



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

Common Council Chambers
Tuesday, November 14, 2023
6:00 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. Approval of October 23, 2023 Meeting Minutes

III. REVIEW OF RESOLUTIONS

1. 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.

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. 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 2.1feet); Section 19-4.3(5)(a) requiring a 15 feet 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

4. 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

5. 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, requiring 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. NEW PUBLIC HEARINGS

1. 134 SMITH STREET - USE VARIANCES

Application for use variance relative to the non-conforming use as a convenience store. The use variance requested is in regards to Section 19-5.1(1)(d) that does not allow the re-establishment of or the change to another nonconforming use if such use has been discounted for any reason for a period of one year and Section 19-3.31(2) which does not allow a convenience store in the Research and Development District (R&D) zone. Owner/Applicant: Ihsan Nesheiwat; Consultant: Z3 Consultants; Zone: Research and Development District (R&D), Grid: # 6162-72-414248; File #ZBA2023-23

2. 196 WINNIKEE AVENUE - AREA VARIANCE

Application for area variances relative to the proposed conversion of the existing single family dwelling to a two-family dwelling. The variance requested is of Section 19-3.15(4)(a), requiring 10,000 square feet of lot area, to allow 8,150 square feet. Owner: Henry Seay/Amal and Mohamad Salameh; Applicant: MI Design; Consultant: MI Design.; Grid #6162-80-481124; File #ZBA2023-029

3. 27 SOUTH CLINTON STREET – USE & AREA VARIANCES

Application for use variance relative to the proposed construction of a 6-unit multiple dwelling on the vacant lot at 27 South Clinton Street (formerly the site of a single family dwelling) in an R-2A zoning district which limits the number of dwelling units to two (2), requiring a variance of Section 19-3.13.1(2) of the Zoning Ordinance. Application for area variances of: Section 19-3.13.1(4)(a)(3) which requires 10,000 square feet of lot area to allow 8712 square feet; Section 19-3.13.1(4)(d)(2), which requires a 20 front yard to allow one 8 foot front yard and one 18 foot front yard; Section 19-3.13.1(4)(d)(2), which require a side yard of 10 feet, to allow the (south) side yard of 8 feet; Section 19-3.13.1(4)(d)(3), which requires a rear yard of 15 feet, to allow the (east) rear yard to be 4 feet (the remaining yard area is compromised with off-street parking); Section 19-4.3(5)(a) which requires a 15 foot access lane to parking, to allow a 12 foot access lane; Section 19-4.3(5)(b) which requires parking spaces to be a minimum of 20 feet deep to allow 18 foot deep spaces; Section 19-4.3(5)(11), which requires 12 parking spaces, to allow 11 parking spaces; and, Section 19-4.14(3)(a)

which requires that all fences be a minimum of 10 feet from any wall containing a legal window, to allow a fence to be within 7 feet of a wall; Owner/Applicant: 27 South Clinton Street, LLC/Quincy William; Consultant: Ciro Interrante; Zoning District: R-2A; Grid #6161-22-237923; File #2023-035.

4. 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

5. 149 NORTH HAMILTON STREET – AREA VARIANCE

Application for area variances relative to the construction of a driveway and off-street parking lot on the property at 149 North Hamilton Street. The variances requested are of Section 19-19-4.3(1), 19-4.3(2), 19-4.3(5(a) and 19-4.3(5)(b) 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: Roy Campbell; Consultant: Paul Tirums, PE; Zoning District: R-3A; Grid #6162-63-275350; File #ZBA2023-037

6. 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

7. 40 CANNON STREET - AREA VARIANCE

Application for area variance(s) relative to the proposed installation of a wall and projecting signs on the property at 40 Cannon Street. The variance(s) requested is of Section 19-4.9(7)(b)2, requiring that there shall be no more than one wall sign, one projecting sign, one vertical blade sign, or one marquee sign permitted for any one business, to allow a wall and projecting sign that each includes both businesses; Section 19-4.9(9)(f)2, requiring that projecting signs shall not exceed six square feet in area per face, to allow 10.9375 square feet; Section 19-4.9(9)(i)l, requiring that the

bottom of a wall sign be a minimum of eight feet or a maximum of 12 feet above the sidewalk, to allow the bottom of the wall sign to be located 14'5.5" from the sidewalk; Section 19-4.9(9)(i)2, requiring that wall signs shall not exceed a maximum of 60 square feet, to allow a wall sign to be 70.42 square feet. Owner: Bottini Properties; Applicant RKE Beck Enterprises Inc.; Grid #6162-77-068023; Innovation District Urban Village (PID-UV); File #ZBA2023-041

8. 226 CHURCH STREET – AREA VARIANCE

Application for area variance relative to the proposed construction of a handicapped ramp on the east side of the building requiring a variance of Section 19-4.13(1) of the Zoning Ordinance, which requires a six foot set-back to allow a five foot set-back. Owner/Applicant: Journal Plaza LLC/Page Park Associates; Consultant: Care Net Pregnancy Center of the Hudson Valley; Consultant: Whalen Architecture, PLLC; Zoning District: PID-CE; Grid #6161-22-139959; File #2023-043

9. 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

10. 49 CIVIC CENTER PLAZA - INTERPRETATION

Request for Interpretation as to whether or not the City has applied the criteria of Section 19-3.3 of the Zoning Ordinance relative to district boundaries correctly to this project, which straddles the district boundaries between the C-2 and PID-CC districts, and the definitions of “service business” and “restaurant” and whether or not the terms may be used interchangeably for the purposes of the Zoning Ordinance. Owner/Applicant: Journal Plaza LLC/Page Park Associates; Consultant: KARC/Natalie Quinn; Zoning District: C-2/PID-CC; Grid #6162-69-065177; File #ZBA2023-046

V. CONTINUED PUBLIC HEARINGS

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. 7 GRANT STREET - AREA VARIANCES

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: R-4 Medium High-Density Residential; File # ZBA 2023-021



City of Poughkeepsie Zoning Board of Appeals

DRAFT Meeting Minutes

Common Council Chambers

Monday, October 23, 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: 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: _____

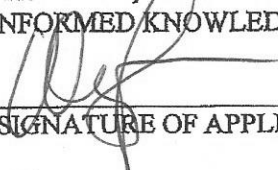
LIST OF REQUIRED ATTACHMENTS

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:

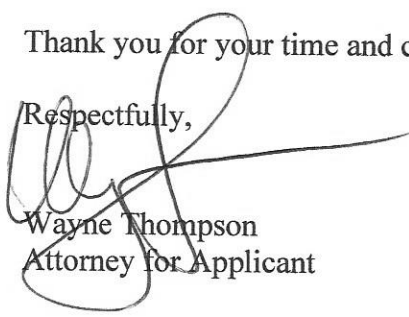
The applicant proposes to convert a dilapidated 2 family residence into a 4 family home with residences on the first and second floors. Parking will be provided off site at 29-31-North White Street as depicted in the supplemental documents.

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



**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.





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



SCALE 1" = 16'-0"

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.

SURVEY / SITE PLAN

DRAWINGS FOR:

29-31 NORTH WHITE STREET

POUGHKEEPSIE, NEW YORK 12601

GRAND DESIGN

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

SCALE AS SHOWN

DATE	07/05 2023
PROJECT NO	22-123

DRAWN BY CVJ
SHEET NO.

SHEET NO.

S-1



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.

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	

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

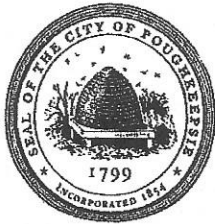
Construction cost of 4 units (Including design, permits, and architectural plans)	\$422,721
Total Cost	\$700,248
Mortgage	\$400,000
Total invested	\$300,248

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



**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

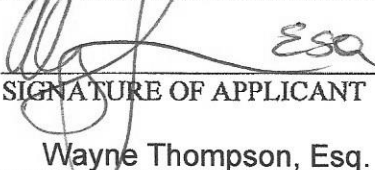
LIST OF REQUIRED ATTACHMENTS

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:

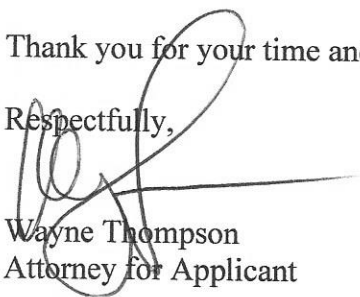
The applicant proposes to add 2 basement rental units into an approved 8 unit conversion under construction. Parking will be provided on site necessitating the requested variances.

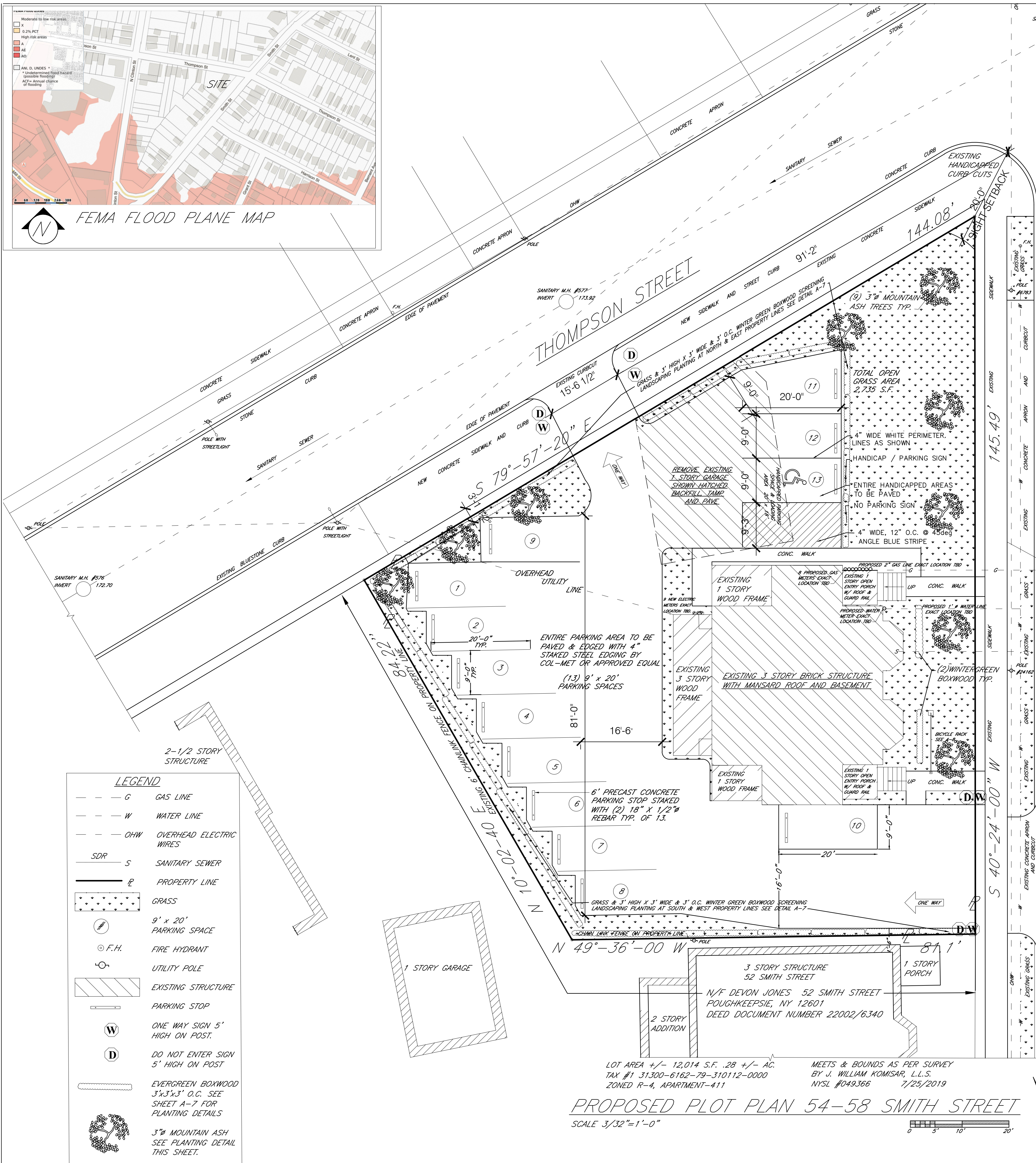
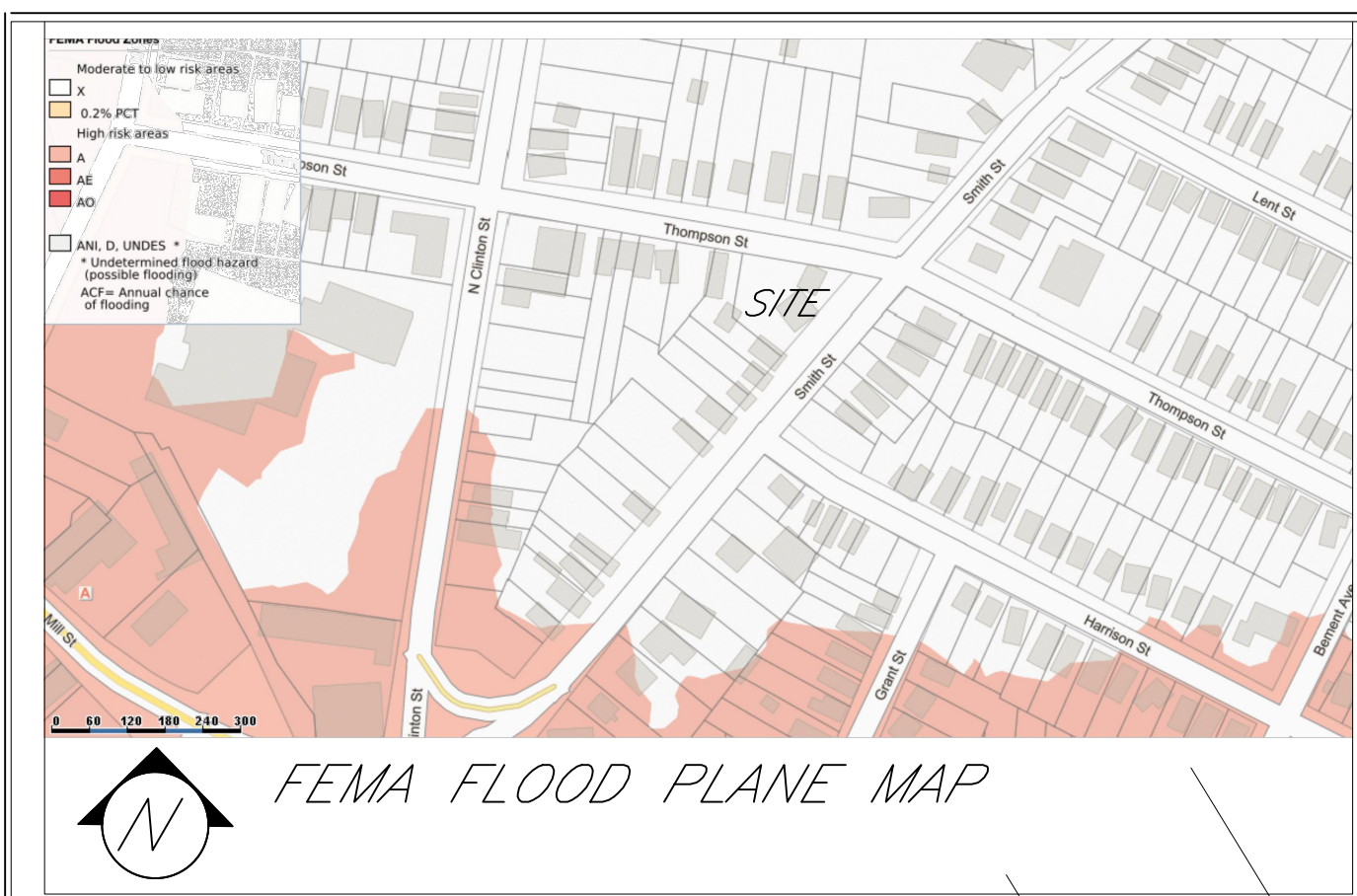
Architectural plans have been completed and determined that the project is feasible as the basement units are part of an extensive interior and exterior renovation currently under way. As can be seen from the attached photos, the renovation here is a top-quality renovation in both design and materials 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: ☒ (yes) ☐ (no)
Change of use: ☐ (yes) ☒ (no)
Expansion/addition: ☐ (yes) ☒ (no)
Alteration: ☒ (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 #6162-79-311012; 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: Ariel Rodriguez
958 North Quaker Lane Staatsburgh, 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, 1/2 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.



DEPARTMENTAL SIGN OFF

REVISIONS
04/18/2023
REVISED PARKING

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

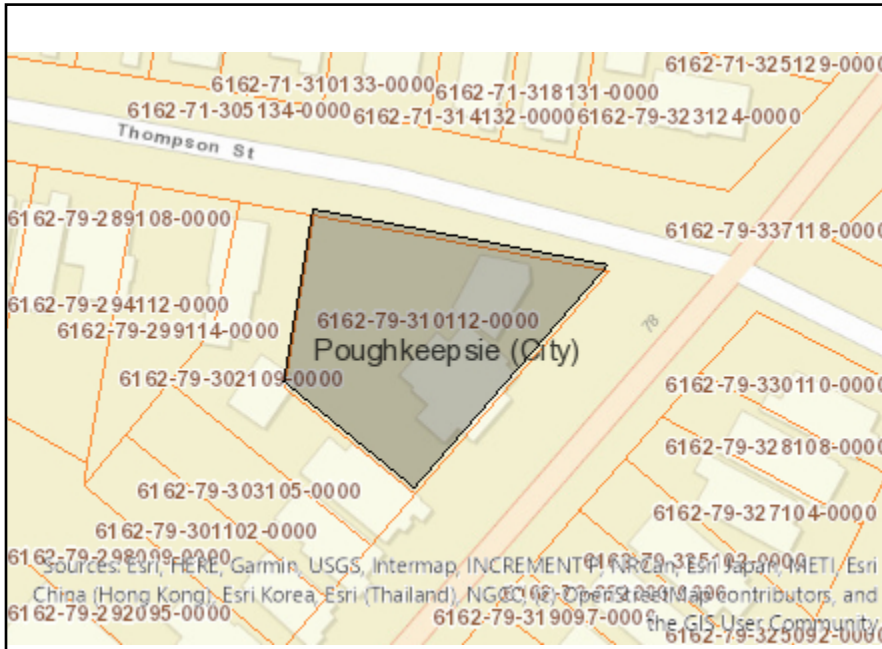
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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	

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.



**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

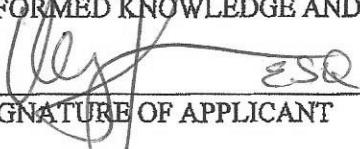
LIST OF REQUIRED ATTACHMENTS

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>

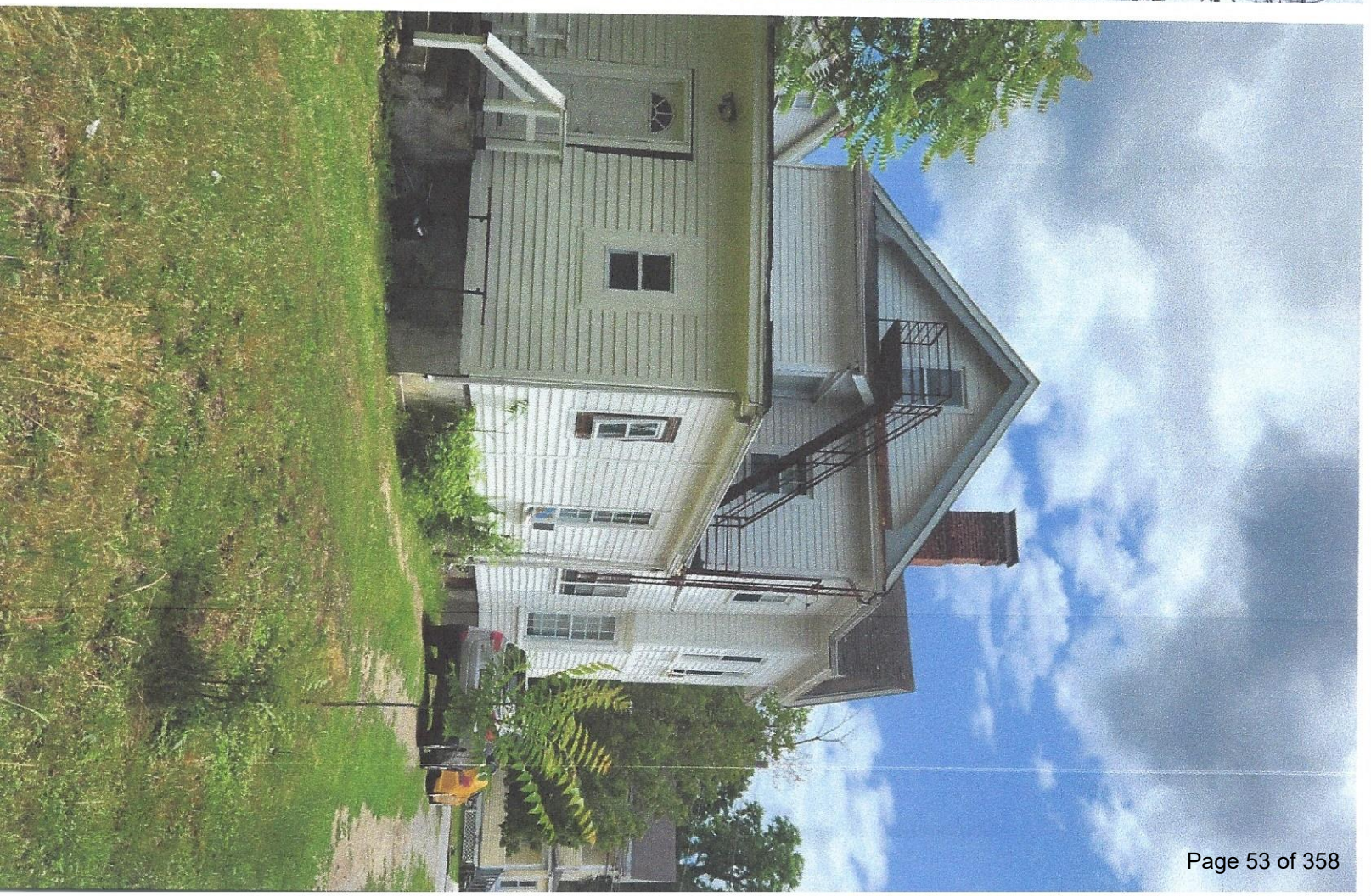
Sent: Wednesday, March 15, 2023 5:01 PM

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:

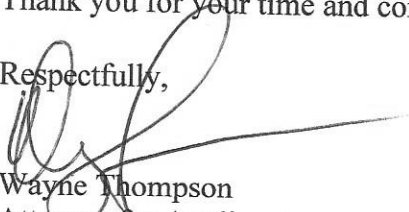
The applicant proposes to convert a current legal 2 family residence but former uncertified 3 floor, 3 family residence into a fully legal 3 family 3 floor residence. Parking will be provided both on site thus necessitating the small variances requested.

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

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,	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>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

2 Units			3 Units		
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**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

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

MEMORANDUM

To: Wayne Thompson, Esq.

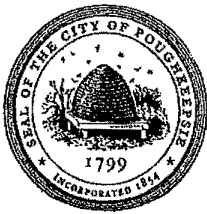
From: Tyler Maegerle, Junior Planner

Date: 6/28/2023

Re: 63 Thompson 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 the addition of a third-floor apartment to a 2&1/2 story 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.



**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 **Terriciena 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)
---	---

(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: 9.8% (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: 9.8% (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: _____

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

(845) 473-7572

October 16, 2023

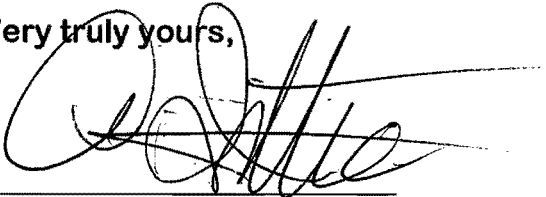
Zoning Board
City of Poughkeepsie
PO Box 300
Poughkeepsie, NY 12602

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,

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

Ciro Interrante, Architect.

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,

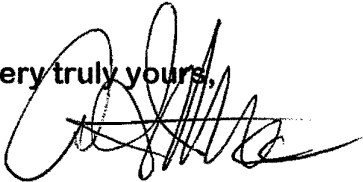
The proposal is to operate a restaurant business as tenant in an existing restaurant building. The existing restaurant and developed site were originally constructed in the 1960s for a new Friendly's ice cream restaurant. The site and building has operated for restaurant use continuously since then. 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,

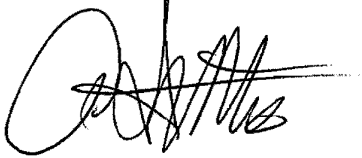


Ciro Interrante, Architect

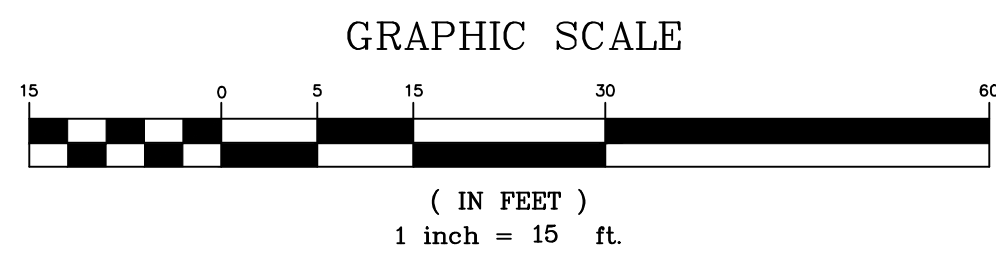
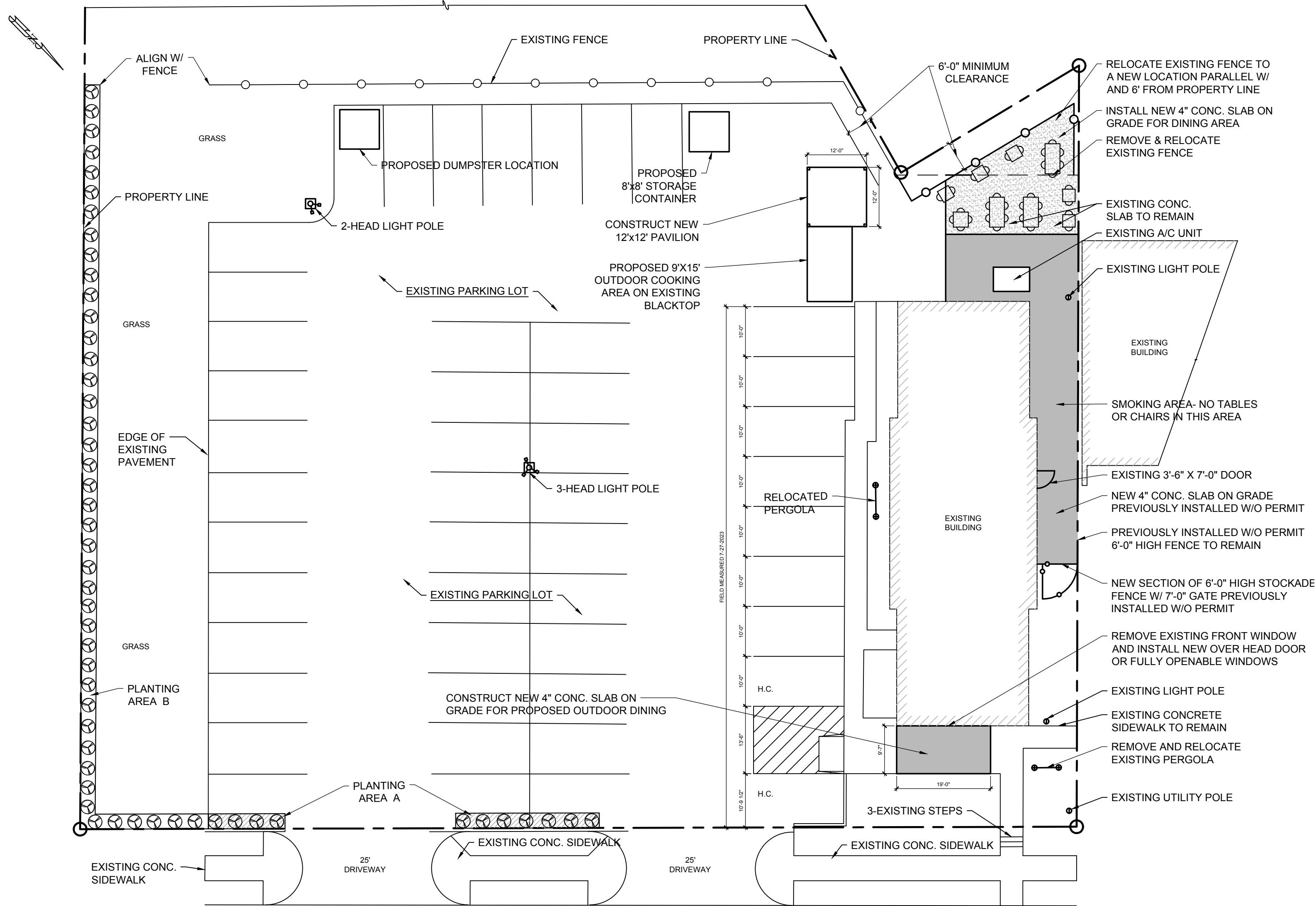
4. **Section 19-4.13(1)** - The storage container has been moved to provide the 6'-0" minimum clearance required. See revised the site plan was revision date of July 27, 2023.
5. **Section 19-4.14(3)(a)** - Please see the attached photographs of the adjacent building. There are no windows of the adjacent 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 several horizontal strokes.

Ciro Interrante, Architect



1 SITE PLAN
SCALE: 1" = 16'-0"



2 EXISTING FRONT ELEVATION
SCALE: 1/4"=1'-0"

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

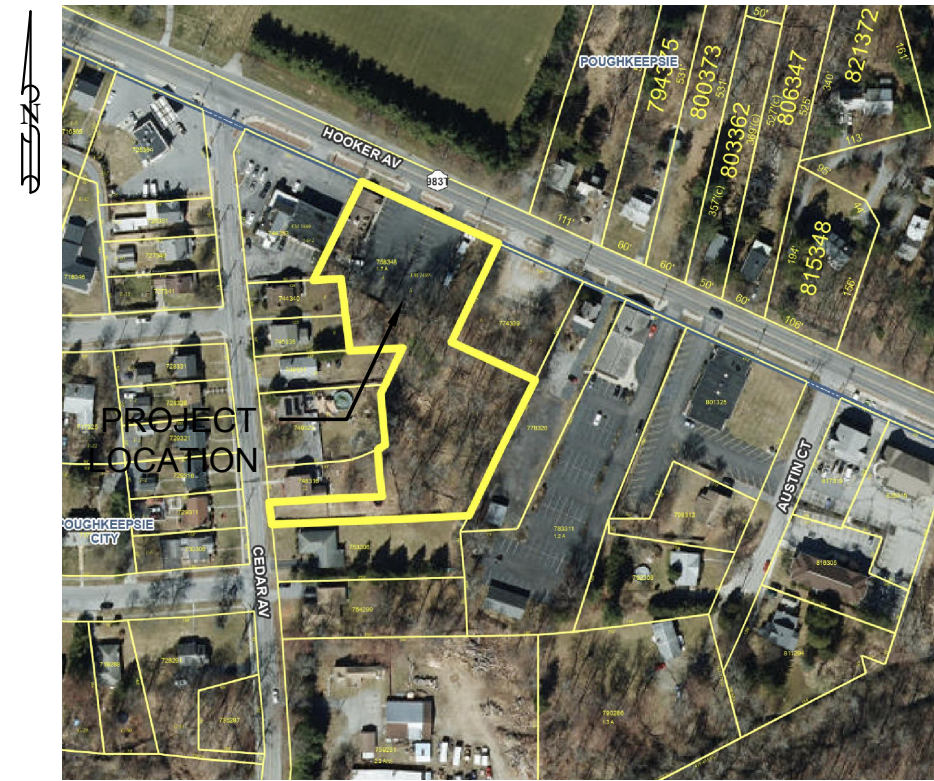
TYPE	SYMBOL	QUANTITY	COMMON NAME	MATURE WIDTH	MATURE HEIGHT
SHRUBS	GFS	53	GOLD FLAME SPIREA	3' - 4'	3'

HOURS OF OPERATION

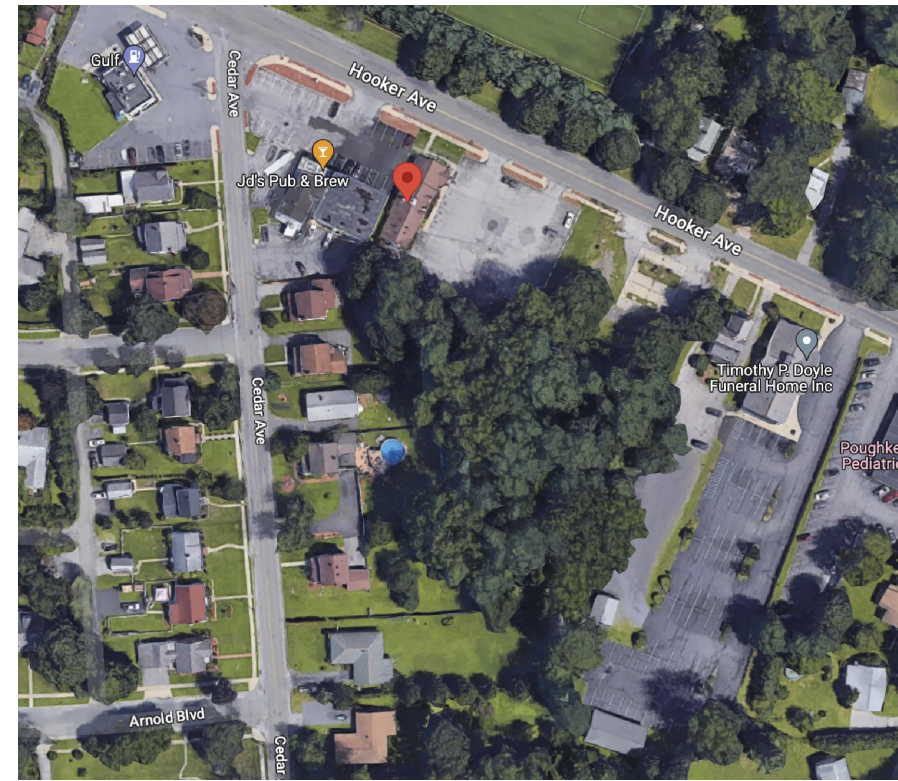
MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
CLOSED	11-10	11-10	11-12	11-1AM	11-1AM	11-10
				LIVE MUSIC	BLUES MUSIC	

SEATING CAPACITY

INTERIOR: 70 CHAIRS & TABLES (INCLUDING 12 @ BAR)
EXTERIOR: 32 CHAIRS & TABLES



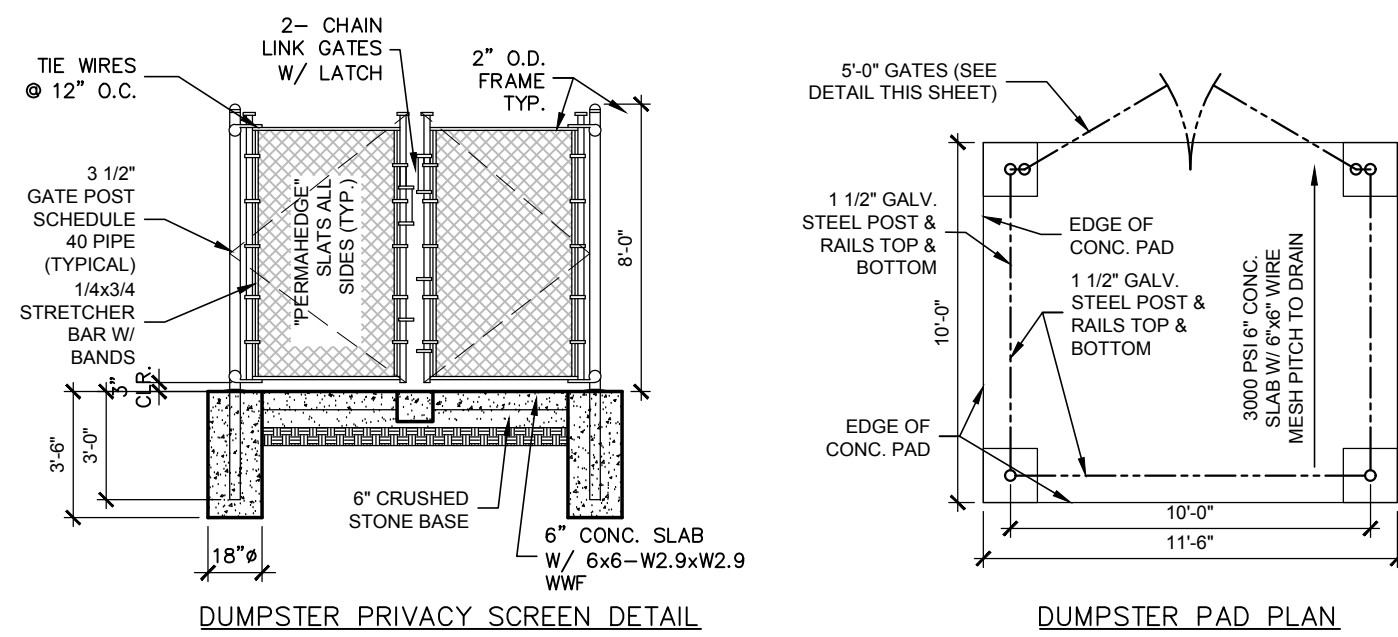
3 PARCEL MAP
SCALE: N.T.S.



