTAIN GRASS (HAMELN)	2' - 3'	2' - 3'
SHRUBS	GFS	0	GOLD FLAME SPIREA	3' - 4'	3'
	RBB	12	ROYAL BURGUNDY BARBERRY (JAPANESE)	3'	2'
	MCS	13	MAGIC CARPET SPIREA	2' - 4'	1'-6"
TREES	LL	9	LILAC	2' - 3'	10'
	SM	4	SUGAR MAPLE	6' - 0"	

PK150

LED Light Pole Kit with Single 150 Watt LED Light

Job: _____

Client Name: _____

Job Site: _____

Approvals: _____

Notes: _____

Date: _____

Commercial-grade LED Light Pole Assembly Includes:
Square steel light pole, Single LED light complete with mounting bracket and hardware, set of anchor bolts and a base cover.

Light Pole:
Pole Shaft: 4 inch square 11 gauge (15 ft. and 20 ft.) and 7 gauge (25 ft.) commercial grade steel with minimum yield strength of 55,000 psi
Pole Height: Standard pole height is 15 ft. Optional heights are 20ft. and 25 ft. Custom heights are also available.
Anchor Bolts: A set of 4 galvanized steel anchor bolts is provided.
Each anchor bolt includes 2 nuts and 2 washers.
Bolt Circle: 8-1/2" (Bolt Circle range: 8"-11").
Handhole: Handhole is located 18" above the base plate. A 3" X 6" steel handhole cover is included.
Color: Dark Bronze
Base Cover: ABS Plastic base cover with rivets.
LED Fixture:
Material: Aluminum construction with integrated fins to maximize heat dissipation.
Color: Dark Bronze.
Power: 150 Watts
Lumens: 25,500
Lumens/Watt: 170
Voltage: 120-277 Volt standard.
240-480 Volt option as special order.
Amps: 1.31 @ 120V/0.57 @ 277V
Color Temperature: 5000K standard, 4000K and 3000K options as special order.
Light Distribution: Type 3 standard, Type 4 and Type 5 options as special order.
Photocell: Photocell is optional.
Dimming: 0-10V Dimming Capable. Dimming control not provided (field install).
UL Listing: UL Listed for Wet Locations.
DLC Listing: DLC Premium.
IP Rating: IP66
EPA Rating: 0.55
Warranty: 5 Years.
Weight: 10 lbs.

Total Power (Watts)	Total Lumens	Total Amps	Max Wind Rating
150	25,500	1.31 0.57	140 mph

LED Fixture Bottom View

LED Fixture Top View

Base Plate

Anchor Bolt

4 Slots 90° Apart

Bolt Circle: 8.5"

Pole Height

15 ft. 20 ft. 25 ft.

3/4"x17"x3" 3/4"x30"x3"

Disclaimer: All dimensions and specifications are subject to change without any notice. Light Pole Foundation should be designed by an engineer familiar with local soil and wind conditions as well as local code where the light pole will be installed.

Copyright © 2023 Energy Light, Inc. All Rights Reserved | 1881 Rose Road, Lake Zurich, IL 60047

5 LIGHTING DETAILS
SCALE: N.T.S.

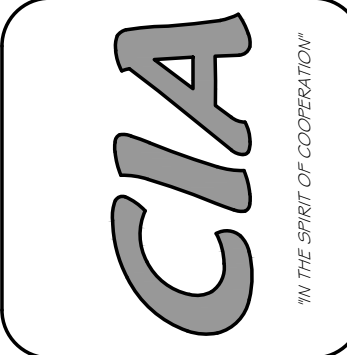
OWNER'S CONSENT

THE UNDERSIGNED OWNER OF THIS PROPERTY HEREON STATES THAT HE/SHE IS FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENTS TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

APPLICANT

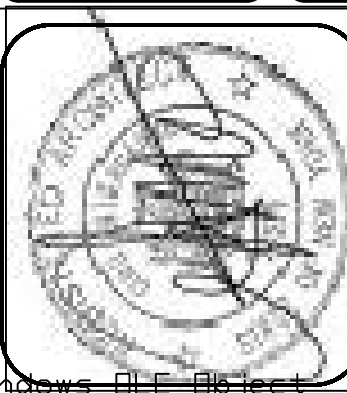
APPROVAL BLOCK

Revisions	GENERAL REVISIONS	Description:
No. 1	8/18/23	
No. 2	10/13/23	ZONING COMMENTS
No.	Date:	



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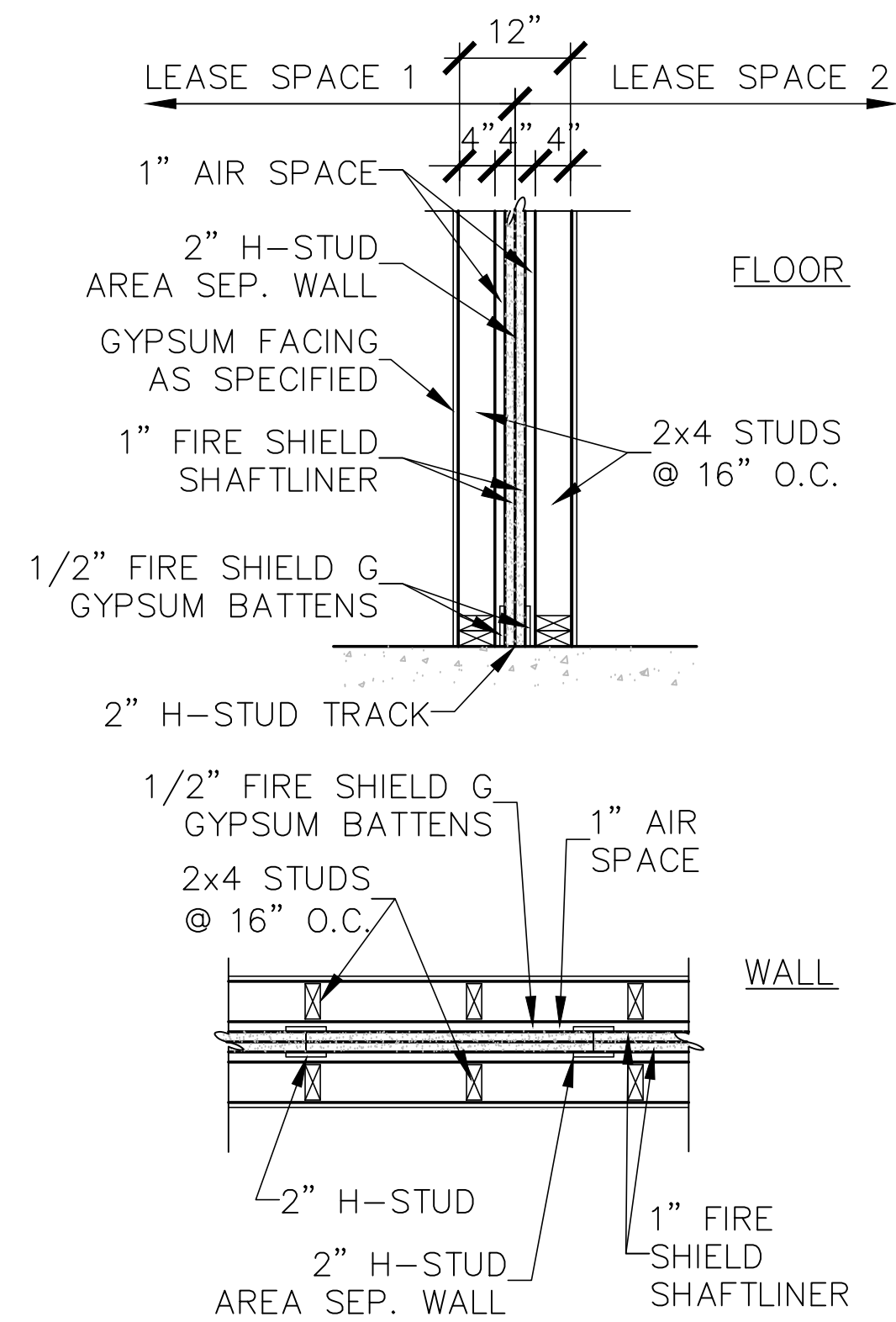
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ISSUED DATE: 07-17-2023
DRAWN BY: D.H.



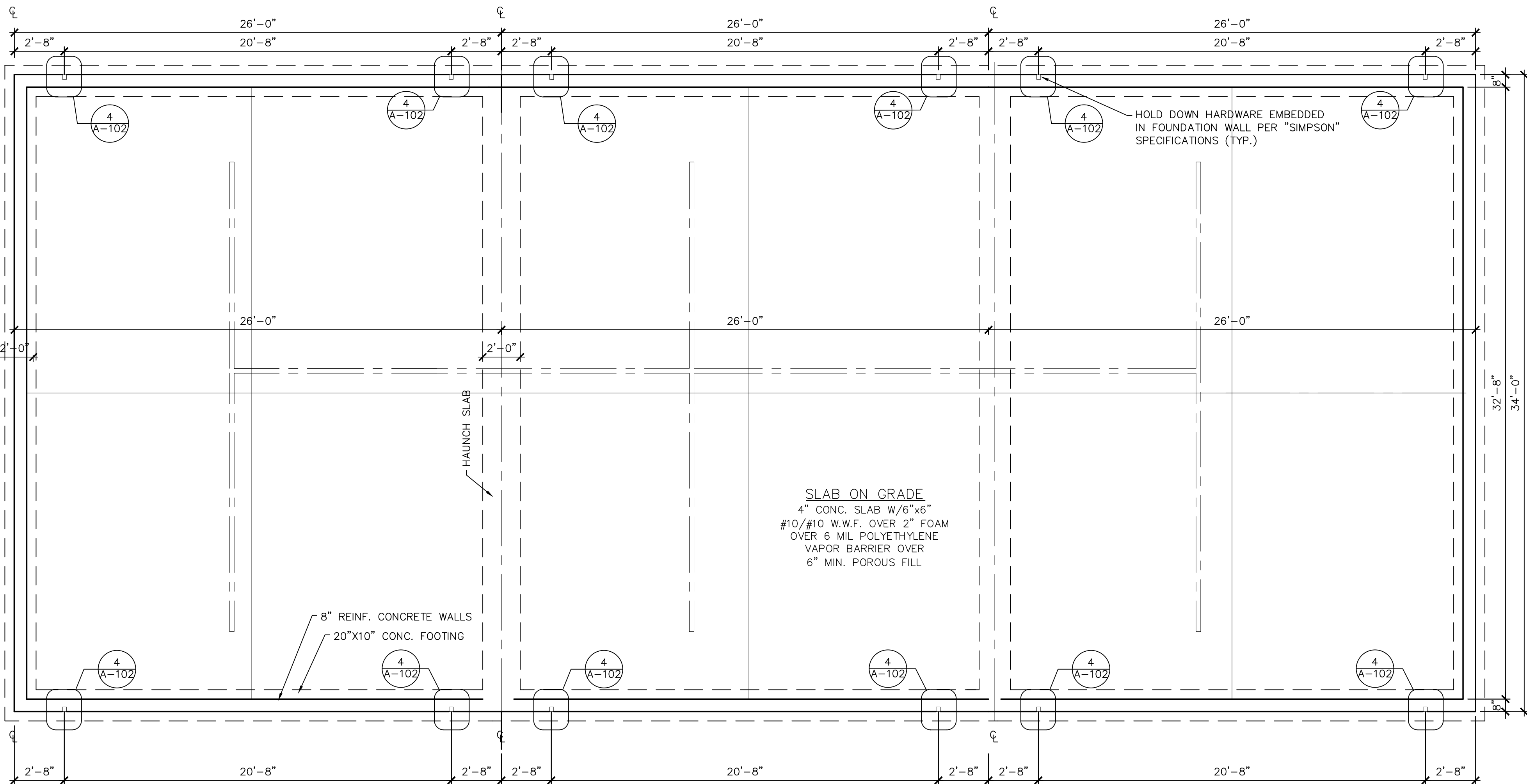
SITE PLAN
PROPOSED SITE PLAN FOR:
21st CENTURY LIVING, LLC
5-9 MORGAN AVENUE
POUGHKEEPSIE
NEW YORK 12601

Project Number: 22-09

SHEET NO.
SP1
SITE PLAN



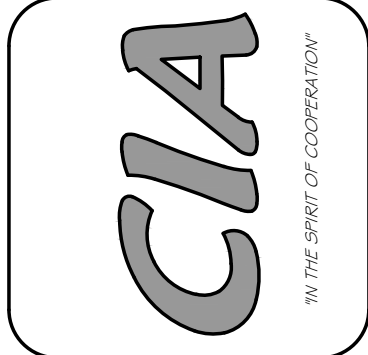
2 ROOF PLAN
A1 SCALE: 1/4" = 1'-0"