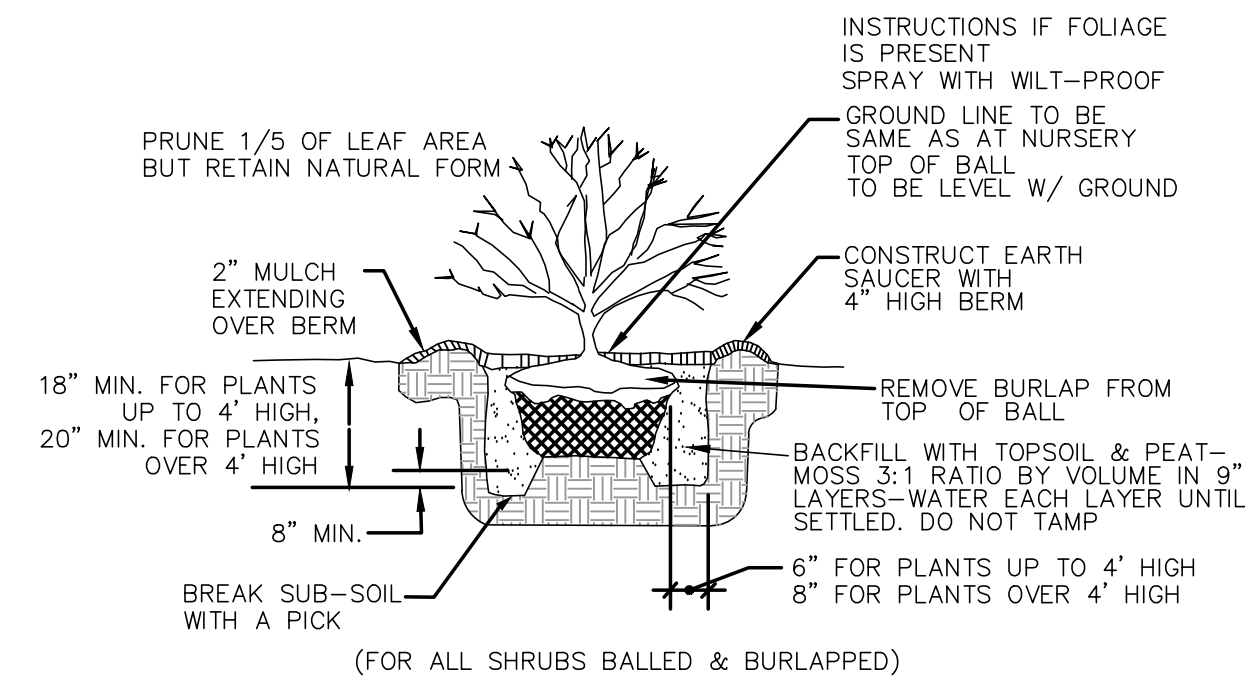
4 GOOGLE MAP
SCALE: N.T.S.



5 GOOGLE STREET VIEW
SCALE: N.T.S.



6 DUMPSTER ENCLOSURE DETAILS
SCALE: N.T.S.



7 SHRUB PLANTING DETAIL
SCALE: N.T.S.

Revisions	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

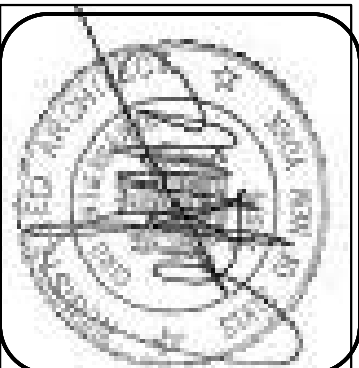
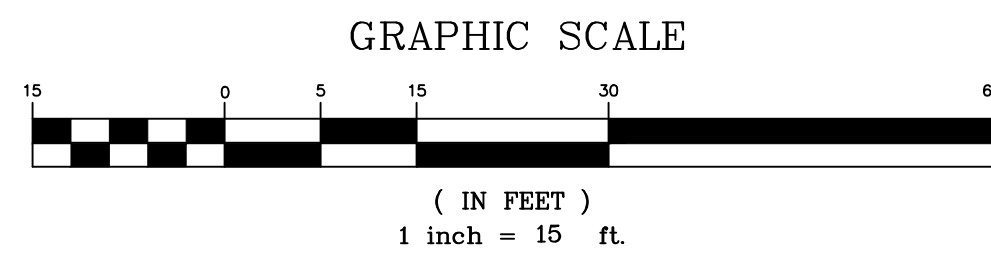
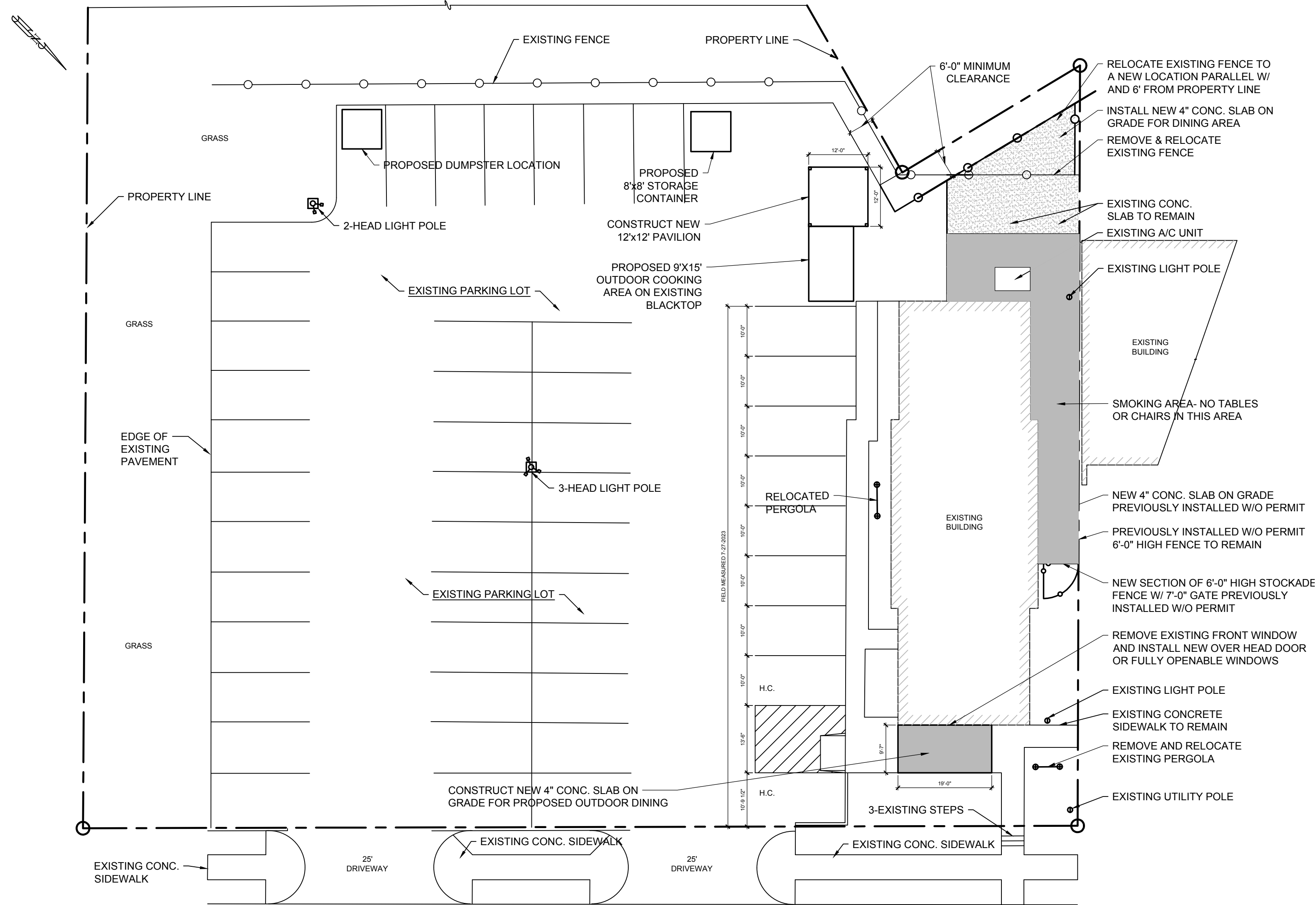


IMAGE OF SITE PLAN

PROPOSED SITE PLAN FOR:
GENEVA'S BLUES HOUSE
SOUTHERN BARBEQUE
357 HOOKER AVENUE
POUGHKEEPSIE, NY 12601

Project Number: 23-16

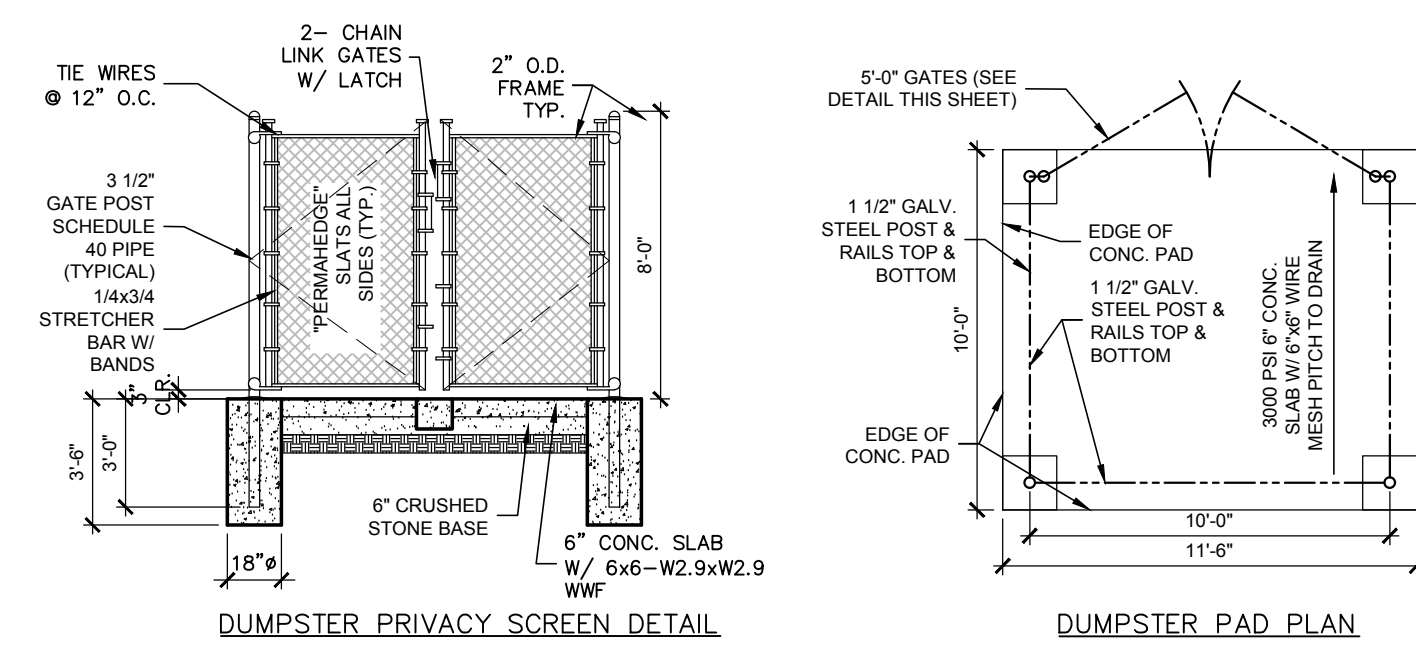




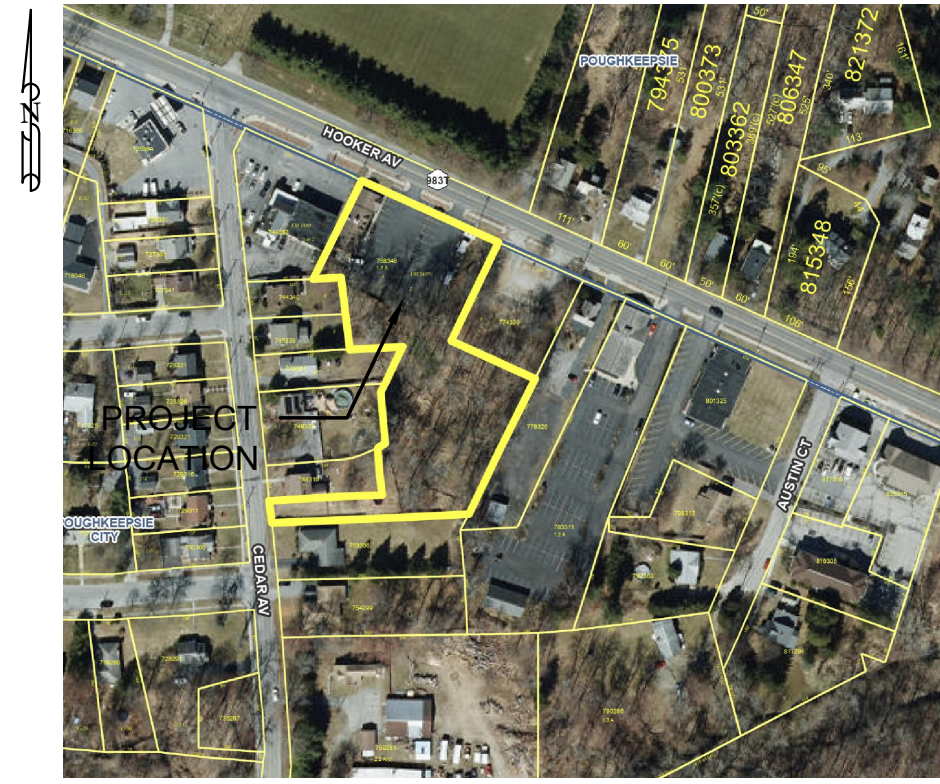
1 SITE PLAN
SP1 SCALE: 1" = 16'-0"



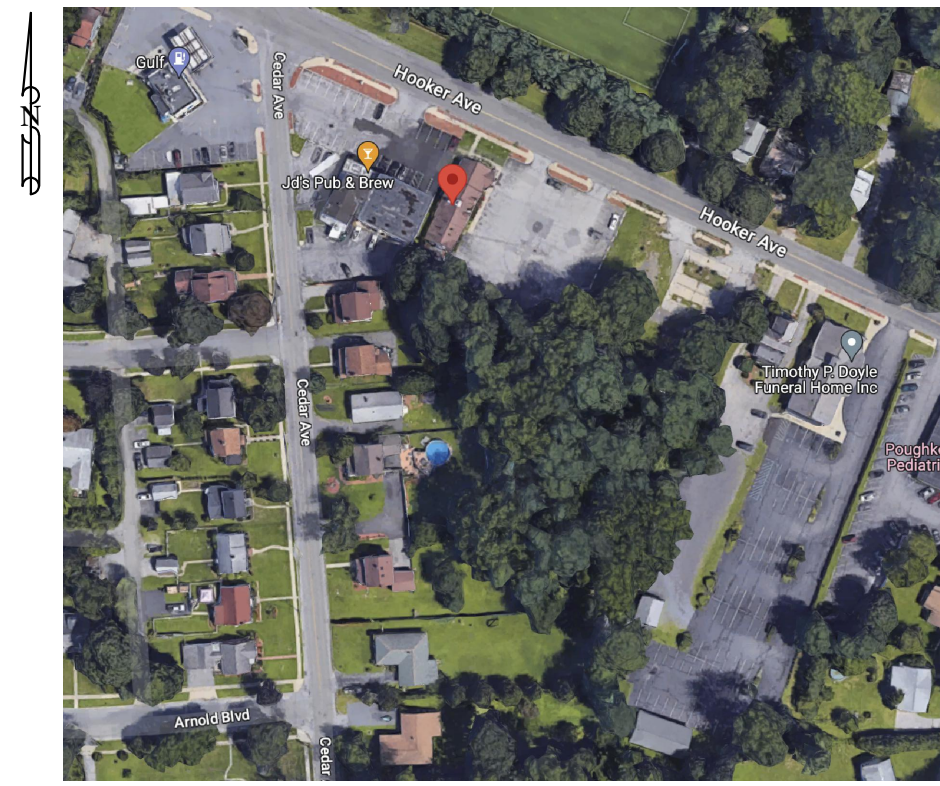
2 EXISTING FRONT ELEVATION
SP1 SCALE: 1/4"=1'-0"



6 DUMPSTER DETAILS
SP1 SCALE: N.T.S.



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.

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			
DRAWN BY:	S.T.T.	CHECKED BY:	C.I.
		06-09-2023 ISSUED DATE:	

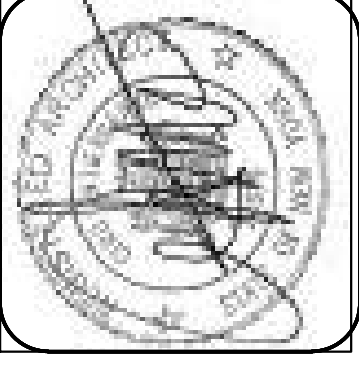
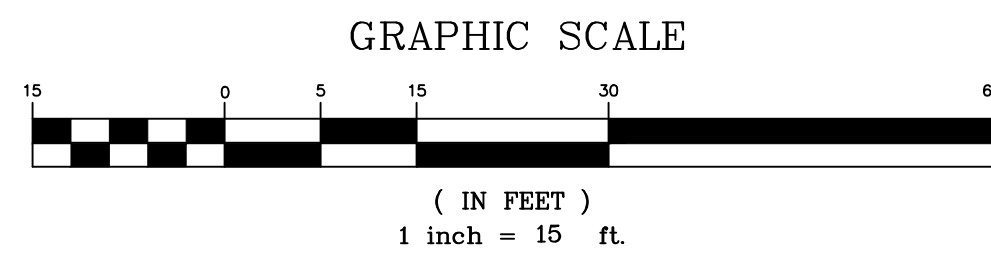
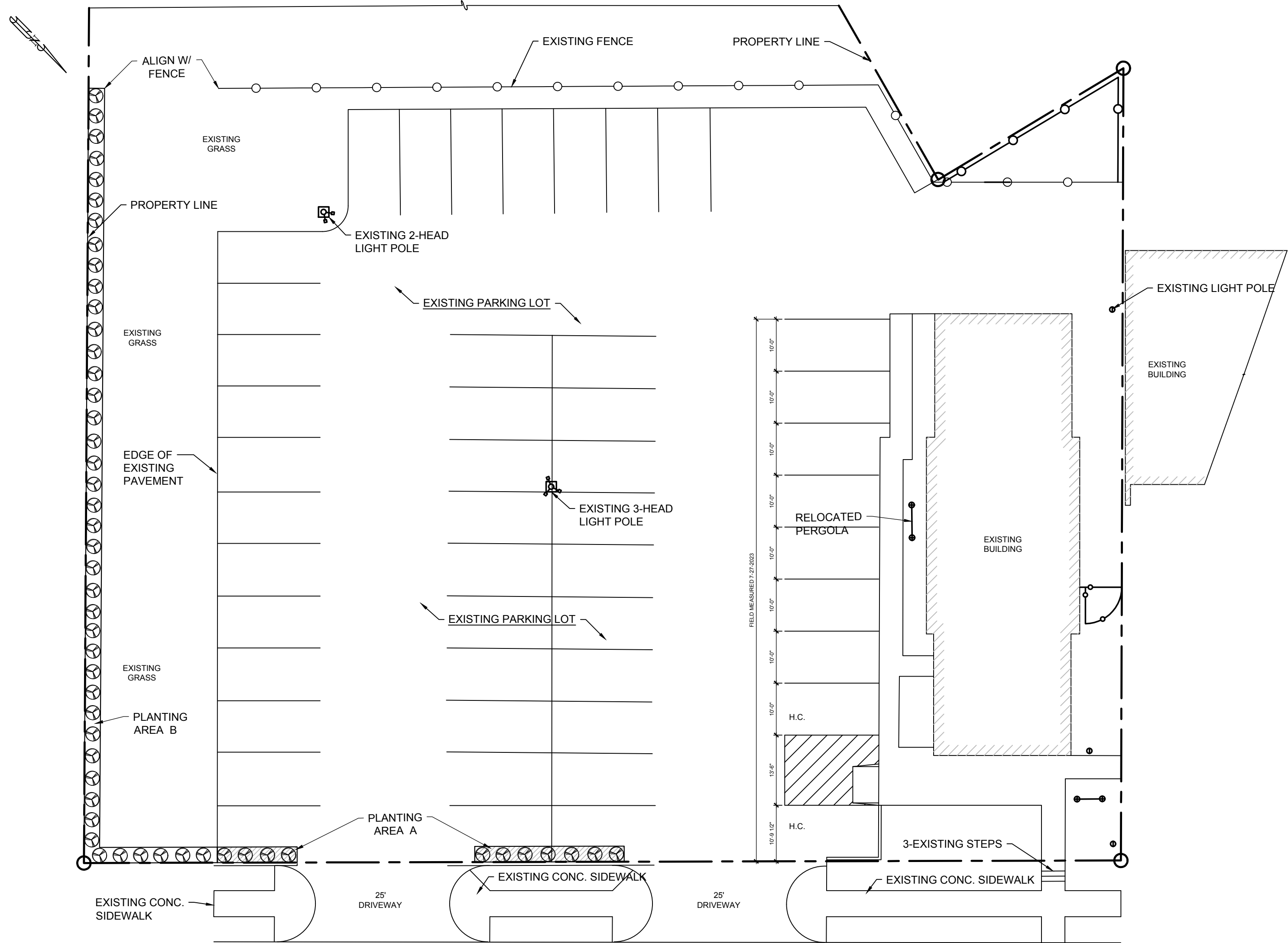


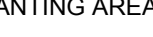
IMAGE OF SITE PLAN
PROPOSED SITE PLAN FOR: GENEVA'S BLUES HOUSE SOUTHERN BARBEQUE 357 HOOKER AVENUE POUGHKEEPSIE, NY 12601

Project Number.	23-16
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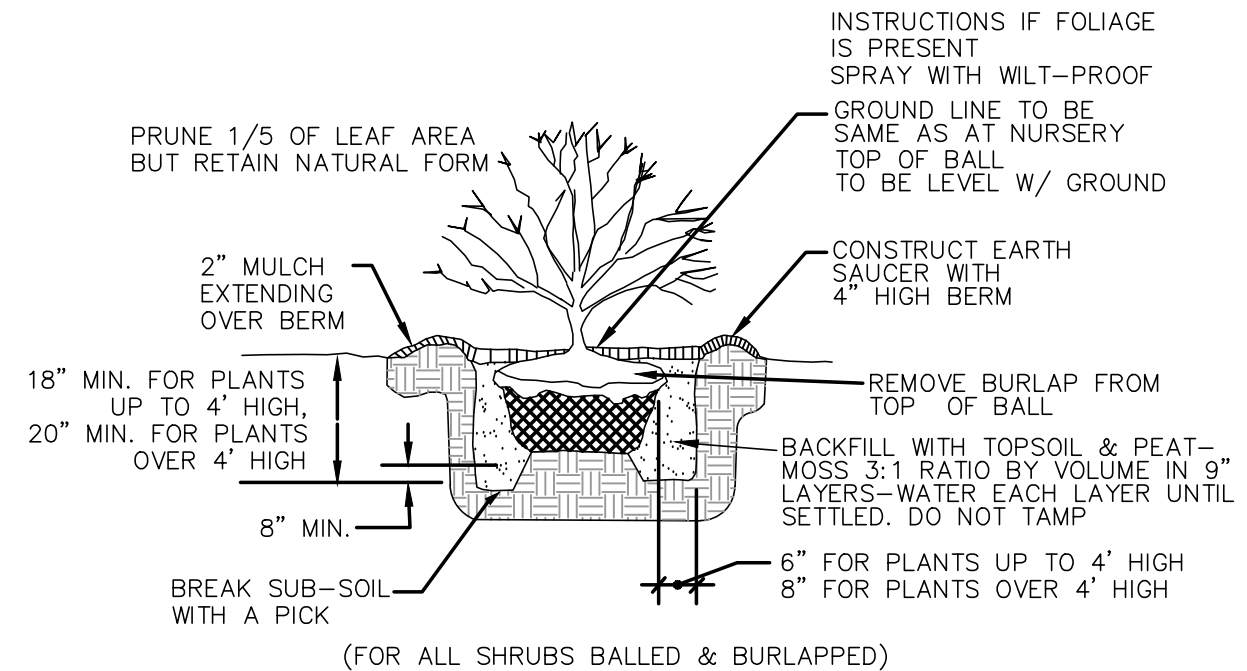




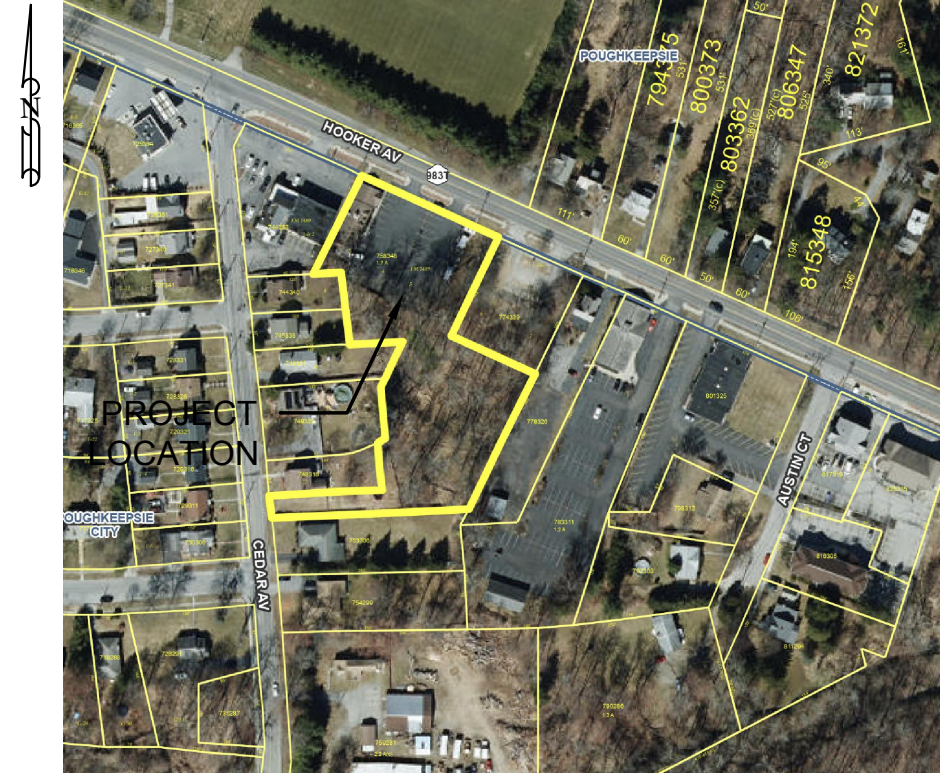
1 SITE PLAN
LP1 SCALE: 1" = 15'-0"

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.

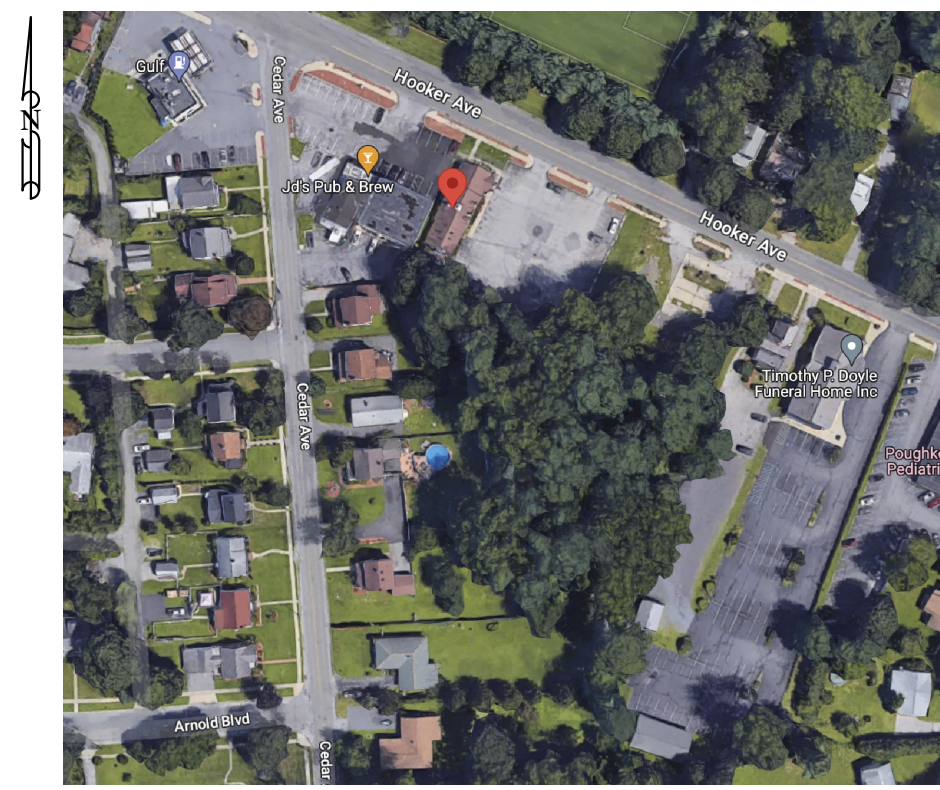
LANDSCAPING SCHEDULE					
TYPE	SYMBOL	QUANTITY	COMMON NAME	MATURE WIDTH	MATURE HEIGHT
SHRUBS		GFS	53	GOLD FLAME SPIREA	3' - 4'
					3'



2 SHRUB PLANTING DETAIL
LP1 SCALE: N.T.S.



3 PARCEL MAP
LP1 SCALE: N.T.S.

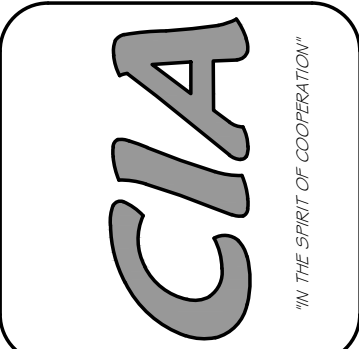


4 GOOGLE MAP
LP1 SCALE: N.T.S.



5 GOOGLE STREET VIEW
LP1 SCALE: N.T.S.

Revisions		No.	Date	Description



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

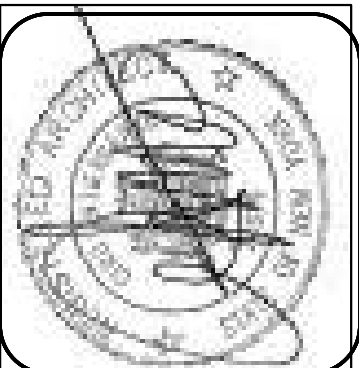


IMAGE OF SITE PLAN	
PROPOSED SITE PLAN FOR: GENEVA'S BLUES HOUSE SOUTHERN BARBEQUE 357 HOOKER AVENUE POUGHKEEPSIE, NY 12601	

Project Number.	23-16
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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: _____		

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

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.



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 25th, 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, the following deficiencies remain;

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 19-4.13(1) requires that all accessory uses be located not nearer than 6' to an adjoining property line; the proposed uses for a smoking area and a dining area are both located on the western property line which would require a variance of 6'.

Please note that this review of plans was conducted on plans submitted through email and the plans were not too scale. Also please note that if all Area Variances are granted by the Zoning Board of Appeals, Site Plan approval from the Planning Board will be required. If Site Plan approval is granted by the Planning Board, then a Building permit will be required to legalize the changes made to the site.

If you have any questions or comments, please feel free to contact me, info is listed below, thanks.



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

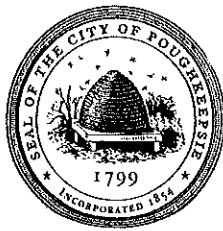
Eric Philipp
Building Inspector

Joseph D. O'Brien

Deputy Zoning Administrator

Office - 845-451-4273

jobrien@cityofpoughkeepsie.com



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

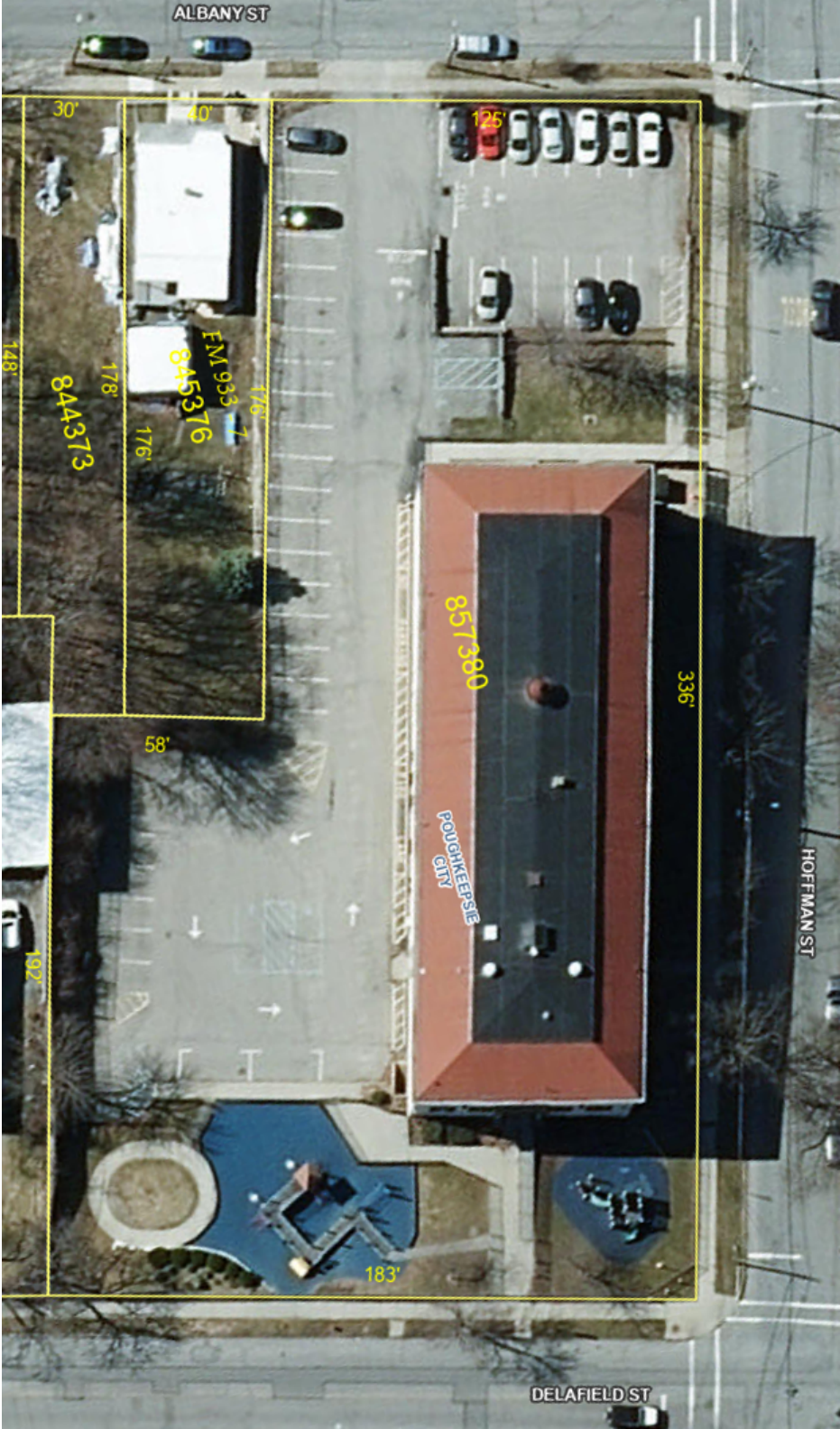
The need for the requested variances is unique to this property and the existing conditions. Being a lot with streets on three sides, only the south side of the building is considered a side yard where the outdoor heat pump units would be permitted. This side of the building cannot accommodate the heat 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 a cursive "Diesing".

Jay Diesing RA AIA



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

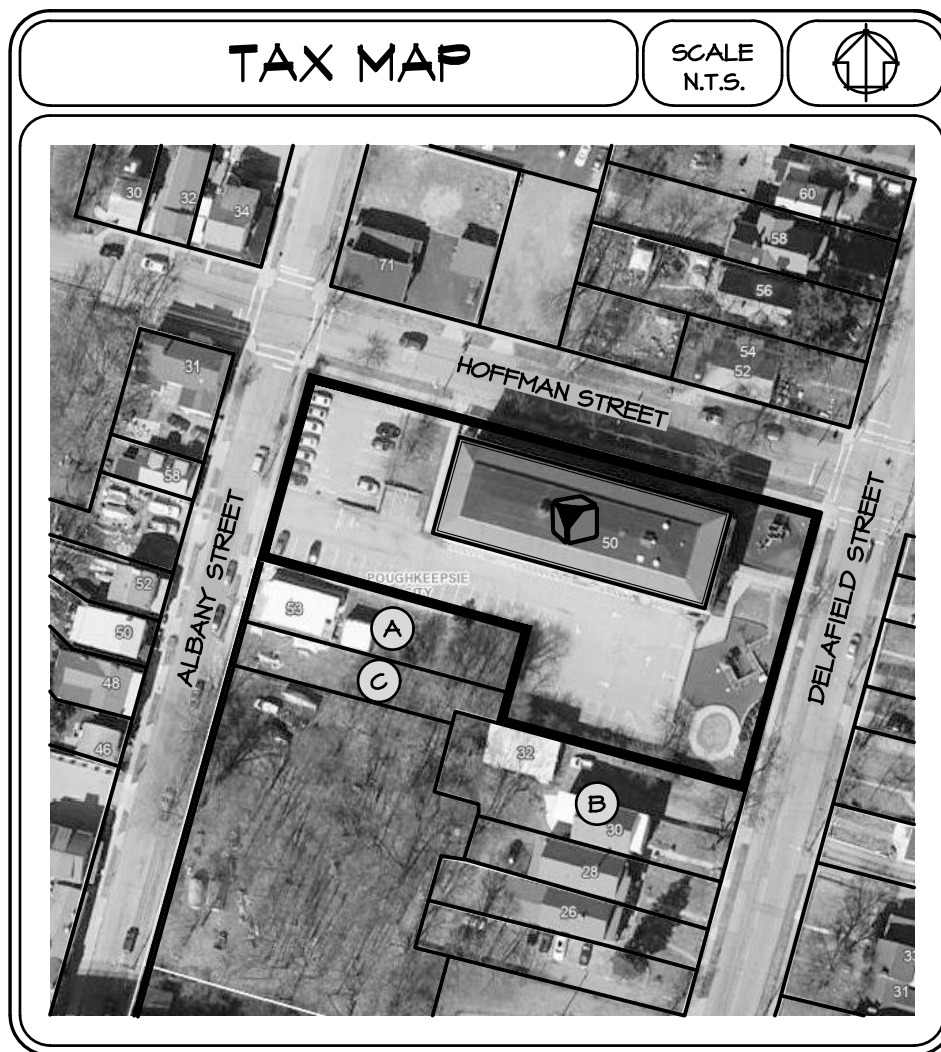
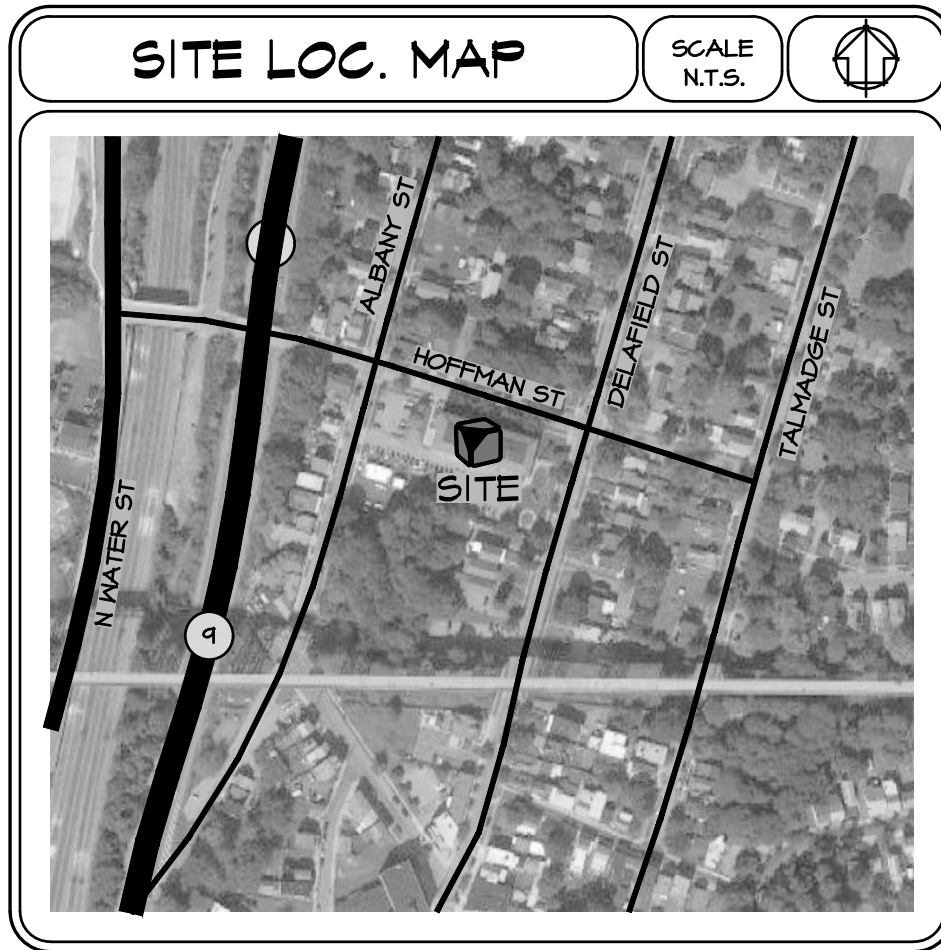
☒ For Your Approval
☐ Approved

☐ 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)	6062-67-044313	FEDOR IRKLIENSKI 53 ALBANY ST POUGHKEEPSIE, NY 12601



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

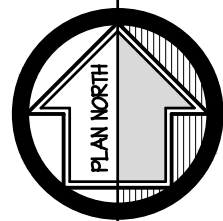
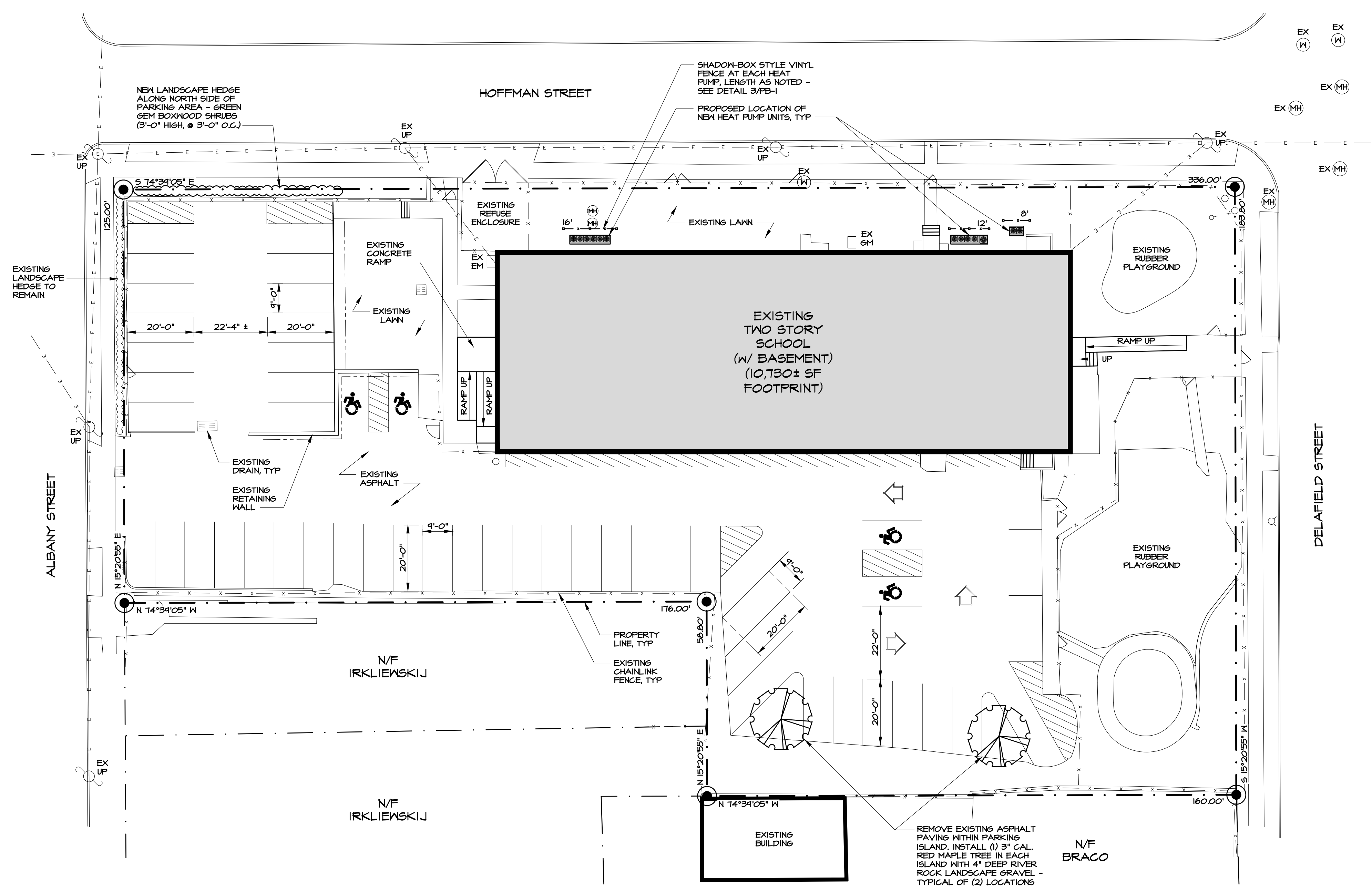
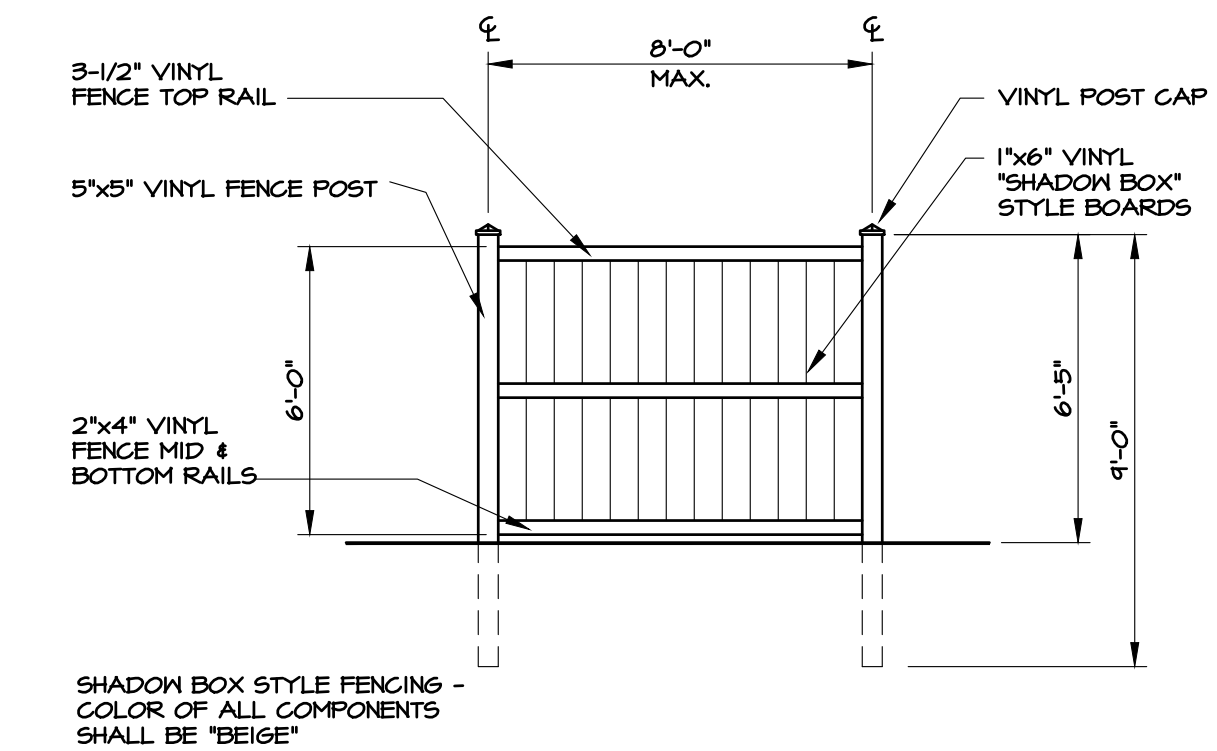
THE UNDERSIGNED APPLICANT(S) FOR THE PROPERTY AND THE UNDERSIGNED OWNER(S) OF THE PROPERTY SHOWN HEREIN CERTIFY THAT THEY ARE FAMILIAR WITH THIS MAP AND ITS NOTES AND ITS CONTENTS AS STATED HEREON INCLUDING ALL CONDITION OF APPROVAL.

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.

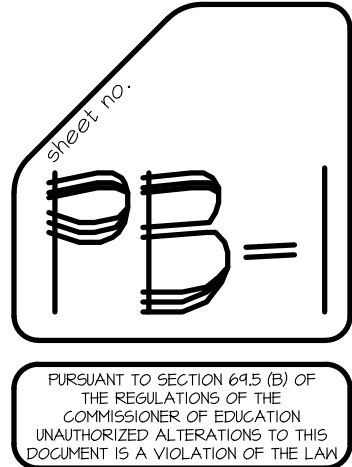
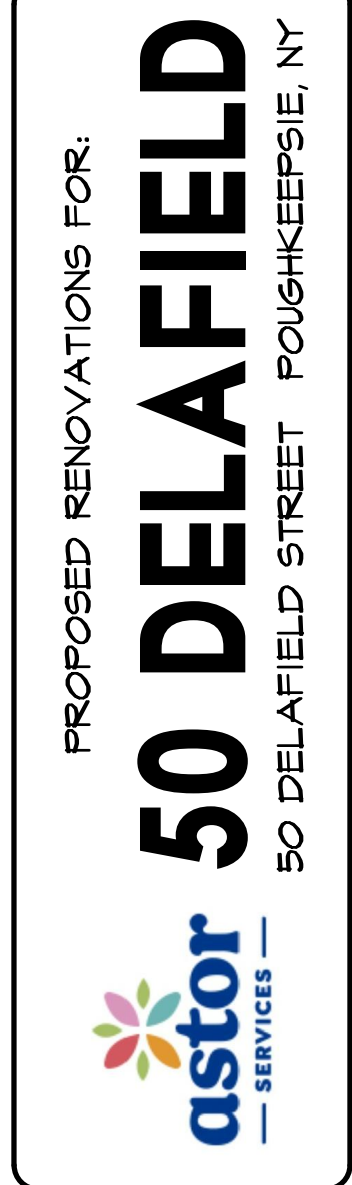
OWNER DATE
APPLICANT DATE

DEPARTMENTAL SIGNATURES

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



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



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: _____ _____ _____			

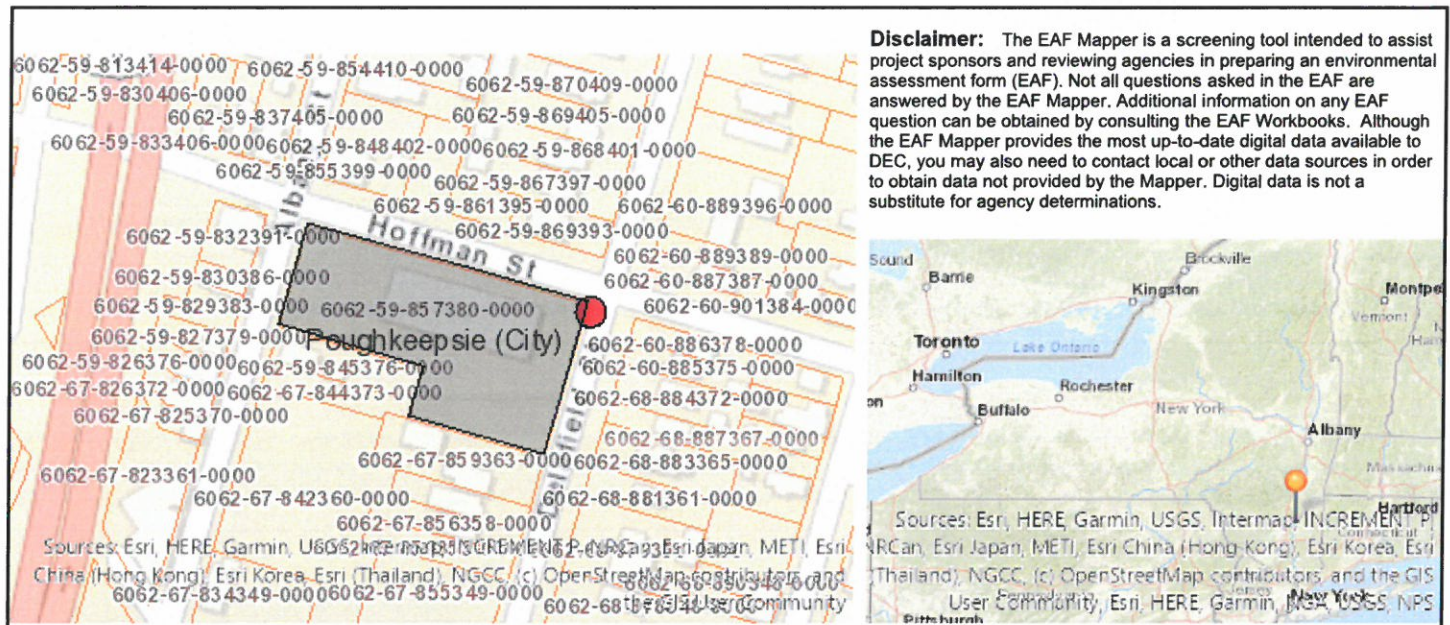
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or 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: \$1000.00

CODE: A2112

ID# _____

IPS# _____

ZONING BOARD OF APPEALS USE VARIANCE APPLICATION

PROPERTY ADDRESS: 134 Smith Street

ZONING DISTRICT: R4D

OWNER INFORMATION:

Name: Insan Nesheiwat

Address: 27 Richies Way

Pleasant Valley, NY 12569

Phone: 845-471-9370

Email: Assistant@Z3consultants.com

APPLICANT INFORMATION:

Name: Gary E. Beck Jr., Z3 Consultants

Address: PO Box 363

La Grangeville, NY 12540

Phone: 845-471-9370

Email: Assistant@Z3consultants.com

CONSULTANT INFORMATION:

Name: Gary E. Beck Jr., Z3 Consultants

Address: PO Box 363

La Grangeville, NY 12540

Phone: 845-471-9370

Email: Assistant@Z3consultants.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: Judith Knauss, Deputy Zoning Admin

Date of decision/determination/violation: March 15, 2022 email

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

ZONING BOARD OF APPEALS USE VARIANCE APPLICATION
PROPERTY ADDRESS: 134 Smith Street

USE VARIANCE REQUESTS

SECTION	PROHIBITING	TO ALLOW
<u>19-3.31(2)</u>	<u>Retail Use - Reestablish</u>	<u>Convenience Store</u>
<u>19-5.1(1)(d)</u>	<u>a non-conforming use</u>	<u>a non-conforming use</u>
_____	_____	_____
_____	_____	_____

VARIANCE REQUEST JUSTIFICATION

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

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

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

ZONING BOARD OF APPEALS USE VARIANCE APPLICATION
PROPERTY ADDRESS: 134 Smith St

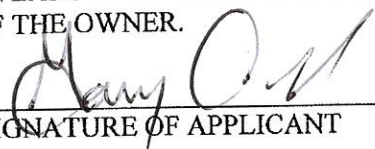
LIST OF REQUIRED ATTACHMENTS

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

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

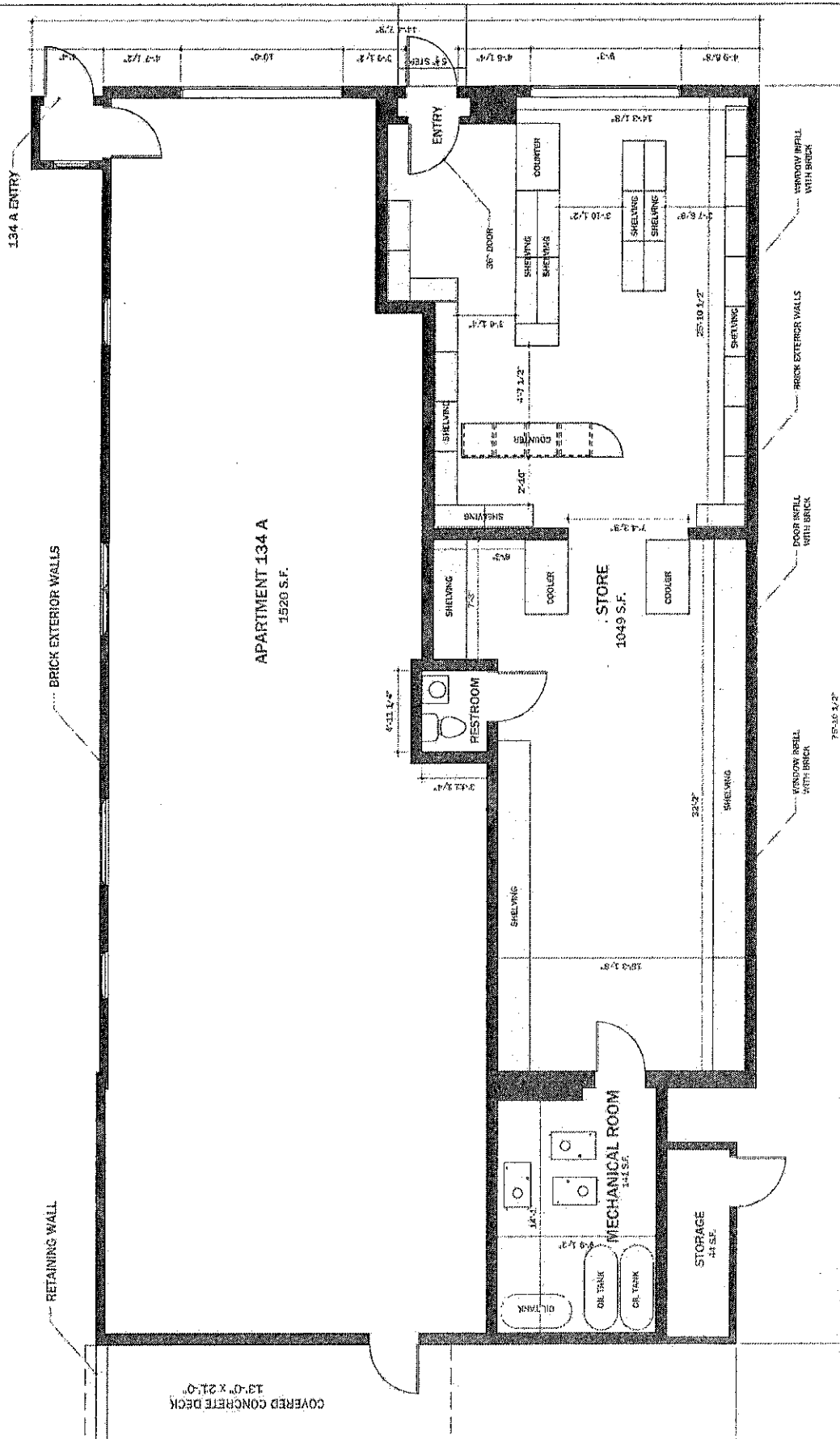
6-8-23
DATE



NOTES

1. BUILDING IS A ONE-STORY STRUCTURE
2. BUILDING HAS ONLY 8 BRICK EXTERIOR
3. PLANS REPRESENTS EXISTING CONDITIONS

COVERED CONCRETE DECK
13'-0" X 21'-0"



1 EXISTING FLOOR PLAN

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: <u>IMSAN NESHEI WAT</u>			
Project Location (describe, and attach a location map): <u>134 Smith Street, Poughkeepsie 12601</u>			
Brief Description of Proposed Action: <u>we are looking for approval from the ZBA to create a convenience store on the vacant part of 134 Smith St.</u>			
Name of Applicant or Sponsor:		Telephone: <u>845-471-9370</u>	
<u>Gary E Beck Jr, Z3 Consultants</u>		E-Mail: <u>assistant@Z3consultants.com</u>	
Address: <u>PO BOX 363</u>			
City/PO: <u>La Grangeville</u>		State: <u>New York</u>	Zip Code: <u>12540</u>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		☐	☒
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: <u>City of Poughkeepsie Building Dept. & Zoning Board</u>		☐	☒
3. a. Total acreage of the site of the proposed action?		<u>.13</u> acres	
b. Total acreage to be physically disturbed?		<u>—</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>.13</u> 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 C. [Signature]</u> <u>Gary E. Beck JR</u> Date: <u>6-8-23</u> Signature: <u>[Signature]</u> Title: <u>PRES</u>		

Project: Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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)?	☒	☐
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?	☒	☐

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

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 FORM



**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: Gary E. Beck Jr, Z3 Consultants

From: Tyler Maegerle, Junior Planner

Date: 7/18/2023

Re: 134 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 the construction of a convenience store.

Based on the above description it is the determination of the planning division staff that the proposed action is classified as an Unlisted Action with regards to SEQRA, and therefore is subject to an uncoordinated or coordinated (optional) environmental review. This determination was made due to the fact that the proposed action was not expressly listed in 6 NYCRR Section 617.4 (Type I Actions) or 617.5 (Type II Actions).



134 Smith Street, Poughkeepsie



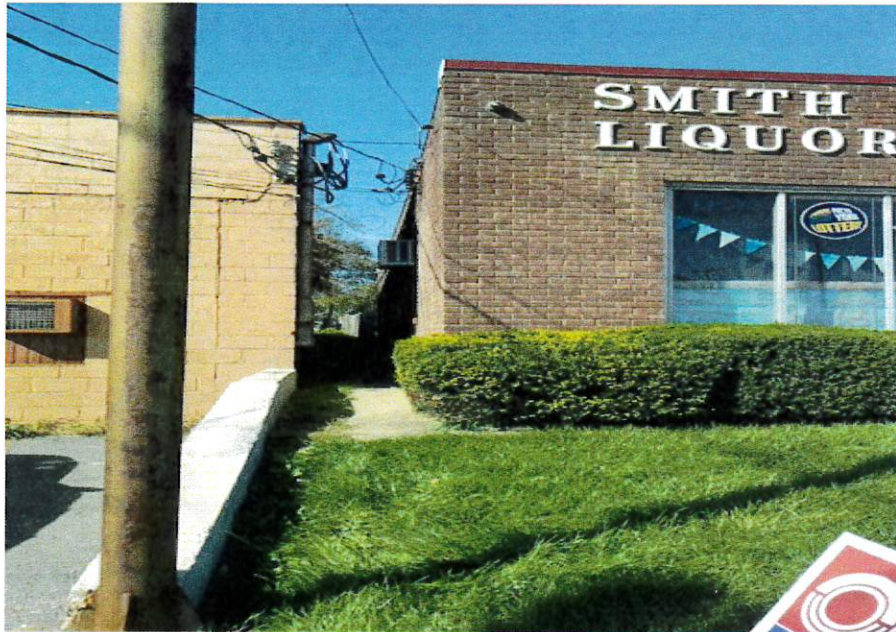


134 Smith Street, Poughkeepsie





134 Smith Street, Poughkeepsie





1. SUBDIVISION IS A ONE-STORY STRUCTURE
2. BUILDING HAS CMU & BRICK EXTERIOR
3. PLAN REPRESENTS EXISTING CONDITIONS.

EXISTING FLOOR PLAN



OAKLEY ST

SMITH STREET

SIDEWALK

EXISTING SITE PLAN

3

SCALE 1" = 20'

ZONING BOARD OF APPEALS CITY OF POUGHKEEPSIE

Property Location:
134 Smith Street

Submitted By:
Z3 Consultants, Inc.
464 Freedom Plains Road
Poughkeepsie, NY 12603

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INTRODUCTION

We are seeking approval from the ZBA to allow 134 Smith Street to be used as a convenience store. The definition of Convenience Store is as follows:

CONVENIENCE STORE

Any retail establishment having a gross floor area of no more than 4,000 square feet and whose primary offering is sale of prepackaged food products, with sale of ancillary items, such as household items and other goods commonly associated with the same.

From <<https://ecode360.com/27015546?highlight=store&searchId=43103263131934022#27015546>

It is the belief of the owner that the requested variance will not be detrimental to the health, safety, and welfare of the neighborhood, nor to the City of Poughkeepsie. This property was once a liquor store for many years, with the other half as a residential rental unit. It is currently half occupied by the long-standing tenant.

This is an appeal in accordance with 19-8.4 Powers and Duties. (1) Interpretation. On appeal from an order, requirement, decision, or determination made by and administrative official or on request by an official, board or agency of the City, to decide any one of the following questions: (c) approval for change of a legal nonconforming use, pursuant to section 19-5.1(1) of the Zoning Ordinance of the City of Poughkeepsie.

Section 19-5.1 Nonconforming uses.

- (1) Except as provided hereinafter, nonconforming use of buildings or open land, regardless of change of title, possession, or occupancy or right thereof, may be continued indefinitely, except that such building or use:

(c) 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.

THE PROPERTY

- 134 Smith Street was built in 1938.
- The property consists of .13 acres with a 3,040 square feet one-story block building. Half of the building is currently occupied by a residential apartment.
- The property is in the **R&D** zoning district. *Purpose of district.* The purpose of this district is to provide areas for high-performance industrial-type uses with little or no truck traffic or noise-generating activity, in accessible locations and in a more open setting which will provide jobs or strengthen the tax base, as well as provide an opportunity to allow economic development that can serve as a buffer between residential areas and more intensive and objectionable industrial or general commercial uses.
- The building was converted into two separate spaces.
- The apartment is 1,520 sq feet
- The retail side is 1,049 sq feet
- For 23 years, this property was operating as Smith Street Liquors until the owners passed away and the building was sold.

Use Variance

Reason for appeal: -

- A) The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence. (The applicant must demonstrate, by competent financial evidence, that they cannot realize a reasonable financial return on their property for any of the currently permitted uses in the Zoning District. The financial statement should relate only to the subject property and not to the applicant's personal finances.

Outfitting this space for any of the allowable uses will not provide a reasonable rate of return for the owner. Some of the allowable uses would not be appropriate for the space that is available. The allowable uses for this site along with a cost of construction and/or reason they would not work in the space are:

1. Businesses and professional offices: if this space were converted to an office space for rent, the rough estimated cost of construction would be approximately \$342,000.00 and money for this would be made back over a fifteen-year period.
2. Medical laboratories: along with the cost of construction, there is nowhere safe for a medical dumpster to be placed on the property.
3. Research, design and development laboratories devoted exclusively to research, product development and testing, engineering, and sales development: along with the cost of construction, this space is not large enough for a research and design laboratory.
4. Conference and meeting facilities: along with the cost of construction, there is not an overwhelming need for renting out a conference or meeting space. There is no available parking lot, and street parking would not be sufficient to accommodate a conference or meeting space.
5. Residential development, subject to the requirements of High-Density R-5 District Permitted Uses [Section 19-3.16(2)], and further subject to all other requirements applicable to the High-Density R-5 District residential development, including without limiting the generality of the proceeding all lot and bulk requirements, parking and loading requirements and landscaping and screening requirements applicable to R-5 District development: if this space were converted to a residential space for rent, the rough estimated cost of construction would be approximately \$230,050.00 and money for this would be made back over a fifteen-year period.
6. Municipal parks and recreational facilities, including refreshment and service buildings accessory thereto and any other governmental uses and structures of the City of Poughkeepsie, the County of Dutchess or the state or federal governments or agencies thereof: You would have to demo the entire building, eliminating someone's current home, to build a park or recreational facility. There is no money to be made for the owner with this option, nor is there a want/need for a park in the middle of a metal shop and Central Hudson gas pipes, lines, and containers.

- B) **The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood (Please explain how the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. For example, does the subject property have unique constraints or characteristics not found in other properties in the district or neighborhood?)**

The building is a small commercial building that has operated for years as a liquor store. The building is uniquely situated for this specific use. Many of the surrounding buildings in this R&D District are large manufacturing buildings with large areas for parking and for heavy machinery or shipping trucks to park or be loaded with material. Because of its lack of parking, it is unlikely to be able to be used for business or professional offices, medical laboratories, residential development, or a municipal park. The convenience store is a business where patrons spend little time in the location and allows for extremely limited parking. This building is unique to most of the other buildings in the district and cannot be used for any of the permitted uses.

Some of the properties surrounding this lot are:

1. EFCO Products: Global food and beverage supplier offering sweet and savory products such as bakery fillings, bakery mixes, bakery concentrates, beverage bases and syrups, sauces, spreads, and fruit toppings: Spans multiple addresses, over 40,000 SQFT
2. Cottage Industrial Park (130 Smith St): EFCO Products
3. CHG&E Corp – Vacant Lot
4. 165 Smith Street (Phi-Tan LLC): MPI Machine, robotics: 31,502 SQ FT
5. 167 Smith Street (Bleakley & Sons INC): Vehicle alignment and repairs 4,130 SQ FT
6. 132 Smith Street (Lory Properties Corp.): Mid-Hudson Platers, repair shop, and metal plating: 4,000 SQ FT

- C) **The requested use variance, if granted, will not alter the essential character of the neighborhood. Explain fully how the character of the neighborhood will not be altered and the intent of the Zoning Ordinance will not be adversely affected.**

Under the applicable Zoning Regulations this parcel is deprived of all economic use and benefit since the district the building it is in is for high-performance industrial type uses. Having this building occupied as a convenience store will allow for proper maintenance of the grounds and the building. The building's historical use as a retail store will not change the historic character of the neighborhood but would contribute to it. Because of this, the area change will not produce an undesirable change in the character of the neighborhood nor be a detriment to nearby properties and will not be another abandoned building in the City of Poughkeepsie. The neighborhood will not be impacted by any additional construction, as street parking is already accessible and will be utilized. If granted, there will be no traffic concerns as this is not a high-density residential area. The essential character of the neighborhood will not be altered. Recently, this building has operated as a liquor store for over 25 years. Having a convenience store in this area will bring money and business into the city as well as create jobs.

D) Is the alleged difficulty self—created? Explain fully how the hardship is not self-created.

This hardship is not self-created, the property was purchased at auction on 09/23/2021, by new owner Ihsan Nesheiwat, with the intent to re-establish as Smith Street Liquor. The owner/operator of Smith Street Liquors passed away in 2016. She was predeceased by her husband, so her family was responsible for selling the liquor store. The family took their time in finding just the right person to take over the liquor store, so they kept the liquor license up until they found the right person. Unfortunately, as the liquor license expired, it could not be reinstated. We came before the board many months ago to re-establish the use of a liquor store, and we were denied this use. The owner tried to sell the building, and it was listed on the market for about 6 months with no luck. He has since pulled it off the market and is now trying to see if he can turn this half vacant piece of property into a convenience store.

Background

- The property was sold by Absolute Auction on 9/23/21

DISCUSSION

The Liquor Store was in operation for about 20 years without increased noise, traffic, or any incidents. We would like to have the Board consider approving this proposed use of a convenience store as a legal nonconforming use which we believe is an appropriate nonresidential use commensurate with the neighborhoods and proximity to the major transportation arteries and more restrictive in nature than the prior uses.

From: Knauss, Judith
Sent: Tuesday, March 15, 2022 7:00 PM
To: assistant@z3consultants.com; Quinn, Natalie <NQuinn@cityofpoughkeepsie.com>
Cc: 'Gary Beck' <garybeck@z3consultants.com>
Subject: RE: 134 Smith Street

Hi, Kara.

The Zoning Ordinance does not distinguish between most types of retail uses, so it isn't the fact that it's a liquor store that is an issue. Retail uses are not permitted in the R&D District, so a grocery store would face the same process.

We have recently received some guidance relative to the criteria for use variances from our Corporation Counsel, Rebecca Valk. Natalie will be in touch sometime next week to provide you with this information.

Additionally, the City is in the middle of a comprehensive planning process that includes a major revision of the Zoning Ordinance that may impact this property (and many others). It might be worth it to the applicant to wait until that process is completed. We are hoping it will be done by August 2022.

Very truly yours,
Judith

From: assistant@z3consultants.com [mailto:assistant@z3consultants.com]
Sent: Tuesday, March 15, 2022 12:41 PM
To: Quinn, Natalie <NQuinn@cityofpoughkeepsie.com>; Knauss, Judith <JKnauss@cityofpoughkeepsie.com>
Cc: 'Gary Beck' <garybeck@z3consultants.com>
Subject: 134 Smith Street

Hi Natalie and Judith,

I wanted to reach out to get your thoughts on amending our current application on file for 134 Smith Street. We would like to see if we could take the idea of re-establishing the liquor store off the table and instead do a grocery store along with the ability to sell beer and wine. Please let me know if this is something the ZBA would feel comfortable with.

THANK YOU,

KARA BUCHER



Z3 Consultants Inc.
PO Box 363
LaGrangeville, NY 12540

Office 845-471-9370
Fax 845-625-1479

Lori Garcia

From: Judith Knauss
Sent: Thursday, August 10, 2023 1:06 PM
To: assistant@Z3consultants.com
Cc: Lori Garcia; Joseph O'Brien; Tyler Maegerle; Rebecca A. Valk
Subject: 134 Smith Street

Dear Sir/Madam:

The Development Department is in receipt of your application for use variance relative to the property at 134 Smith Street. This application requests a variance of Section 19-3.31(2) of the Zoning Ordinance to allow a "convenience store," which the application further characterizes as a nonconforming use. The application further characterizes itself as an appeal of an email determination rendered by me on March 15, 2022.

Please note that Section 19-8.5(2) of the Zoning Ordinance provides that an appeal must be made within 60 days of the action being appealed. Therefore, your appeal is not timely. Additionally, the email which is being utilized as the basis for the appeal was not a determination, per se, but a response to an email dated March 15, 2022 from you relative to the possibility of changing the proposal on the table at that time from a liquor store to a grocery store. It must also be noted the specific term used in that email was "grocery store," versus "convenience store," which is referenced in the current application.

In order for the new application to move forward, it will be necessary for you to:

- 1) Formally withdraw the application filed on 11/23/21, which was previously put on hold;
- 2) A letter detailing the new proposal, describing the hours of operation and products to be sold, and including a floor plan showing the store area and any storage areas.

Once these items have been received, a new determination letter will be issued.

Please feel free to contact Deputy Zoning Administrator Joe O'Brien should you have any questions in this regard.

Very truly yours,
Judith Knauss
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: 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?

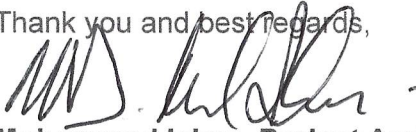
No, the building will not impact the physical or environmental conditions in the neighborhood or district. The building will have an upgraded mechanical, electrical and insulation system which will use less energy and retain heating and cooling within the building. The building is not expanding to cause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

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 RESIDENCE

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 ZONE ALSO KNOWN AS A SPECIAL FLOOD ZONE WITH A 1% ANNUAL CHANCE OF FLOOD.
4. ZONE-A DOES NOT HAVE A DESIGN 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 & NYSTRECH
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

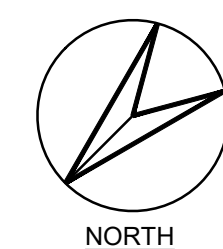
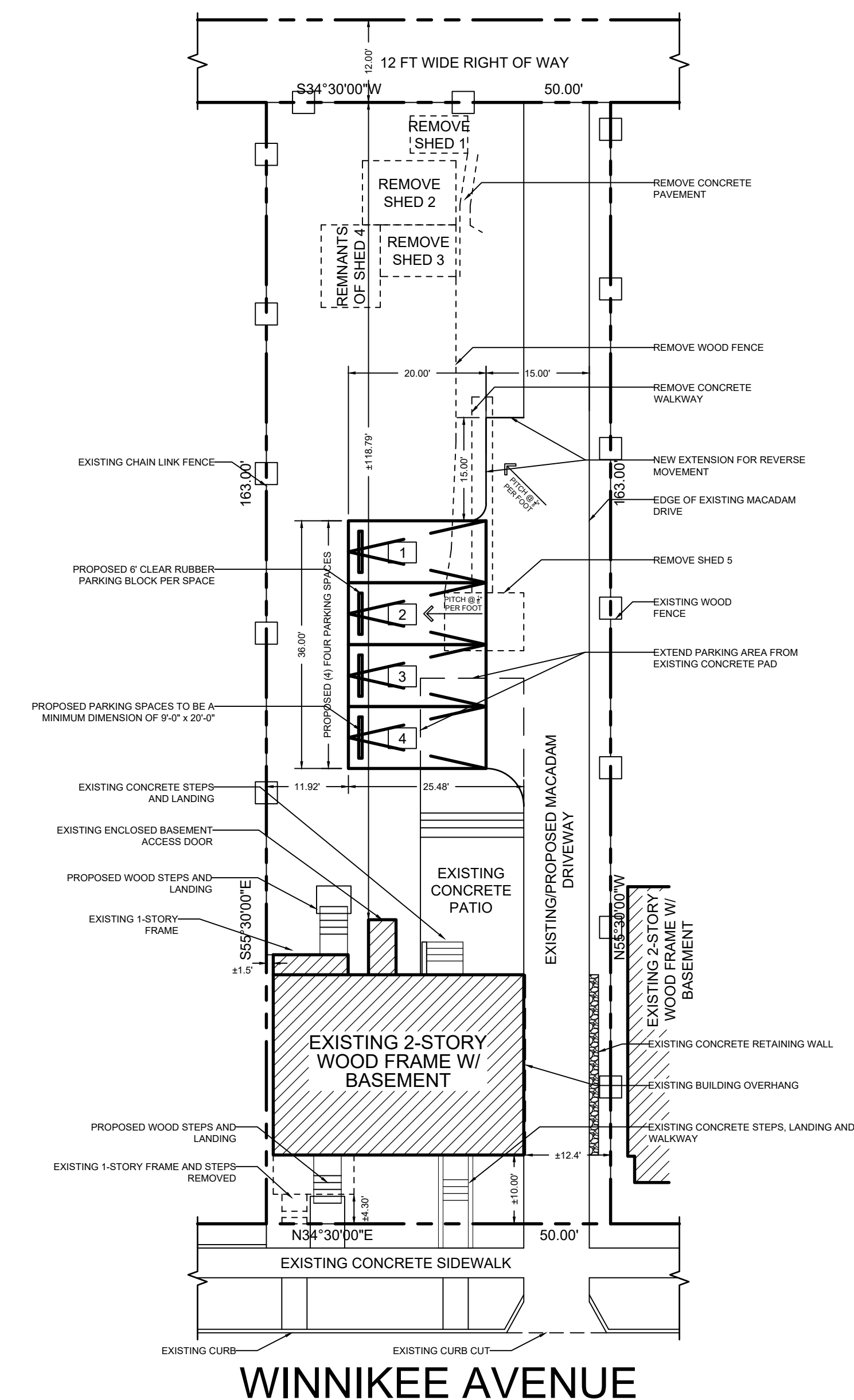
AFFECTED AREA OF SCOPE	
TOTAL EXISTING AREA	3,092.14 SF
TOTAL AFFECTED AREA	2,544.21 SF
TOTAL AFFECTED PERCENTAGE	82.27 %
TOTAL REMOVED AREA	106.64 SF
TOTAL REMOVED PERCENTAGE	3.44 %
TOTAL ADDED AREA	84.66 SF
TOTAL ADDED PERCENTAGE	2.73 %

- 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.