1 FOUNDATION PLAN
A1 SCALE: 1/4" = 1'-0"

- 1 CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF.
 - 2 PRE ENGINEERED ROOF TRUSS SYSTEM @2'-0"o.c.,
DESIGN FOR: 55 PSF SNOW LOAD + 15 PSF DEAD LOAD
 - 3 CONTINUOUS 1x6 FASCIA.
 - 4 INSTALL SIMPSON #1014 HURRICANE TIES AT ALL
CONNECTIONS OF ROOF TRUSS BOTTOM CHORD TO BEARING
WALLS.
 - 5 7/16" x12" WALL SHEATHING W/ TYVEK HOUSE WRAP WITH
VINYL SIDING PER OWNERS CHOICE.
 - 6 2x6 STUD WALL @16"o.c. W/ R-21 CAVITY INSULATION.
 - 7 SLOPE GRADE AWAY FROM BUILDING.
 - 8 8" CONCRETE BLOCK OR 8" Poured CONCRETE.
FOUNDATION WITH R10+48" PERIMETER INSULATION.
 - 9 INSTALL 5/8" TYPE "X" GWB ON ALL WALLS BETWEEN
APARTMENTS.
 - 10 12"x24" Poured CONCRETE FOOTING CONTINUOUS WITH
3-#4 BARS.
 - 11 4" CONC. SLAB W/6"x6" #10 @10" W.W.F. OVER 6 MIL.
POLYETHYLENE VAPOR BARRIER AND 6" MIN POROUS
COMPACTED.
 - 12 1/2"DIA x12"LONG BENT ANCHOR BOLTS @ 8'-0"o.c. &
@ 1'-6" FROM CORNERS & 7" MIN. EMBEDMENT WITH
"SIMPSON" WASHERS &BPT2/ INSTALL ANCHOR BOLTS
IN CENTER FIRE WALLS, SAME AS PERIMETER
FOUNDATION WALL.
 - 13 INSTALL 2-x2x10 HEADER FOR WINDOWS & DOORS.
 - 14 INSTALL BEAMS AND HEADERS WHERE SHOWN ON DRAWINGS.
 - 15 12" x 24" HAUNCH W/ 3/8 4 RODS CONTINUOUS.
 - 16 CONTINUOUS VENTED SOFFIT.
 - 17 CONTINUOUS ALUM. DRIP EDGE.
 - 18 36" ICE & WATER SHIELD 24" IN FROM STUD
WALLS ON RAKES & EAVES & 36" WIDE IN
VALLES.
 - 19 5/8" PLYWOOD ROOF DECK W/ PLYWOOD CLIPS BETWEEN
TRUSSES, W/ 1/8" FELT & GAF 235 LB. ARCHITECTURAL
ASPHALT ROOF SHINGLES (COLOR PER OWNER'S CHOICE).
 - 20 2x6 STUDS @16" O.C. AT MID HEIGHT OF BEARING WALL. 2x6
STUDS @ 16" C.C.
 - 21 ALUMINUM GUTTERS & DOWN SPOUTS
 - 22 VINYL WINDOW, DOOR TRIM & CORNER TRIM. SIDING & TRIM
PER OWNER.
 - 23 INSTALL FULL THICKNESS CAVITY INSULATING IN
EXTERIOR WALLS & CENTER BEARING WALL.
 - 24 NOT USED.
 - 25 INSTALL 14 INCH DIAMETER BY 48 INCHES DEEP CONCRETE
PIER.
 - 26 3/4" T & G PLYWOOD SUB-FLOOR
 - 27 "ACCUMENT" BAFFLE W/14" HEEL HEEL TRUSS TO
"COMMODATE R-38 INSULATION EXTENDED TO OUTSIDE FACE
OF W/ STUO.
 - 28 ELECTRICIAN TO INSTALL GROUND WIRE TO 20' ONE PIECE
R-38 ENCASED IN FOOTING CONCRETE PER ELECTRICAL
CODE. COORDINATE WITH CONCRETE CONTRACTOR.
 - 29 NOT USED.
 - 30 NOT USED.
 - 31 STAIRS, 14 RISERS AT ±73%" HGT. & 13 TREADS AT ±10"
DEEP. INSTALL HANDRAIL 34" MIN. & 38" MAX. HEIGHT.
 - 32 NOT USED.

Revisions		
No.	Date:	Description:



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DRAWN BY:	A.K.S.	CHECKED BY:	C.I.	ISSUED DATE:	22 AUG, 2023
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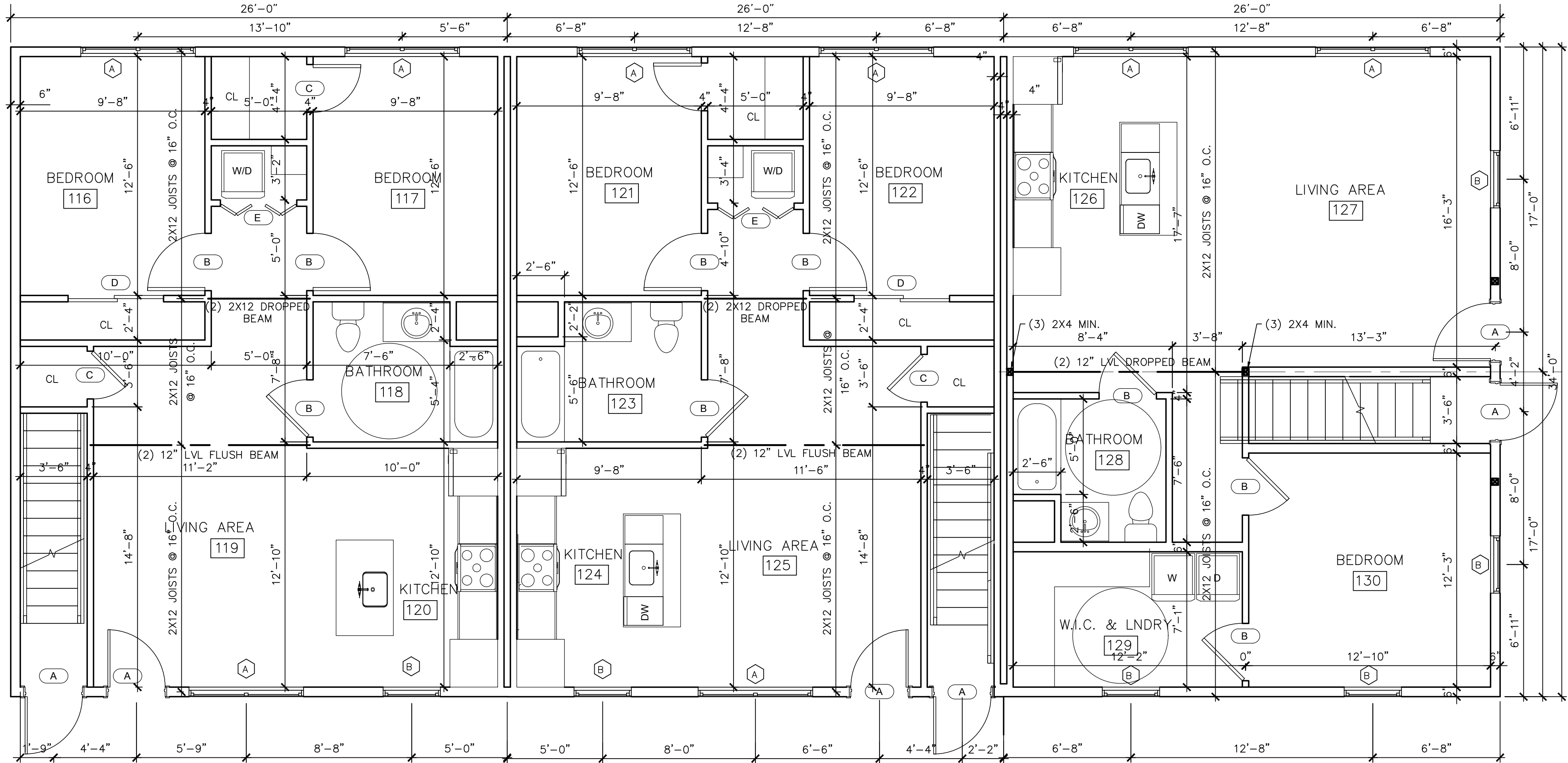
**FOUNDATION & ROOF PLANS,
DETAILS & NOTES**

PROPOSED NEW BUILDING "A" FOR:
21ST CENTURY LIVING, LLC

5-9 MORGAN AVENUE
POUGHKEEPSIE NEW YORK 12601

Project Number. 22-09

SHEET NO. **A1**
BUILDING



2 SECOND FLOOR PLAN
A2 SCALE: 1/4" = 1'-0"

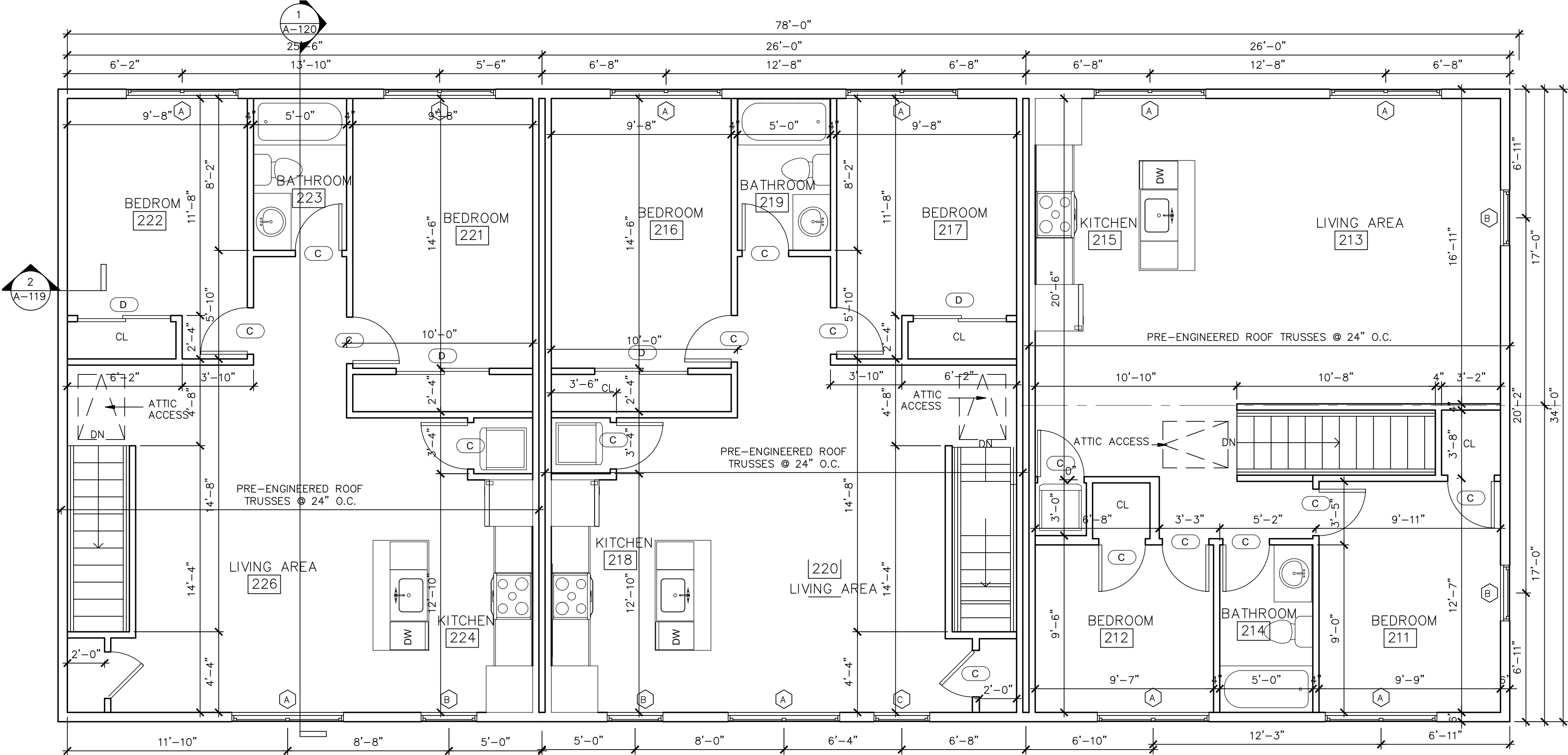
LEGEND	
	= 4-2x6 STUDS GLUED & NAILED
NOTE: ALL WINDOWS & DOOR HEADERS TO BE 2-2X10 UNLESS NOTED OTHERWISE	

LIGHT & VENTILATION SCHEDULE (PER UNIT)					
ROOM NAME	FLOOR AREA (SQUARE FEET)	LIGHT 8% (REQUIRED)	LIGHT % (ACTUAL)	VENT. 4% (REQUIRED)	VENTILATION % (ACTUAL)
LIVING ROOM	200	16	20.62	8	11.4
DINNING ROOM	104	8.32	20.62	4.16	11.4
BED ROOM #1	120	9.6	20.62	4.8	11.4
BED ROOM #2	96	7.68	10.31	3.84	5.7
BED ROOM #3	83	6.64	30.93	3.32	17.1
LIVING ROOM	213	17.04	20.62	8.52	11.4
DINNING ROOM	106	8.48	20.62	4.24	11.4
BED ROOM #1	122	9.76	20.62	4.88	11.4
LOUNGE/TV/OFFICE	117	9.39	10.31	4.69	5.7
BED ROOM #2	90	7.2	10.31	3.6	5.7

WINDOW SCHEDULE (PER BUILDING)								SYMBOL	
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA	
A	3'-1 5/8" x 4'-8 7/8"	TW3046	27	DOUBLE HUNG	3'-2 1/8" x 4'-8 7/8"	YES	5.7	10.31	
B	2'-7 5/8" x 3'-4 7/8"	TW2632	9	DOUBLE HUNG	2'-8 1/8" x 3'-4 7/8"	NO	3.17	5.57	

WINDOW & DOOR NOTES:
1. EACH HABITABLE SPACE IS PROVIDED WITH AT LEAST ONE WINDOW THAT IS IN COMPLIANCE WITH NYS CODE REGULATIONS FOR USE AS AN EMERGENCY EGRESS.
2. ALL HABITABLE SPACES ARE IN COMPLIANCE WITH NYS CODE REQUIREMENTS FOR NATURAL LIGHT AND NATURAL VENTILATION.
3. ALL WINDOWS ARE INSULATED AND WEATHERSTRIPPED.
4. WINDOW MANUFACTURER TO PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE (WHERE GLASS IS WITHIN 18" OF FLOOR OR LOWER).
5. VERIFY WINDOW MODEL NUMBERS AND SIZES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION.