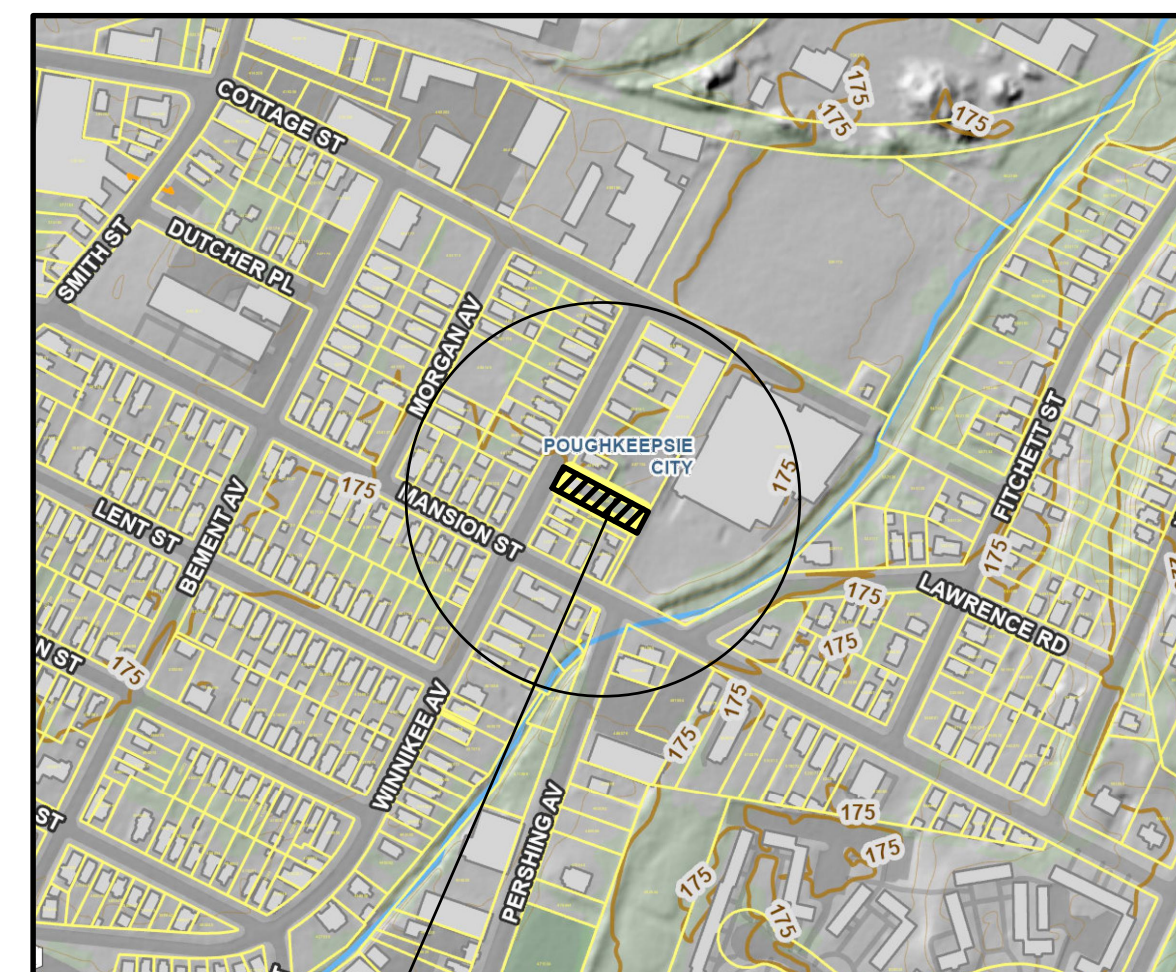
REMOVE IMPERVIOUS SURFACES	
FRONT STEPS AND 1-STORY FRAME	-71.96 SF
STEPS AT REAR FROM APT. 2	-20.67 SF
SHED 1	-45.14 SF
SHED 2	-126.78 SF
SHED 3	-82.5 SF
SHED 5	-96.79 SF
CONCRETE WALKWAY	-124 SF
TOTAL REMOVED IMPERVIOUS AREA:	567.84 SF
TOTAL IMPERVIOUS AREA:	3401.21 SF

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.



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

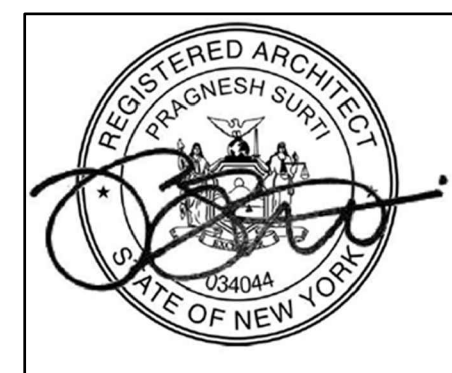
PROJECT NAME:	
---------------	--

23-001

DRAWING TITLE:

TITLE SHEET, DRAWING LIST,
ZONING, PLOT PLAN

SEAL & SIGNATURE



BUILDING DEPARTMENT	DATE:	04 APRIL, 2020
	PROJECT NO:	23-000
	DRAWN BY:	M
	SCALE:	AS-NOTED
	DRAWING NO:	T-100.00
		01 OF 05

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

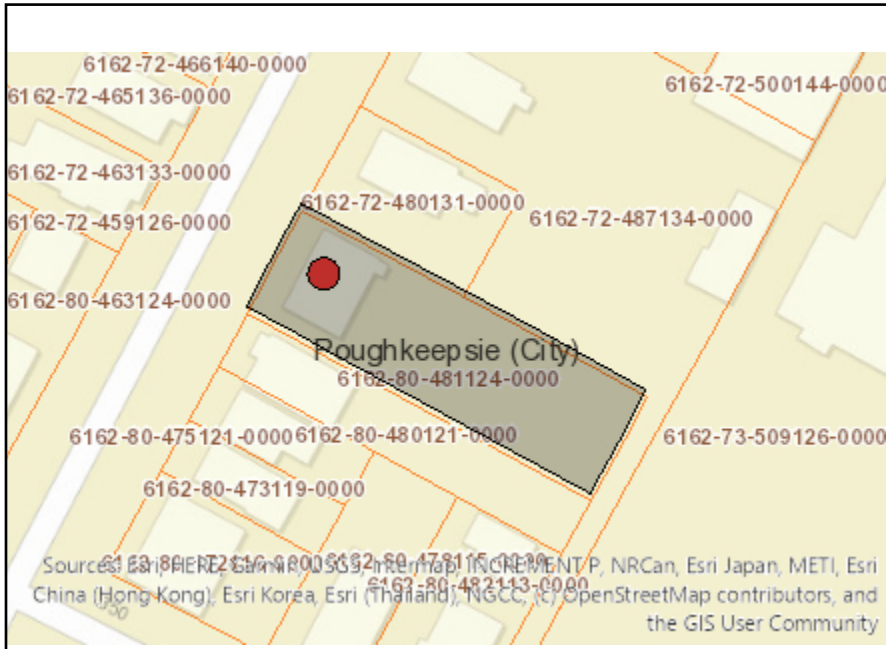
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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



**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.

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.


MOHAMAD 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 (Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken).


Signature and Office of individual
taking acknowledgment

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

Signature and Office of individual
taking acknowledgment

MORTGAGE NOTE

SECTION	6162
BLOCK	80
LOT	481124
COUNTY	DUTCHESS
CITY	POUGHKEEPSIE

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

MOHAMAD K. SALAMEH

POUGHKEEPSIE
196 WINNIKEE AVENUE
POUGHKEEPSIE, NEW YORK 12601

To

SAMMY PROPERTIES, INC.

RECORD AND RETURN BY MAIL TO:

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

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.



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

ZONING BOARD OF APPEALS USE VARIANCE APPLICATION

PROPERTY ADDRESS: 27 SOUTH CLINTON STREET
ZONING DISTRICT: R-2A

OWNER INFORMATION: QUINCY WILLIAMS
Name: 27 SOUTH CLINTON, LLC
Address: P.O. BOX 372
LAGRANGEVILLE, N.Y. 12540
Phone: 845-453-5223
Email: 382KCC@GMAIL.COM

APPLICANT INFORMATION:
Name: 27 SOUTH CLINTON, LLC
Address: P.O. BOX 372
LAGRANGEVILLE, N.Y. 12540
Phone: 845-453-5223
Email: 382KCC@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 D. O'BRIEN
Date of decision/determination/violation: 8/2/23 LETTER

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

ZONING BOARD OF APPEALS USE VARIANCE APPLICATION
PROPERTY ADDRESS: 27 SOUTH CLINTON STREET

USE VARIANCE REQUESTS

SECTION	PROHIBITING	TO ALLOW
19-3.13.1(2)	MULTIFAMILY	MULTIFAMILY
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

VARIANCE REQUEST JUSTIFICATION

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

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

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

ZONING BOARD OF APPEALS USE VARIANCE APPLICATION
PROPERTY ADDRESS: 27 SOUTH CLINTON SEE

LIST OF REQUIRED ATTACHMENTS

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

SEE EXHIBIT "A"

SEE EXHIBIT "B"

SEE EXHIBIT "C"

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

8/16/23
DATE

27 South Clinton USE VARIANCE EXHIBIT "A"

- 1. The applicant cannot realize a reasonable return. Please review the attached financial evidence.**
- 2. The hardship is unique to this property. The property was previously occupied by a single-family home which was destroyed by fire, making the empty building lot available for purchase and development.**
- 3. The construction of the new six unit apartment building will not change the essential character of the neighborhood. There are a number of apartment buildings scattered throughout the surrounding neighborhood. (See the attached list exhibit B). The construction of the new building on this empty lot, with the major mass of the building, facing a three lane arterial high speed highway would not diminish the character of the existing neighborhood. The lot is more suitable for commercial development, considering that the majority of its frontage faces a main highway.**
- 4. The hardship is not self-created. The property is more suitable for commercial development as similar to commercial developments along the main highway, a block or two further to the east and the west. Perhaps a highway development zone allowing for multiple uses, including commercial and residential uses should be delineated along such a major highway.**

27 South Clinton USE VARIANCE EXHIBIT "B"

LIST OF MULTIPLE RESIDENCE OCCUPANCIES NEAR BY

25 Hammersley Avenue 8 units no off street parking

22 Forbus Street newly renovated 4 units no off street parking

40 Virginia Avenue 4 units no off street parking

13 Virginia Ave 4 unit

46 South Clinton 4 units

41 South Clinton 3 units

6 State Street 8 units no off street parking

31 South Clinton 3 units

27 South Clinton LLC

**FINANCIAL EVIDENCE/DUE DILIGENCE OF PURCHASE 27 South Clinton
STREET POUGHKEEPSIE, NY 12601**

COVER LETTER 8-22-2023

(i) The Applicant must demonstrate component financial evidence that they cannot realize a reasonable return for the initial investment on their property for any of the currently permitted uses in the zoning district. The financial statement should relate only to the subject property and not the applicant's personal finances.

Response

Property located at 27 South Clinton Street Poughkeepsie, NY 12601 Has been vacant for almost 2 years. This is primarily due to the uses permitted by right and the current cost of construction. We will breakdown construction costs for all permitted uses within the zoning district. We will also show the estimated startup cost for the permitted businesses itself.

(ii) Please explain how the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. Does the subject property have unique constraints or characteristics not found in other properties in the district or neighborhood

Response

We are requesting a use variance to allow the current proposed building to be built due to the fact that the cost for new construction single family homes cost more than the current single family homes in the area.

(iii) The requested use variance if granted will not alter the central character of the neighborhood, explain fully how the character of the neighborhood will not be altered and the intent of the zoning ordinance will not be adversely affected.

Response

27 South Clinton Street is in R-1 Low Density Zoning District. Surrounding zoning is separated by 1 block, and nearly across the street are R-3 Medium Density and O-R office Residential Zoning Districts. The property is located on the corner lot of South Clinton and the arterial. In the current district and surrounding districts there are many

office buildings, commercial residential and business spaces, alot of 2&3 family residents and not limited to rooming housing. Just to name a few addresses within walking distance from the proposed location (25 Hammersley ave 8 units no off street parking, 22 Forbus st Newly renovated 4 units no off street parking, 40 Virginia Avenue 4 units no off street parking, 13 Virginia Ave 4 units, 46 South Clinton 4 units, 41 South Clinton 3 units, 6 State street 8 units no off street parking, 31 South Clinton 3 units). The central character of the neighborhood consist of alot of mulit use housing many of witch have no off street parking. The proposed plans for 27 South Clinton Street consist of newly constructed energy effisent (6) 2 bedroom apartments with handycap accessablitye and plenty of off street parking.

The alleged hardship has not been self - created an (Applicant cannot claim “unnecessary hardship” if the hardship was created by the applicant or if the applicant acquired the property in a position to know the conditions for which that applicant seeks relief). Explain fully how the hardship is not self - created.

Response

The current hardship is not self created . Due diligence was done prior to purchase of this property. The way that the zoning sits affects this condition that is why we are requiring a use variance to allow us to redevelop this lot and help bring life to the area and most importantly affordable housing to the residents of the City of Poughkeepsie.

PERMITTED USES AS REQUESTED

1.Single- Family Detached Dwellings

Purchase price - \$75,000

New construction cost- \$325,800

Sitework & Haul out Debris- \$30,000

Pave lot - \$15,000

Sale Price (area avg. \$250,000)

Total loss -\$195,800

2. Home Occupations

Purchase price - \$75,000

New construction cost- \$325,800

Sitework & Haul out Debris- \$30,000

Pave lot - \$15,000

Sale Price (area avg. \$250,000)

Total loss -\$195,800

3. Municipal parks and Recreational Facilities

Purchase price - \$75,000

New construction cost- \$500,000

Sitework & Haul out Debris- \$20,000

Pave lot - \$25,000

Total lost- \$620,000

All city parks are free to enjoy for the public. This
property isnt ideal for permitted use.

4. Public, Private and Parochial Schools- This property doesnt qualify
for permitted use requirements of Section **19-3.12(2)(a)4** herein.

5. Cemeteries- The Average size of a burial plot in the United States is 8feet long and 2feet wide. Based off these demintions for the lot located at 27 South Clinton st.with giving some setbacks off the property line estimate 50 plots at \$2,500 a plot.

Purchase price - \$75,000

Sitework & Haul out Debris- \$20,000

50Plots @\$2,500 each- \$125,000

Annual Taxes and upkeep est-\$7,000

Total lost- After 3 years annual total lost -\$7,000+

6. Student Home- As per section 19-4.22 of the City of Poughkeepsie Code of Ordinances/Zoning and Land Use Regulations, student housing is not permitted by right *Requirements*. Student residences may be authorized in existing residential structures in any R-3, R-3A, R-4, R-4A, R-5, R-6, C-2 and O-R Zoning Districts as delineated on the Official Zoning Map of the City of Poughkeepsie. A 4bedroom student home grossing \$28,800 annually will take 15 ½ years to recoup funds from investment, this doesnt include taxes and other monthly and annual fees involved. This is also basted off having 100% rental rate.

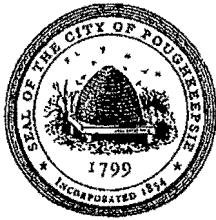
Purchase price - \$75,000

New construction cost- \$325,800

Sitework & Haul out Debris- \$30,000

Pave lot - \$15,000 Sale Price (area avg. \$250,000)

Total loss -\$195,800



**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: 27 SOUTH CLINTON STREET
ZONING DISTRICT: R-2A

OWNER INFORMATION: QUINCY WILLIAMS
Name: 27 SOUTH CLINTON, LLC
Address: P.O. BOX 372
LAGRANGEVILLE, N.Y. 12540
Phone: 845-453-5223
Email: 382KCC@GMAIL.COM

APPLICANT INFORMATION:
Name: 27 SOUTH CLINTON, LLC
Address: P.O. BOX 372
LAGRANGEVILLE, N.Y. 12540
Phone: 845-453-5223
Email: 382KCC@GMAIL.COM

CONSULTANT INFORMATION:
Name: CIRO D MERRANTE
Address: 125 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 D. O'BRIEN
Date of decision/determination/violation: 8/2/23 LETTER

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 27 SOUTH CLINTON 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
19-3.13.1(4)(a)3	10,000 S.F. LOT	1,081 S.F.
19-3.13.1(4)(d)1	20' FRONT YARD	12' & 2'
19-3.13.1(4)(d)2	10' SIDE YARD	2'
19-4.3(5)(2)	15' ACCESS LANE	3'
19-4.3(5)(b)	20' PARKING SPACE	2'
19-4.3(5)(b)	22' AISLE	7'
19-4.3(11)(2)	12 PARKING SPACES	1 PARKING SPACE
19-4.14(3)(2)	10' FROM FENCE TO WALL	2.5'

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: 27 SOUTH CLINTON 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 EXHIBIT "B"

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

8/16/23
DATE

Quincy Williams
Print Name

27 South Clinton AREA VARIANCE EXHIBIT "A"

- 1. The granting of the variance will not produce an undesirable change. The site was previously occupied by a house that was destroyed by fire. The construction of a new building on the site will not produce an undesirable change, and will be a benefit in keeping with the character of the neighborhood.**
- 2. Contiguous property is not available for purchase. The requested variances are necessary to effectively and efficiently utilize the site and provide additional needed housing in the City of Poughkeepsie.**
- 3. The requested variances are not substantial and represent approximately 20% to 50% of the required setback dimensions. The requested variances will not have an adverse effect on the physical or environmental conditions in the neighborhood. The neighborhood is made up of existing buildings in a variety of sizes and occupancy. Several multifamily dwellings presently exist in the surrounding neighborhood (SEE EXHIBIT B). The proposal is for new construction of an apartment building and should have no adverse impact on the neighborhood.**
- 4. The project will not have an adverse effect on the neighborhood. It is new construction and will be an improvement for the existing vacant lot. The project will benefit the neighborhood and provide additional housing needed in the city.**
- 5. The need for the area variance is not a self-creating difficulty. It is unique to this property where more stringent zoning regulations were implemented over the property than existed prior to Zoning when many of the existing buildings were constructed and are not in compliance with current zoning regulations, (for example stipulating that a corner property bordering two streets must be considered to have two front yards). Implementations of zoning regulations overlaid over existing older and established neighborhoods with existing and diverse uses could be considered the cause of the hardship. Once implemented such regulations could cause a majority of the buildings and properties to be considered non-compliant.**

27 South Clinton AREA VARIANCE EXHIBIT “B”

The following answers are provided in response to Joseph D. O’Brien’s letter dated in August 2, 2023. The answers are in the same numerical order.

1. A lot area variance of 1081 ft.² is requested in order to allow for the construction of the six unit apartment building. This represents approximately a 10% variance. We do not feel that this is excessive.
2. The property is a corner lot, therefore defining it as having to front yards. A 12’ variance is requested for the front yard facing S. Clinton St. This will help keep the front of the building more in alignment with other existing buildings along S. Clinton St. A front yard variance of 2 feet is requested along route 44-55. We do not feel that this is excessive.
3. A 2 foot variance is requested for the side yard. We do not feel that this is excessive.
4. A 3 foot variance is requested for the access lane. We feel that this is adequate given that there is a small quantity of vehicles entering and exiting the parking area. Some of these vehicles may be moderate to compact in size.
5. A 2 foot variance is requested for the parking stall depth. We do not feel that this is excessive and still allows for the parking of a typically sized vehicle.
6. A 7 foot variance is requested for the circulation lane between the double loaded parking stalls. Given that there is a small quantity of cars using the lot and that traffic in and out of the lot would be minimal and scattered in timeframe. This will allow ample time for maneuvering and exiting the parking lot.
7. A variance for one parking space is requested. We do not feel that this is excessive.
8. A 2 1/2 foot variance is requested. We do not feel that this is excessive. Given the fact that the building code will require that the construction of the building’s exterior walls have a two hour fire rating.

CIA

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

(845) 473-7572

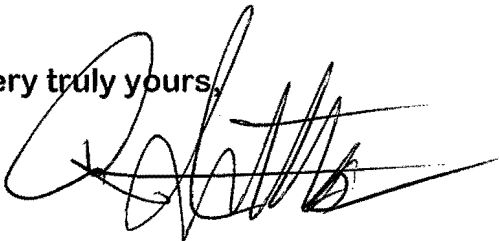
July 28, 2023

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

**RE: Cover Letter
27 South Clinton Street
Poughkeepsie, New York 12601**

Dear Zoning Board:

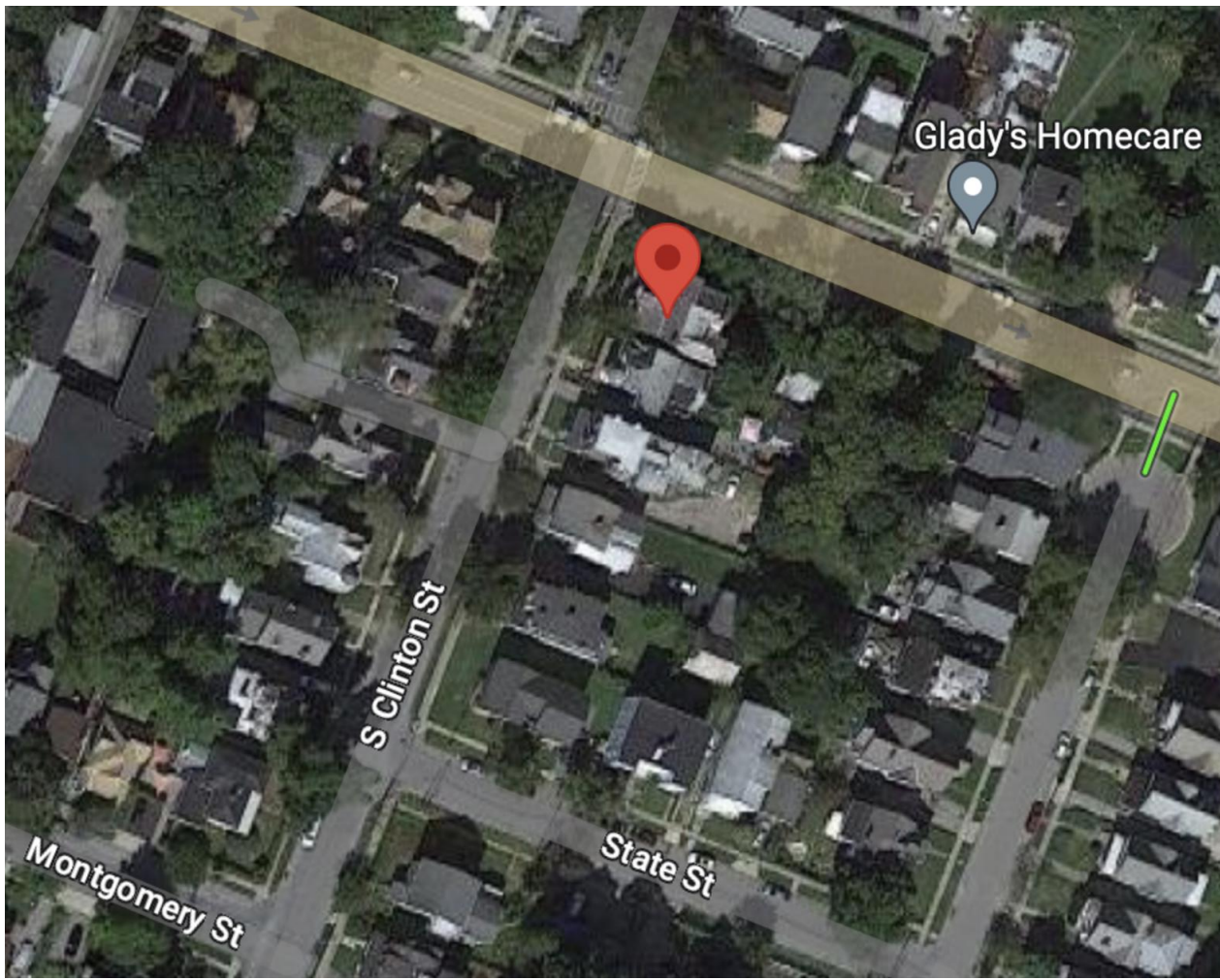
The proposal is to construct a two-story six apartment building on an existing vacant lot in the City of Poughkeepsie located at 27 South Clinton Street. The existing empty lot is located on the east side of South Clinton Street at the south east corner of the intersection of South Clinton Street and Church Street (Route44-55). To the right side of the existing empty lot is an existing house. The front of the proposed new building faces South Clinton Street and will be set back 8 feet from the front property line to more closely align with the front of the adjacent house on the right. Please review the attached site plan and the proposed building floorplans and exterior elevation views of the proposed project for further understanding.

Very truly yours,


Ciro Interrante, Architect

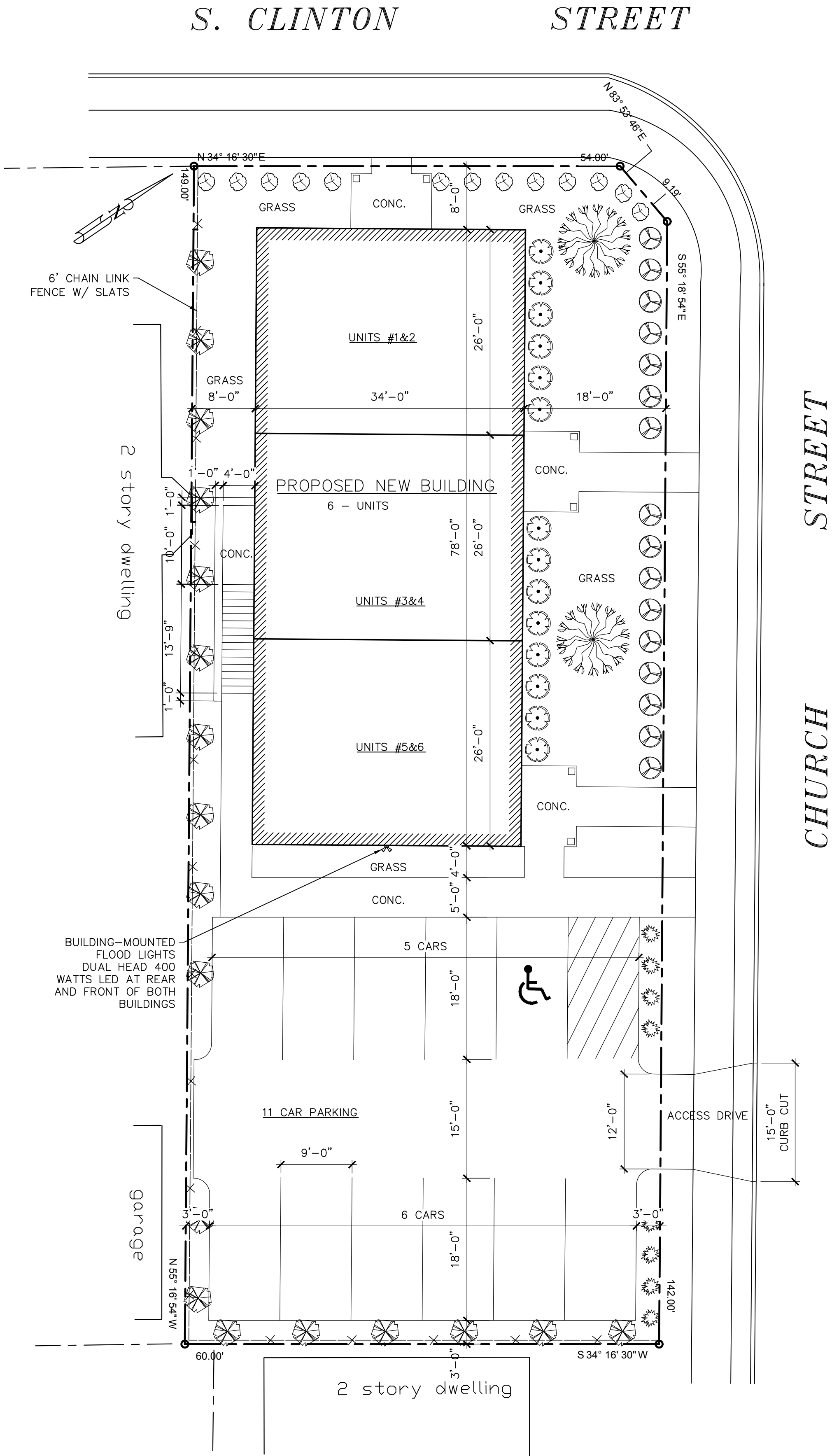


4 GOOGLE STREET VIEW
SP1 SCALE: N.T.S.



3 AERIAL VIEW
SP1 SCALE: N.T.S.

LANDSCAPING SCHEDULE					
TYPE	SYMBOL	QUANTITY	COMMON NAME	MATURE WIDTH	MATURE HEIGHT
GRASS/ FLOWER	DFG	8	DWARF FOUNTAIN GRASS (HAMELN)	2' - 3'	2' - 3'
SHRUBS	GFS	16	GOLD FLAME SPIREA	3' - 4'	3'
	RBB	14	ROYAL BURGUNDY BARBERRY (JAPANESE)	3'	2'
	MCS	13	MAGIC CARPET SPIREA	2' - 4'	1'-6"
TREES	LL	18	LILAC	2' - 3'	10'
	SM	2	SUGAR MAPLE	6' - 0"	



2 PARCEL MAP - LOT#
SP1 SCALE: N.T.S.

DATA TABLE		
ZONE R-4 MEDIUM HIGH DENSITY RESIDENTIAL DISTRICT		
	REQUIRED	PROPOSED
LOT AREA	(4,000 SF. / UNIT)	0.2 Ac. (8,919 SF.)
LOT WIDTH	30 FT.	60 FT.
LOT DEPTH		149 FT.
LOT FRONTAGE	30 FT.	60 FT.
LOT COVERAGE (BUILDING)	40 %	29.8 %
OPEN SPACE	400 SF / UNIT	2,519 SF
YARDS		
FRONT	20 FT.	8 FT.
SIDE	15 FT.	18 FT./8 FT.
REAR	15 FT.	62 FT.
BUILDING HEIGHT	3 / 40 FT.	2/26 FT. +/-
BUILDING AREA		2,652 SF
TOTAL PARKING		
2 CARS / UNIT	12 CARS	11 CARS

GENERAL NOTES:

- 1.) OWNER / APPLICANT: 27 SOUTH CLINTON, LLC
27 SOUTH CLINTON STREET
POUGHKEEPSIE, NY. 12601
- 2.) ARCHITECT: CIRO INTERRANTE, ARCHITECT
25 MARKET STREET, SUITE 3
POUGHKEEPSIE, NY 12601
- 3.) ZONING DATA: ZONING DISTRICT: R4
MEDIUM HIGH-DENSITY RESIDENTIAL
TAX MAP: 131300-6161-22-237923-0000
- 4.) MAP REFERENCE: PROPERTY LINE INFORMATION TAKEN
FROM COPY OF SURVEY
PROVIDED BY APPLICANT

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.

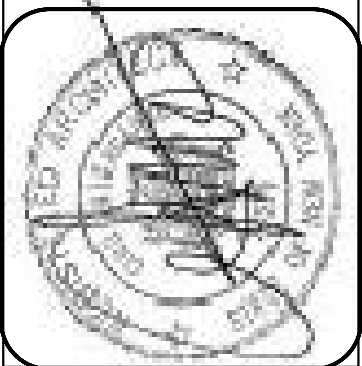
APPLICANT DATE

APPROVAL BLOCK

REVISIONS		No.	Date:	Description:
No. 1	8/18/23			
GENERAL REVISIONS				



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



SITE PLAN
PROPOSED SITE PLAN FOR:
27 SOUTH CLINTON, LLC
27 SOUTH CLINTON STREET
POUGHKEEPSIE, NY. 12601

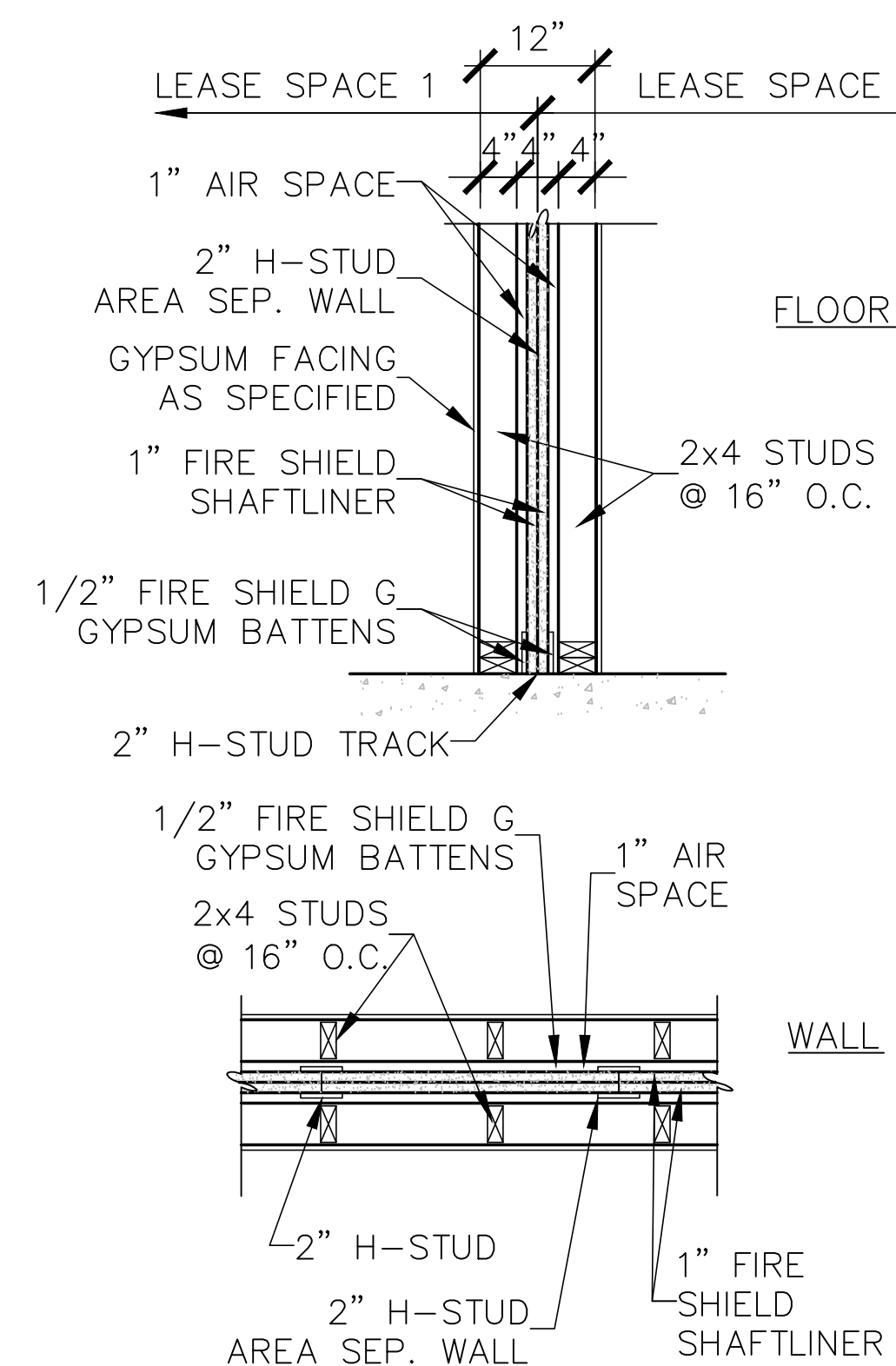
Project Number: 23-31

SHEET NO. 1
SP1
SITE PLAN

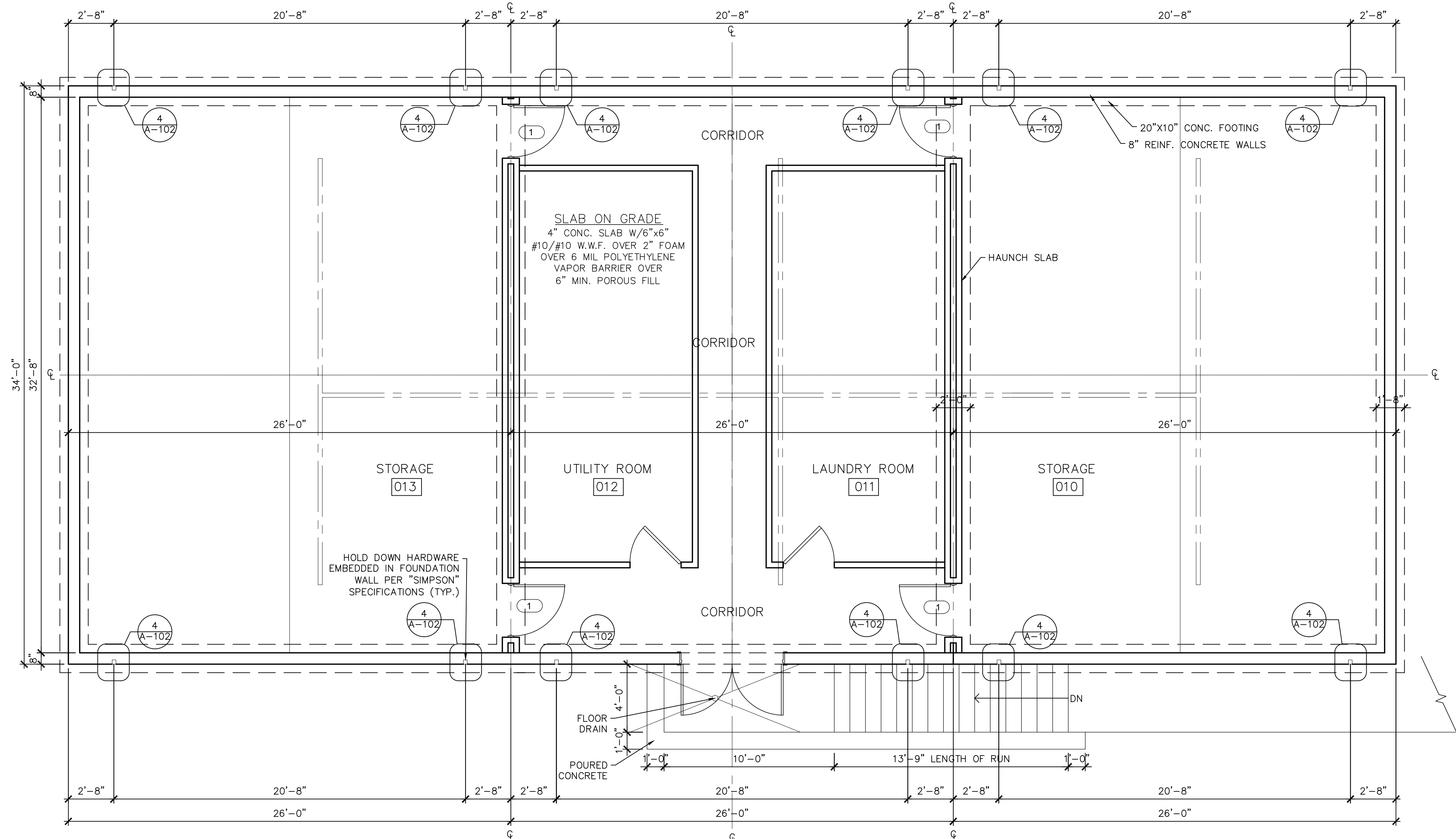
- 1 CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF.
- 2 PRE ENGINEERED ROOF TRUSS SYSTEM @2'-0"o.c.,
DESIGN FOR: 55 PSF SNOW LOAD + 15 PSF DEAD LOAD
- 3 CONTINUOUS 1x6 FASCIA.
- 4 INSTALL SIMPSON #110A HURRICANE TIES AT ALL
CONNECTIONS OF ROOF TRUSS BOTTOM CHORD TO BEARING
WALLS.
- 5 7/16" WALL SHEATHING 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"x24" 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

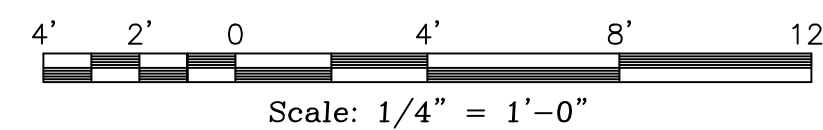
- 22 VINYL WINDOW, DOOR TRIM & CORNER TRIM. SIDING & TRIM PER OWNER.
- 23 INSTALL FULL THICKNESS CAVITY INSULATING IN EXTERIOR WALLS & CENTER BEARING WALL.
- 24 NOT USED.
- 25 INSTALL 14 INCH DIAMETER BY 48 INCHES DEEP CONCRETE PIER.
- 26 $\frac{3}{4}$ " T & G PLYWOOD SUB-FLOOR
- 27 "ACCUVENT" BAFFLE 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 $\pm 7\frac{3}{4}$ " HGT. & 13 TREADS AT ± 10 " DEEP. INSTALL HANDRAIL 34" MIN. & 38" MAX. HEIGHT.
- 32 NOT USED.



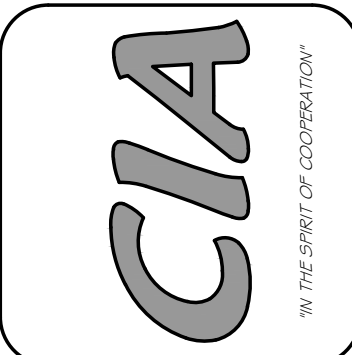
2HR TENANT FIRE SEPARATION WALL
SCALE: 3/4" = 1'-0"



1 FOUNDATION PLAN
A1 SCALE: 1/4" = 1'-0"



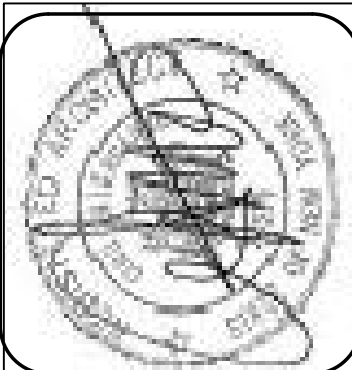
No.	Date:	Description:



CIRO INTERRANTE ARCHITECT, P.C.

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DRAWN BY:	A.K.S.	CHECKED BY:	C.I.	ISSUED DATE:	26 JULY, 2023
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**FOUNDATION & ROOF PLANS,
DETAILS & NOTES**

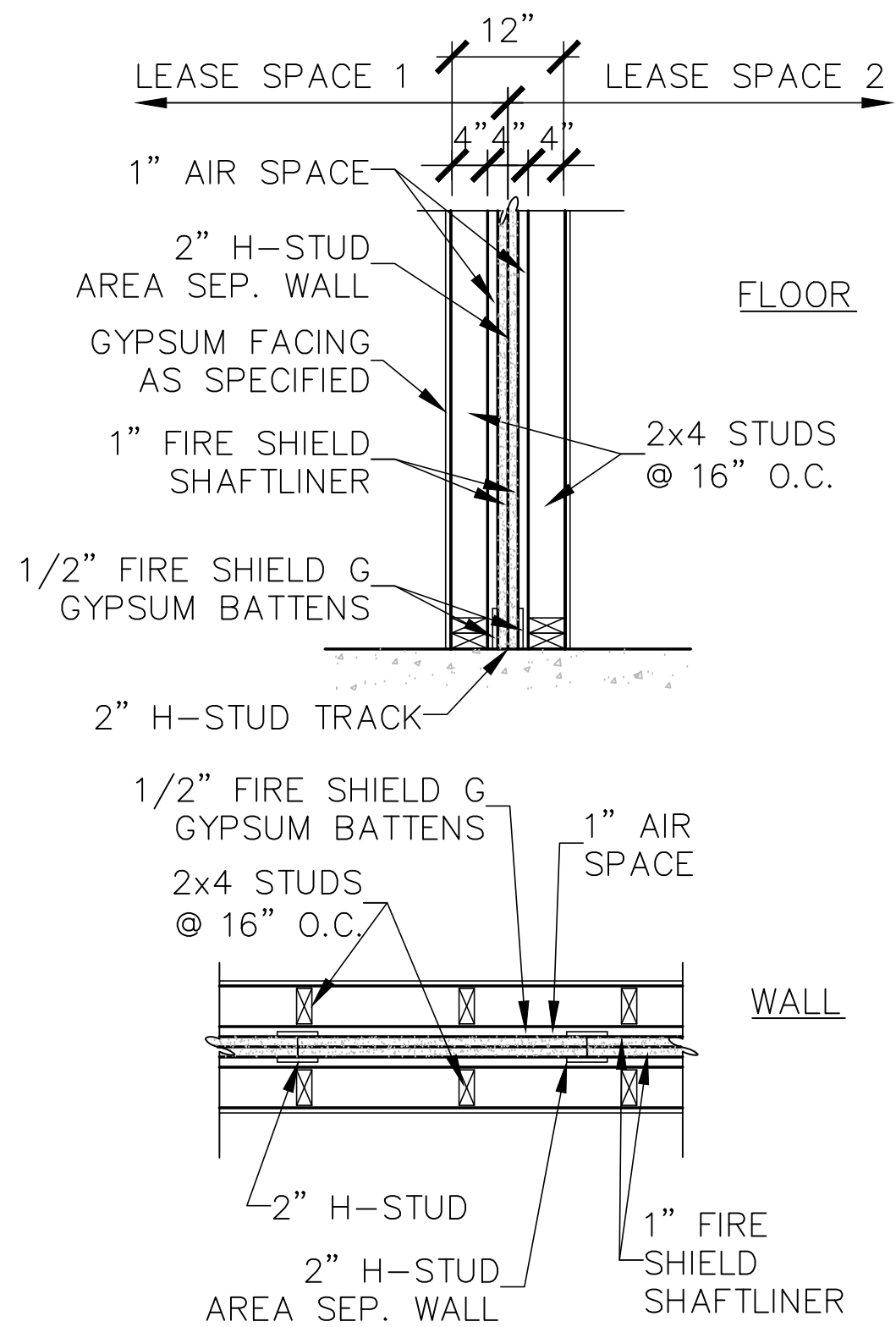
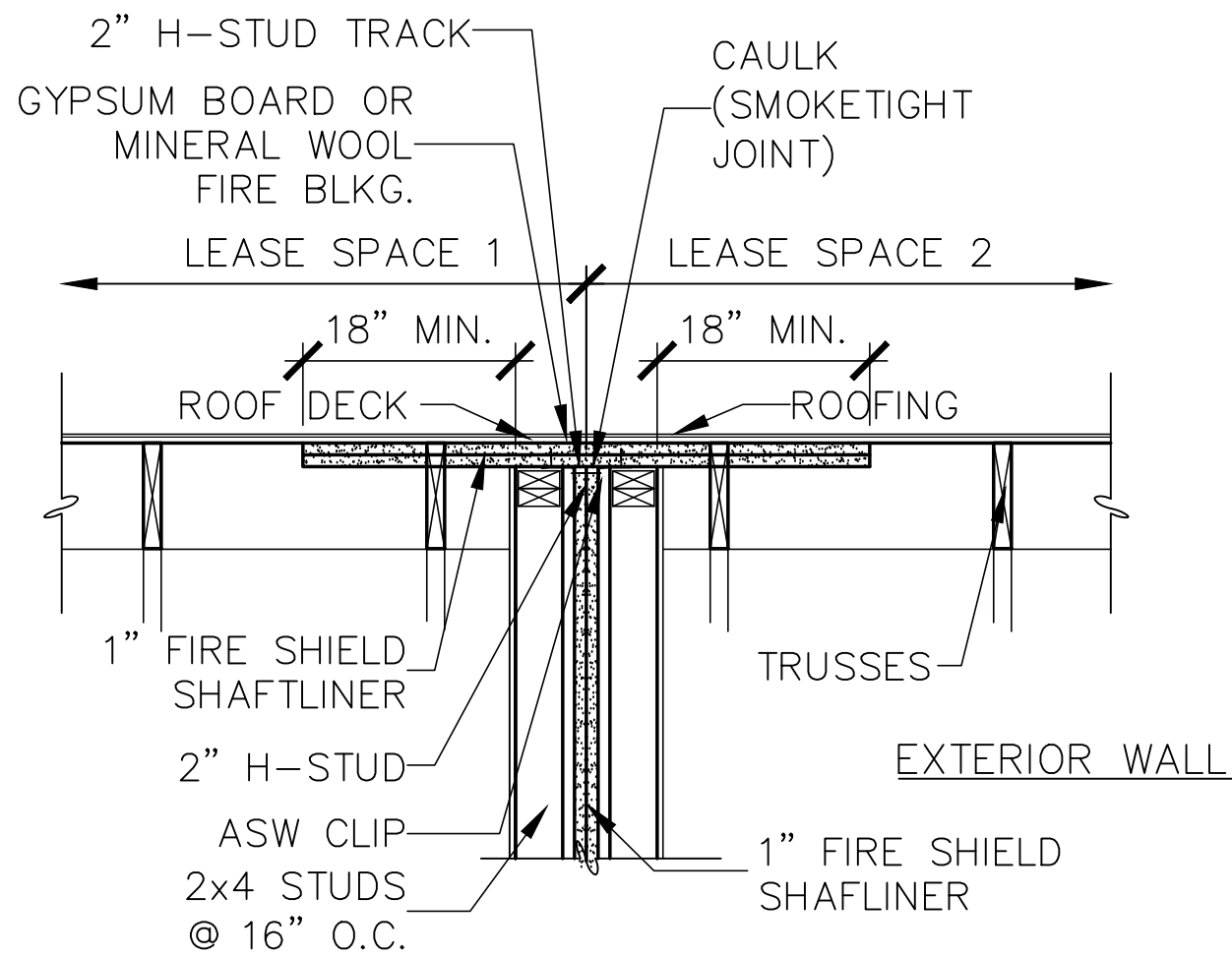
PROPOSED NEW APARTMENTS FOR:
27 SOUTH CLINTON, LLC
27 SOUTH CLINTON STREET
POUGHKEEPSIE, NEW YORK 12601

Project Number. 23-31

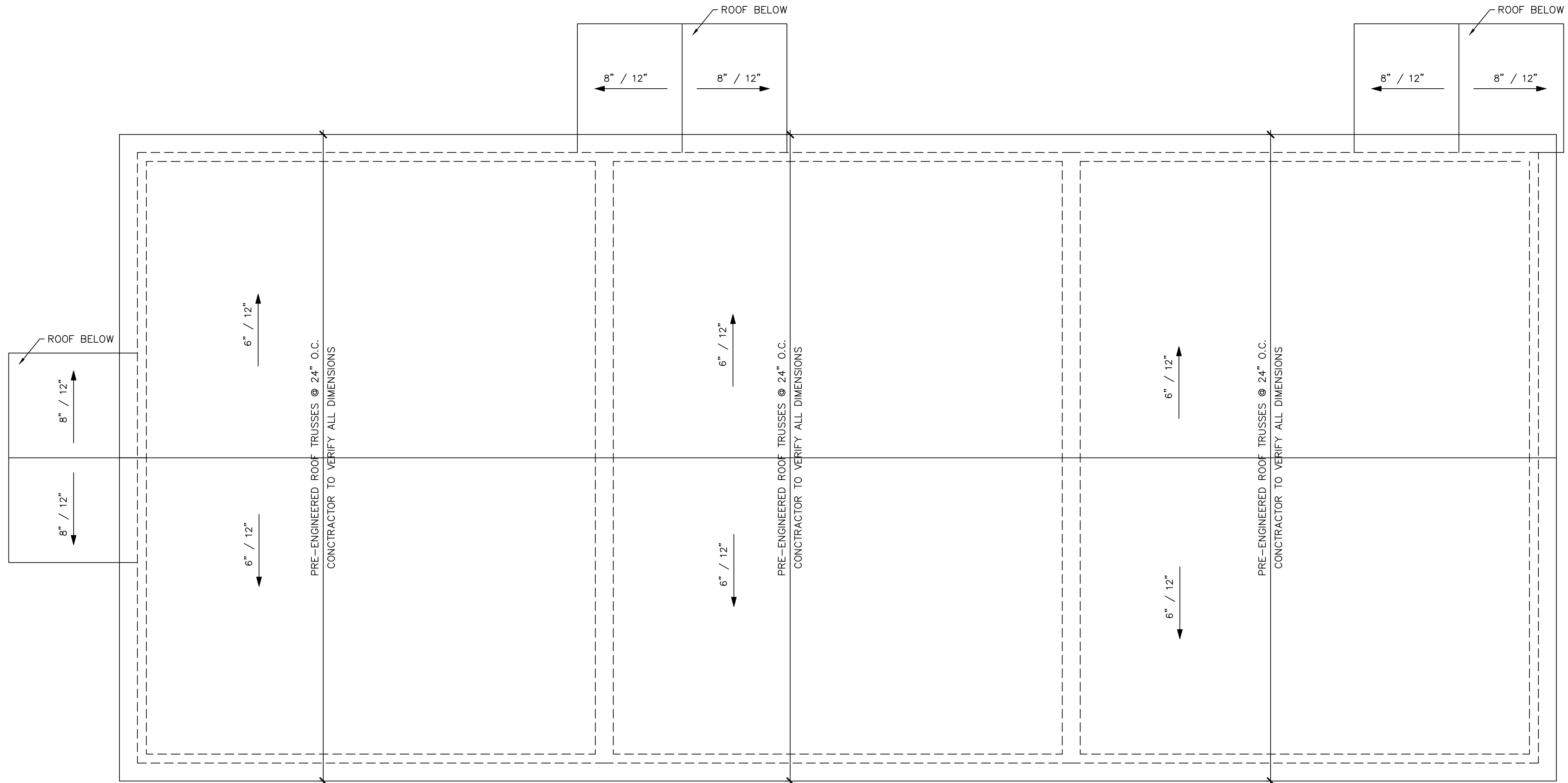
SHEET NO.

A1

ARCHITECTURAL



2HR TENANT FIRE SEPARATION WALL
SCALE: 3/4" = 1'-0"



ROOF PLAN
SCALE: 1/4" = 1'-0"

Scale: 1/4" = 1'-0"

TYPICAL CONSTRUCTION NOTES

- CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF.
- PRE ENGINEERED ROOF TRUSS SYSTEM @2'-0"o.c., DESIGN FOR: 55 PSF SNOW LOAD + 15 PSF DEAD LOAD
- CONTINUOUS 1x6 FASCIA.
- INSTALL SIMPSON #H10A HURRICANE TIES AT ALL CONNECTIONS OF ROOF TRUSS BOTTOM CHORD TO BEARING WALLS.
- 7/16" WALL SHEATHING W/ TYVEK HOUSE WRAP WITH VINYL SIDING PER OWNERS CHOICE.
- 2x6 STUD WALL @16"o.c. W/ R-21 CAVITY INSULATION.
- SLOPE GRADE AWAY FROM BUILDING.
- 8" CONCRETE BLOCK OR 8" POURED CONCRETE FOUNDATION WITH R10x48" PERIMETER INSULATION.
- INSTALL 5/8" TYPE 'X' GWB ON ALL WALLS BETWEEN APARTMENTS.
- 12"x24" POURED CONCRETE FOOTING CONTINUOUS WITH 3-#4 BARS.
- 4" CONC. SLAB W/6"x6" #10/#10 W.W.F. OVER 6 MIL. POLYETHYLENE VAPOR BARRIER AND 6" MIN POROUS COMPACTED.

- 1/2"DIA x12"LONG BENT ANCHOR BOLTS @ 6'-0"o.c. & @ 1'-0" FROM CORNERS & 7" MIN. EMBEDMENT WITH "SIMPSON" WASHERS #LBP1/2. INSTALL ANCHOR BOLTS IN CENTER FIRE WALLS, SAME AS PERIMETER FOUNDATION WALL.
- INSTALL 2-2x10 HEADER FOR WINDOWS & DOORS.
- INSTALL BEAMS AND HEADERS WHERE SHOWN ON DRAWINGS.
- 12" x 24" HAUNCH W/ 3# 4 RODS CONTINUOUS.
- CONTINUOUS VENTED SOFFIT.
- CONTINUOUS ALUM. DRIP EDGE.
- 36" ICE & WATER SHIELD 24" IN FROM STUD WALLS ON RAKES & EAVES AND 36" WIDE IN VALLEYS.
- 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).
- 2x6 SOLID BLOCKING AT MID HEIGHT OF BEARING WALL. 2x6 STUDS @ 16" O.C.
- ALUMINUM GUTTERS & DOWN SPOUTS

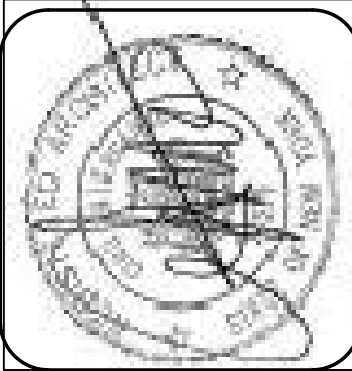
- VINYL WINDOW, DOOR TRIM & CORNER TRIM. SIDING & TRIM PER OWNER.
- INSTALL FULL THICKNESS CAVITY INSULATING IN EXTERIOR WALLS & CENTER BEARING WALL.
- NOT USED.
- INSTALL 14 INCH DIAMETER BY 48 INCHES DEEP CONCRETE PIER.
- 3/4" T & G PLYWOOD SUB-FLOOR
- "ACCUVENT" BAFFLE W/14" HEEL HEIGHT TRUSS TO ACCOMMODATE R-38 INSULATION EXTENDED TO OUTSIDE FACE OF WALL STUD.
- ELECTRICIAN TO INSTALL GROUND WIRE TO 20' ONE PIECE RE-BAR ENCASED IN FOOTING CONCRETE PER ELECTRICAL CODE. COORDINATE WITH CONCRETE CONTRACTOR.
- NOT USED.
- NOT USED.
- STAIRS, 14 RISERS AT ±7 3/4" HGT. & 13 TREADS AT ±10" DEEP. INSTALL HANDRAIL 34" MIN. & 38" MAX. HEIGHT.
- NOT USED.

Revisions	Description:	
	No.	Date:



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DRAWN BY: A.K.S. CHECKED BY: C.I. ISSUED DATE: 26 JULY, 2023



FOUNDATION & ROOF PLANS,
DETAILS & NOTES
PROPOSED NEW APARTMENTS FOR:
27 SOUTH CLINTON, LLC
27 SOUTH CLINTON STREET
POUGHKEEPSIE, NEW YORK 12601

Project Number. 23-31

SHEET NO.
A2
ARCHITECTURAL

APT. 2		APT. 1 & 3	
2ND FL.	1ST FL.	2ND FL.	1ST FL.

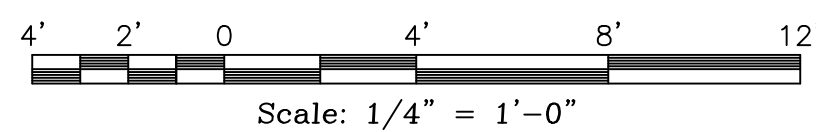
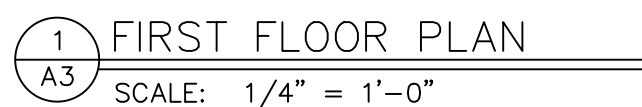
WINDOW & DOOR NOTES:

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.

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

 = 4--2x6 STUDS GLUED & NAILED

NOTE:
ALL WINDOWS & DOOR HEADERS TO BE 2-2X10 UNLESS NOTED OTHERWISE



CIA
"IN THE SPIRIT OF COOPERATION"



Project Number. 23-31

SHEET NO.

A3

ARCHITECTURAL

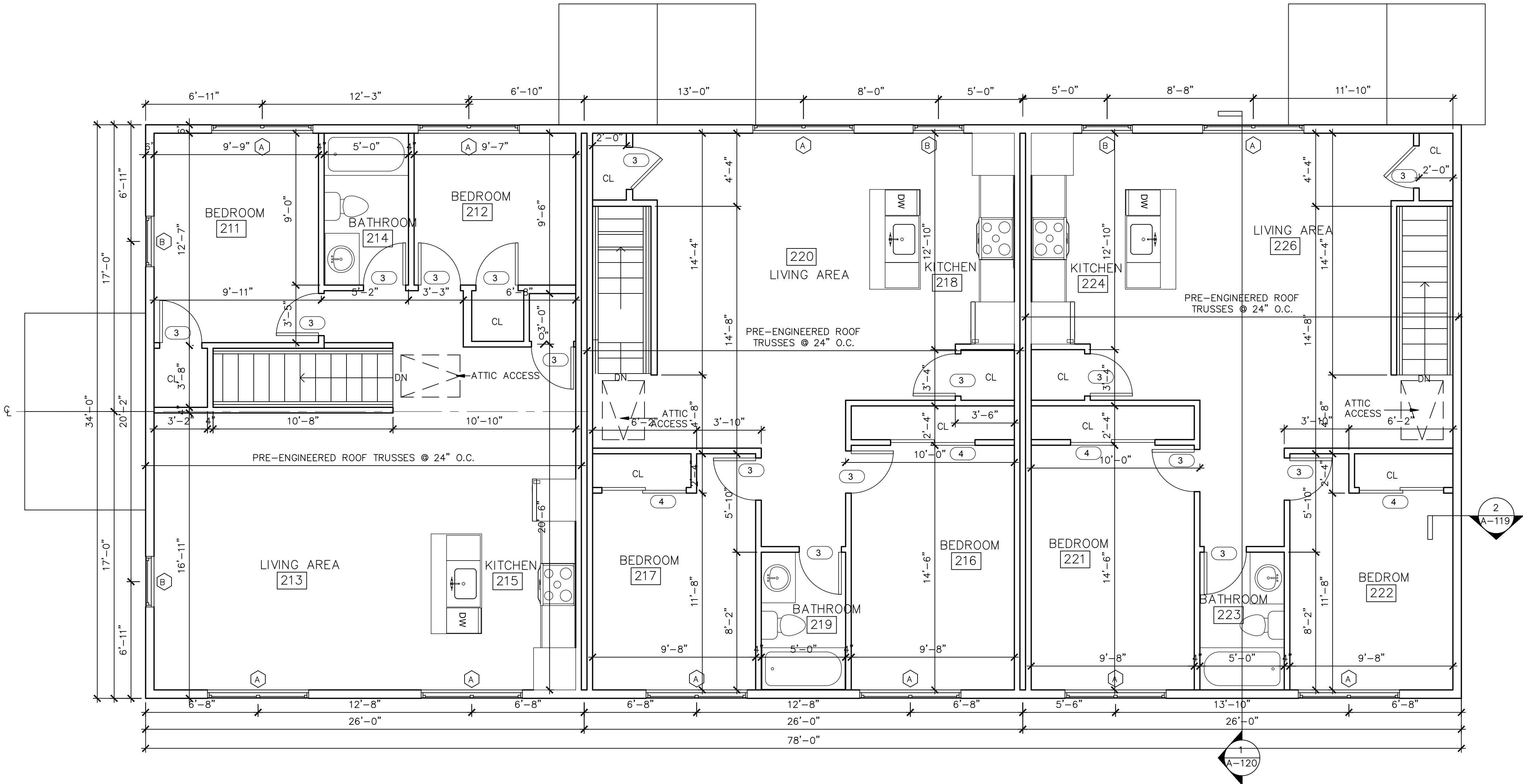
LIGHT & VENTILATION SCHEDULE (PER UNIT)					
ROOM NAME	FLOOR AREA (SQUARE FEET)	LIGHT 8% (REQUIRED)	LIGHT % (ACTUAL)	VENT. 4% (REQUIRED)	VENTILATION % (ACTUAL)
APT. 1 & 3 1ST FL.	LIVING ROOM	200	16	20.62	11.4
	DINNING ROOM	92	7.36	20.62	11.4
APT. 2 2ND FL.	BED ROOM #1	117	9.36	20.62	11.4
	BED ROOM #2	89	7.12	10.31	5.7
	DEN	91	7.28	10.31	5.7
	LIVING ROOM	213	17.04	20.62	11.4
	DINNING ROOM	92	7.36	20.62	11.4
APT. 2 2ND FL.	BED ROOM #1	117	9.36	20.62	11.4
	DEN	95	7.6	10.31	5.7
	BED ROOM #2	90	7.2	10.31	5.7

LEGEND	
	= 4-2x6 STUDS GLUED & NAILED
NOTE: ALL WINDOWS & DOOR HEADERS TO BE 2-2X10 UNLESS NOTED OTHERWISE	

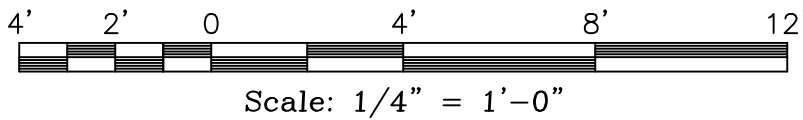
WINDOW SCHEDULE (PER BUILDING)								SYMBOL	
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA	
A	3'-1 5/8" x 4'-8 7/8"	TW3046	27	DOUBLE HUNG	3'-2 1/8" x 4'-8 7/8"	YES	5.7	10.31	
B	2'-7 5/8" x 3'-4 7/8"	TW2632	9	DOUBLE HUNG	2'-8 1/8" x 3'-4 7/8"	NO	3.17	5.57	

WINDOW & DOOR NOTES:
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5. VERIFY WINDOW MODEL NUMBERS AND SIZES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION.

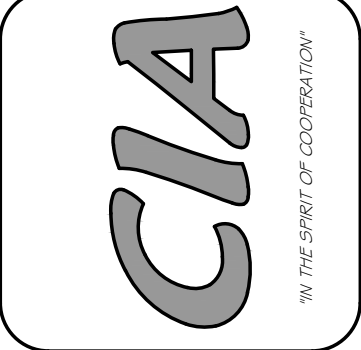
DOOR SCHEDULE (PER BUILDING)					SYMBOL	
MARK	SIZE	QUAN.	DESCRIPTION			
1	3'-0" x 6'-8"	3	EXTERIOR ENTRY DOOR			
2	2'-6" x 6'-8"	15	INTERIOR DOOR			
3	5'-0" x 6'-8"	0	INTERIOR BI-FOLD DOOR			
4	2'-0" x 6'-8"	3	INTERIOR DOOR			
5	1'-6" x 6'-8"	3	INTERIOR DOOR			
6	3'-0" x 6'-8"	3	INTERIOR DOOR			



1 SECOND FLOOR PLAN
A4 SCALE: 1/4" = 1'-0"

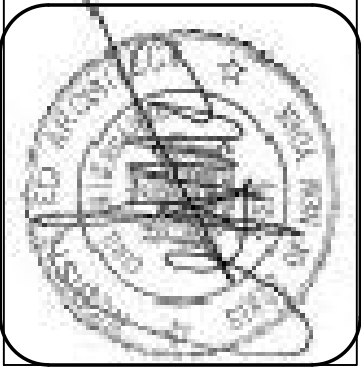


Revisions		
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DRAWN BY: A.K.S. CHECKED BY: C.I. ISSUED DATE: 26 JULY, 2023



1st & 2nd FLOOR PLANS & SCHEDULES

PROPOSED NEW APARTMENTS FOR:
27 SOUTH CLINTON, LLC
27 SOUTH CLINTON STREET
POUGHKEEPSIE, NEW YORK 12601

Project Number. 23-31

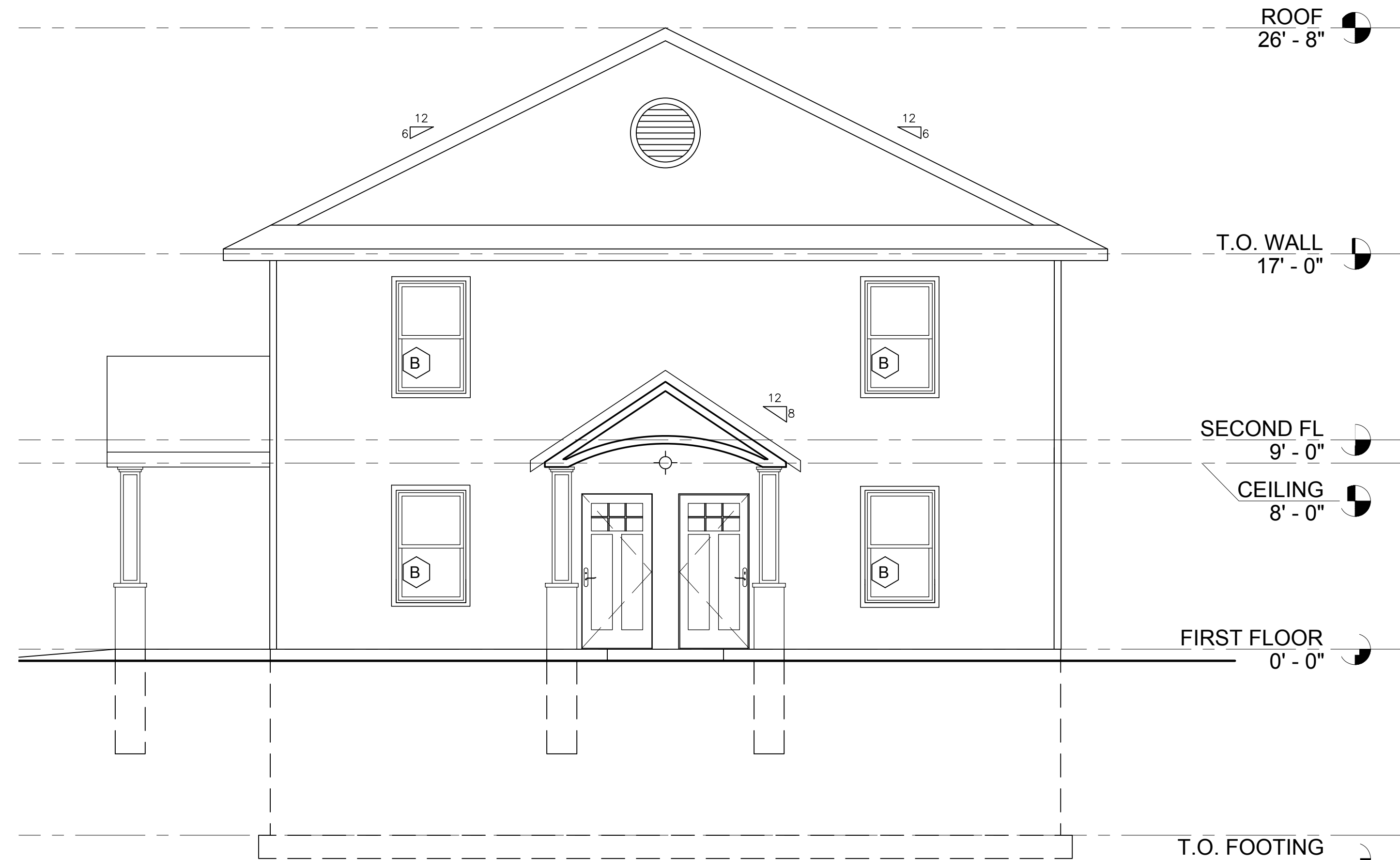
SHEET NO.

A4

ARCHITECTURAL



1 LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



2 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

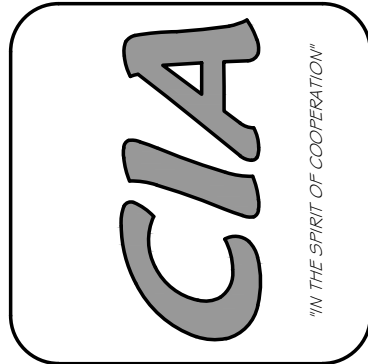
WINDOW SCHEDULE (PER BUILDING) (ANDERSON SERIES 100)							SYMBOL ☐	
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA
A	2'-11 1/2" x 4'-11 1/2"	3050	27	SINGLE HUNG	3'-0" x 5'-0"	YES	5.79	11.95
B	2'-5 1/2" X 3'-5 1/2"	2636	9	SINGLE HUNG	2'-6" x 3'-6"	NO	3.08	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.
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3. ALL WINDOWS ARE INSULATED AND WEATHERSTRIPPED.
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5. VERIFY WINDOW MODEL NUMBERS AND SIZES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION.

EXTERIOR MATERIALS

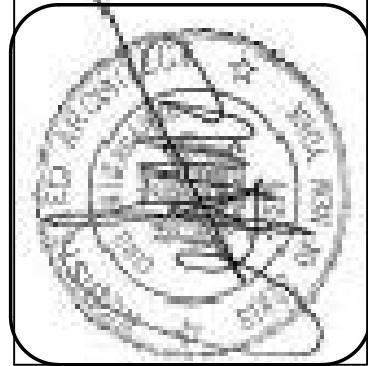
- CONTINUOUS WHITE ALUMINUM FASCIA & CONTINUOUS ALUMINUM DRIP EDGE
- CONTINUOUS FULLY VENTED WHITE VINYL SOFFIT.
- INSTALL 6" WHITE ALUMINUM GUTTERS & DOWN SPOUTS
- 36" ICE & WATER SHIELD IN VALLEYS & 24" IN FROM STUD WALLS ON RAKES & EAVES.
- CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF
- BEIGE COLORED 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.

Revisions			Description:
	No.	Date:	



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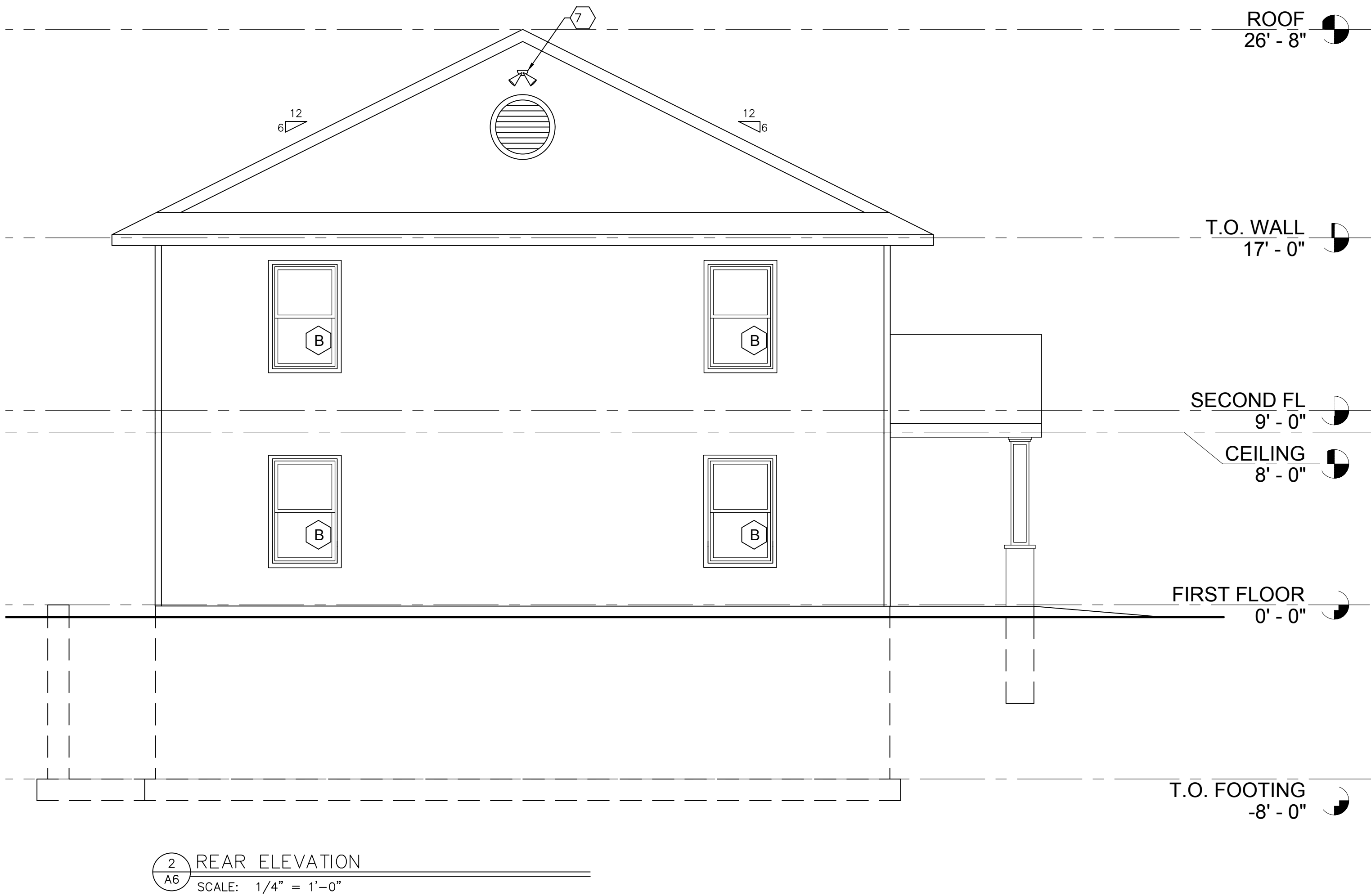
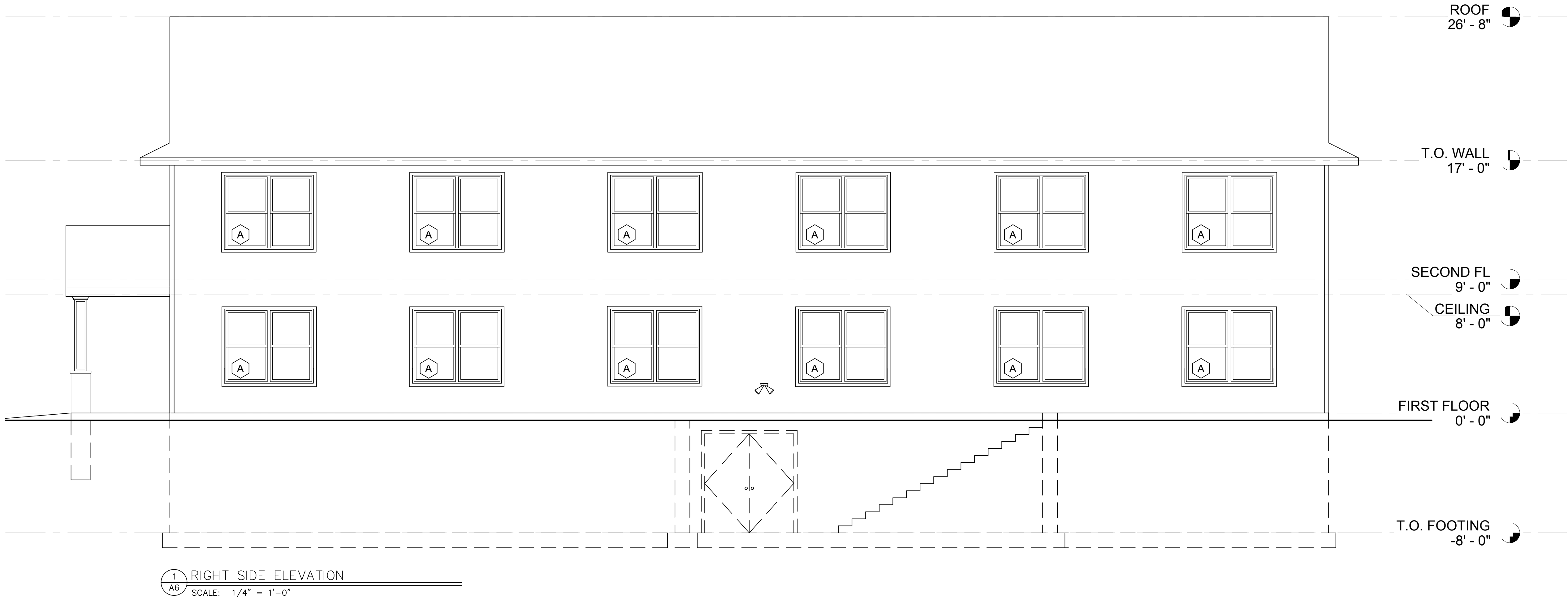


EXTERIOR ELEVATIONS

PROPOSED NEW APARTMENTS FOR:
27 SOUTH CLINTON, LLC
27 SOUTH CLINTON STREET
POUGHKEEPSIE, NEW YORK 12601

Project Number, 23-31





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.