DOOR SCHEDULE (PER BUILDING)				SYMBOL	
MARK	SIZE	QUAN.	DESCRIPTION		
1	3'-0" x 6'-8"	3	EXTERIOR ENTRY DOOR		
2	2'-6" x 6'-8"	16	INTERIOR DOOR		
3	5'-0" x 6'-8"	3	INTERIOR BI-FOLD DOOR		
4	2'-0" x 6'-8"	7	INTERIOR DOOR		
5	1'-6" x 6'-8"	3	INTERIOR DOOR		



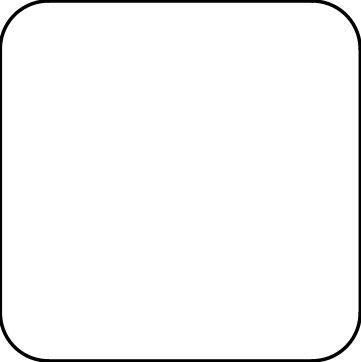
1 FIRST FLOOR PLAN
A2 SCALE: 1/4" = 1'-0"

Revisions	Description:	
	No.	Date:



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1st & 2nd FLOOR PLANS & SCHEDULES
PROPOSED NEW BUILDING "A" FOR:
21ST CENTURY LIVING, LLC
5-9 MORGAN AVENUE
POUGHKEEPSIE, NEW YORK 12601

Project Number: 22-09

SHEET NO.
A2
BUILDING A



1 FRONT ELEVATION
A3 SCALE: 1/4" = 1'-0"

2 RIGHT SIDE ELEVATION
A3 SCALE: 1/4" = 1'-0"



3 REAR ELEVATION
A3 SCALE: 1/4" = 1'-0"

4 LEFT SIDE ELEVATION
A3 SCALE: 1/4" = 1'-0"

WINDOW SCHEDULE (PER BUILDING) (ANDERSON SERIES 100)								SYMBOL 	
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA	
A	2'-11 1/2" x 4'-11 1/2"	3050	27	SINGLE HUNG	3'-0" x 5'-0"	YES	5.79	11.95	
B	2'-5 1/2" x 3'-5 1/2"	2636	9	SINGLE HUNG	2'-6" x 3'-6"	NO	3.08	6.44	

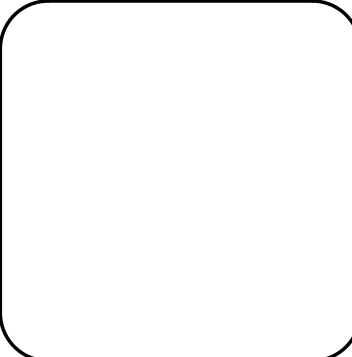
WINDOW & DOOR NOTES:
1. EACH HABITABLE SPACE IS PROVIDED WITH AT LEAST ONE WINDOW THAT IS IN COMPLIANCE WITH NYS CODE REGULATIONS FOR USE AS AN EMERGENCY EGRESS.
2. ALL HABITABLE SPACES ARE IN COMPLIANCE WITH NYS CODE REQUIREMENTS FOR NATURAL LIGHT AND NATURAL VENTILATION.
3. ALL WINDOWS ARE INSULATED AND WEATHERSTRIPPED.
4. WINDOW MANUFACTURER TO PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE (WHERE GLASS IS WITHIN 18" OF FLOOR OR LOWER).
5. VERIFY WINDOW MODEL NUMBERS AND SIZES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION.

Revisions		
	No.	Date:



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DRAWN BY: A.K.S. CHECKED BY: C.I. ISSUED DATE: 22 AUG. 2023



EXTERIOR ELEVATIONS

PROPOSED NEW BUILDING "A" FOR:
21ST CENTURY LIVING, LLC
POUGHKEEPSIE
5-9 MORGAN AVENUE
NEW YORK 12601

Project Number. 22-09

SHEET NO.

A3

BUILDING A

PROPOSED NEW BUILDING "A" FOR:
5-9 MORGAN AVENUE
CITY OF POUGHKEEPSIE, N. Y.

GENERAL NOTES:

- ALL WORK TO BE DONE BY EXPERIENCED CRAFTSMEN SKILLED IN THEIR TRADE AND IN A WORKMANLIKE MANNER IN ACCORDANCE WITH ALL STATE AND LOCAL BUILDING CODES, RULES AND REGULATIONS.
- ALL CONCRETE TO BE MIN. 3000 PSI COMPRESSIVE STRENGTH AT 28 DAYS.
- ALL CONCRETE FOOTINGS TO BEAR ON UNDISTURBED VIRGIN SOIL OR SUITABLE ROCK. STEP FOOTINGS AS REQUIRED TO MAINTAIN MIN. 4'-0" COVER BELOW GRADE.
- CONTRACTOR SHALL NOTIFY ARCHITECT IF QUESTIONABLE SOIL CONDITIONS ARE ENCOUNTERED AT SITE.
- ALL FRAMING LUMBER TO BE S-P-F OR HEM-FIR, CONSTRUCTION GRADE. JOISTS, HEADERS, RAFTERS AND GIRDERS TO BE DOUGLAS FIR NUMBER TWO, OR BETTER.
- ALL HEADERS TO BE MIN. 2-x10, UNLESS NOTED OTHERWISE, ALL HEADERS AND GIRDERS TO BE GLUED AND NAILED.
- DOUBLE RAFTERS AROUND ROOF OPENING FOR SKYLIGHTS IF APPLICABLE.
- DIMENSIONS ARE FROM FACE OF STUD OR STRUCTURE, OR CENTERLINE OF MEMBER/OPENING.
- WINDOW NUMBERS REFER TO ANDERSEN OR MARVIN. ADJUST ROUGH OPENINGS AND DIMENSIONS IF A DIFFERENT MANUFACTURER IS USED. SEE WINDOW SCHEDULE.
- THERE SHALL BE NO SUBSTITUTIONS WITHOUT WRITTEN APPROVAL BY THE OWNER AND ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR COMPLICATIONS ARISING FROM UNAUTHORIZED SUBSTITUTION OF MATERIAL SIZE OR TYPE.
- INSULATE EXTERIOR WALL WITH R-21 FIBERGLASS BATT INSULATION. INSULATE CEILINGS WITH R-38. INSULATE FLOORS WITH R-30.
- PLUMBING AND ELECTRICAL CONTRACTORS ARE RESPONSIBLE TO MEET THE LATEST REVISIONS TO THE N.Y.S. ENERGY CONSERVATION CONSTRUCTION CODE FOR THEIR RESPECTIVE TRADE.
- ALL MATERIALS, ASSEMBLIES, CONSTRUCTION AND EQUIPMENT SHALL CONFORM TO THE REGULATIONS OF THE RESIDENTIAL CODE OF N.Y.S. AND SHALL CONFORM TO GENERALLY ACCEPTED STANDARDS.
- THOSE ITEMS NOT NOTED, BUT IMPLIED AS NECESSARY FOR THE PERFORMANCE OF THE WORK ARE CONSIDERED PART OF THE CONTRACT.
- ALL NEW INTERIOR DRYWALL TO BE 1/2" REGULAR GYPSUM BOARD UNLESS NOTED OTHERWISE. USE 1/2" M.R. DRYWALL IN BATHROOMS.
- ALL CLOSETS TO HAVE RODS AND SHELVES.
- ALL BEAMS AND HEADERS OVER 4'-0" SPAN TO BE GLUED AND NAILED. ALL MULTIPLE PIECE STRUCTURAL MEMBERS SHALL BE GLUED AND NAILED.
- USE PRESSURE TREATED LUMBER FOR PORCH AND DECK STRUCTURES.
- EXTERIOR WALLS ARE FRAMED WITH 2x6 STUDS AND INTERIOR WALLS ARE FRAMED WITH 2X4 STUDS UNLESS NOTED OTHERWISE.
- ALL MATERIALS SHALL BE ASSEMBLED IN ACCORDANCE WITH THE N.Y.S. BUILDING CODE, INCLUDING PROPER MATERIAL TYPE AND DIMENSIONS AND PROPER QUANTITY AND TYPE OF FASTENERS.

ENERGY CONSERVATION:

- CONSTRUCTION ENVELOPE DESIGNED BY ACCEPTABLE STANDARDS FOR CLIMATE ZONE 5A (DUTCHESS COUNTY) WITH MINIMUM "R" VALUES AS FOLLOWS:
WALLS- R21
ROOF- R38 (EXTEND TO OUTSIDE FACE OF EXTERIOR STUD & INSTALL "ACCUCENT" BAFFLE.)
FLOOR- R30
SLAB EDGE- R-10 (NON RADIANT HEAT)
GLAZING- U 0.32
DOORS- R 2.5
BASEMENT WALLS- R-19

INSULATION:

- PROVIDE FIBERGLAS BATT INSULATION WITH 4 MIL POLYETHYLENE VAPOR BARRIER IN WALLS, CEILINGS, FLOORS AND WHERE INDICATED ON DRAWINGS. FOLLOW MANUFACTURER'S INSTRUCTIONS FOR USE AND INSTALLATION.
- FOUNDATION AND SLAB RIGID BOARD INSULATION WHERE INDICATED TO BE RIGID EXTRUDED POLYSTYRENE TYPE OR APPROVED EQUAL.
- ALL INSULATION REGARDLESS OF MATERIAL SHALL BE COVERED WITH 1/2" DRY WALL OR CONCRETE IF SLAB EDGE INSULATION.

FIRE SAFETY:

- SUPPLY AND INSTALL LINE VOLTAGE IONIZED SMOKE DETECTOR ALARMS AND CARBON MONOXIDE DETECTORS AS SHOWN ON PLANS ON ALL FLOOR LEVELS, IN ALL SLEEPING ROOMS, AT STAIRWELLS, AND AS REQUIRED BY LOCAL AUTHORITY IF NOT SHOWN ON PLANS.
- SMOKE AND CARBON MONOXIDE DETECTORS ON CATHEDRAL CEILINGS SHALL BE LOCATED AT THE HIGH POINT OF THE CEILING (SEE PLAN FOR LOCATION).
- ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE WIRED TOGETHER SO THAT IF ONE IS ACTIVATED, ALL WILL SOUND AN ALARM.
- IF REQUIRED BY LOCAL CODE OFFICIAL, ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE INSTALLED BY A LICENSED ALARM INSTALLER.

SMOKE ALARM NOTES: SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:

- IN EACH SLEEPING ROOM.
- OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM.
- ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS. NO DETECTORS ARE REQUIRED IN CRAWL SPACES (BELOW-GRADE SPACE LESS THAN 6 FEET, 8 INCHES IN HEIGHT) AND UNINHABITABLE ATTICS.

CARBON MONOXIDE ALARMS: CARBON MONOXIDE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:

- WITHIN EACH DWELLING UNIT ON ANY STORY HAVING A SLEEPING AREA.
- ON ANY STORY OF A DWELLING UNIT WHERE FUEL-FIRED APPLIANCES AND EQUIPMENT, SOLID-FUEL BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE LOCATED. A CARBON MONOXIDE ALARM INSTALLED ON ANY STORY OF A DWELLING UNIT HAVING A SLEEPING AREA SHALL SUFFICE FOR THAT STORY WHERE FUEL-FIRED APPLIANCES AND EQUIPMENT, SOLID-FUEL BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE ALSO LOCATED.

ELECTRICAL NOTES:

- ALL OUTLETS IN ALL BATHROOMS, AND KITCHEN AREAS SHALL BE
- IF REQUIRED BY LOCAL CODE OFFICIAL, ALL ELECTRICAL WORK SHALL BE INSTALLED BY A LICENSED ELECTRICIAN.

PLUMBING:

- PLUMBER SHALL FILE FOR PERMITS AND SECURE APPROVALS. USE ONLY LEAD FREE SOLDER.

OSHA NOTE:

- CONTRACTOR SHALL OBSERVE ALL OSHA REQUIREMENTS & REGULATIONS THAT PERTAIN TO THIS PROJECT. FOR REFERENCE, DOWNLOAD A COPY OF THE OSHA REGULATIONS FROM THE UNITED STATES DEPARTMENT OF LABOR OSHA WEB SITE. <http://www.osha.gov/law-regs.html>
- CONTRACTOR SHALL FOLLOW THESE REGULATIONS AS SPECIFIED AND REFER TO THE ABOVE REFERENCED WEB SITE FOR GUIDANCE.

CONTRACTOR NOTE:

- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "PRESCRIPTIVE RESIDENTIAL WOOD DECK CONSTRUCTION GUIDE" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/publications/DCA/DCA6/DCA6-09.pdf>
- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "DETAILS FOR CONVENTIONAL WOOD FRAME CONSTRUCTION" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/pdf/WCD1-300.pdf>
- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "DESIGN OF WOOD FRAME STRUCTURES FOR PERMANENCE" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/pdf/WCD6.pdf>
- CONTRACTOR CAN OBTAIN MORE INFORMATION ON SYSTEMS AT [HTTP://WWW.WOOD-ES.ORG/REPORTS](http://www.wood-es.org/reports)
- CONTRACTOR SHALL FOLLOW THESE DRAWINGS AS SPECIFIED AND REFER TO THE ABOVE REFERENCED DOCUMENTS FOR GUIDANCE.

CONCRETE & MASONRY:

- ALL FOOTINGS SHALL BEAR ON UNDISTURBED EARTH OF 1 1/2 TON CAPACITY OR LEDGE ROCK.
- STEPPED FOOTINGS SHALL HAVE A MAXIMUM STEP OF 2' VERTICAL AND 4' HORIZONTAL.
- BOTTOM OF FOOTINGS ON SOIL SHALL BE BELOW LOCAL CODE FROST LINE. PROTECT FROM FREEZING.
- CONCRETE FOR POURED IN PLACE CONSTRUCTION SHALL CONFORM TO ACI 318-77 AND SHALL HAVE A MIN. STRENGTH OF 3000 PSI AT 28 DAYS. POUR ONLY IN TEMP. ABOVE 40 DEGREES.
- WHERE ROCK TO EARTH TRANSITION OCCURS, USE DEFORMED REBARS AS REQUIRED BY ARCHITECT. NOTIFY ARCHITECT IN EVENT OF THIS CONDITION.
- FOUNDATION WALLS ARE TO HAVE 1/2" DIA. x 12" LONG THREADED ANCHOR BOLTS AT 6'-0" O.C. MAX.
- SLABS ARE TO BE POURED ON GRAVEL OR CRUSHED STONE BASE. PROVIDE 6 MIL POLY. VAPOR BARRIER ON BASEMENT AND CRAWL SPACE SLABS. REINFORCE WITH GRADE 40 WELDED WIRE MESH.
- IF USED, CONCRETE MASONRY WALLS ARE TO CONFORM TO THE LATEST EDITION OF NATIONAL CONCRETE MASONRY ASSOCIATION AND APPLICABLE STATE CODES. TOP COURSE FILLED SOLID.
- IF USED, CONCRETE BLOCK SHALL BE OF THE FOLLOWING TYPE: ASTM C-90 GRADE N-1, ASTM C-145 GRADE N-1 ALL MORTAR SHALL BE ASTM C-270 TYPE S.