EXTERIOR MATERIALS

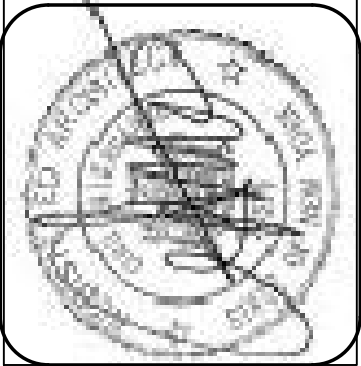
- CONTINUOUS WHITE ALUMINUM FASCIA & CONTINUOUS ALUMINUM DRIP EDGE
- CONTINUOUS FULLY VENTED WHITE VINYL SOFFIT.
- INSTALL 6" WHITE ALUMINUM GUTTERS & DOWN SPOUTS
- 36" ICE & WATER SHIELD IN VALLEYS & 24" IN FROM STUD WALLS ON RAKES & EAVES.
- CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF
- BEIGE COLORED 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.

Revisions			
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DRAWN BY: A.K.S.
CHECKED BY: C.I.
ISSUED DATE: 26 JULY, 2023



EXTERIOR ELEVATIONS

PROPOSED NEW APARTMENTS FOR:
27 SOUTH CLINTON, LLC
27 SOUTH CLINTON STREET
POUGHKEEPSIE, NEW YORK 12601

Project Number. 23-31

SHEET NO.

A6

ARCHITECTURAL

PROPOSED NEW APARTMENTS FOR: 27 SOUTH CLINTON STREET 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. 2-2x10, 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 "ACCUEVENT" BAFFLE.)
FLOOR- R30
SLAB EDGE- R-10 (NON RADIANT HEAT)
GLAZING- R 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 GFI PROTECTED.
- 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.ICC-ES.ORG/REPORTS](http://www.icc-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 SOID.
- 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 #LBPI/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 "ACCUEVENT" 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.
- ALL COLUMNS SHALL BE CONCRETE FILLED LALLY COLUMNS UNLESS NOTED OTHERWISE.
- 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.

WOOD FRAMING:

- FIRST FLOOR DESIGN LIVE LOAD = 40 PSF. SECOND FLOOR DESIGN LIVE LOAD = 30 PSF. ROOF DESIGN SNOW LOAD = 55 PSF.
- WINDOW AND DOOR HEADERS SHALL BEAR 4" MINIMUM ON EACH END UNLESS OTHERWISE NOTED. MEMBERS LONGER THAN 4'-0" SHALL BE GLUED AND NAILED.
- SUPPORT ALL JOISTS FRAMING INTO FLUSH HEADERS/BEAMS WITH HEAVY DUTY GALVANIZED STEEL JOIST HANGERS. PROVIDE ADEQUATE BLOCKING FOR HANGING DRAPERY, TOILET ACCESSORIES, SHELVES, WALL CABINETS, CLOTHING RODS, HAND RAILS, ETC.
- ALL WOOD MEMBERS IN CONTACT WITH CONCRETE, MASONRY OR SOIL SHALL BE PRESSURE TREATED.
- PROVIDE SOLID WOOD BLOCKING OR CROSS BRIDGING AT MID SPAN OF JOIST MEMBERS UNLESS NOTED OTHERWISE. BRIDGING SHALL NOT EXCEED A DISTANCE OF 8'-0" BETWEEN ROWS OF BRIDGING.
- PROVIDE DOUBLE WOOD FRAMING MEMBERS FOR OPENINGS IN WALLS, FLOORS, CEILING, RAFTERS AND TRUSSES.
- WHEN USED ALL ENGINEERED JOISTS SHALL BE IPI-900 SERIES. INSTALL IN STRICT ACCORDANCE WITH MANUFACTURERS INSTALLATION GUIDE AND TECHNICAL DATA.
- WHEN USED ALL LVL LUMBER SHALL BE 2.0E SERIES INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURERS INSTALLATION GUIDE AND TECHNICAL DATA.
- WHEN USED ENGINEERED JOIST SYSTEM SHALL BE DESIGNED BY MANUFACTURER AND SHOP DRAWINGS SUBMITTED FOR REVIEW AND APPROVAL BY OWNER AND ARCHITECT.
- DOUBLE RIM JOISTS OVER BASEMENT WINDOWS AND DOORS.
- DOUBLE RIM JOISTS AT ALL EXTERIOR DECK LOCATION.

CONTINUOUS LOAD PATH AND WIND UPLIFT:

- THE FOLLOWING MEASURES MUST BE TAKEN, IN ORDER TO PROVIDE CONTINUOUS LOAD PATH FOR VERTICAL LOADS, AND UPLIFT RESISTANCE FROM WIND LOADS.
- ANCHOR CONCRETE FOUNDATION TO SILL PLATE WITH 1/2" x 12" ANCHOR BOLTS @ 6'-0"o.c. & 1'-0" FROM CORNERS & 7"MIN INBEDMENT W/ "SIMPSON" LBP1/2 WASHERS.
- ANCHOR JOISTS TO BEAMS WITH "SIMPSON" HUS26 FOR 2x6 JOISTS & HUS28 FOR 2x8 JOIST & HUS210 FOR 2x10 JOISTS HARDWARE.
- ANCHOR STUD WALL TO RIM JOISTS BY FULLY OVERLAPPING SHEATHING OVER BOTTOM OF SILL PLATE OR WALL TOP DOUBLE PLATE AND NAILING PER NYS CODE.
- ANCHOR STUD WALL TOP PLATE TO ROOF JOIST WITH "SIMPSON" H2.5A HURRICANE TIE HARDWARE.
- LAP EXTERIOR SHEATHING OVER JUNCTION OF WALLS AND FLOOR SYSTEM AND NAIL PER NYS CODE.

FIRE RESISTIVE RATINGS

LOCATION RATING	REQ'D
SEPARATION BETWEEN UNITS	2 HR.

LIST OF DRAWINGS

DWG NO.	TITLE
T1	TITLE SHEET
A1	FOUNDATION PLAN & DETAILS
A2	ROOF PLAN & DETAILS
A3	FIRST FLOOR PLAN & TABLE
A4	SECOND FLOOR PLAN & TABLE
A6	EXTERIOR ELEVATIONS

BUILDING DEPARTMENT NOTES

BUILDING CODE CLASSIFICATIONS

- OCCUPANCY CLASSIFICATION: R SINGLE FAMILY
- CONSTRUCTION CLASSIFICATION: TYPE V - WOOD FRAME
- CONSTRUCTION AREA - BASEMENT = 515 SQUARE FEET
- FIRST FLOOR = 1,555 SQUARE FEET
- SECOND FLOOR = 1,555 SQUARE FEET

PARTITION LEGEND

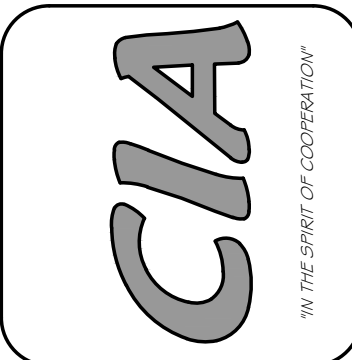
NEW DRYWALL PARTITION WOOD STUDS @ 16" O.C. WITH (1) LAYER OF 1/2" G.W.B. ON EACH SIDE (STANDARD CONSTRUCTION)

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.

THIS DRAWING AS AN INSTRUMENT OF SERVICE IS THE PROPERTY OF CIRO INTERANTE, ARCHITECT. THE DRAWINGS IN THIS SET HAVE BEEN PREPARED FOR THE ONE TIME EXCLUSIVE USE OF THE CLIENT NAMED AND FOR THE LOCATION DESCRIBED IN THE TITLE BLOCK. THE DRAWINGS MAY NOT BE REPRODUCED, COPIED OR CONSTRUCTED AGAIN ON ANOTHER SITE FOR ANOTHER PERSON WITHOUT WRITTEN AUTHORIZATION FROM AND COMPENSATION TO CIRO INTERANTE, ARCHITECT. CIRO INTERANTE, ARCHITECT, RESERVES THE RIGHT TO RECLAIM THESE DRAWINGS FROM ANY PERSON FOR ANY REASON.

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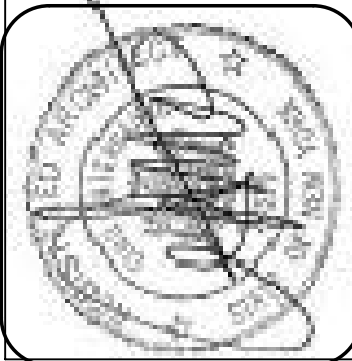
Revisions	Description:	
	No.	Date:



CIRO INTERANTE ARCHITECT, P.C.

85 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7525 Office
(845) 473-7572 Fax

DRAWN BY: A.K.S. CHECKED BY: C.I. ISSUED DATE: 26 JULY, 2023



COVER SHEET

PROPOSED NEW APARTMENTS FOR:
27 SOUTH CLINTON, LLC
27 SOUTH CLINTON STREET
POUGHKEEPSIE, NEW YORK 12601

Project Number: 23-31

SHEET NO.

T1
TITLE SHEET

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: 27 SOUTH CLINTON STREET							
Project Location (describe, and attach a location map): East side of South Clinton Street at the south east corner of the intersection of South Clinton Street and Church Street (Route 44-55).							
Brief Description of Proposed Action: CONSTRUCT A NEW 6 UNIT APPARTMENT BUILDING ON A VACANT LOT.							
Name of Applicant or Sponsor: QUINCY WILLIAMS - 27 SOUTH CLINTON, LLC		Telephone: 845-453-5223 E-Mail: 382KCC@GMAIL.COM					
Address: PO BOX 372							
City/PO: LAGRANGEVILLE		State: NY	Zip Code: 12540				
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: 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: 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? 0.205 acres b. Total acreage to be physically disturbed? 0.205 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.205 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: _____ CITY OF POUGHKEEPSIE MUNICIPAL STORM WATER SYSTEM	☐ 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>KIRO INTERANTE</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



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.

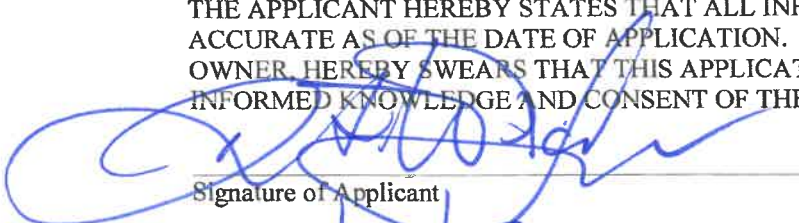
VII. LIST OF REQUIRED ATTACHMENTS

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

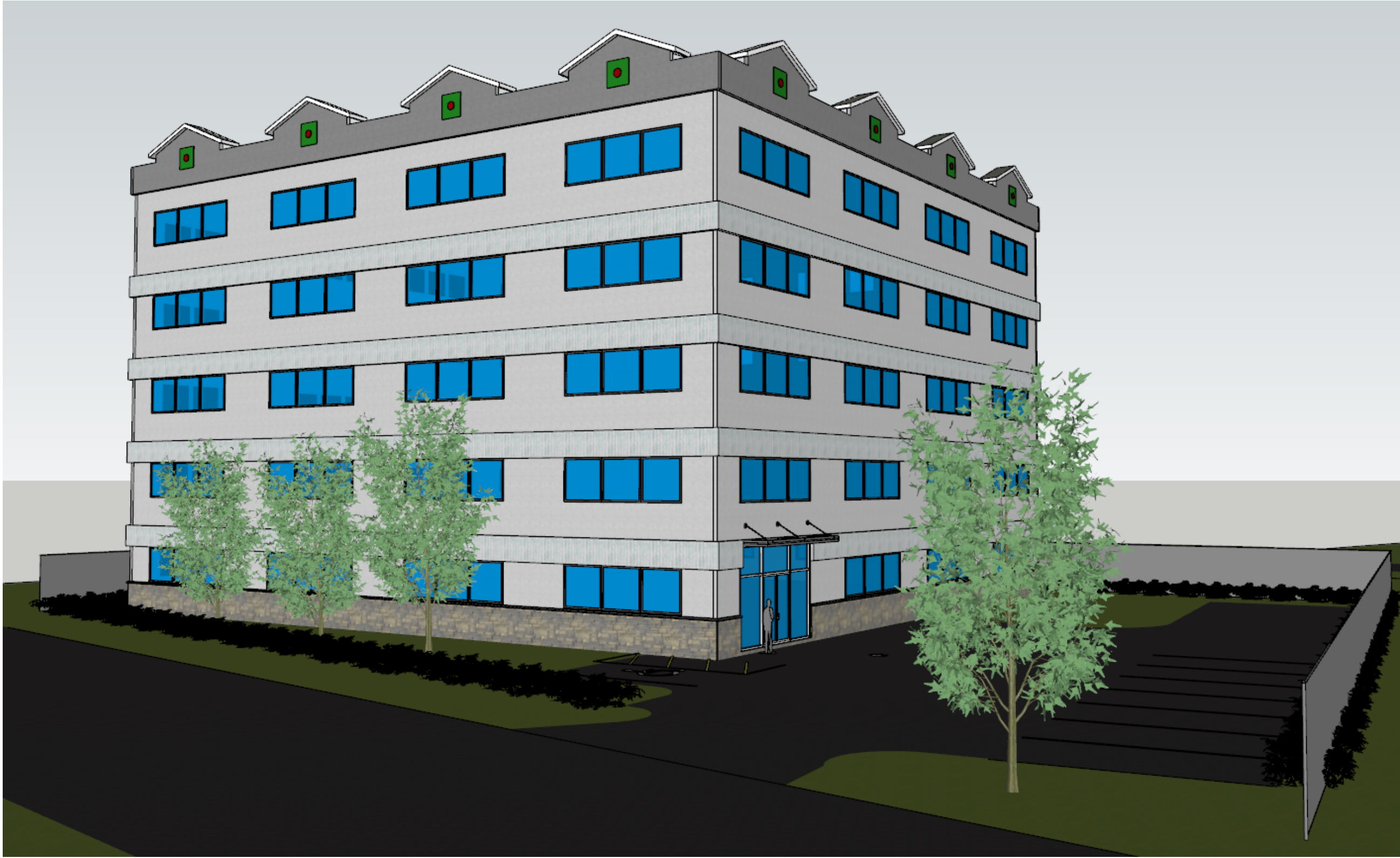
Project No:

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
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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*



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

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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

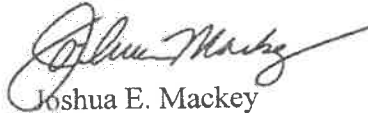
☐ 81 Main Street
P.O. Box 308
Sharon, CT 06069
P 860.364.6232
F 860.364.6429

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}



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

DATE	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

B4/4

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.

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 (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

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 (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 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. Brien
Deputy Zoning Administrator
Office - 845-451-4273
jbrien@cityofpoughkeepsie.com



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: 149 North Hamilton Street
ZONING DISTRICT: R-3A

OWNER INFORMATION:

Name: Mr. Roy Campbell (RC Home & Office Solutions Inc.)
Address: 46 Morningside Drive
Patterson, N.Y. 12563
Phone: (914) 837-5690
Email: royc8159@gmail.com

APPLICANT INFORMATION:

Name: (same as above)
Address: _____

Phone: _____
Email: _____

CONSULTANT INFORMATION:

Name: PAUL TIRUMS, P.E.
Address: 116 Friendship Lane
Poughkeepsie, N.Y. 12601
Phone: (914) 490-3269
Email: ptirums@yahoo.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: Judith Knauss, Deputy Zoning Administrator
Date of decision/determination/violation: Aug. 11, 2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 149 North Hamilton 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

DATE

Roy Campbell
Print Name

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
19-4.3(1)	3' wide planting area	no action, existing fence and vegetation
19-4.3(2)	screening along north & south property lines	" " " "
19-4.3(5)(a)	15' wide driveway	11.2' wide (+ 9' w parking space)
_____	_____	_____
_____	_____	_____

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.

**Paul Tirums, P.E.
Consultant Engineer**

16 Friendship Lane
Poughkeepsie, N.Y. 12601

Cell (914) 490-3269

October 03, 2023

The City of Poughkeepsie Building, Planning & Zoning Department
ATTN: Ms. Judith Knauss, Deputy Zoning Administrator
62 Civic Center Plaza
Poughkeepsie, N.Y. 12601

Project: Campbell – Variance for Toilet Clearance

RC Home & Office Solutions, Inc.
Mr. Roy Campbell
149 North Hamilton Street
Poughkeepsie, N.Y. 12603

RE: UPDATED ZBA Variance Transmittal

Dear Judith,

This transmittal is for the City's review of the application package that has been revised based on our September appearance in front of the Planning Board on Tuesday, September 19th. Mr. Campbell was required to submit a Site Plan for the fact that he placed new asphalt pavement for his property's driveway and rear parking area.

Attached is a Variance Request submission with the added fact that the pre-existing curb cut is 10 feet wide and that was added in the Variance request with the request for a driveway width less than 15 feet for the City's review and approval of the asphalt driveway and rear parking area for his existing (4) unit apartment building at Mr. Campbell's property at 149 North Hamilton Street. Included in this submission are:

1. "Updated" Site Plan Sheet
2. Current Site photos

Please place us on the October Planning Board Meeting. If there are any questions please contact me.

Sincerely,

Paul Tirums, P.E.

Variance Request Justification

149 North Hamilton Street

1). Granting the (3) variance requests will not produce an undesirable change in the neighborhood. The existing parking lot in the rear of the property was pre-existing and there currently exists 3 foot height chain link fences along both property lines between the neighboring properties, and there is vegetation growing already existing along both of these property lines. The adjacent houses also appear to be multi-family residences with Parking in the rear of the property. The clear width of the driveway to the rear parking area really has no impact on the question if the variance produces an undesirable change.

2). The benefit sought for the installation of screening along the rear parking area would be difficult to achieve feasibly. With the existing fences and the existing vegetation there really isn't the available additional width along either property line to plant shrubbery. There already exists a barrier with some level of screening in these areas. As far as the 15' wide clear path to the rear parking lot, **the existing curb cut is only 10 feet wide and is requested to remain at 10 feet, but the 15' wide clear path** could be achieved by the elimination of the 8th Parking space. For the (4) Apartment units there is required 7.5 Parking spaces, the elimination of the 8th parking space along the side of the building would achieve the 15' lane width. It is not anticipated that the residents of the Apartment building would be the owners of that many cars and need the full 8 spaces, so that is a good option; but on the other hand in this location and residential building a clear width of 11.2' would be sufficient since the level of traffic flow alongside the building using this driveway will really be minimal throughout a 24 hour day.

3). Is the requested variances substantial? We do not feel they are substantial due to the existing fence and existing natural vegetation screening, and the **curb cut and** driveway width is not really an issue given the low amount of expected travel along this driveway for (4) Apartment units.

4). The variances will not have an adverse effect on the physical or environmental conditions of the neighborhood. These conditions were all pre-existing, the only difference is that the driveway and parking area have now been asphalt paved. This provided an improvement to the property and really cleaned up the delapidated driveway and parking area.

5). The new Owner (Roy Campbell) did not create the need for these variances as the driveway and parking area was pre-existing; Mr. Campbell was unaware of the City's requirement to get a Permit/Approval for the asphalt paving of the driveway prior to

doing the work. These conditions were pre-existing. It should be noted that Mr. Campbell purchased this house/property and the house was vacant and in poor condition. Mr. Campbell made financial investments in this property which have changed this house and property to an un-kept house and property that was an eyesore to now a very nice looking house and property within the City of Poughkeepsie. Mr. Campbell provided a newly paved driveway and Parking area, placed new siding and paint on the exterior of the Building, and cleared up all of the existing Building violations from that pre-existed from the City's Building Department.

**Paul Tirums, P.E.
Consultant Engineer**

16 Friendship Lane
Poughkeepsie, N.Y. 12601

Cell (914) 490-3269

August 29, 2023

The City of Poughkeepsie Building, Planning & Zoning Department
ATTN: Ms. Judith Knauss, Deputy Zoning Administrator
62 Civic Center Plaza
Poughkeepsie, N.Y. 12601

Project: Campbell – Asphalt Paved Driveway

RC Home & Office Solutions, Inc.
Mr. Roy Campbell
149 North Hamilton Street
Poughkeepsie, N.Y. 12603

RE: Site Plan Submittal (Revised)

Dear Judith,

This transmittal is for the City's review of the application package that has been revised based on our initial appearance in front of the Planning Board on Tuesday, August 16th. Mr. Campbell was required to submit a Site Plan for the fact that he placed new asphalt pavement for his property's driveway and rear parking area.

Attached is a Site Plan submission for the City's review and approval of the asphalt driveway and rear parking area for his existing (4) unit apartment building at Mr. Campbell's property at 149 North Hamilton Street. Included in this submission are:

1. "Updated" Site Plan Sheet
2. Short Environmental Assessment Form
3. Site Plan Application
4. Statement from Mr. Campbell saying that I can represent him in this application
5. Current Site photos

In this updated submittal we addressed the comments received from the Planning Board:

- The Parking Spaces were increased from 18' in length to 20' in length.
- Added dimensions for the driveway widths were added to the Site Plan.
- When Mr. Campbell repainted and newly sided the Building a couple of years ago he removed the Bail Bondsman sign. Since he became Owner in 2020 there has never been a Bail Bondsman renter within the Building.
- The curb cut for the driveway was pre-existing as indicated in the photos provided.
- We will be submitting a Variance Application for the September ZBA Meeting based on Judith Knauss's comments.

Please place us on the September Planning Board Meeting. If there are any questions please contact me.

Sincerely,

Paul Tirums, P.E.

Paul Tirums, P.E. Consultant Engineer

16 Friendship Lane
Poughkeepsie, N.Y. 12601

Cell (914) 490-3269

August 1, 2023

N.Y.S. Dept. of Building Standards and Codes
One Commerce Plaza
99 Washington Avenue; Suite 1160
Albany, N.Y. 12231-0001

Project: Campbell – Variance for Toilet Clearance

RC Home & Office Solutions, Inc.
Mr. Roy Campbell
149 North Hamilton Street
Poughkeepsie, N.Y. 12603

RE: Variance Transmittal

To Whom it May Concern,

This transmittal is for your review of the application package to receive your judgement/variance for a toilet “front clearance” distance. Mr. Campbell purchased this property at auction from the City of Poughkeepsie in 2021 and there were many violations that he had to repair or replace to get cleared up. The Building was an existing (4) Unit Apartment Building/Residence and Mr. Campbell has not made any alterations to the Floor Plan on any of the three floors of this residence. The Building was constructed in 1920 and any alterations to the Layout, plumbing, fixtures or walls is very difficult and would certainly be very costly. The one outstanding issue that is left with the City of Poughkeepsie Building Department and Code Enforcement is the front clearance measurement in Apartment #1’s Bathroom located on the 1st floor. This is the only Bathroom for this unit. As you can see in the attached sketch there is only 12” of front clearance not the 21” Code requirement. Included in this submission are:

1. \$50 check to **New York State Department of State** for the application fee
2. Application for Variance
3. Full Property Card from Dutchess County Parcel Access
4. Sketch of the Bathroom with Toilet clearance issues.
5. Copy of Violation from the City of Poughkeepsie.

Please review and let us know the next steps towards the Variance evaluation for Mr. Campbell’s Bathroom located in the 1st Level Apartment one-bedroom unit. If there are any questions or more info needed please contact me or Mr. Campbell.

Sincerely,

Paul Tirums, P.E.

Variance Request Justification

149 North Hamilton Street

1). Granting the (3) variance requests will not produce an undesirable change in the neighborhood. The existing parking lot in the rear of the property was pre-existing and there currently exists 3 foot height chain link fences along both property lines between the neighboring properties, and there is vegetation growing already existing along both of these property lines. The adjacent houses also appear to be multi-family residences with Parking in the rear of the property. The clear width of the driveway to the rear parking area really has no impact on the question if the variance produces an undesirable change.

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3). Is the requested variances substantial? We do not feel they are substantial due to the existing fence and existing natural vegetation screening, and the driveway width is not really an issue given the low amount of expected travel along this driveway for (4) Apartment units.

4). The variances will not have an adverse effect on the physical or environmental conditions of the neighborhood. These conditions were all pre-existing, the only difference is that the driveway and parking area have now been asphalt paved. This provided an improvement to the property and really cleaned up the delapidated driveway and parking area.

5). The new Owner (Roy Campbell) did not create the need for these variances as the driveway and parking area was pre-existing; Mr. Campbell was unaware of the City's requirement to get a Permit/Approval for the asphalt paving of the driveway prior to doing the work. These conditions were pre-existing. It should be noted that Mr. Campbell purchased this house/property and the house was vacant and in poor

condition. Mr. Campbell made financial investments in this property which have changed this house and property to an un-kept house and property that was an eyesore to now a very nice looking house and property within the City of Poughkeepsie. Mr. Campbell provided a newly paved driveway and Parking area, placed new siding and paint on the exterior of the Building, and cleared up all of the existing Building violations from that pre-existed from the City's Building Department.

North per deed
Doc ID# 02-2022-50176

found 1/2" rebar
S 75°-30'-34" E 0.17'

house clears
0.1'±

1 story frame
house clears
2.3'±

3-Story Brick
(4) Unit Apart. Bldg.
(2,536 GSF)

porch
(8' x 20')

concrete

paved asphalt
driveway limits
18.8'

house clears
1.5'±

found 1/2" rebar
N 09°-44'-58" E 0.51'

N/F Green
Doc. ID No. 02-2012-748

(9) Total Parking spaces
indicated (9' x 20' each) Typical

Tax Map # 131300-6162-63-275350
= 0.234± Acres.

N/F Rogers
L 1706 P 852

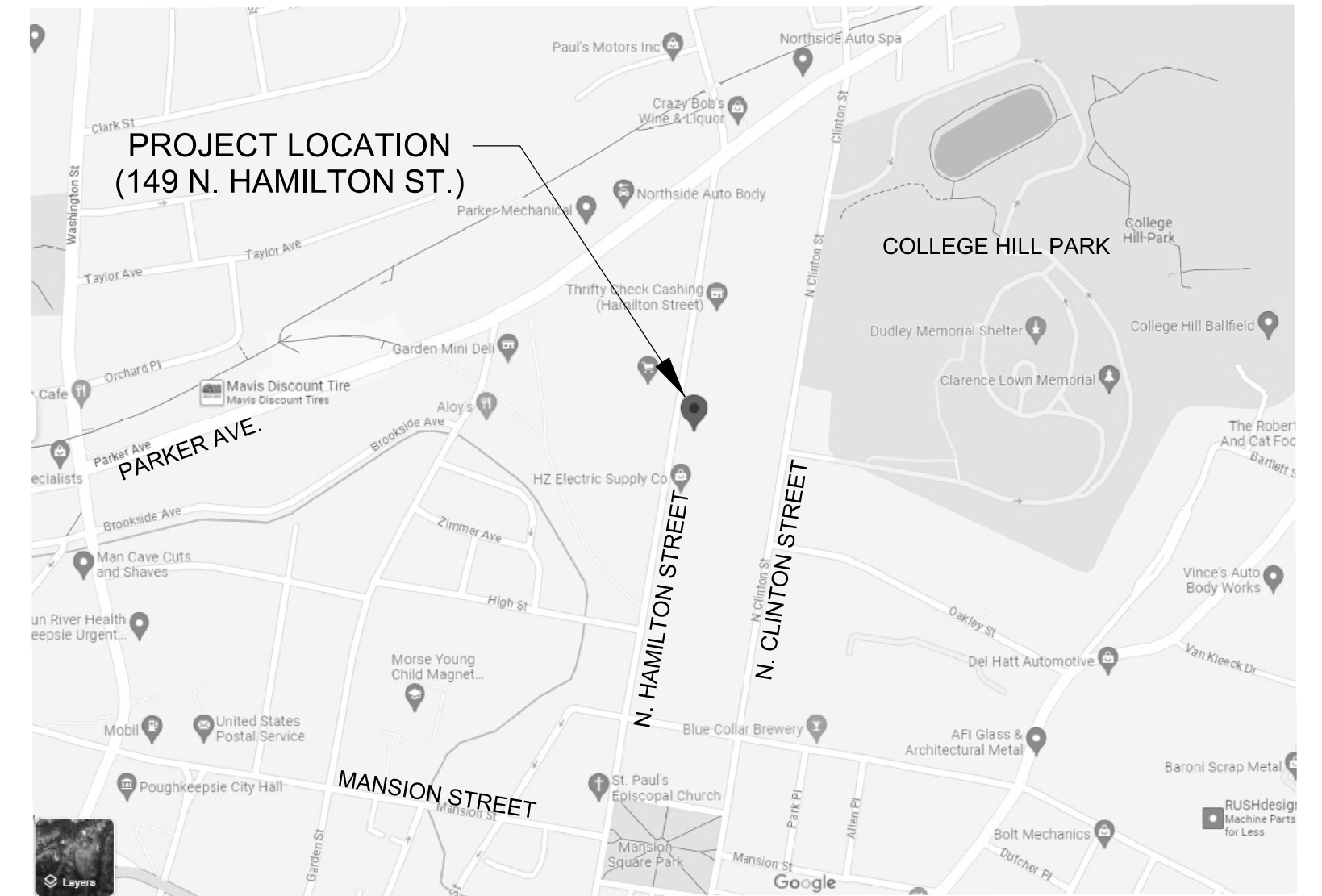
TAX MAP IDENTIFICATION

North Hamilton Street	# 240389	# 282392	# 302384
		# 279377	# 301378
		# 279374	# 301373
		# 279372	# 300366
		# 278369	# 299362
		# 278366	# 298358
		# 277361	# 298354
		# 276355	# 297351
		# 275350	# 296348
		# 274345	# 296344
		# 274344	# 294339
		# 274340	# 294333
		# 273336	# 293329
		# 271325	# 292324

TAX MAP NUMBER	ADDRESS	OWNER
# 240389	N. Hamilton Street	County of Dutchess
# 238330	150 N. Hamilton Street	County of Dutchess
# 292392	183 N. Hamilton Street	Urban/Gerlach Realty LLC
# 279377	165 N. Hamilton Street	City of Poughkeepsie
# 279374	163 N. Hamilton Street	Westney, Saleesha
# 279372	161 N. Hamilton Street	Hooper, Alexis D.
# 278369	159 N. Hamilton Street	White, Joyce E.
# 278366	157 N. Hamilton Street	Walden, D.W.
# 277361	155 N. Hamilton Street	Green, Roberta J.
# 276355	151 N. Hamilton Street	Green, William Earl Sr.
# 274345	147 N. Hamilton Street	Rogers, Judith
# 274344	145 N. Hamilton Street	Rojas, Sabas
# 274340	143 N. Hamilton Street	Williams, Jannette D.
# 273336	141 N. Hamilton Street	Margulies, Ira Joseph
# 272344	139 N. Hamilton Street	Klein, Tzy A.
# 271325	135 N. Hamilton Street	North Hamilton LLC
# 302384	172-174 N. Clinton Street	Walkway Properties LLC
# 301378	168 N. Clinton Street	168 N Clinton LLC
# 301373	166 N. Clinton Street	Shelli, Curtis
# 300366	162 N. Clinton Street	Gray, Lloyd E.
# 299362	160 N. Clinton Street	Greene, Sheldon R.
# 298358	158 N. Clinton Street	Diffus, Daniel
# 298354	156 N. Clinton Street	Maresco, Anthony J.
# 297351	154 N. Clinton Street	Maresco, Anthony J.
# 296348	152 N. Clinton Street	Dugger, John W. Jr.
# 296344	150 N. Clinton Street	Reid, Jaime
# 294339	148 N. Clinton Street	Stubbs, Erik R.
# 294333	146 N. Clinton Street	Rodriguez, Ariel
# 293329	144 N. Clinton Street	Ulutas, Ahmet
# 292324	140 N. Clinton Street	Kimom, Eon L.

LEGEND:

- recovered 1/2" rebar
- recovered iron pipe
- utility pole
- light post
- chain link fence
- water valve
- bollard



LOCATION MAP

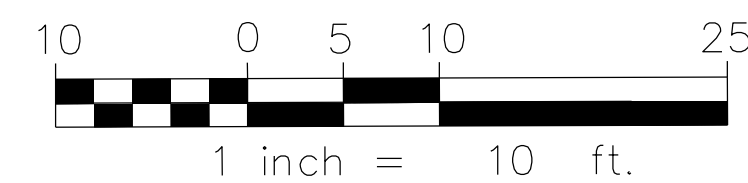
N.T.S.

found 1/2" rebar
N 28°-03'-54" E 0.31'

N/F Dugger
L 1900 P 95

N/F Reid
Doc. ID No. 02-2007-502

GRAPHIC SCALE



CITY PLANNING BOARD
CITY OF POUGHKEEPSIE, NEW YORK
SITE PLAN APPROVAL
FILE NO:
PROJECT NAME:
PROJECT LOCATION:
APPLICANT:
OFFICIALLY APPROVED at the Planning Board
meeting held the ___ day of _____ 202_
PLANNING CHAIR:
DESIGNEE:
DATE SIGNED:
CONDITION(S):

Boundary Survey by:
MICHAEL J. PARRELLA, PLS
Licensed Land Surveyor
NY License No. 050162
MAY 2023
168 SCHULTZ HILL ROAD
STAATSBURG, NY 12580
(845) 876-4163

OWNER INFORMATION:
RC Home & Office Solutions Inc.
Mr. Roy Campbell
46 Morningside Drive
Patterson, N.Y. 12563
(914) 837-5690

SITE PLAN
DRIVEWAY IMPROVEMENTS
PREPARED FOR
RC HOME & OFFICE SOLUTIONS INC.
MR. ROY CAMPBELL

149 N. HAMILTON STREET
CITY OF POUGHKEEPSIE
COUNTY OF DUTCHESS, N.Y.

BY: PAUL TIRUMS, P.E.
16 FRIENDSHIP LANE
POUGHKEEPSIE, NY 12601

SCALE: 1" = 30'
DATE: 08/24/2023

PAGE 1 OF 1





















**THE CITY OF POUGHKEEPSIE
NEW YORK
DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006**

August 11, 2023

Roy Campbell/RC Home & Office Solutions
46 Morningside Drive
Patterson, NY 12563

RE: 149 North Hamilton Street

Dear Mr. Campbell:

The Development Department is in receipt of your application for the site plan approval for the creation of an off-street parking lot for nine vehicles at 149 North Hamilton Street, the primary use of which is a four family dwelling. The application has been reviewed for compliance with the of the Zoning Ordinance relative to off-street parking and to the Central Medium Density Residence (R-3A) District in which the property is located. Please note that the following deficiencies were noted to exist:

- 1) Section 19-4.3(1) requires that whenever a parking for three or more spaces faces a street or property line, a planting area a minimum of three feet wide and three feet high be planted between the parking area and property line: No planting area is indicated;
- 2) Section 19-4.3(2) further 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: no screening is proposed along the north or south residential property lines;
- 3) Section 19-4.3(5)(a) provides that access shall consist of at least one fifteen-foot wide lane for parking areas with fewer than 20 spaces: with two spaces proposed to be located within the driveway, the driveway will be only ten (10) feet in width; and,
- 4) Section 19-4.3(5)(b) provides that each parking space shall be not less than 20 feet long nor less than nine feet wide: the spaces are proposed to be 18 feet in length.

Therefore the application is hereby denied. You may, within sixty (60) days of the date of this letter, either, revise the plan to reflect compliance with the requirements of the Ordinance or appeal the terms of denial to the Zoning Board requesting that variances be granted (forms included).

Please feel free to contact either myself or Deputy Zoning Administrator Joseph O'Brien should you have any questions in this regard.

Very truly yours,

Judith Knauss

Deputy Zoning Administrator

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):

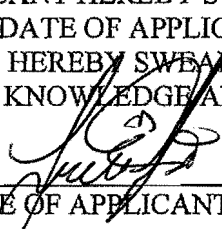
SEE EXHIBIT "A"

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

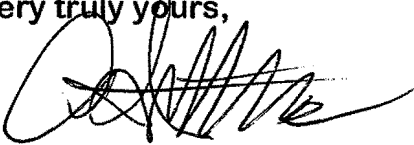
**Zoning Board
City of Poughkeepsie
PO Box 300
Poughkeepsie, NY 12602**

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

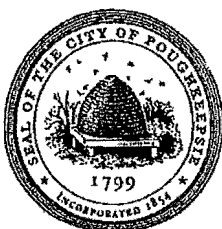
Dear Zoning Board:

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.