FOUNDATION NOTES:

- ALLOWABLE SAFE SOIL BEARING CAPACITY IS ASSUMED TO BE 3000 PSF. THE CONTRACTOR SHALL VERIFY SOIL CONDITIONS AND CAPACITY AND INFORM THE ARCHITECT IN WRITING IF LESS THAN 3000 PSF PRIOR TO STARTING ANY WORK.
- POURED CONCRETE FOOTINGS, PIERS, FOUNDATIONS AND SLABS SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI IN TWENTY EIGHT DAYS.
- MINIMUM DEPTH OF FOUNDATION FOOTINGS SHALL BE 4'-0" BELOW ALL FINISHED GRADES. ALL FOOTINGS SHALL BEAR ON UNDISTURBED VIRGIN SOIL. DO NOT POUR ANY CONCRETE ON WET, DAMP OR FROZEN SOIL.
- REINFORCING FOR CONCRETE WALLS SHALL HAVE TWO ROWS OF NO. 4 BARS AT THE TOP AND BOTTOM OF THE WALL WITH NO. 4 BARS AT 4'-0" ON CENTER VERTICAL AND HORIZONTAL, SEE DETAILS FOR ADDITION REINFORCING. REINFORCING FOR FOOTINGS SHALL BE TWO NO.4 BARS CONTINUOUS. SLAB REINFORCING SHALL BE 6"x6" - #10/#10 WELDED WIRE FABRIC. REINFORCING BARS SHALL BE DEFORMED STEEL BARS, ASTM A615 GRADE 60.
- ALL COLUMNS SHALL BE CONCRETE FILLED LALLY COLUMNS UNLESS NOTED OTHERWISE.
- BEARING FOR ALL BEAMS SHALL BE 6" MINIMUM.
- APPLY BITUMINOUS MASTIC FOUNDATION DAMP PROOFING TO THE EXTERIOR OF ALL CONCRETE FOUNDATION WALLS.

GENERAL FRAMING NOTES:

- ALL JOISTS AND RAFTERS SHALL BE ALIGNED OVER STUDS BELOW.
- INSTALL DOUBLE FLOOR JOISTS UNDER PARTITION WALLS FRAMED PARALLEL TO JOIST DIRECTION.
- ALL EXTERIOR SHEATHING SHALL BE 1/2"CDX PLYWOOD. NAILING SCHEDULE SHALL BE 8d COMMONS AT 6" O.C. AT ALL EDGES AND 8d COMMONS AT 12" O.C. AT ALL INTERMEDIATE STUDS.
- ALL COLUMNS OR SOLID FRAMING SHALL EXTEND DOWN THRU ALL LEVELS AND TERMINATE AT THE BASEMENT FLOOR AND BE SUPPORTED BY A THICKENED SLAB, GRADE BEAM, OR FOOTING DESIGNED TO CARRY LOAD.
- PROVIDE COLLAR TIES ON ALL RAFTERS AT UPPER 1/3 OF VERTICAL DISTANCE BETWEEN RIDGE BOARD AND CEILING JOISTS AT 16" O.C.
- HIP, VALLEY RAFTERS, AND RIDGE BOARDS SHALL BE ONE "2x" SIZE LARGER THAN RAFTERS OR AS SHOWN ON PLAN.
- ROOF DECKING SHALL BE 5/8" CDX PLYWOOD MINIMUM.
- ALL CEILING JOISTS AND RAFTER BRACING TO BEAR ON LOAD BEARING WALLS DESIGNED TO CARRY LOAD THRU ALL LEVELS AND TERMINATE AT BASEMENT FLOOR AND BE SUPPORTED BY THICKENED SLAB GRADE BEAM OR FOOTING DESIGNED TO CARRY LOAD.
- ALL ANCHOR BOLTS SHALL BE NYS CODE MINIMUM 1/2" DIA.x12" WITH A 7" EMBEDMENT, 1'-0" FROM CORNERS AND @ 6'-0"o.c. WITH SIMPSON WASHER #LB1/2 THRU OUT.
- SHEATHING TO BE 5/8" EXTERIOR PLYWOOD, FOR ROOFS AND 1/2" EXTERIOR PLYWOOD FOR WALLS.
- USE ONLY GALVANIZED OR NON CORROSIIVE NAILING ON ALL EXTERIOR WORK.
- VENTILATE ALL SOFFITS AND PROVIDE "ACCUCENT" OR EQUAL TO ENSURE VENTILATION.
- ALL GLASS DOORS AND WINDOWS ARE TO BE AS SPECIFIED ON PLANS AND ARE TO HAVE SCREENS AND LOW - E INSULATING GLASS UNLESS OTHERWISE NOTED.

GENERAL CONDITIONS:

- ALL WORK SHALL CONFORM TO ALL GOVERNING CODES AND ORDINANCES INCLUDING THE STATE BUILDING CODE AND LOCAL ZONING AND STATE ENERGY CODE.
- CONTRACTOR SHALL CARRY WORKMAN'S COMP. LIABILITY INSURANCE AS REQUIRED BY LAW, AND BY OWNER AND SHALL PROTECT OWNER FROM ALL LIABILITY WITH ADEQUATE INSURANCE.
- CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS, INSPECTIONS AND FINAL CERTIFICATION OF OCCUPANCY
- CONTRACTOR SHALL CHECK, ALL DIMENSIONS AND CONDITIONS, AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.
- CONTRACTOR SHALL PROTECT PREMISES AND OCCUPANTS FROM HARM ON THE BUILDING SITE. PROVIDE AND MAINTAIN NECESSARY COVERINGS AND PROTECTION FOR ALL MATERIALS AND EQUIPMENT STORED ON SITE FROM DAMAGE OR THEFT.
- REMOVE ALL DEBRIS AND KEEP SITE CLEAN AND NEAT AT ALL TIMES.

FIRE RESISTIVE RATINGS

LOCATION RATING	REQ'D
SEPARATION BETWEEN UNITS	2 HR.

LIST OF DRAWINGS

DWG. NO.	TITLE
T1	TITLE SHEET
A1	FOUNDATION & ROOF PLANS & SCHEDULES
A2	FIRST & SECOND FLOOR PLANS & TABLE
A3	EXTERIOR ELEVATIONS

BUILDING DEPARTMENT NOTES

BUILDING CODE CLASSIFICATIONS	
1. OCCUPANCY CLASSIFICATION:	R2 APARTMENTS
2. CONSTRUCTION CLASSIFICATION:	TYPE V - WOOD FRAME
3. CONSTRUCTION AREA	- FIRST FLOOR = 2,652 SQUARE FEET - SECOND FLOOR = 2,652 SQUARE FEET

PARTITION LEGEND

NEW DRYWALL PARTITION WOOD STUDS @ 16" O.C. WITH (1) LAYER OF 1/2" G.W.B. ON EACH SIDE (STANDARD CONSTRUCTION)

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND SPEED (MPH)	SEISMIC DESIGN CATAGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP.	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX
			WEATHERING	FROST LINE DEPTH	TERMITE	DECAY				
50	90	B	SEVERE	48"	MODERATE TO HEAVY	SLIGHT TO MODERATE	6	YES	REFER TO MAP	1160

NOTE:
BEFORE ANY DIGGING ON THE SITE TAKES PLACE, THE CONTRACTOR MUST FIRST CALL THE UNDERGROUND FACILITIES PROTECTION ORGANIZATION (UFPD) AT 1-800-962-7962 TO IDENTIFY AND LOCATE ALL UNDERGROUND FACILITIES.

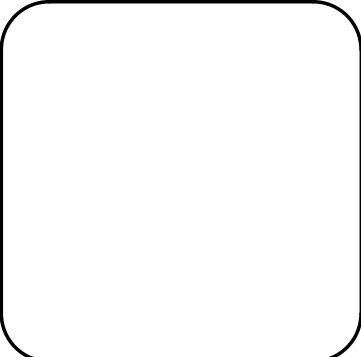
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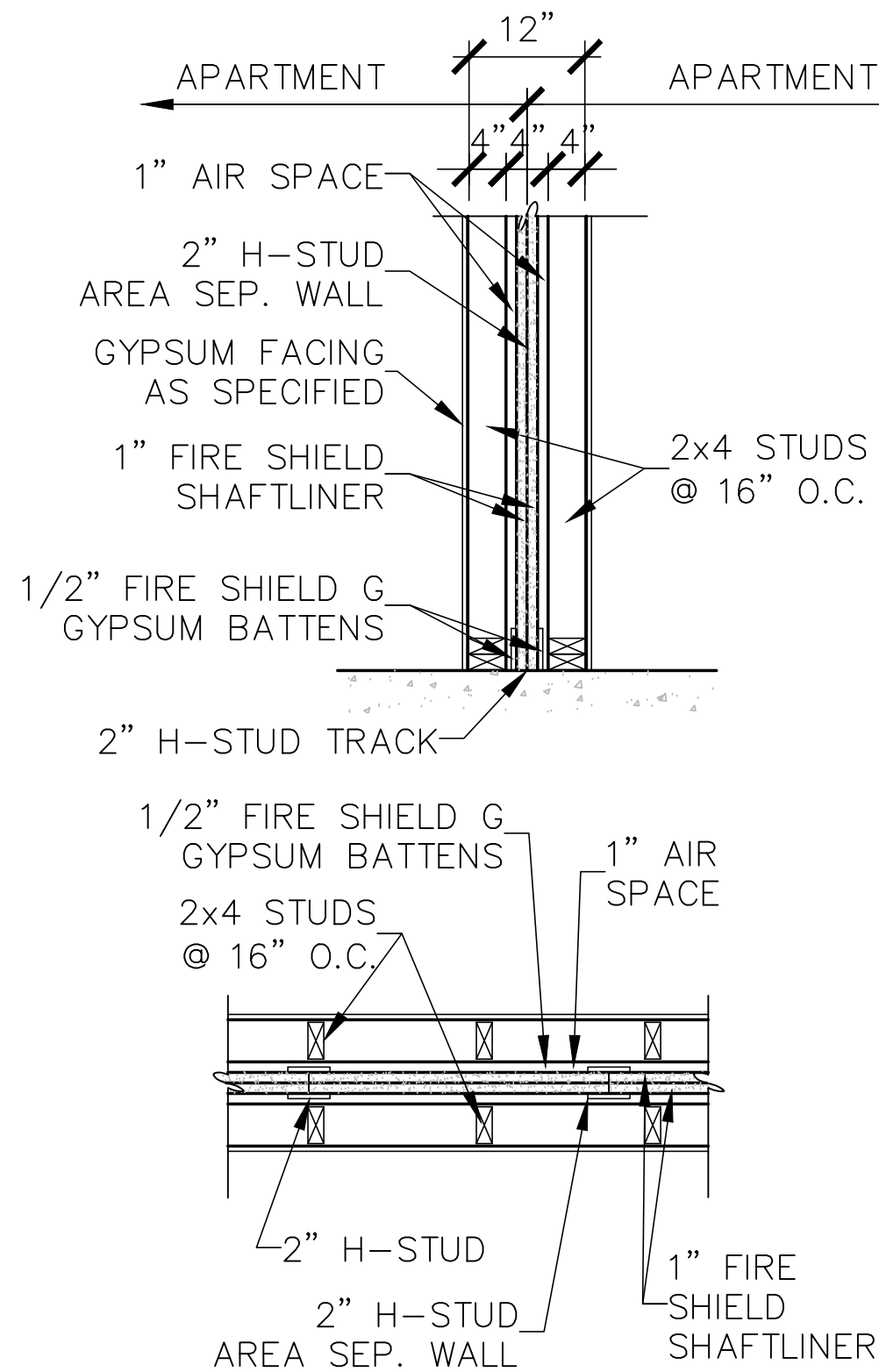
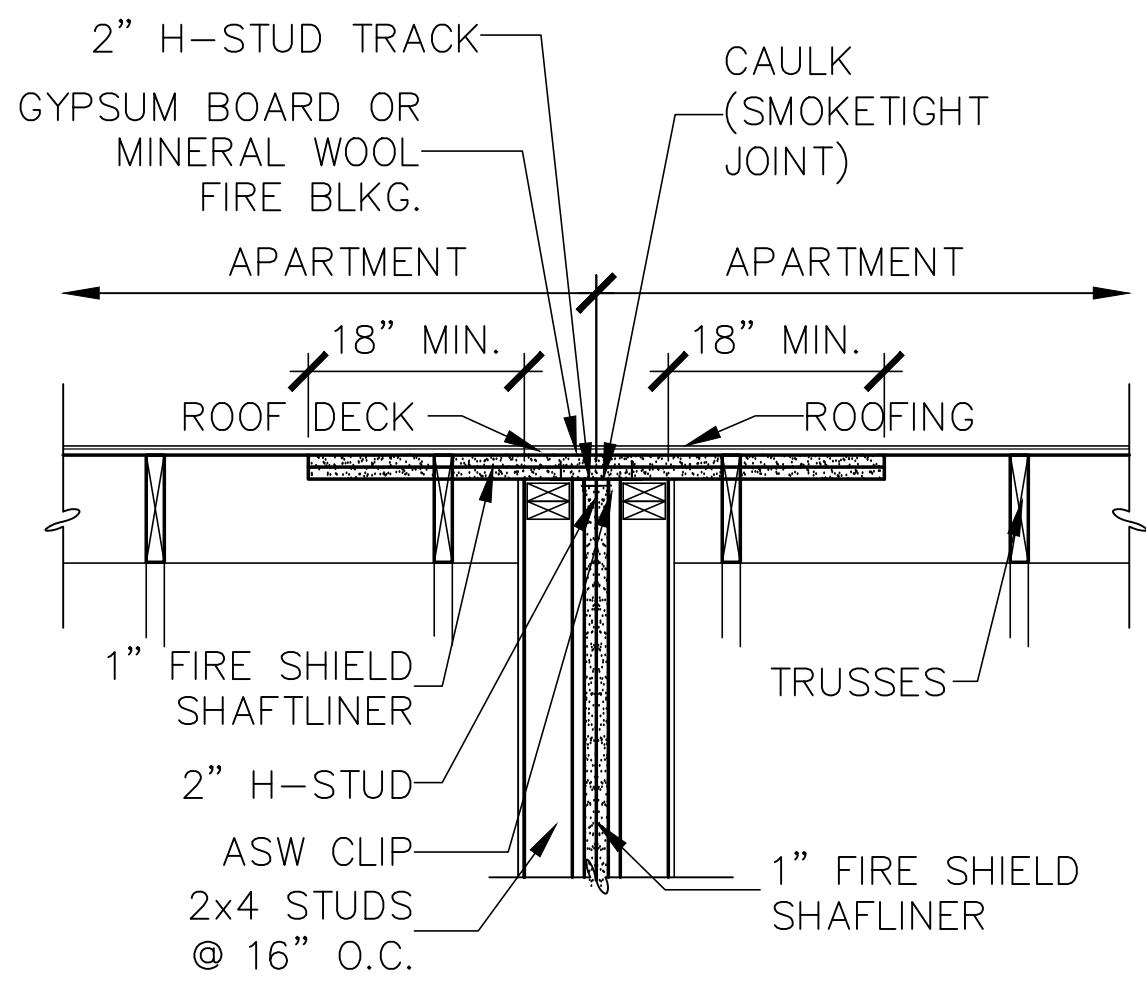
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85 MARKET STREET POUGHKEEPSIE, NEW YORK 12601 (845) 473-7572 Office (845) 473-7525 Fax			
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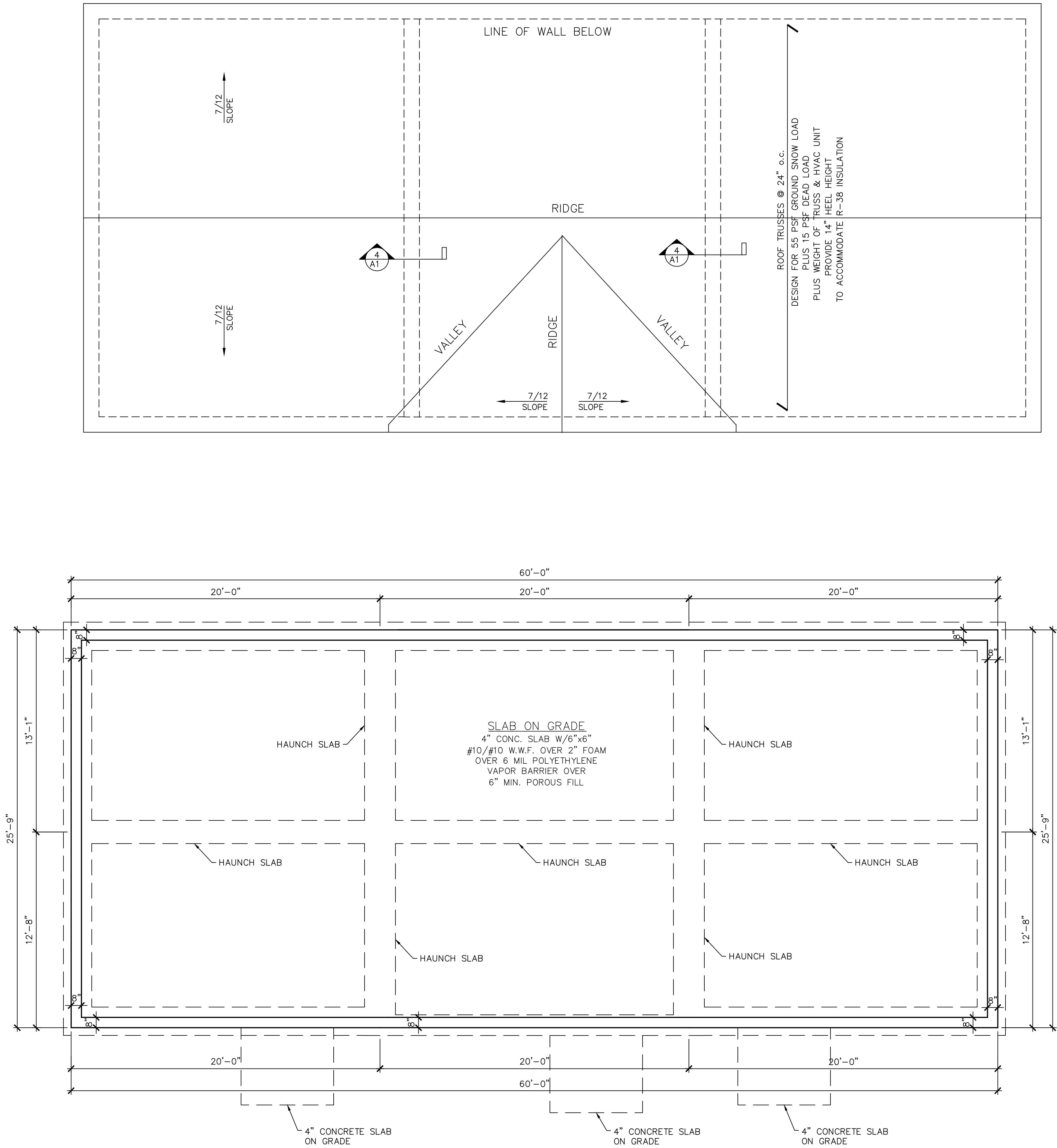
COVER SHEET	PROPOSED NEW BUILDING "A" FOR: 21ST CENTURY LIVING, LLC 5-9 MORGAN AVENUE POUGHKEEPSIE NEW YORK 12601

Project Number.	22-09
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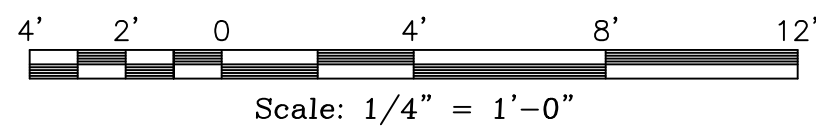
SHEET NO.
T1
TITLE SHEET



4
A1 2HR TENANT FIRE SEPARATION WALL
SCALE: 3/4" = 1'-0"



1
A1 FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



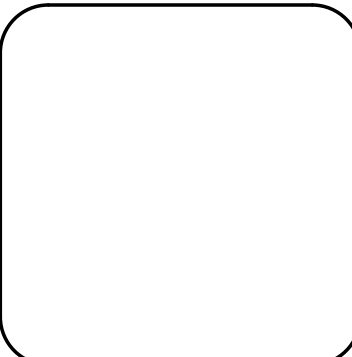
TYPICAL CONSTRUCTION NOTES

- 1 CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF.
- 2 PRE ENGINEERED ROOF TRUSS SYSTEM @2'-0"o.c., DESIGN FOR: 55 PSF SNOW LOAD + 15 PSF DEAD LOAD
- 3 CONTINUOUS 1x6 FASCIA.
- 4 INSTALL SIMPSON #H10A HURRICANE TIES AT ALL CONNECTIONS OF ROOF TRUSS BOTTOM CHORD TO BEARING WALLS.
- 5 7/16" WALL SHEATHING W/ TYVEK HOUSE WRAP WITH VINYL SIDING PER OWNERS CHOICE.
- 6 2x6 STUD WALL @16"o.c. W/ R-21 CAVITY INSULATION.
- 7 SLOPE GRADE AWAY FROM BUILDING.
- 8 8" CONCRETE BLOCK OR 8" POURED CONCRETE FOUNDATION WITH R10x48" PERIMETER INSULATION.
- 9 INSTALL 5/8" TYPE 'X' GWB ON ALL WALLS BETWEEN APARTMENTS.
- 10 12"x24" POURED CONCRETE FOOTING CONTINUOUS WITH 3-#4 BARS.
- 11 4" CONC. SLAB W/6"x6" #10/#10 W.W.F. OVER 6 MIL. POLYETHYLENE VAPOR BARRIER AND 6" MIN POROUS COMPACTED.
- 12 1/2"DIA x12"LONG BENT ANCHOR BOLTS @ 6'-0"o.c. & @ 1'-0" FROM CORNERS & 7" MIN. EMBEDMENT WITH "SIMPSON" WASHERS #LB1/2. INSTALL ANCHOR BOLTS IN CENTER FIRE WALLS, SAME AS PERIMETER FOUNDATION WALL.
- 13 INSTALL 2-2x10 HEADER FOR WINDOWS & DOORS.
- 14 INSTALL BEAMS AND HEADERS WHERE SHOWN ON DRAWINGS.
- 15 12" x 24" HAUNCH W/ 3# 4 RODS CONTINUOUS.
- 16 CONTINUOUS VENTED SOFFIT.
- 17 CONTINUOUS ALUM. DRIP EDGE.
- 18 36" ICE & WATER SHIELD 24" IN FROM STUD WALLS ON RAKES & EAVES AND 36" WIDE IN VALLEYS.
- 19 5/8" PLYWOOD ROOF DECK W/ PLYWOOD CLIPS BETWEEN TRUSSES, W/ 15 LB. FELT & GAF 235 LB. ARCHITECTURAL ASPHALT ROOF SHINGLES (COLOR PER OWNER'S CHOICE).
- 20 2x6 SOLID BLOCKING AT MID HEIGHT OF BEARING WALL. 2x6 STUDS @ 16" O.C.
- 21 ALUMINUM GUTTERS & DOWN SPOUTS
- 22 VINYL WINDOW, DOOR TRIM & CORNER TRIM. SIDING & TRIM PER OWNER.
- 23 INSTALL FULL THICKNESS CAVITY INSULATING IN EXTERIOR WALLS & CENTER BEARING WALL.
- 24 NOT USED.
- 25 INSTALL 14 INCH DIAMETER BY 48 INCHES DEEP CONCRETE PIER.
- 26 3/4" T & G PLYWOOD SUB-FLOOR
- 27 "ACCUVENT" BAFFLE W/14" HEEL HEIGHT TRUSS TO ACCOMMODATE R-38 INSULATION EXTENDED TO OUTSIDE FACE OF WALL STUD.
- 28 ELECTRICIAN TO INSTALL GROUND WIRE TO 20' ONE PIECE RE-BAR ENCASED IN FOOTING CONCRETE PER ELECTRICAL CODE. COORDINATE WITH CONCRETE CONTRACTOR.
- 29 NOT USED.
- 30 NOT USED.
- 31 STAIRS, 14 RISERS AT ±7 3/4" HGT. & 13 TREADS AT ±10" DEEP. INSTALL HANDRAIL 34" MIN. & 38" MAX. HEIGHT.
- 32 NOT USED.

Revisions	Description:	
	No.	Date:

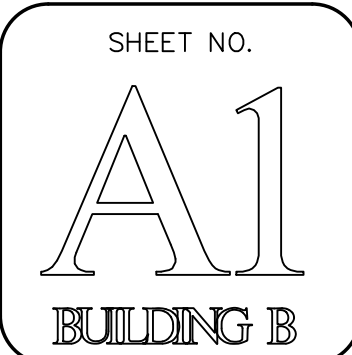


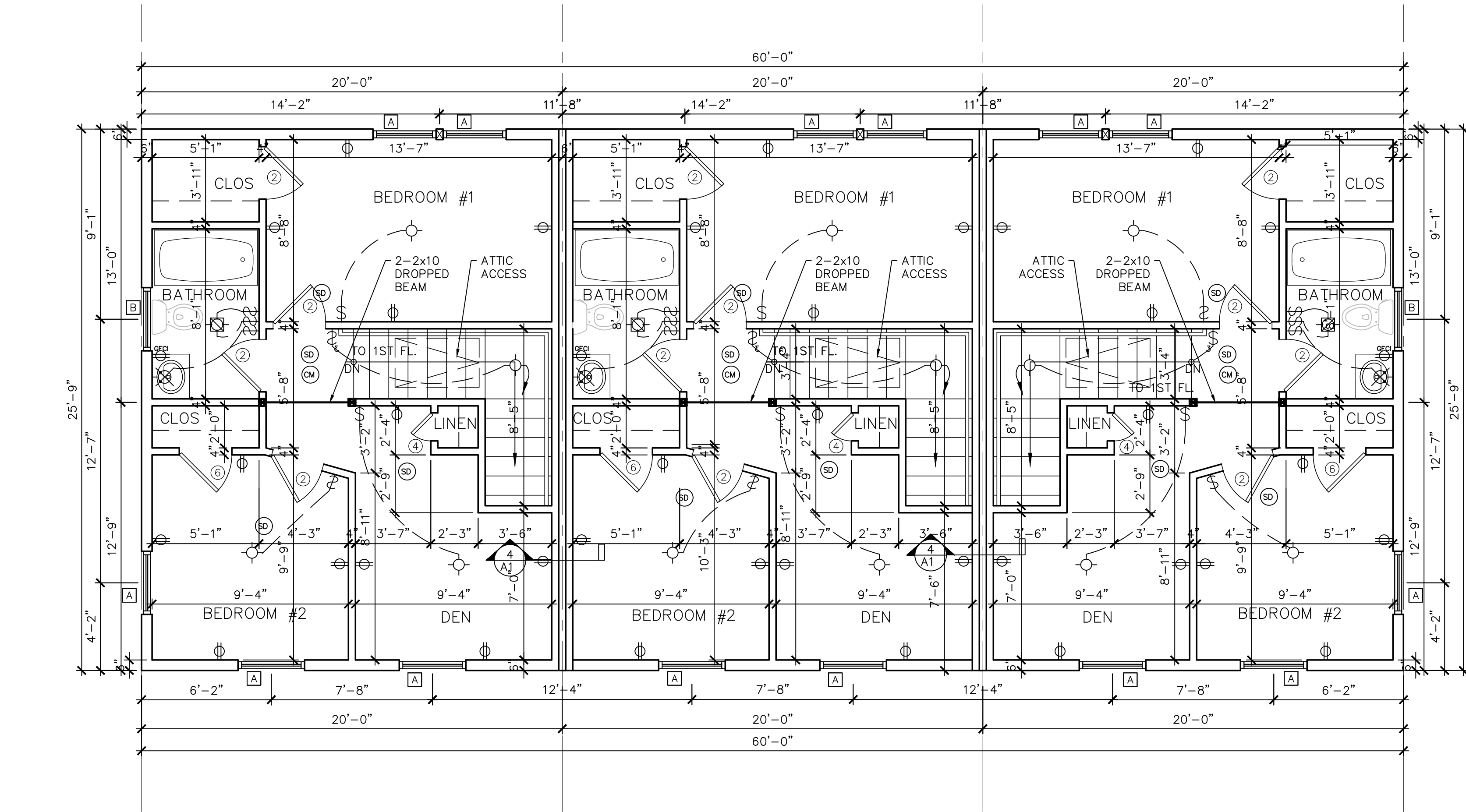
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85 MARKET STREET POUGHKEEPSIE, NEW YORK 12601 (845) 473-7572 Office (845) 473-7525 Fax		
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FOUNDATION & ROOF PLANS, DETAILS & NOTES	PROPOSED NEW BUILDING "B" FOR: 21ST CENTURY LIVING, LLC	
	5-9 MORGAN AVENUE POUGHKEEPSIE NEW YORK 12601	