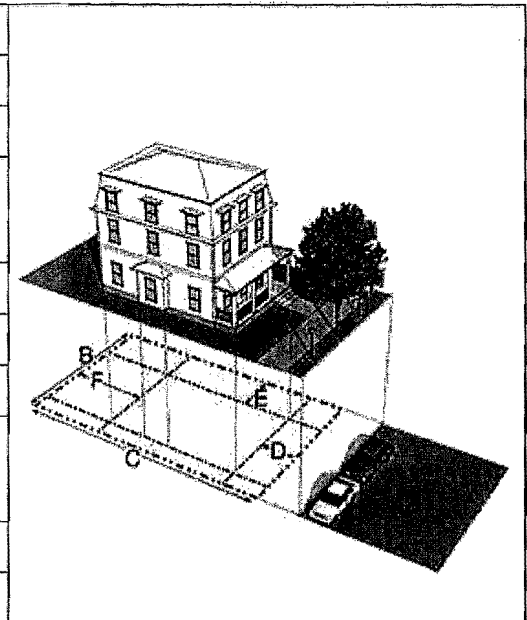
Section 19-3.25 Walkway-Gateway District (W-G)

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	



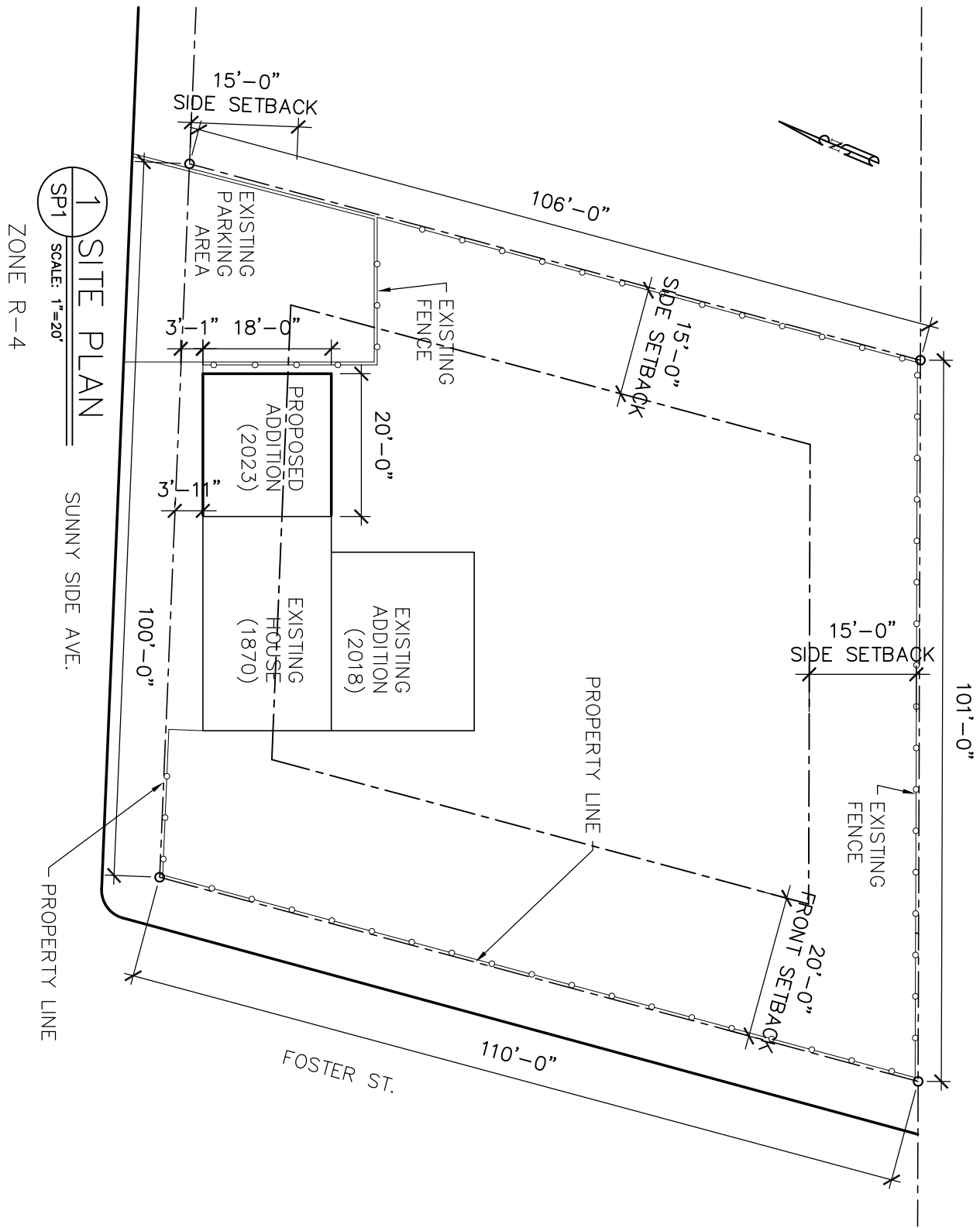
617.20
Appendix B
Short Environmental Assessment Form

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								
☐	☒								
<table style="width: 100%;"> <tr> <td style="width: 60%;">3.a. Total acreage of the site of the proposed action?</td> <td style="width: 40%; text-align: right;">0.24 acres</td> </tr> <tr> <td>3.b. Total acreage to be physically disturbed?</td> <td style="text-align: right;">0.008 acres</td> </tr> <tr> <td>3.c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</td> <td style="text-align: right;">0.24 acres</td> </tr> </table>				3.a. Total acreage of the site of the proposed action?	0.24 acres	3.b. Total acreage to be physically disturbed?	0.008 acres	3.c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	0.24 acres
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3.b. Total acreage to be physically disturbed?	0.008 acres								
3.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

SHEET NO.

SPI

JOB DETAIL

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

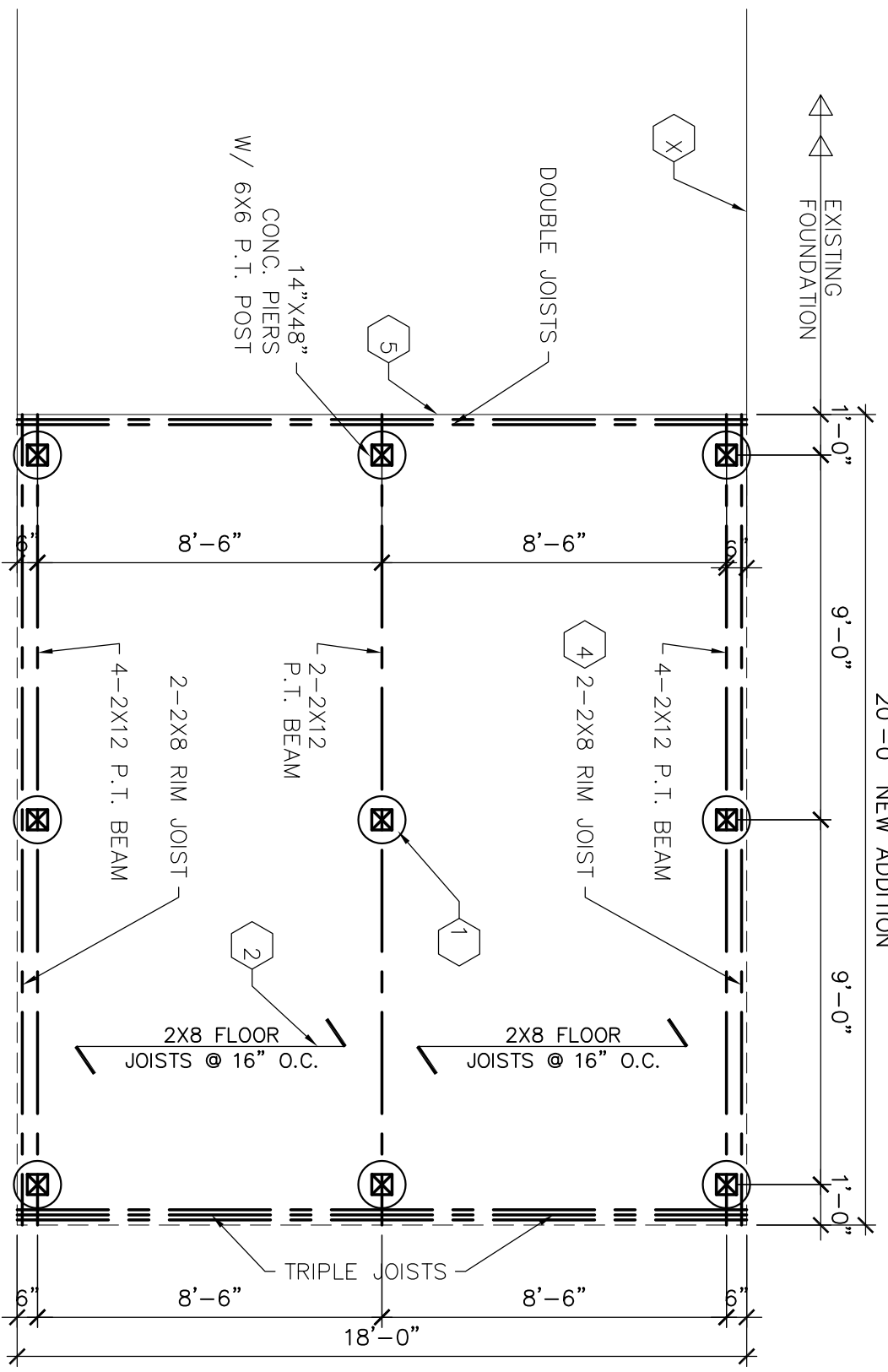
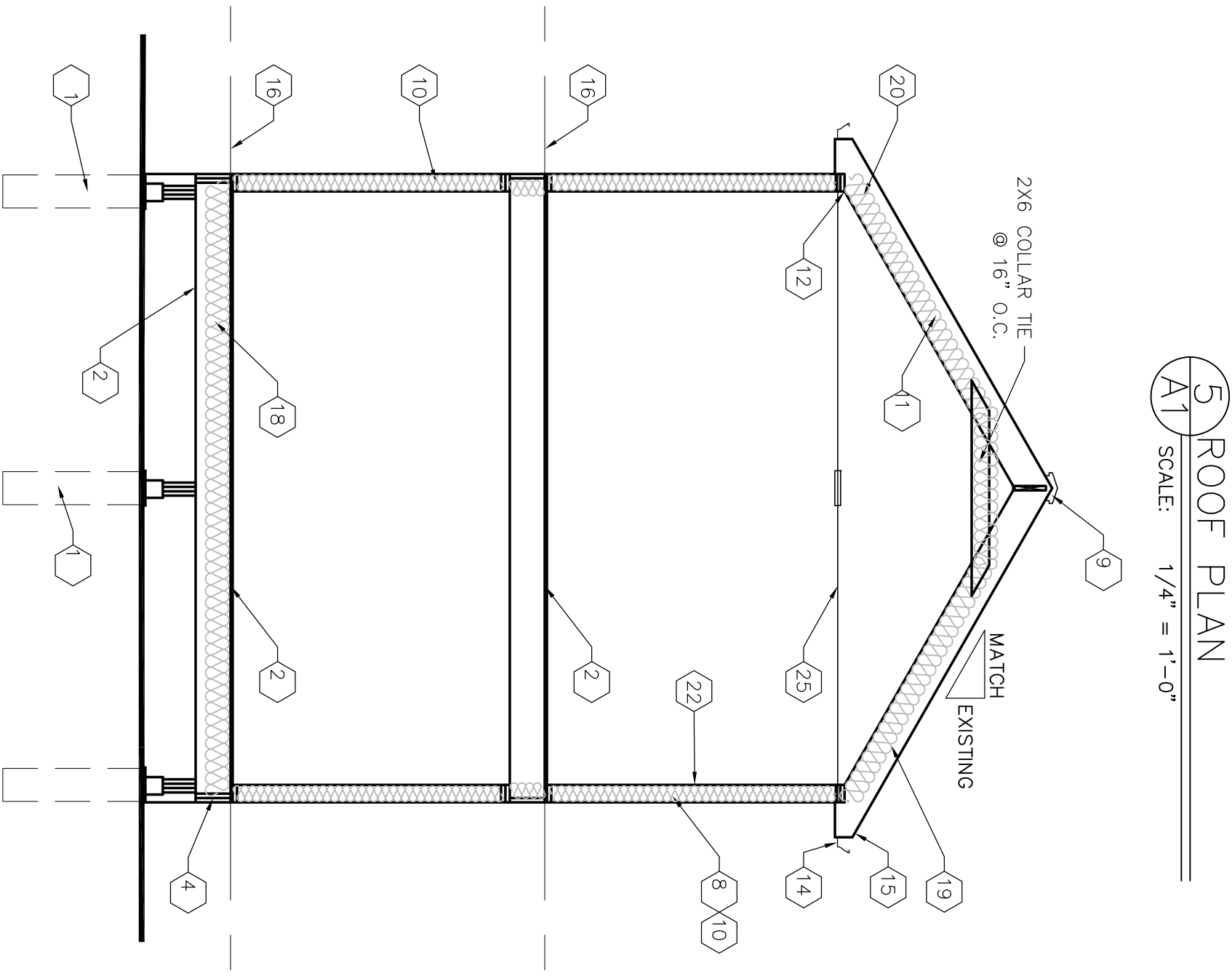
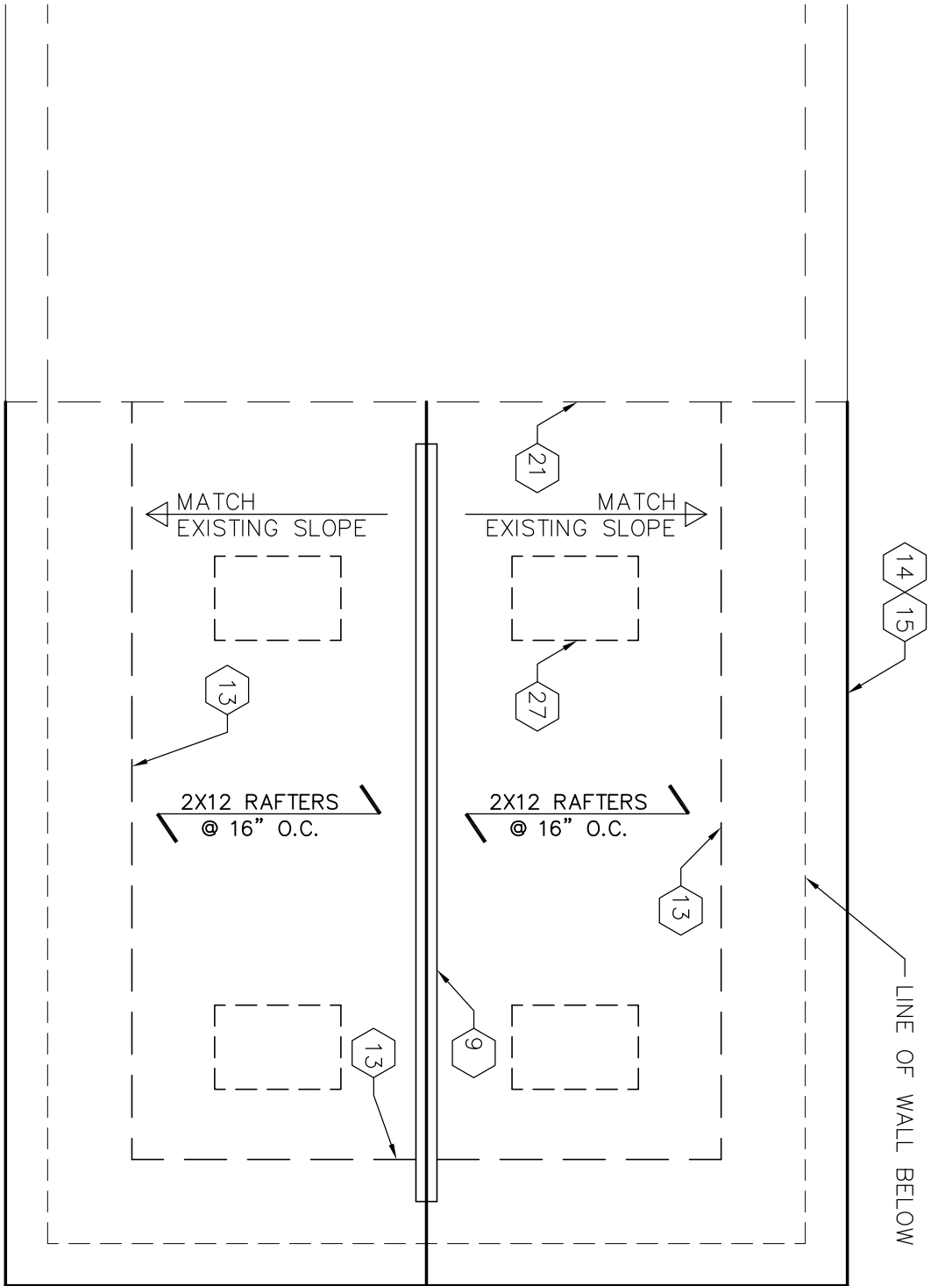
(845) 473-7525 Fax

PROPOSED ADDITION for:

JOSE & CARMEN JUAREZ

7 FOSTER ST.

POUGHKEEPSIE N.Y.



1 FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

2 FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

TYPICAL CONSTRUCTION NOTES

- INSTALL 6x6 PRESSURE TREATED COLUMNS ON SIMPSON 4466 POST BASE AND 1/2" ANCHOR BOLTS IN FOUNDRY 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. SEAL ALL JOIST JOINTS 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 MANUFACTURERS 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 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" ONCE CEILING IS IN PLACE. 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.

MARK	SIZE	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	GLASS OPENING
A	2'-11 1/2" X 4'-11 1/2"	3050	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

MARK	SIZE	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	GLASS OPENING
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ELECTRICAL LEGEND

- ⊙ SURFACE MOUNTED FIXTURE
- ⊙ EXTERIOR WALL MOUNTED FIXTURE ON TIMER & PHOTOCELL
- ⊙ EXHAUST FAN
- ⊙ CABLE CONNECTION - CONDUIT HEIGHT & LOCATION
- ⊙ DUPLEX OUTLET
- ⊙ GROUND FAULT CIRCUIT INTERRUPT OUTLET
- ⊙ WEATHERPROOF OUTLET
- ⊙ CARBON MONOXIDE DETECTOR
- ⊙ 110 VOLT SMOKE DETECTOR
- ⊙ SINGLE POLE SWITCH
- ⊙ LIGHT - FAN COMBINATION

4 SECTION

SCALE: 1/4" = 1'-0"

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

PROPOSED ADDITION FOR:
JOSE & CARMEN JUAREZ
7 FOSTER STREET, POUGHKEEPSIE, N.Y.

CIRO TERRANTE 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

CIA

IN THE SPIRIT OF COOPERATION

Revisions

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



FLOOR PLANS & NOTES

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

GENERAL NOTES:

1. 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.
2. ALL FRAMING LUMBERS TO BE S-P-F OR HEA-FR, CONSTRUCTION GRADE, JOISTS, HEADERS, RAFTERS AND GIRDERS TO BE DOUGLAS FIR NUMBER TWO OR BETTER, USE PRESSURE TREATED LUMBER FOR DOOR CASERS TO BE W-12, 2X6, ALL HEADERS AND GIRDERS TO BE CLEAD AND NAILED.
3. DIMENSIONS ARE FROM FACE OF STUD OR STRUCTURE, OR CENTERLINE OF MEMBER/OPENING, UNLESS OTHERWISE NOTED.
4. UNAUTHORIZED SUBSTITUTION OF MATERIAL, SIZE OR TYPE OF MATERIAL SHALL BE THE ARCHITECT'S RESPONSIBILITY. THE ARCHITECT IS NOT RESPONSIBLE FOR COMPLICATIONS ARISING FROM UNAUTHORIZED SUBSTITUTION OF MATERIAL, SIZE OR TYPE OF MATERIAL.
5. ALL MATERIALS, ASSEMBLIES, CONSTRUCTION AND EQUIPMENT SHALL CONFORM TO THE ACCEPTED STANDARDS.
6. ALL NEW INTERIOR DRYWALL TO BE 1/2" REGULAR GYPSUM BOARD PERFORMANCE OF THE WORK THOSE ITEMS NOT NOTED, BUT IMPLIED AS NECESSARY FOR THE PERFORMANCE OF THE WORK.
7. USE MOISTURE RESISTANT DRYWALL IN BATHROOMS.
8. ALL NEW INTERIOR DRYWALL TO BE 1/2" REGULAR GYPSUM BOARD PERFORMANCE OF THE WORK THOSE ITEMS NOT NOTED, BUT IMPLIED AS NECESSARY FOR THE PERFORMANCE OF THE WORK.
9. ALL NEW INTERIOR DRYWALL TO BE 1/2" REGULAR GYPSUM BOARD PERFORMANCE OF THE WORK THOSE ITEMS NOT NOTED, BUT IMPLIED AS NECESSARY FOR THE PERFORMANCE OF THE WORK.
10. ALL DECKS AND HEADERS OVER GUTTERS AND TO BE CLEAD AND NAILED. ALL MULTIPLE PIECE JOISTS SHALL BE CLEAD AND NAILED.
11. ALL WALLS ARE FRAMED WITH 2x6, OR 2x4 STUDS.
12. ALL MATERIALS SHALL BE ASSEMBLED IN ACCORDANCE WITH THE N.Y.S. RESIDENTIAL CODE, FASTENERS SHALL BE 16D OR 18D GALVANIZED STEEL NAILS AND PROPER QUANTITY AND TYPE OF FASTENERS SHALL BE SPECIFIED.
13. SILL POSTS AND MEMBERS IN CONTACT WITH MASONRY OR SLABS ARE TO BE CARBON MONOXIDE TREATED. ANY MEMBER EXPOSED STRUCTURAL LUMBER SHALL BE PRESSURE TREATED.

INSULATION:

1. PROVIDE AND INSTALL FULL THICKNESS FIBERGLASS BATT INSULATION WITH CRAFT FACED VAPOR BARRIER IN WALLS AND CEILINGS IN FRAMING CAVITY, FOLLOW MANUFACTURER'S INSTRUCTIONS FOR USE AND INSTALLATION.

ELECTRICAL NOTES:

1. ALL OUTLETS IN ALL BATHROOMS, AND KITCHEN AREAS SHALL BE GFI PROTECTED.
2. ALL ELECTRICAL WORK SHALL BE INSTALLED BY A LICENSED ELECTRICIAN IF REQUIRED BY LOCAL BUILDING DEPARTMENT.

EGRESS SAFETY:

1. SUPPLY AND INSTALL LINE VOLTAGE IONIZED SMOKE DETECTOR ALARMS AND CARBON MONOXIDE DETECTORS AS SHOWN ON PLANS, AND AS REQUIRED BY LOCAL AUTHORITY.
2. ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE WIRED TOGETHER SO THAT IF ONE DETECTOR IS TRIPPED, ALL DETECTORS WILL SOUND AN ALARM.
3. IF REQUIRED BY LOCAL CODE OFFICIAL, ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE INSTALLED BY A LICENSED ELECTRICIAN.

SMOKE ALARM NOTES: SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:

1. IN EACH SLEEPING ROOM.
2. OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM.
3. ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND ATTIC, SMOKE AND DETECTORS ARE REQUIRED IN CRAWL SPACES UNHABITABLE ATTICS.

CARBON MONOXIDE ALARMS: CARBON MONOXIDE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:

1. WITHIN EACH DWELLING UNIT ON ANY STORY HAVING A SLEEPING AREA.
2. ON ANY STORY OF A DWELLING UNIT WHERE FUEL-FIRE 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 SUPPLY FOR BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED AUTOMOTIVE PARKING GARAGES ARE ALSO LOCATED.

WINDOW NOTES:

1. EACH HABITABLE SPACE IN THE NEW ADDITION 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 IN THE NEW ADDITION ARE IN COMPLIANCE WITH NYS CODE REQUIREMENTS FOR NATURAL LIGHT AND NATURAL VENTILATION.
3. ALL NEW WINDOWS SHALL BE 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.
6. ALL WINDOWS SHALL HAVE EGRESS HARDWARE.
8. CONTRACTOR TO VERIFY WINDOW SCHEDULE BEFORE ORDERING WINDOWS.

NOTES:

1. ALL EXISTING WINDOWS ARE TO REMAIN UNCHANGED.
2. NEW FINISHES SHALL BE PER OWNER'S CHOICE.

GENERAL FRAMING NOTES:

1. PROVIDE SOLID BLOCKING AT MID HEIGHT OF ALL WALLS OVER 8'-0" HIGH.
2. ALL JOISTS SHALL BE 2X12 OR LARGER STUDS BELOW.
3. ALL JOISTS SHALL BE 2X12 OR LARGER STUDS BELOW.
4. INSTALL DOUBLE FLOOR JOISTS UNDER PARTITION WALLS FRAMED PARALLEL TO JOIST DIRECTION.
5. PROVIDE SOLID BRACING AT MID POINT OF SPAN OR 8'-0" O.C. MAXIMUM IN ALL FLOORS.
6. ALL EXTERIOR SHEATHING SHALL BE 1/2" CDX PLYWOOD. NAILING SCHEDULE SHALL BE IN ACCORDANCE WITH N.Y.S. RESIDENTIAL CODE.
7. REMAINING ALL EXTERIOR FRAMING SHALL EXTEND DOWN THRU ALL LEVELS AND BE SUPPORTED BY A MINIMUM OF 4" DIA. PIER.
8. PROVIDE COLLAR TIES ON ALL RAFTERS AT UPPER 1/3 OF VERTICAL DISTANCE.
9. BETWEEN RIDGE BOARD AND CEILING JOISTS AT 16" O.C.
10. ROOF DRAINING SHALL BE 5/8" CDX PLYWOOD MINIMUM.
11. ALL EXTERIOR WALLS AND PARTIAL BRACING TO BE ON LOAD BEARING WALLS AND BE SUPPORTED BY THICKENED SLAB GRADE BEAM OR FOOTING DESIGNED TO CARRY LOAD.

ENERGY CONSERVATION:

1. NEW CONSTRUCTION ENVELOPE DESIGNED BY ACCEPTABLE STANDARDS FOR 6,000-6,499 Btu/ft²/yr (DOE) DEGREE DAYS WITH MINIMUM WALLS R-21, ROOF R-38, FLOOR R-25, GLAZING U-0.30, DOORS R-25.

TYPICAL CONSTRUCTION NOTES:

1. INSTALL 6x6 PRESSURE TREATED COLUMNS ON "SIMPSON" A866 POST BASE AND 3/4" ANCHOR BOLTS ON 14" ROUND OR SQUARE CONCRETE PILES, 48" BELOW GRADE.

2. NEW 2x8 FLOOR JOISTS AT 16" O.C. WITH R-30 INSULATION & 3/4" PLYWOOD SUB FLOOR, COVER BOTTOM OF JOISTS WITH METAL INSECT SCREENING TO PREVENT INFESTATION OF INSECT OR VERMIN.

3. 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.

4. INSTALL 2x2x8 FLOOR JOIST AROUND ENTIRE PERIMETER OF FIRST FLOOR.

5. INSTALL 2x8 LEDGER SCREWED TO EXISTING HOUSE W/ 2 LMBER SCREWS PER HOUSE STUD.

6. REMOVE EXISTING WINDOW & TRIM OUT OPENING.

7. MATCH EXISTING HOUSE TRIM & VINYL SIDING.

8. INSTALL "SNOW COUNTRY" RIDGE VENT BY GAF.

9. INSTALL 7/16" OSB SHEATHING W/ TYVEK HOUSE WRAP OVER 2x6 STUDS @ 16" O.C. W/ R-27 INSULATION WITH VINYL SIDING TO MATCH EXISTING.

10. 2x12 ROOF RAFTERS AT 16" O.C., 5/8" PLYWOOD SUB DECK, 1/2" FELT ARCHITECTURAL SHINGLES TO MATCH EXISTING.

11. INSTALL HURROCAE TIES #4/25A BY "SIMPSON" STRONG-TIE 1 @ EACH END OF RAFTERS.

12. 3x6" ICE & WATER SHIELD IN VALLEYS & 24" IN FROM OUTSIDE FACE OF STUD WALLS ON EAVES.

13. INSTALL OUTLITTERS & DOWN SPOUTS TO MATCH EXISTING.

14. CONTINUOUS 1x6 FASCIA & CONTINUOUS ALUM. Drip EDGE WITH CONTINUOUS VENTED SOFFIT.

15. CONTRACTOR IS RESPONSIBLE TO ASSURE THAT NEW FLOORS ALIGN AND ARE FLUSH WITH EXISTING FIRST & SECOND FLOORS.

16. IN 2 STORY AREA, INSTALL 2x6 ONE PIECE BALLOON FRAMED STUDS @ 16" O.C.

17. 2x8 FLOOR JOISTS @ 16" O.C.

18. EXTEND R38 ROOF FIBERGLASS INSULATION TO OUTSIDE FACE OF STUD WALL.

19. INSTALL "ACQUENT" BATTLES IN EACH RAFTER SPACE.

20. ARCHITECTURAL SHINGLES TO MATCH EXISTING OVER #15 FELT. COURSE IN WITH EXISTING SHINGLES.

21. INSTALL NEW 1/2" DRYWALL THROUGHOUT ON CEILINGS AND WALLS.

22. CUT PROPER BIRDS MOUTH ON NEW RAFTERS AT 16 INCHES ON CENTER AND SUPPORT BIRDS MOUTH ON DOUBLE TOP WALL PLATE. NAIL WITH 3-10d COMMON NAIL NAILS MINIMUM. DO NOT OVER CUT BIRDS MOUTH.

23. INSTALL LOFT RAILING CAPABLE TO RESIST 50 PLF AT ANY POINT ALONG THE TOP RAIL.

24. INSTALL NEW 3/4" DIAMETER STEEL THE RODS AT 7'-0" +/- ON CENTER WITH TURNBUCKLES.

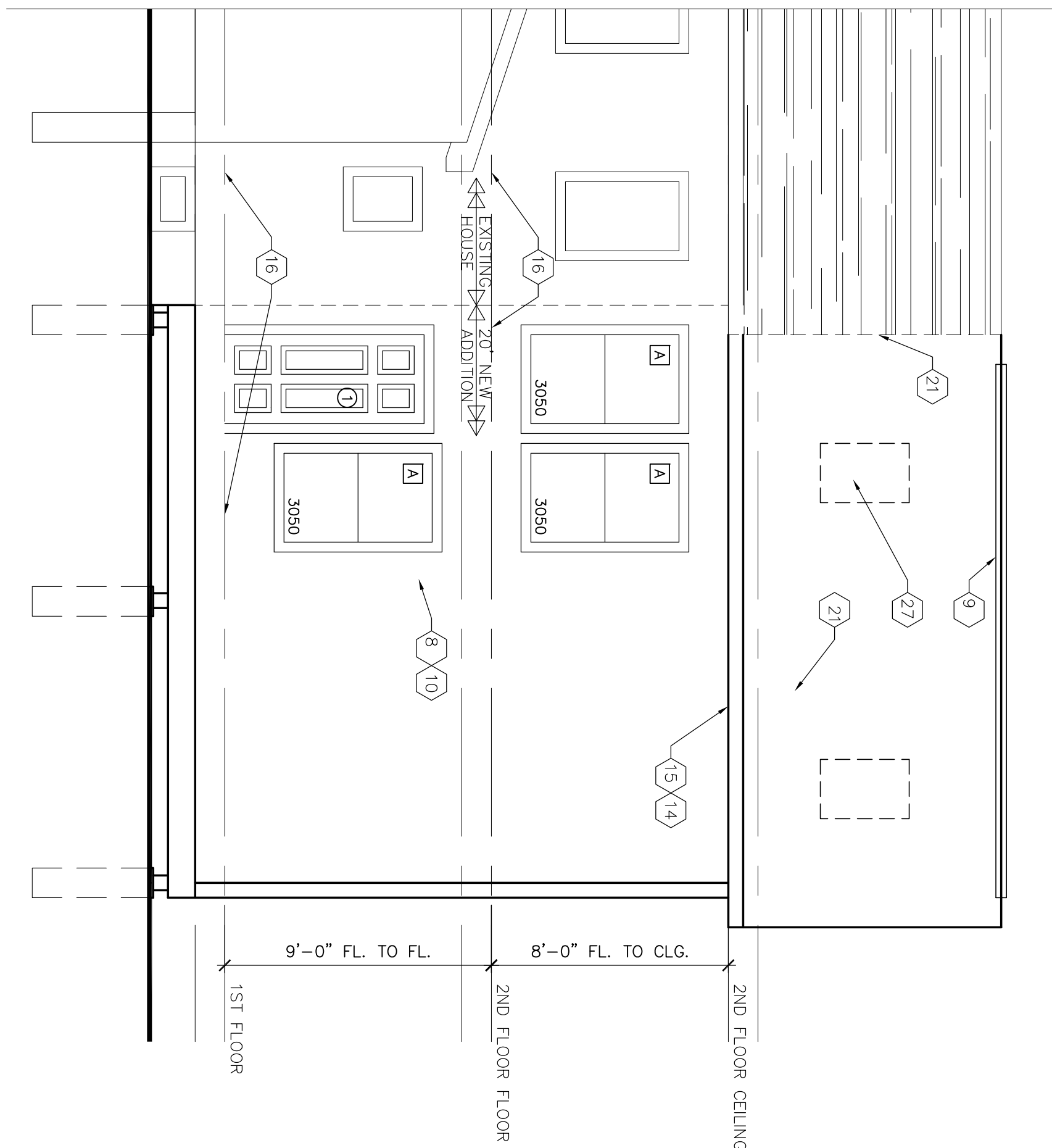
25. INSTALL 12x12 x 1/2" STEEL PLATES ON OUTSIDE FACE OF STUD FOR ATTACHMENT OF RODS.

26. CONSTRUCT NEW BATHROOM WITH SINK, TOILET AND SHOWER.

27. INSTALL 4 VELUX MODEL FCM 430 SKYLIGHTS.

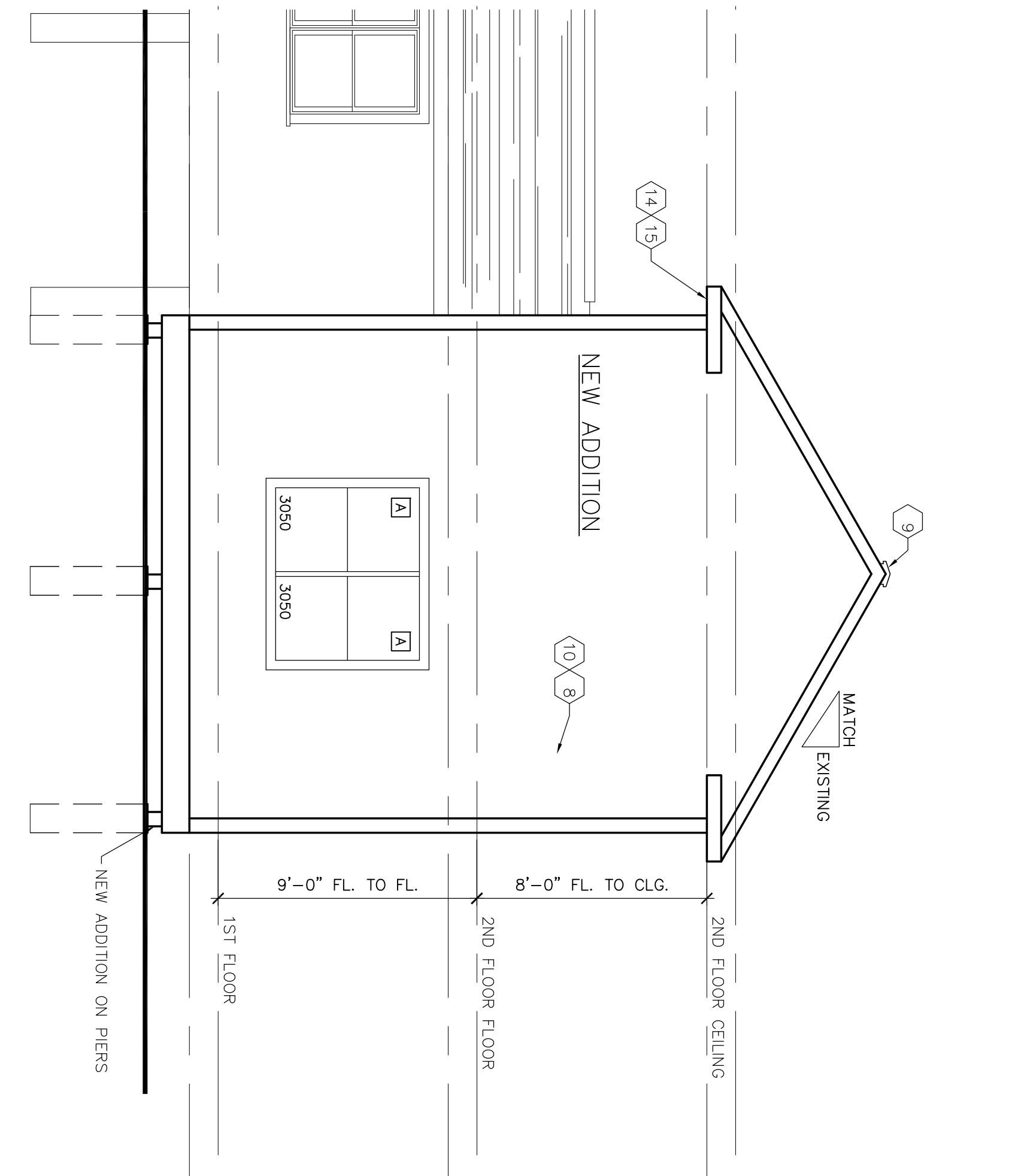
1 RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



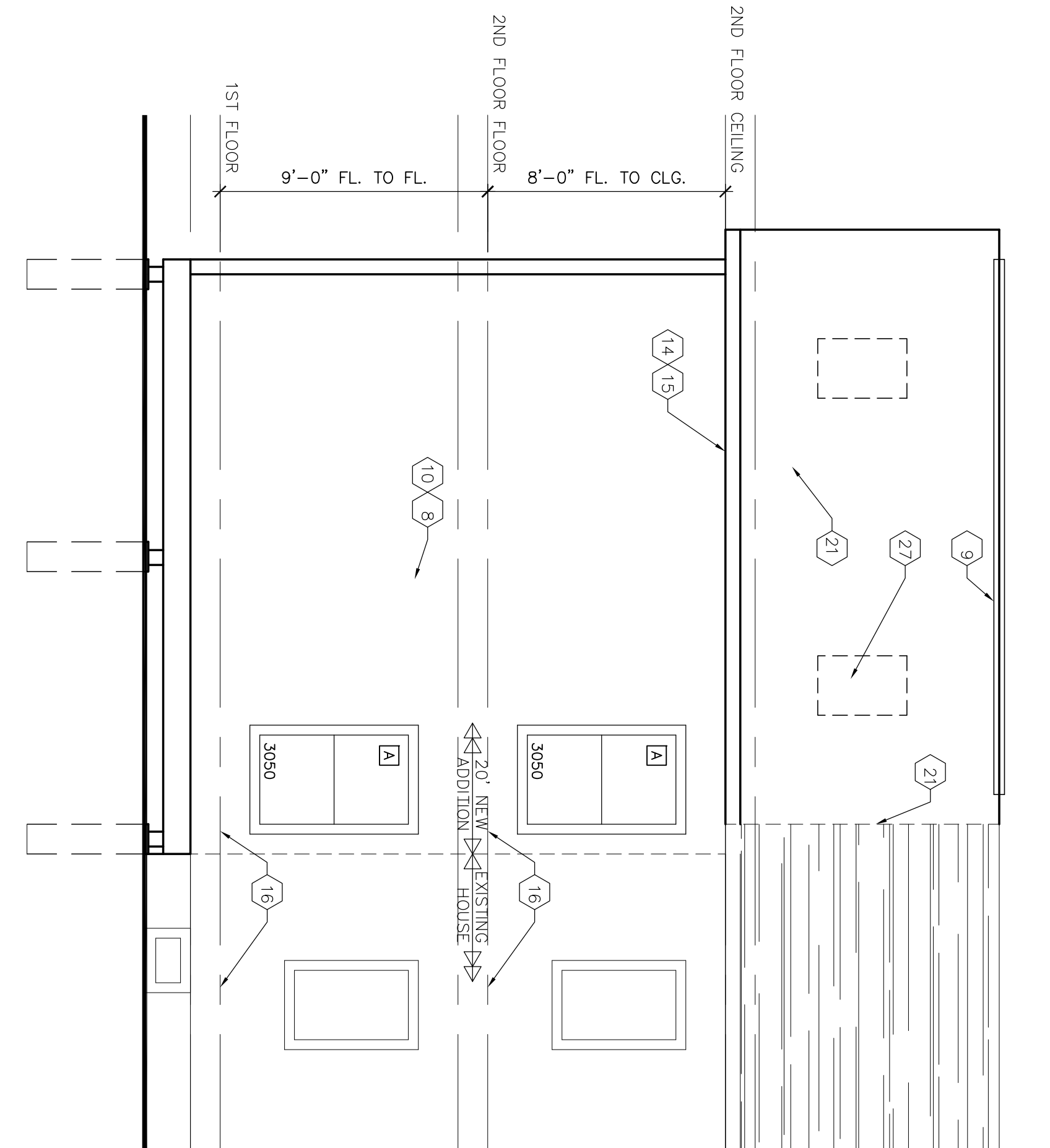
2 REAR ELEVATION

SCALE: 1/4" = 1'-0"



3 LEFT ELEVATION

SCALE: 1/4" = 1'-0"



ELECTRICAL LEGEND

- ⊕ SURFACE MOUNTED FIXTURE
- ⊖ EXTERIOR WALL MOUNTED PHOTOCELL
- ⊕ EXHAUST FAN
- ⊖ CABLE CONNECTION - LOCATIONS
- ⊕ DUPLEX OUTLET
- ⊖ GROUND FAULT CIRCUIT INTERRUPT OUTLET
- ⊕ WEATHERPROOF OUTLET
- ⊖ CARBON MONOXIDE DETECTOR
- ⊕ 110 VOLT SMOKE DETECTOR
- ⊖ SINGLE POLE SWITCH
- ⊕ LIGHT - FAN COMBINATION

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.	Description:
No. 1	5-8-23 GENERAL REVISIONS

PROPOSED ADDITION FOR:
JOSE & CARMEN JUAREZ
7 FOSTER STREET, POUGHKEEPSIE, N.Y.