Project Number.	22-09
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2 SECOND FLOOR PLAN
A2 SCALE: 1/4" = 1'-0"

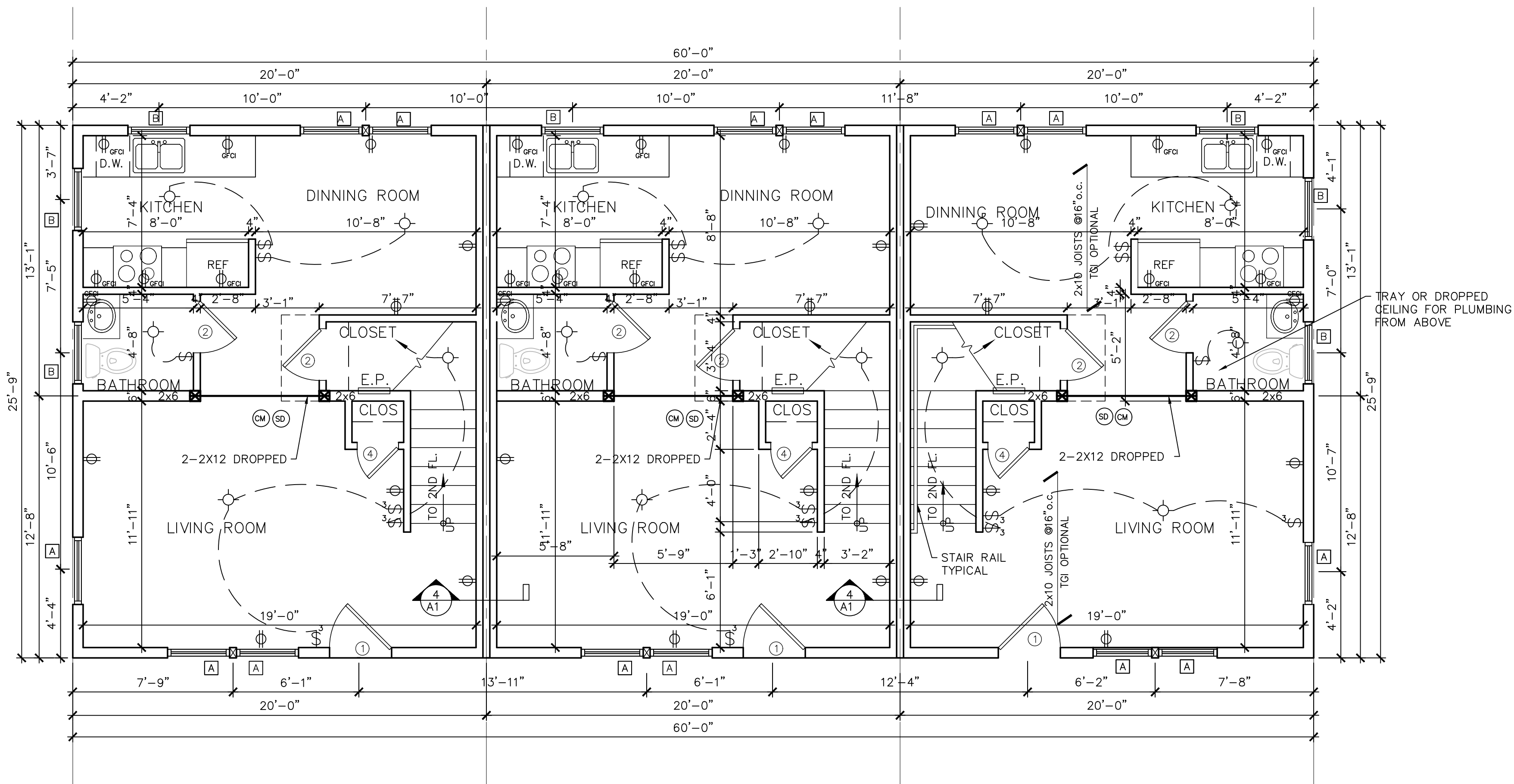
LEGEND	
	= 4-2x6 STUDS GLUED & NAILED
NOTE: ALL WINDOWS & DOOR HEADERS TO BE 2-2X10 UNLESS NOTED OTHERWISE	

LIGHT & VENTILATION SCHEDULE (PER UNIT)					
ROOM NAME	FLOOR AREA (SQUARE FEET)	LIGHT 8% (REQUIRED)	LIGHT % (ACTUAL)	VENT. 4% (REQUIRED)	VENTILATION % (ACTUAL)
LIVING ROOM	200	16	20.62	8	11.4
DINNING ROOM	92	7.36	20.62	3.68	11.4
BED ROOM #1	117	9.36	20.62	4.68	11.4
BED ROOM #2	89	7.12	10.31	3.56	5.7
DEN	91	7.28	10.31	3.64	5.7
LIVING ROOM	213	17.04	20.62	8.52	11.4
DINNING ROOM	92	7.36	20.62	3.68	11.4
BED ROOM #1	117	9.36	20.62	4.68	11.4
DEN	95	7.6	10.31	3.8	5.7
BED ROOM #2	90	7.2	10.31	3.6	5.7

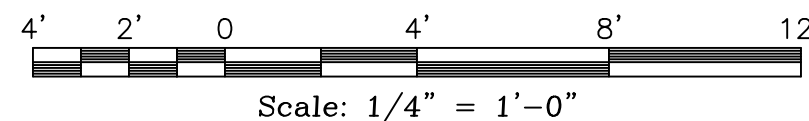
WINDOW SCHEDULE (PER BUILDING)							SYMBOL	
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA
A	3'-1 5/8" x 4'-8 7/8"	TW3046	27	DOUBLE HUNG	3'-2 1/8" x 4'-8 7/8"	YES	5.7	10.31
B	2'-7 5/8" x 3'-4 7/8"	TW2632	9	DOUBLE HUNG	2'-8 1/8" x 3'-4 7/8"	NO	3.17	5.57

- WINDOW & DOOR NOTES:
1. EACH HABITABLE SPACE IS PROVIDED WITH AT LEAST ONE WINDOW THAT IS IN COMPLIANCE WITH NYS CODE REGULATIONS FOR USE AS AN EMERGENCY EGRESS.
 2. ALL HABITABLE SPACES ARE IN COMPLIANCE WITH NYS CODE REQUIREMENTS FOR NATURAL LIGHT AND NATURAL VENTILATION.
 3. ALL WINDOWS ARE INSULATED AND WEATHERSTRIPPED.
 4. WINDOW MANUFACTURER TO PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE (WHERE GLASS IS WITHIN 18" OF FLOOR OR LOWER).
 5. VERIFY WINDOW MODEL NUMBERS AND SIZES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION.

DOOR SCHEDULE (PER BUILDING)					SYMBOL	
MARK	SIZE	QUAN.	DESCRIPTION			
1	3'-0" x 6'-8"	3	EXTERIOR ENTRY DOOR			
2	2'-6" x 6'-8"	15	INTERIOR DOOR			
3	5'-0" x 6'-8"	0	INTERIOR BI-FOLD DOOR			
4	2'-0" x 6'-8"	3	INTERIOR DOOR			
5	1'-6" x 6'-8"	3	INTERIOR DOOR			
6	3'-0" x 6'-8"	3	INTERIOR DOOR			



1 FIRST FLOOR PLAN
A2 SCALE: 1/4" = 1'-0"



Revisions		Description:	
No.	Date:		



CIRO INTERRANTE ARCHITECT, P.C.
85 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7525 Office Fax

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CHECKED BY: C.I.
DRAWN BY: A.K.S.

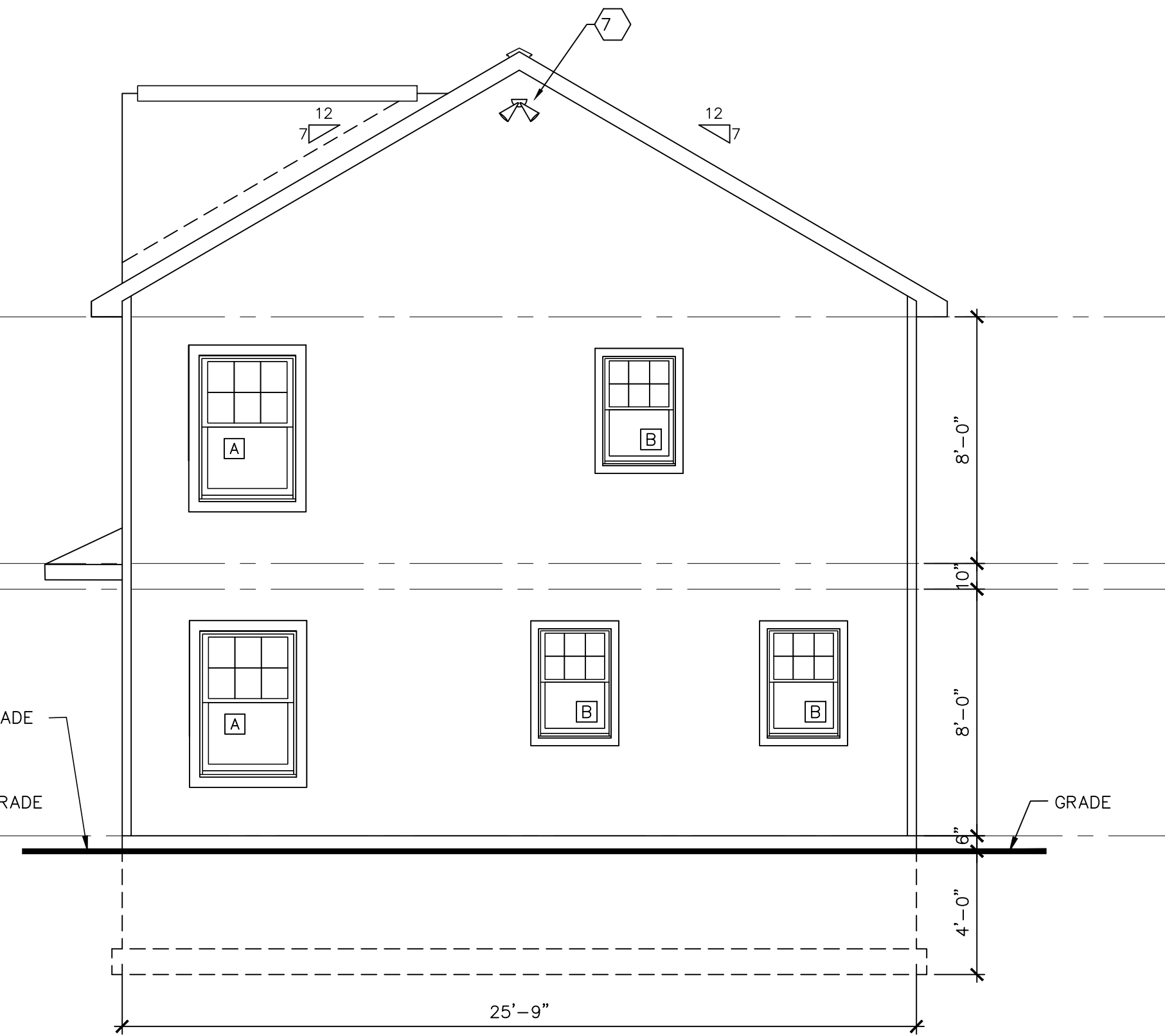
1st & 2nd FLOOR PLANS & SCHEDULES
PROPOSED NEW BUILDING "B" FOR:
21ST CENTURY LIVING, LLC
POUGHKEEPSIE
5-9 MORGAN AVENUE
NEW YORK 12601

Project Number: 22-09

SHEET NO.
A2
BUILDING B



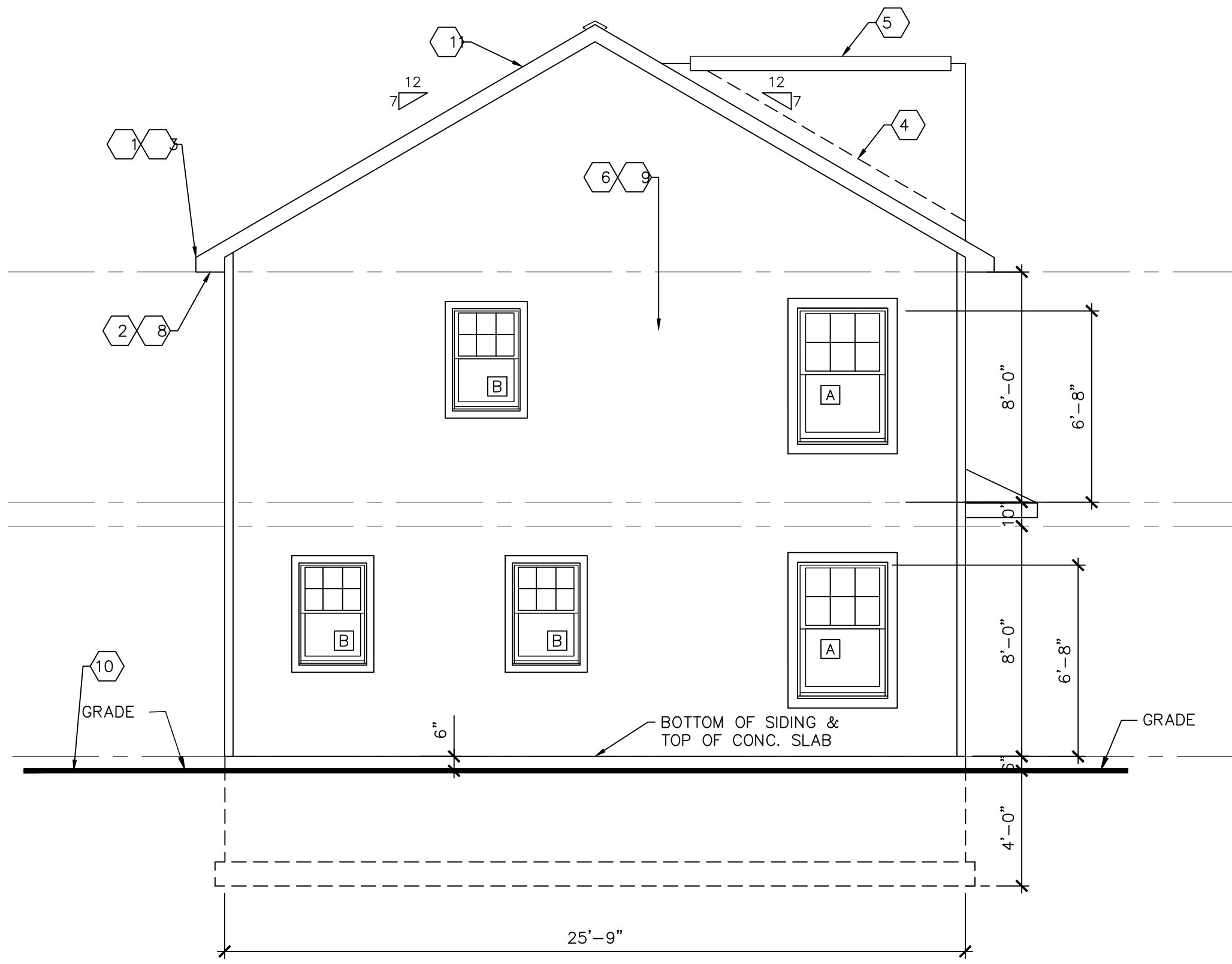
1 FRONT ELEVATION
A3 SCALE: 1/4" = 1'-0"



2 RIGHT SIDE ELEVATION
A3 SCALE: 1/4" = 1'-0"



3 REAR ELEVATION
A3 SCALE: 1/4" = 1'-0"



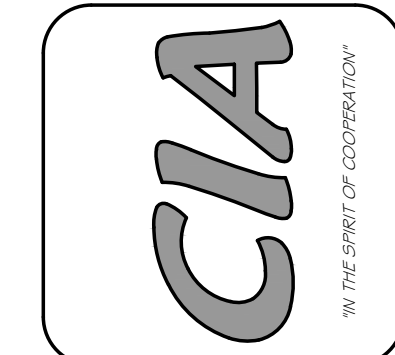
4 LEFT SIDE ELEVATION
A3 SCALE: 1/4" = 1'-0"

- EXTERIOR MATERIALS**
- CONTINUOUS WHITE ALUMINUM FASCIA & CONTINUOUS ALUMINUM DRIP EDGE
 - CONTINUOUS FULLY VENTED WHITE VINYL SOFFIT.
 - INSTALL 6" WHITE ALUMINUM GUTTERS & DOWN SPOUTS
 - 36" ICE & WATER SHIELD IN VALLEYS & 24" IN FROM STUD WALLS ON RAKES & EAVES.
 - CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF
 - BEIGE COLORED VINYL SIDING AND TRIM.
 - INSTALL DUAL HEAD FLOOD LIGHTS TO ILLUMINATE WALKWAY & REAR PARKING LOT.
 - INSTALL LED SOFFIT LIGHTS TO ILLUMINATE PERIMETER OF BUILDING.
 - EXTERIOR WALLS - 7/16" OSB SHEATHING w/ TYVEK HOUSE WRAP OVER 2x6 STUDS @16"o.c. w/ R-21 INSULATION.
 - SLOPE GRADE AWAY FROM BUILDING.
 - INSTALL GAF 235 LB. TIMBERLINE ARCHITECTURAL ASPHALT ROOF SHINGLES (COLOR PEWTER GRAY).
 - INSTALL LIGHT ABOVE ENTRY DOORS TO ILLUMINATE SIDEWALK.

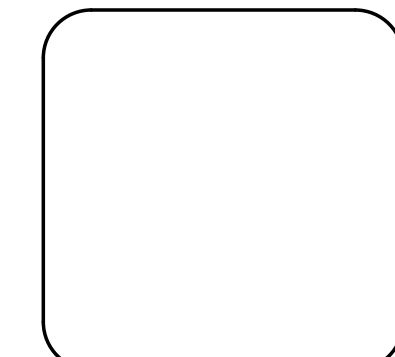
WINDOW SCHEDULE (PER BUILDING) (ANDERSON SERIES 100)							SYMBOL ☐	
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA
A	2'-11 1/2" x 4'-11 1/2"	3050	27	SINGLE HUNG	3'-0" x 5'-0"	YES	5.79	11.95
B	2'-5 1/2" x 3'-5 1/2"	2636	9	SINGLE HUNG	2'-6" x 3'-6"	NO	3.08	6.44

- WINDOW & DOOR NOTES:**
- EACH HABITABLE SPACE IS PROVIDED WITH AT LEAST ONE WINDOW THAT IS IN COMPLIANCE WITH NYS CODE REGULATIONS FOR USE AS AN EMERGENCY EGRESS.
 - ALL HABITABLE SPACES ARE IN COMPLIANCE WITH NYS CODE REQUIREMENTS FOR NATURAL LIGHT AND NATURAL VENTILATION.
 - ALL WINDOWS ARE INSULATED AND WEATHERSTRIPPED.
 - WINDOW MANUFACTURER TO PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE (WHERE GLASS IS WITHIN 18" OF FLOOR OR LOWER).
 - VERIFY WINDOW MODEL NUMBERS AND SIZES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION.

Revisions		No.	Date:	Description:



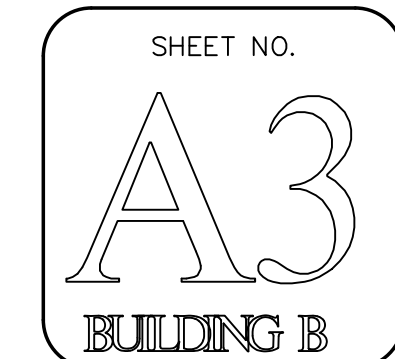
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85 MARKET STREET POUGHKEEPSIE, NEW YORK 12601 (845) 473-7572 Office (845) 473-7525 Fox			
DRAWN BY:	A.K.S.	CHECKED BY:	C.I.
		ISSUED DATE:	22 AUG, 2023



EXTERIOR ELEVATIONS		PROJECT NO. 22-09	SHEET NO. A3
PROPOSED NEW BUILDING "B" FOR: 21ST CENTURY LIVING, LLC			

5-9 MORGAN AVENUE POUGHKEEPSIE NEW YORK 12601	
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Project Number.	22-09
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NOTE:
BEFORE ANY DIGGING ON THE SITE TAKES PLACE, THE CONTRACTOR MUST FIRST CALL THE UNDERGROUND FACILITIES PROTECTION ORGANIZATION (UFP0) AT 1-800-962-7962 TO IDENTIFY AND LOCATE ALL UNDERGROUND FACILITIES.

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PROPOSED NEW BUILDING "B" FOR: 5-9 MORGAN AVENUE CITY OF POUGHKEEPSIE, N. Y.

GENERAL NOTES:

- ALL WORK TO BE DONE BY EXPERIENCED CRAFTSMEN SKILLED IN THEIR TRADE AND IN A WORKMANLIKE MANNER IN ACCORDANCE WITH ALL STATE AND LOCAL BUILDING CODES, RULES AND REGULATIONS.
- ALL CONCRETE TO BE MIN. 3000 PSI COMPRESSIVE STRENGTH AT 28 DAYS.
- ALL CONCRETE FOOTINGS TO BEAR ON UNDISTURBED VIRGIN SOIL OR SUITABLE ROCK. STEP FOOTINGS AS REQUIRED TO MAINTAIN MIN. 4'-0" COVER BELOW GRADE.
- CONTRACTOR SHALL NOTIFY ARCHITECT IF QUESTIONABLE SOIL CONDITIONS ARE ENCOUNTERED AT SITE.
- ALL FRAMING LUMBER TO BE S-P-F OR HEM-FIR, CONSTRUCTION GRADE. JOISTS, HEADERS, RAFTERS AND GIRDERS TO BE DOUGLAS FIR NUMBER TWO, OR BETTER.
- ALL HEADERS TO BE MIN. 2"x10, UNLESS NOTED OTHERWISE, ALL HEADERS AND GIRDERS TO BE GLUED AND NAILED.
- DOUBLE RAFTERS AROUND ROOF OPENING FOR SKYLIGHTS IF APPLICABLE.
- DIMENSIONS ARE FROM FACE OF STUD OR STRUCTURE, OR CENTERLINE OF MEMBER/OPENING.
- WINDOW NUMBERS REFER TO ANDERSEN OR MARVIN. ADJUST ROUGH OPENINGS AND DIMENSIONS IF A DIFFERENT MANUFACTURER IS USED. SEE WINDOW SCHEDULE.
- THERE SHALL BE NO SUBSTITUTIONS WITHOUT WRITTEN APPROVAL BY THE OWNER AND ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR COMPLICATIONS ARISING FROM UNAUTHORIZED SUBSTITUTION OF MATERIAL SIZE OR TYPE.
- INSULATE EXTERIOR WALL WITH R-21 FIBERGLASS BATT INSULATION. INSULATE CEILINGS WITH R-38. INSULATE FLOORS WITH R-30.
- PLUMBING AND ELECTRICAL CONTRACTORS ARE RESPONSIBLE TO MEET THE LATEST REVISIONS TO THE N.Y.S. ENERGY CONSERVATION CONSTRUCTION CODE FOR THEIR RESPECTIVE TRADE.
- ALL MATERIALS, ASSEMBLIES, CONSTRUCTION AND EQUIPMENT SHALL CONFORM TO THE REGULATIONS OF THE RESIDENTIAL CODE OF N.Y.S. AND SHALL CONFORM TO GENERALLY ACCEPTED STANDARDS.
- THOSE ITEMS NOT NOTED, BUT IMPLIED AS NECESSARY FOR THE PERFORMANCE OF THE WORK ARE CONSIDERED PART OF THE CONTRACT.
- ALL NEW INTERIOR DRYWALL TO BE 1/2" REGULAR GYPSUM BOARD UNLESS NOTED OTHERWISE. USE 1/2" M.R. DRYWALL IN BATHROOMS.
- ALL CLOSETS TO HAVE RODS AND SHELVES.
- ALL BEAMS AND HEADERS OVER 4'-0" SPAN TO BE GLUED AND NAILED. ALL MULTIPLE PIECE STRUCTURAL MEMBERS SHALL BE GLUED AND NAILED.
- USE PRESSURE TREATED LUMBER FOR PORCH AND DECK STRUCTURES.
- EXTERIOR WALLS ARE FRAMED WITH 2x6 STUDS AND INTERIOR WALLS ARE FRAMED WITH 2X4 STUDS UNLESS NOTED OTHERWISE.
- ALL MATERIALS SHALL BE ASSEMBLED IN ACCORDANCE WITH THE N.Y.S. BUILDING CODE, INCLUDING PROPER MATERIAL TYPE AND DIMENSIONS AND PROPER QUANTITY AND TYPE OF FASTENERS.

ENERGY CONSERVATION:

- CONSTRUCTION ENVELOPE DESIGNED BY ACCEPTABLE STANDARDS FOR CLIMATE ZONE 5A (DUTCHESS COUNTY) WITH MINIMUM "R" VALUES AS FOLLOWS:
WALLS- R21
ROOF- R38 (EXTEND TO OUTSIDE FACE OF EXTERIOR STUD & INSTALL "ACCUCENT" BAFFLE.)
FLOOR- R30
SLAB EDGE- R-10 (NON RADIANT HEAT)
GLAZING- U 0.32
DOORS- R 2.5
BASEMENT WALLS- R-19

INSULATION:

- PROVIDE FIBERGLAS BATT INSULATION WITH 4 MIL POLYETHYLENE VAPOR BARRIER IN WALLS, CEILINGS, FLOORS AND WHERE INDICATED ON DRAWINGS. FOLLOW MANUFACTURER'S INSTRUCTIONS FOR USE AND INSTALLATION.
- FOUNDATION AND SLAB RIGID BOARD INSULATION WHERE INDICATED TO BE RIGID EXTRUDED POLYSTYRENE TYPE OR APPROVED EQUAL.
- ALL INSULATION REGARDLESS OF MATERIAL SHALL BE COVERED WITH 1/2" DRY WALL OR CONCRETE IF SLAB EDGE INSULATION.

FIRE SAFETY:

- SUPPLY AND INSTALL LINE VOLTAGE IONIZED SMOKE DETECTOR ALARMS AND CARBON MONOXIDE DETECTORS AS SHOWN ON PLANS ON ALL FLOOR LEVELS, IN ALL SLEEPING ROOMS, AT STAIRWELLS, AND AS REQUIRED BY LOCAL AUTHORITY IF NOT SHOWN ON PLANS.
- SMOKE AND CARBON MONOXIDE DETECTORS ON CATHEDRAL CEILINGS SHALL BE LOCATED AT THE HIGH POINT OF THE CEILING (SEE PLAN FOR LOCATION).
- ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE WIRED TOGETHER SO THAT IF ONE IS ACTIVATED, ALL WILL SOUND AN ALARM.
- IF REQUIRED BY LOCAL CODE OFFICIAL, ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE INSTALLED BY A LICENSED ALARM INSTALLER.

SMOKE ALARM NOTES: SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:

- IN EACH SLEEPING ROOM.
- OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM.
- ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS. NO DETECTORS ARE REQUIRED IN CRAWL SPACES (BELOW-GRADE SPACE LESS THAN 6 FEET, 8 INCHES IN HEIGHT) AND UNINHABITABLE ATTICS.

CARBON MONOXIDE ALARMS: CARBON MONOXIDE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:

- WITHIN EACH DWELLING UNIT ON ANY STORY HAVING A SLEEPING AREA.
- ON ANY STORY OF A DWELLING UNIT WHERE FUEL-FIRED APPLIANCES AND EQUIPMENT, SOLID-FUEL BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE LOCATED. A CARBON MONOXIDE ALARM INSTALLED ON ANY STORY OF A DWELLING UNIT HAVING A SLEEPING AREA SHALL SUFFICE FOR THAT STORY WHERE FUEL-FIRED APPLIANCES AND EQUIPMENT, SOLID-FUEL BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE ALSO LOCATED.

ELECTRICAL NOTES:

- ALL OUTLETS IN ALL BATHROOMS, AND KITCHEN AREAS SHALL BE INSTALLED BY A LICENSED ELECTRICIAN.
- IF REQUIRED BY LOCAL CODE OFFICIAL, ALL ELECTRICAL WORK SHALL BE INSTALLED BY A LICENSED ELECTRICIAN.

PLUMBING:

- PLUMBER SHALL FILE FOR PERMITS AND SECURE APPROVALS. USE ONLY LEAD FREE SOLDER.

OSHA NOTE:

- CONTRACTOR SHALL OBSERVE ALL OSHA REQUIREMENTS & REGULATIONS THAT PERTAIN TO THIS PROJECT. FOR REFERENCE, DOWNLOAD A COPY OF THE OSHA REGULATIONS FROM THE UNITED STATES DEPARTMENT OF LABOR OSHA WEB SITE. <http://www.osha.gov/law-regs.html>
- CONTRACTOR SHALL FOLLOW THESE REGULATIONS AS SPECIFIED AND REFER TO THE ABOVE REFERENCED WEB SITE FOR GUIDANCE.

CONTRACTOR NOTE:

- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "PRESCRIPTIVE RESIDENTIAL WOOD DECK CONSTRUCTION GUIDE" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/publications/DCA/DCA6/DCA6-09.pdf>
- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "DETAILS FOR CONVENTIONAL WOOD FRAME CONSTRUCTION" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/pdf/WCD1-300.pdf>
- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "DESIGN OF WOOD FRAME STRUCTURES FOR PERMANENCE" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/pdf/WCD6.pdf>
- CONTRACTOR CAN OBTAIN MORE INFORMATION ON SYSTEMS AT [HTTP://WWW.WOOD-ES.ORG/REPORTS](http://www.wood-es.org/reports)
- CONTRACTOR SHALL FOLLOW THESE DRAWINGS AS SPECIFIED AND REFER TO THE ABOVE REFERENCED DOCUMENTS FOR GUIDANCE.

CONCRETE & MASONRY:

- ALL FOOTINGS SHALL BEAR ON UNDISTURBED EARTH OF 1 1/2 TON CAPACITY OR LEDGE ROCK.
- STEPPED FOOTINGS SHALL HAVE A MAXIMUM STEP OF 2' VERTICAL AND 4' HORIZONTAL.
- BOTTOM OF FOOTINGS ON SOIL SHALL BE BELOW LOCAL CODE FROST LINE. PROTECT FROM FREEZING.
- CONCRETE FOR POURED IN PLACE CONSTRUCTION SHALL CONFORM TO ACI 318-77 AND SHALL HAVE A MIN. STRENGTH OF 3000 PSI AT 28 DAYS. POUR ONLY IN TEMP. ABOVE 40 DEGREES.
- WHERE ROCK TO EARTH TRANSITION OCCURS, USE DEFORMED REBARS AS REQUIRED BY ARCHITECT. NOTIFY ARCHITECT IN EVENT OF THIS CONDITION.
- FOUNDATION WALLS ARE TO HAVE 1/2" DIA. x 12" LONG THREADED ANCHOR BOLTS AT 6'-0" O.C. MAX.
- SLABS ARE TO BE POURED ON GRAVEL OR CRUSHED STONE BASE. PROVIDE 6 MIL POLY. VAPOR BARRIER ON BASEMENT AND CRAWL SPACE SLABS. REINFORCE WITH GRADE 40 WELDED WIRE MESH.
- IF USED, CONCRETE MASONRY WALLS ARE TO CONFORM TO THE LATEST EDITION OF NATIONAL CONCRETE MASONRY ASSOCIATION AND APPLICABLE STATE CODES. TOP COURSE FILLED SOLID.
- IF USED, CONCRETE BLOCK SHALL BE OF THE FOLLOWING TYPE: ASTM C-90 GRADE N-1, ASTM C-145 GRADE N-1 ALL MORTAR SHALL BE ASTM C-270 TYPE S.

FOUNDATION NOTES:

- ALLOWABLE SAFE SOIL BEARING CAPACITY IS ASSUMED TO BE 3000 PSF. THE CONTRACTOR SHALL VERIFY SOIL CONDITIONS AND CAPACITY AND INFORM THE ARCHITECT IN WRITING IF LESS THAN 3000 PSF PRIOR TO STARTING ANY WORK.
- POURED CONCRETE FOOTINGS, PIERS, FOUNDATIONS AND SLABS SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI IN TWENTY EIGHT DAYS.
- MINIMUM DEPTH OF FOUNDATION FOOTINGS SHALL BE 4'-0" BELOW ALL FINISHED GRADES. ALL FOOTINGS SHALL BEAR ON UNDISTURBED VIRGIN SOIL. DO NOT POUR ANY CONCRETE ON WET, DAMP OR FROZEN SOIL.
- REINFORCING FOR CONCRETE WALLS SHALL HAVE TWO ROWS OF NO. 4 BARS AT THE TOP AND BOTTOM OF THE WALL WITH NO. 4 BARS AT 4'-0" ON CENTER VERTICAL AND HORIZONTAL, SEE DETAILS FOR ADDITION REINFORCING. REINFORCING FOR FOOTINGS SHALL BE TWO NO.4 BARS CONTINUOUS. SLAB REINFORCING SHALL BE 6"x6" - #10/#10 WELDED WIRE FABRIC. REINFORCING BARS SHALL BE DEFORMED STEEL BARS, ASTM A615 GRADE 60.
- ALL COLUMNS SHALL BE CONCRETE FILLED LALLY COLUMNS UNLESS NOTED OTHERWISE.
- BEARING FOR ALL BEAMS SHALL BE 6" MINIMUM.
- APPLY BITUMINOUS MASTIC FOUNDATION DAMP PROOFING TO THE EXTERIOR OF ALL CONCRETE FOUNDATION WALLS.

GENERAL FRAMING NOTES:

- ALL JOISTS AND RAFTERS SHALL BE ALIGNED OVER STUDS BELOW.
- INSTALL DOUBLE FLOOR JOISTS UNDER PARTITION WALLS FRAMED PARALLEL TO JOIST DIRECTION.
- ALL EXTERIOR SHEATHING SHALL BE 1/2"CDX PLYWOOD. NAILING SCHEDULE SHALL BE 8d COMMONS AT 6" O.C. AT ALL EDGES AND 8d COMMONS AT 12" O.C. AT ALL INTERMEDIATE STUDS.
- ALL COLUMNS OR SOLID FRAMING SHALL EXTEND DOWN THRU ALL LEVELS AND TERMINATE AT THE BASEMENT FLOOR AND BE SUPPORTED BY A THICKENED SLAB, GRADE BEAM, OR FOOTING DESIGNED TO CARRY LOAD.
- PROVIDE COLLAR TIES ON ALL RAFTERS AT UPPER 1/3 OF VERTICAL DISTANCE BETWEEN RIDGE BOARD AND CEILING JOISTS AT 16" O.C.
- HIP, VALLEY RAFTERS, AND RIDGE BOARDS SHALL BE ONE "2x" SIZE LARGER THAN RAFTERS OR AS SHOWN ON PLAN.
- ROOF DECKING SHALL BE 5/8" CDX PLYWOOD MINIMUM.
- ALL CEILING JOISTS AND RAFTER BRACING TO BEAR ON LOAD BEARING WALLS DESIGNED TO CARRY LOAD THRU ALL LEVELS AND TERMINATE AT BASEMENT FLOOR AND BE SUPPORTED BY THICKENED SLAB GRADE BEAM OR FOOTING DESIGNED TO CARRY LOAD.
- ALL ANCHOR BOLTS SHALL BE NYS CODE MINIMUM 1/2" DIA.x12" WITH A 7" EMBEDMENT, 1'-0" FROM CORNERS AND @ 6'-0"o.c. WITH SIMPSON WASHER #LB1/2 THRU OUT.
- SHEATHING TO BE 5/8" EXTERIOR PLYWOOD, FOR ROOFS AND 1/2" EXTERIOR PLYWOOD FOR WALLS.
- USE ONLY GALVANIZED OR NON CORROSIVE NAILING ON ALL EXTERIOR WORK.
- VENTILATE ALL SOFFITS AND PROVIDE "ACCUCENT" OR EQUAL TO ENSURE VENTILATION.
- ALL GLASS DOORS AND WINDOWS ARE TO BE AS SPECIFIED ON PLANS AND ARE TO HAVE SCREENS AND LOW - E INSULATING GLASS UNLESS OTHERWISE NOTED.

GENERAL CONDITIONS:

- ALL WORK SHALL CONFORM TO ALL GOVERNING CODES AND ORDINANCES INCLUDING THE STATE BUILDING CODE AND LOCAL ZONING AND STATE ENERGY CODE.
- CONTRACTOR SHALL CARRY WORKMAN'S COMP. LIABILITY INSURANCE AS REQUIRED BY LAW, AND BY OWNER AND SHALL PROTECT OWNER FROM ALL LIABILITY WITH ADEQUATE INSURANCE.
- CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS, INSPECTIONS AND FINAL CERTIFICATION OF OCCUPANCY
- CONTRACTOR SHALL CHECK, ALL DIMENSIONS AND CONDITIONS, AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.
- CONTRACTOR SHALL PROTECT PREMISES AND OCCUPANTS FROM HARM ON THE BUILDING SITE. PROVIDE AND MAINTAIN NECESSARY COVERINGS AND PROTECTION FOR ALL MATERIALS AND EQUIPMENT STORED ON SITE FROM DAMAGE OR THEFT.
- REMOVE ALL DEBRIS AND KEEP SITE CLEAN AND NEAT AT ALL TIMES.

FIRE RESISTIVE RATINGS

LOCATION RATING	REQ'D
SEPARATION BETWEEN UNITS	2 HR.

LIST OF DRAWINGS

DWG. NO.	TITLE
T1	TITLE SHEET
A1	FOUNDATION & ROOF PLANS & SCHEDULES
A2	FIRST & SECOND FLOOR PLANS & TABLE
A3	EXTERIOR ELEVATIONS

BUILDING DEPARTMENT NOTES

BUILDING CODE CLASSIFICATIONS	
1. OCCUPANCY CLASSIFICATION:	R2 APARTMENTS
2. CONSTRUCTION CLASSIFICATION:	TYPE V - WOOD FRAME
3. CONSTRUCTION AREA	- FIRST FLOOR = 1,555 SQUARE FEET - SECOND FLOOR = 1,555 SQUARE FEET

PARTITION LEGEND

NEW DRYWALL PARTITION WOOD STUDS @ 16" O.C. WITH (1) LAYER OF 1/2" G.W.B. ON EACH SIDE (STANDARD CONSTRUCTION)

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND SPEED (MPH)	SEISMIC DESIGN CATAGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP.	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX
			WEATHERING	FROST LINE DEPTH	TERMITE	DECAY				
50	90	B	SEVERE	48"	MODERATE TO HEAVY	SLIGHT TO MODERATE	6	YES	REFER TO MAP	1160

COVER SHEET

PROPOSED NEW BUILDING "B" FOR:
21ST CENTURY LIVING, LLC

5-9 MORGAN AVENUE
POUGHKEEPSIE NEW YORK 12601

Project Number. 22-09

SHEET NO.

T1
TITLE SHEET

CIRO TERRANTE ARCHITECT, P.C.

85 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7572 Office (845) 473-7525 Fax

DRAWN BY: A.K.S.

CHECKED BY: C.I.

ISSUED DATE: 22 AUG, 2023

Revisions

No. Date: Description:

CIA
IN THE SPIRIT OF COOPERATION



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: Patterson Calhoun, LLC

From: Tyler Maegerle, Junior Planner

Date: 9/12/23

Re: 7 Morgan Avenue

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes construction of two two-story apartment buildings. One with six two-bedroom apartments, and another with three apartments.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(11) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;.” The action is therefore not subject to further environmental review.

617.20
Appendix B
Short Environmental Assessment Form

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.

Part 1 - Project and Sponsor Information							
Name of Action or Project: 7 MORGAN AVENUE							
Project Location (describe, and attach a location map): VACANT LOT LOCATED 1/10 MILE SOUTH OF COTTAGE STREET ON EAST SIDE OF MORGAN AVENUE							
Brief Description of Proposed Action: CONSTRUCT A NEW 3 UNIT APPARTMENT BUILDING AND A NEW 6 UNIT APPARTMENT BUILDING ON A VACANT LOT.							
Name of Applicant or Sponsor: PATTERSON CALHOUN, LLC		Telephone: 845-380-8627					
		E-Mail: JAMES.AA.PATTERSON@GMAIL.COM					
Address: 10 FITCHETT STREET							
City/PO: POUGHKEEPSIE		State: NY	Zip Code: 12601				
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%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☒</td> <td style="text-align: center; padding: 2px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: PLANNING BOARD - SITE PLAN APPROVAL			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☐</td> <td style="text-align: center; padding: 2px;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3.a. Total acreage of the site of the proposed action? 0.317 acres b. Total acreage to be physically disturbed? 0.153 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.317 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. ☒ Urban ☐ Rural (non-agriculture) ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☐	☒	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
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?	NO	YES	
	☒	☐	
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: _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional			
☐ Wetland ☒ 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	
	☒	☐	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	☒	☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes,			
a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES	☐	☒	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?			
If Yes, briefly describe: ☐ NO ☒ YES			
CITY OF POUGHKEEPSIE MUNICIPLE STORM WATER SYSTEM			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
	☒	☐
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
	☒	☐
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
	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Ciro Interrante</u> Signature: _____ Date: <u>6-6-23</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing:	☐	☐
a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____ Name of Lead Agency _____ Date	
_____ Print or Type Name of Responsible Officer in Lead Agency _____ Title of Responsible Officer	
_____ Signature of Responsible Officer in Lead Agency _____ Signature of Preparer (if different from Responsible Officer)	

PRINT