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?"

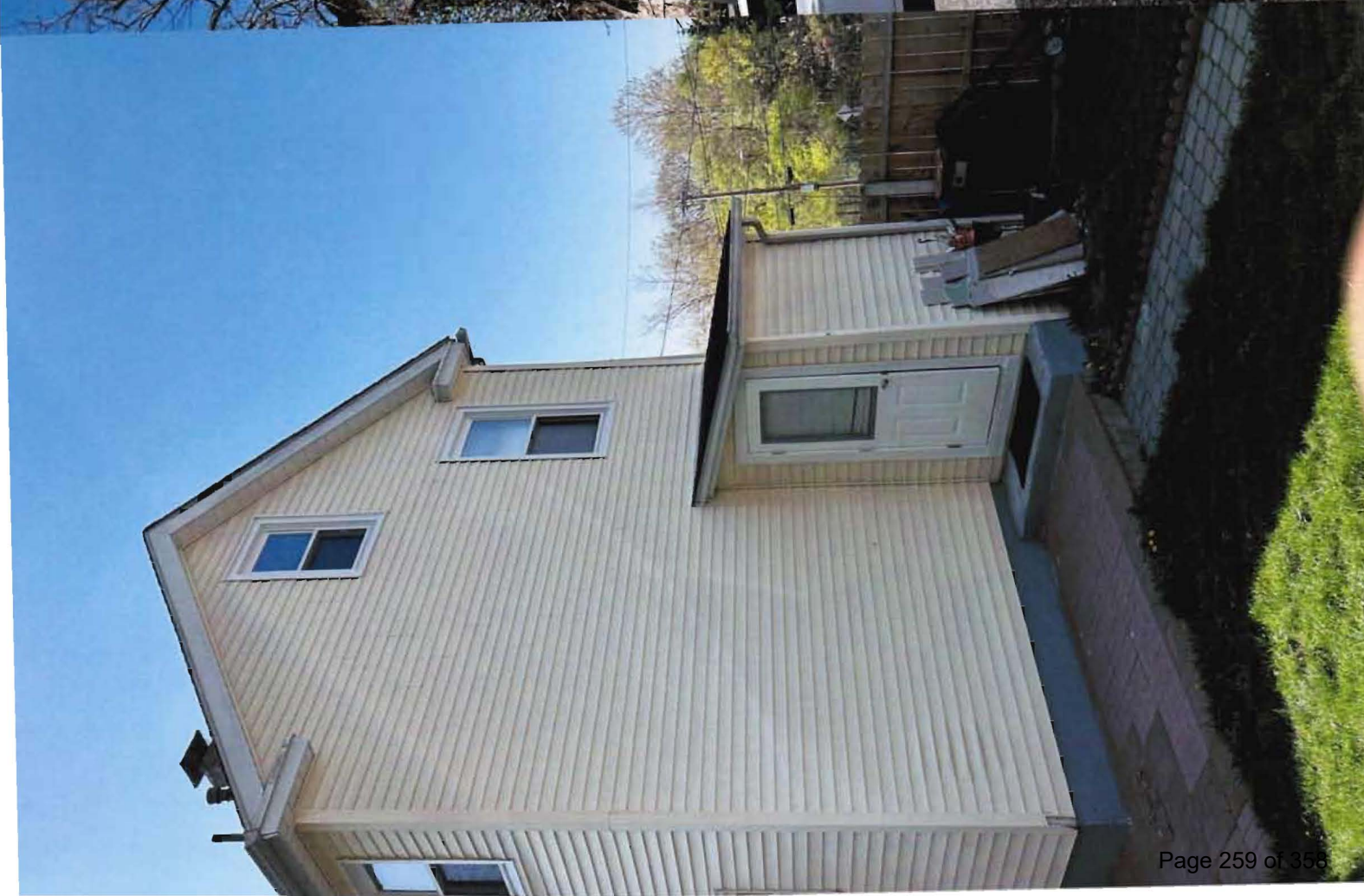
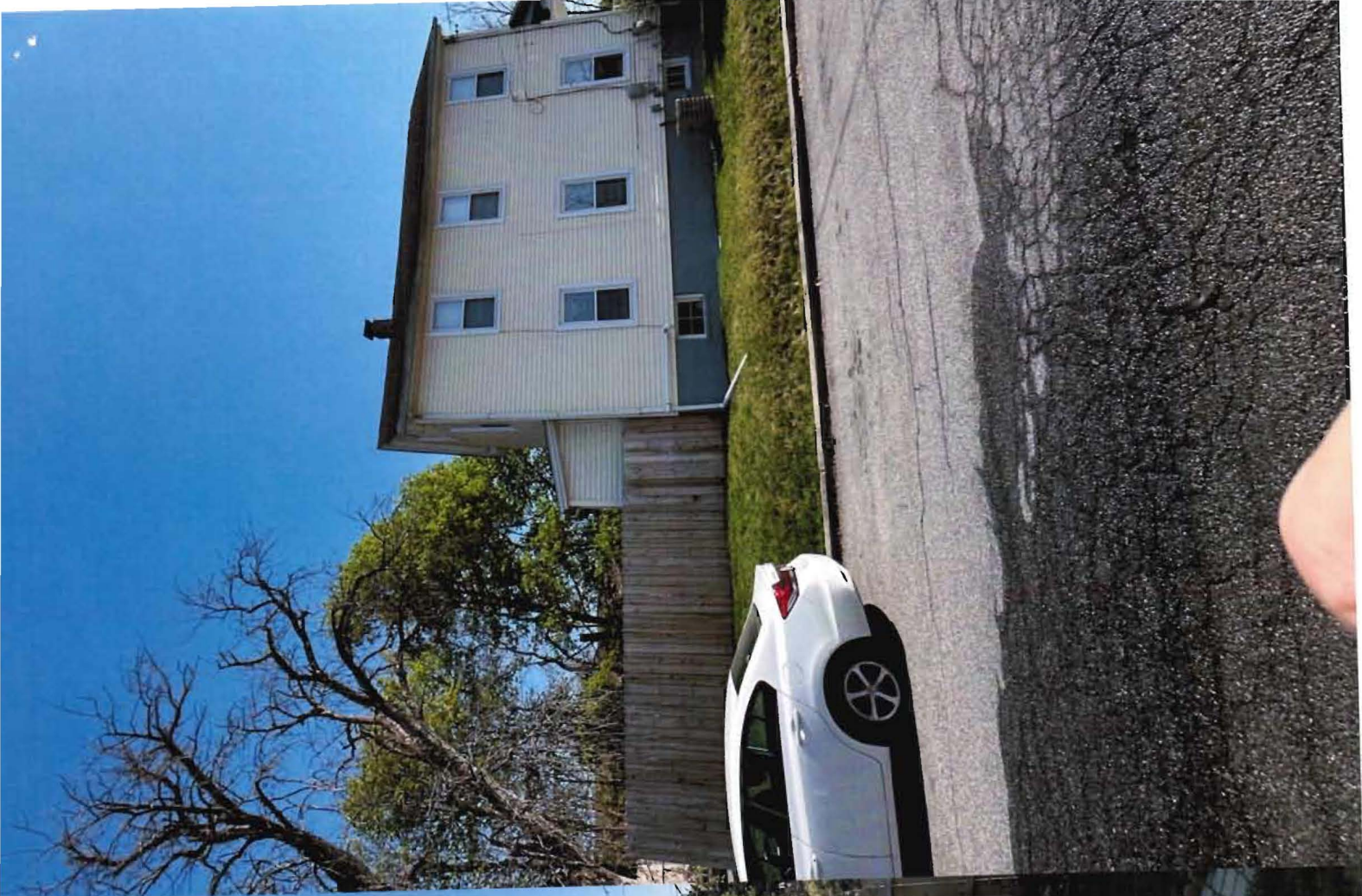
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair 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





**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: 40 Cannon St. Poughkeepsie, NY PB-2023-059/060

ZONING DISTRICT: UV

OWNER INFORMATION:

Name: Bottini Properties

Address: 40 Cannon St. Suite 2

Phone: 845-297-2109

Email:

APPLICANT INFORMATION:

Name: RKE Beck Enterprises Inc

Address: 40 Cannon St. Suite 4

Phone: 845-232-5311

Email: thecellar@1915.wine

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 - Deputy Zoning Administrator

Date of decision/determination/violation: August 14, 2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 40 Cannon St. PB-2023-059/060

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>Section 19-4.9(9)(f)2</u>	<u>projecting signs will not exceed 6sq ft in area per face</u>	<u>Allow projecting sign of 10.9 sq ft in area per face</u>
<u>Section 19-4.9(9)(i)1</u>	<u>bottom of wall sign maximum of 12 feet above sidewalk</u>	<u>Bottom of wall sign to be 14.5 feet above sidewalk due to architecture of the building</u>
<u>Section 19-4.9(7)(b)2</u>	<u>no more than one sign per business</u>	<u>Allow for 2 signs as there are 2 businesses and include both business names on each sign</u>
<u>Section 19-4.9(9)(i)2</u>	<u>Signs can't be more than 60sq feet</u>	<u>Allow sign to be 70.4 Sq feet so as to create a cohesive design aesthetic on the building</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: 40 Canon St.

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

Print Name

Will the granting of the variances produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.

The proposed signage has been carefully designed to maintain both the character of the building as well as to not be an eyesore to the community. The wall mounted sign will be extremely similar in style to existing signs on neighboring businesses and the blade sign has been designed to be noticeable but unobtrusive with a matte black finish and lettering that glows golden from within so as not to be a bright and flashy eyesore.

Can the benefit sought be achieved by some other method feasibly for the applicant to pursue other than an area variance? Why is the variance necessary?

Section 19-4.9(9)(f)2 – Our businesses rely on visibility from visitors in the Academy/Cannon parking lot as well as visitors to Bardavon events and other major events at the venues around us (Revel 32, Academy, Refinery 51). Being located at the midpoint between Market and Academy necessitates our use of a slightly larger sign so as to be visible and remain viable. Our current hanging signs are compliant with this rule and we receive feedback every day that customers had no idea we were there even 4 years into our operations. This size of sign is simply *invisible* for our purposes.

Section 19-4.9(9)(i)1 – The top of our window lintels are 14.5' from the sidewalk so it is impossible for us to comply with the 12' rule.

Section 19-4.9(7)(b)2 - we are requesting 2 signs for 2 businesses. 1915 Wine Cellar and Mercat by 1915. As we own both businesses we would like to share sign space so as to increase our visibility. The signs are very minimal and elegant with a shared design in font, color and style so as to enhance the look of the neighborhood rather than detract from it.

Section 19-4.9(9)(i)2 – The actual lettering of the sign falls within the limits as it is less than 60 sq feet (53 sq feet), however in order to create a cohesive design the black pan that is backing the sign will be extended to the edges of the building.

Is/Are the requested area variances substantial?

Section 19-4.9(9)(f)2 – The requested variance is aligned with variances granted for other local business signs (Hudson & Packard, The Academy) and, as discussed above, have been designed to be beautiful and unobtrusive to the character of the building and neighborhood

Section 19-4.9(9)(i)1 – As the architecture of the building does not allow for the signs to begin at 12' we don't believe this to be a substantial variance.

Section 19-4.9(7)(b)2 – The request is for 2 signs for 2 businesses. The only variance is that we would like both signs to contain the words for both businesses. The number of words has been minimized to only the absolute necessary so as to reduce visual clutter.

Section 19-4.9(9)(i)2 - This variance request is to ensure that the resulting product is visually pleasing and aesthetically in keeping with the building and it's design.

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

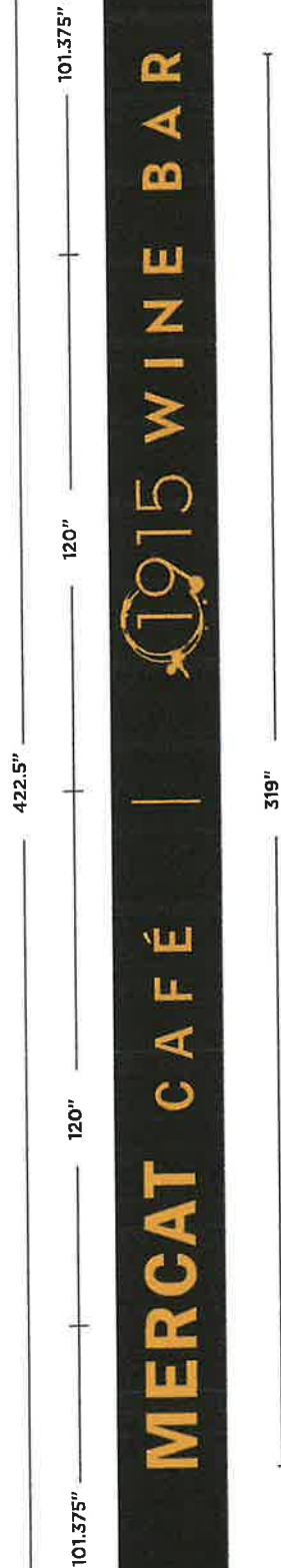
The proposed signage does not impact any environmental conditions in the neighborhood and will not physically alter the footprint of the building.

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

The variances are not due to self-created difficulties. We chose to open a business in an emerging area of the city and are working hard to ensure it remains viable. Our location is not optimal with regard to being away from the main commercial corridor on Main St, but it is optimal when considering proximity to large area venues, we simply need signage to be visible.

RECEIVED
SEP 05 2023

1915 Wine Cellar Building Signage



One Single Sided Multi Part Pan Sign with Dimensional Logo/Letters with Gooseneck Lighting

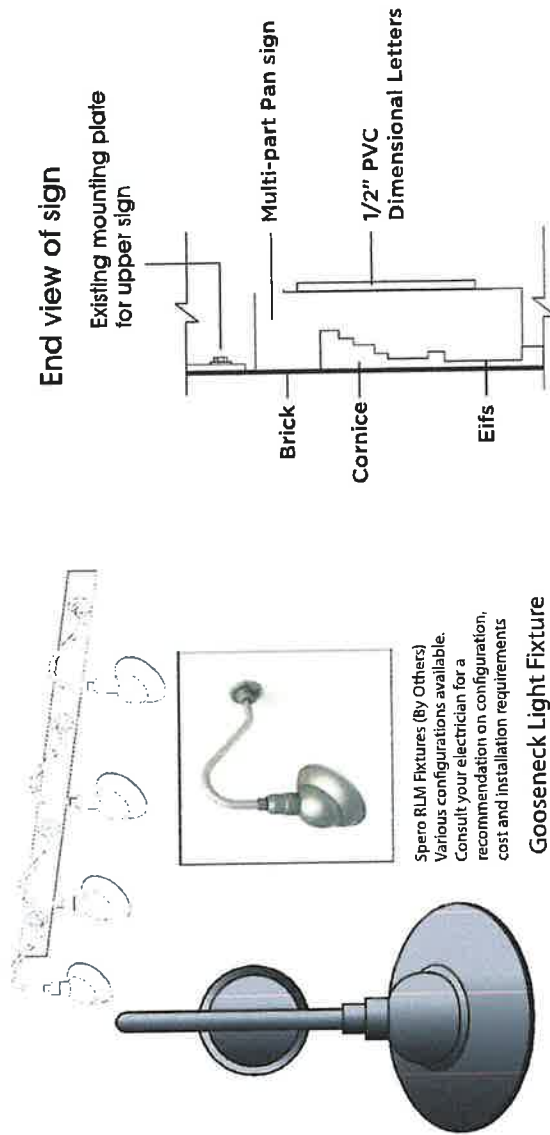
(1) - 422.5"W x 24"H - 4 part pan sign with;

Dimensional Logo/Content

(1)- 318" w 19.5"h 1/2"thick Exterior Grade PVC, CNC Routed Logo/Letters primed and painted Gold foil Metallic

Flanges to be

- 8.25" deep top
- 5.375" deep bottom
- (5) - Gooseneck Lights overhead
- 173.5" Above Grade to bottom sign



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Client Approval: _____
Date: _____

Project Building Signage
File Title: 1915-WineCellar-16-1
Date: 8/22/2023

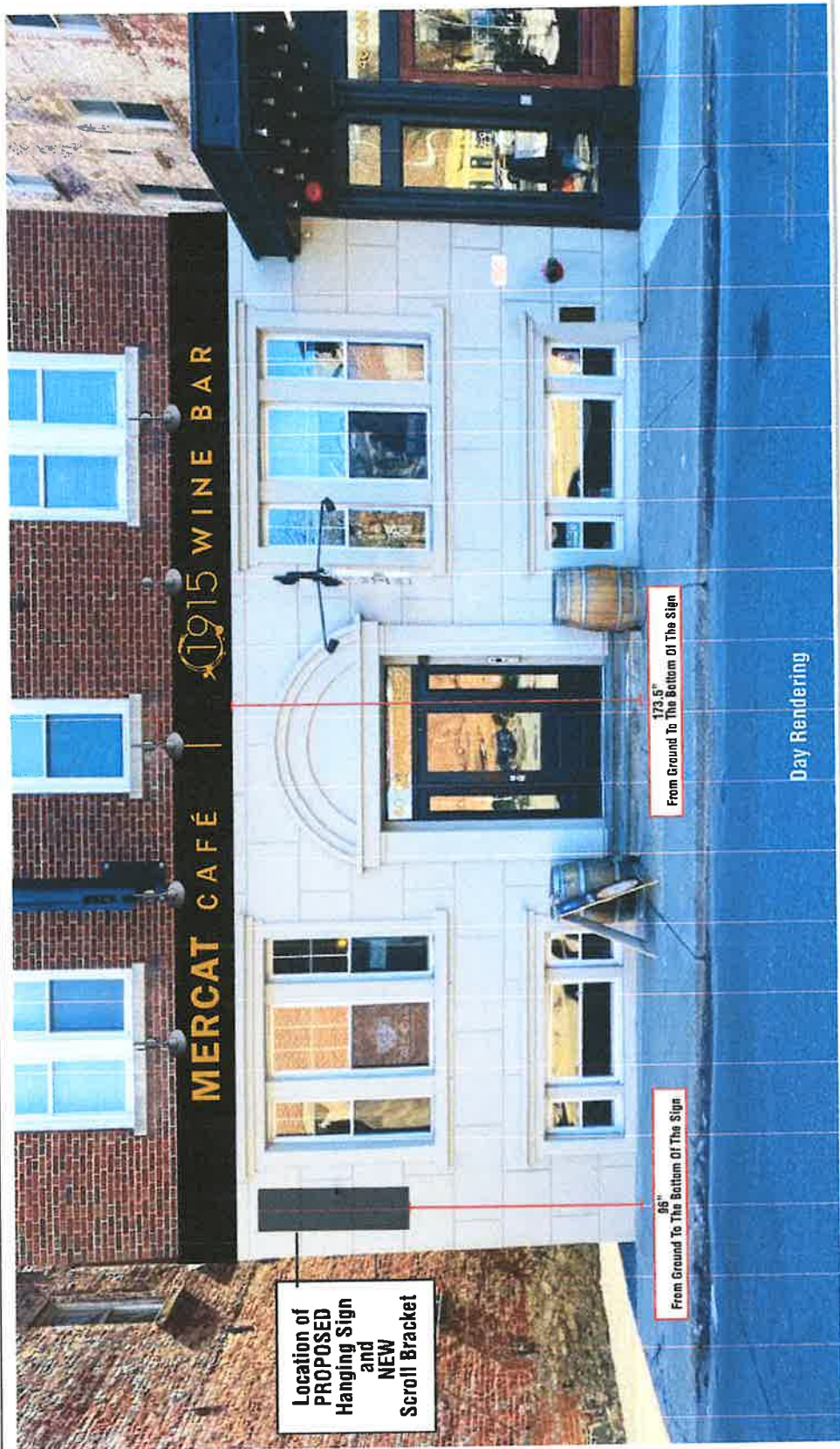
Project Manager: Tyson McCasland 845-331-8710 x1011
Drawn By: Sandra Kelly-Marrsow 845-331-8710 x1014
Directed to use U.S. Labor components and shall meet all NEC Standards.



* Please note that the colors represented on this proof are not exact representations of the finished product. All computer screens, cell phone screens and printers display colors in different manners. If exact colors are necessary for this project, the client may request a physical color sample for an additional fee.

Timely Signs of Kingston, Inc., 154 Clinton Avenue | Kingston, NY 12401 | p 845-331-8710 | f 845-331-8712 | toll free 800-676-8710 | timelysigns.com

1915 Wine Cellar Building Signage



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Project: Building Signage
 File Title: 1915-WineCellar-Final
 Date: 8/22/2023

Client Approval: _____
 Date: _____

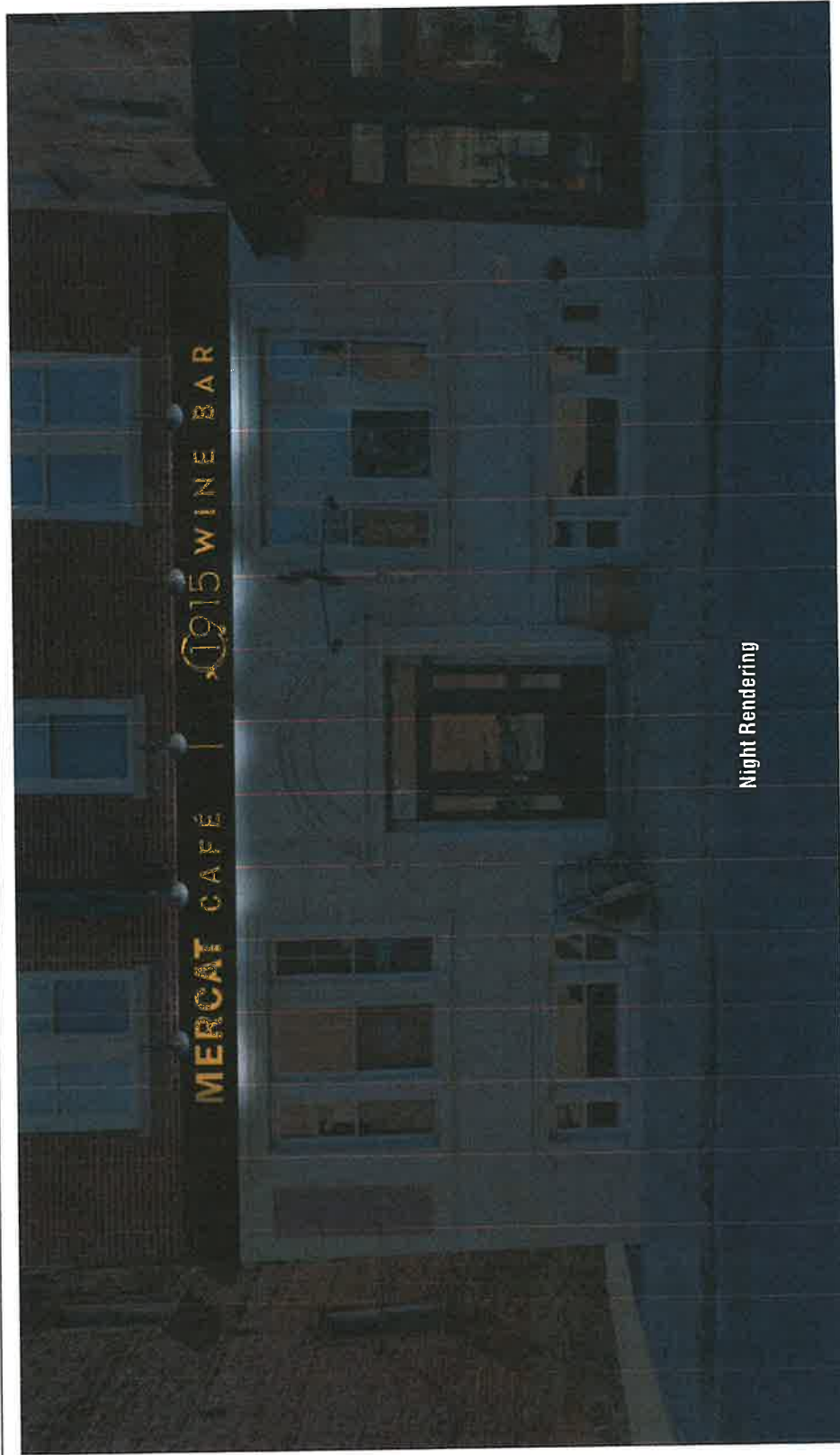
Project Manager: Tyson McCasland 845-331-8710 x1011
 Drawn By: Sandra Kelly-Marrityshow 845-331-8710 x1014
 Electrical to use U.L. Listed components and that meet all A.S.E. Specifications

Project Manager: Tyson McCasland 845-331-8710 x1011
 Drawn By: Sandra Kelly-Marrityshow 845-331-8710 x1014
 Electrical to use U.L. Listed components and that meet all A.S.E. Specifications

Timely Signs of Kingston, Inc. 154 Clinton Avenue Kingston, NY 12401 | p 845-331-8710 | f 845-331-8712 toll free 800.676.8710 | timelysigns.com

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1915 Wine Cellar Building Signage



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Project Manager: Tyson McCasland 845-331-8710 x1011
 Drawn By: Sandra Kelly-Murphy 845-331-8710 x1014
 Distinctive Signs Inc. and shall meet all N.E.C. Standards



Timely Signs of Kingston, Inc. 154 Clinton Avenue Kingston NY 12401 | 845-331-8710 | toll free 800-575-8710 | timelysigns.com

Client Approval:

Date:

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1915 Wine Cellar Building Signage



Hanging sign location



Hanging Faux Push Thru Faces - Internally Illuminated Series 3 access body sign box (3.25" deep)

- 1x - 35"W x 45"H (Total Size) - Double Sided Painted to Match Black
- Faux Push Thru Faces
- 1x- 25"W x 45"H- 1/8" ACM Panel (CNC Routed)
- 1x- 25"W x 45"H- 1/8" acrylic backer areas for the faux push-thru with Logo to be Translucent Gold Metallic Vinyl.

NEW Mounting Bracket - 36" FROM THE BUILDING Removal of Existing Bracket/Scroll

- 96" Above Grade to bottom sign

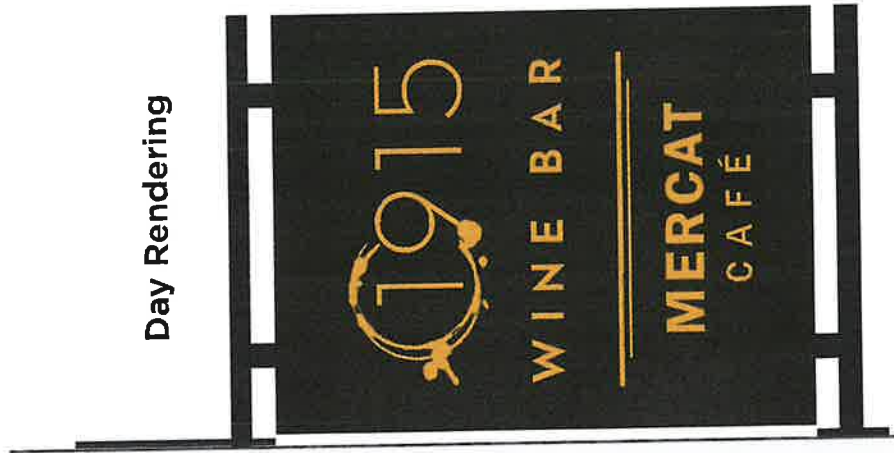


Project Manager: Tyson McGeehan 845-331-8710 x1011
 Drawn By: Sandra Kelly-Marrystown 845-331-8710 x1014
 1014
 1014
 1014

Project: Building Signage
 File Title: 1915-WineCellar-Is.al
 Date: 8/22/2023

This original drawing and the artwork combined herein is provided as part of a planned project and is not to be copied, reproduced or otherwise used without the written permission of Timely Signs of Kingston, N.Y. or its authorized agents. Copyright 2023

1915 Wine Cellar Building Signage



Day Rendering



Night Rendering



Project Manager: Tyson McCasland 845-331-8710 x1011
 Drawn By: Sandra Kelly-Maryslo 845-331-8710 x1014
 Electrical to use U.L. Listed components
 and shall meet all M.E.C. Standards

Project: Building Signage
 File Title: 1915-WineCellar-16.ai
 Date: 8/22/2023

This original drawing and the solvent captured within is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Timely Signs Kingston, Inc. or its authorized agents. See page 1015

Client Approval:

Date:

Timely Signs of Kingston, Inc. 154 Clinton Avenue | Kingston NY 12401 | p 845-331-8710 | f 845-331-8712 | toll free 800-676-8710 | timelysigns.com

* Please note that the colors represented on this proof are not exact representations of the finished product. All computer screens, cell phone screens and printers display colors in different manners. If exact colors are necessary for this project, the client may request a physical color sample for an additional fee.

Short Environmental Assessment Form

Part 1 - Project Information

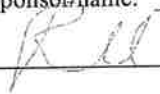
Instructions for Completing

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: 1915 Wine Cellar / Mercat by 1915 Revised Signage - 40 Cannon St.			
Project Location (describe, and attach a location map): 40 Cannon St.			
Brief Description of Proposed Action: Revise existing hanging sign and install a new sign on the façade of the building			
Name of Applicant or Sponsor: RKE Beck Enterprises Inc		Telephone: 845-240-3282 E-Mail: thecellar@1915.wine	
Address: 40 Cannon St. Suite 4			
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? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

	NO	YES	N/A
5. Is the proposed action,			
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?	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	☐	☒	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
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: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	☐	☐	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	☐	☐	
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?	☒	☐	
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?	☒	☐	
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>Russell Beck</u> Date: <u>7/31/2023</u> Signature: <u></u> Title: <u>CEO</u>		

PRINT FORM

PRINT FORM



DEVELOPMENT 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

8/14/23

RKE BECK ENTERPRISES
DBA 1915 WINE CELLAR 40 CANNON ST, STE 4
POUGHKEEPSIE, NY 12601

RECEIVED
SEP 05 2023

RE: 40 Cannon St
ID: 046080
Application # PB-2023-059

To Whom it May Concern:

A review of the sign permit application # PB-2023-059 found it to be deficient to complete the review process and issue the permit. Below is/are the deficiencies found:

- Section 19-4.9(7)(b)2 states that there shall be no more than one wall sign, one projecting sign, one vertical blade sign, or one marquee sign permitted for any one business on any one side of a building adjacent to a street; there is an existing vertical blade sign on the building along with a proposed wall sign and projecting sign.
- Section 19-4.9(9)(f)1 requires that the base of a projecting sign shall be a minimum of eight feet or a maximum of 10 feet above the sidewalk; no dimension was provided to confirm compliance with this section.
- Section 19-4.9(9)(f)2 requires that projecting signs shall not exceed six square feet in area per face; the proposed sign faces are 13.125sf each.
- Section 19-4.9(9)(f)2 requires that no portion of the sign shall extend more than three feet from the building; the proposed sign will extend more than 42" from the building.

Please submit the required additional information as listed above so that the review process can be completed. The intended work shall not commence until the application has been approved and a permit has been issued. Your application will be kept on file for a period of 30 days, failure to submit the required documentation in the specified time frame shall cause the application to expire.

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

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# 2BA2023 043

IPS# 076020

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 226 Church Street, Poughkeepsie, NY 12601

ZONING DISTRICT: PID-CE

OWNER INFORMATION:

Name: Care Net Pregnancy Center of the Hudson Valley

Address: 226 Church Street, Poughkeepsie, NY 12601

Phone: 845-471-9284

Email: debltownsend@gmail.com

RECEIVED
SEP 29 2023

APPLICANT INFORMATION:

Name: Care Net Pregnancy Center of the Hudson Valley

Address: 226 Church Street, Poughkeepsie, NY 12601

Phone: 845-471-9284

Email: debltownsend@gmail.com

PAID
8350
SEP 29 2023
2116476

CONSULTANT INFORMATION:

Name: Whalen Architecture, PLLC

Address: 1141 Route 55, Suite A, Lagrangeville, NY 12540

Phone: 845-337-4331

Email: sw@whalenarchitecture.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: 226 Church 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
<u>19-4.13(1)</u>	<u>6' side yard</u>	<u>5' side yard</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: 226 Church 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.

Deborah Townsend
SIGNATURE OF APPLICANT

9/28/23
DATE

Deborah Townsend
Print Name

September 28, 2023

City of Poughkeepsie Zoning Board of Appeals
62 Civic Center Plaza,
Poughkeepsie, New York 12601

Re: Care Net Pregnancy Center of the Hudson Valley
226 Church St.
Poughkeepsie, New York 12601

Dear Members of the Zoning Board of Appeals,

Below are the questions and responses for questions 1 through 5 on the City of Poughkeepsie Zoning Board of Appeals Area Variance 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.
A: The granting of the variance will not produce an undesirable change since it will be only 5' off the side 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?
A: The benefit cannot be sought feasibly by another method. The location of the proposed handicap ramp needs to be close enough to the existing parking lot and be able to serve the front entry of the building.
3. Is the requested area variance substantial? Explain why they are not substantial.
A: The area variance is not substantial. The requested area variance is only for 1 foot; we are requesting a side yard of 5' where 6' is required.
4. Will the variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
A: No, since the project is just a covered ramp, there will be minimal to no impact on the physical or environmental changes in the neighborhood or district.
5. Is the need for the variance the result of self-created difficulties on your part, or unique to the property? Explain.
A: Yes, the need for the variance is self-created since we are limited to the proposed location for the new handicap ramp, and for the ramp to meet ADA requirements.

If you have any questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

Stephen A. Whalen, RA, LEED AP
Principal
Whalen Architecture, PLLC

POUGHKEEPSIE, NY 12601

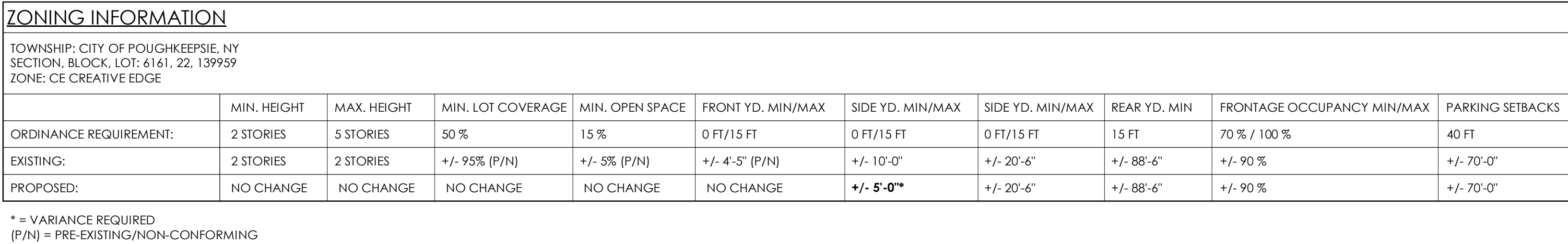
MACH	MACHINE
MAS	MASONRY
MAT	MATERIAL
MAX	MAXIMUM
MBH	MOP & BROOM HOLDER
MECH	MECHANICAL
MET/MTL	METAL
MEZZ	MEZZANINE
MFRG	MANUFACTURE / MANUFACTURE
MIN	MINIMUM
MIR	MIRROR
MLD	MOULDING
MO	MASONRY OPENING
NP	METAL PANEL
MRGWB	MOISTURE RESISTANT GYPSUM BOARD

SQ	SQUARE
SST	STAINLESS STEEL
STL/ST	STEEL
STRUCT	STRUCTURAL / STRUCTURE
SUSP	SUSPENDED
SV	SHEET VINYL FLOORING
SW	SHEAR WALL

A2 DWG. #

THESE DRAWINGS ARE INSUFFICIENT FOR CONSTRUCTION WITHOUT THE SEAL AND SIGNATURE OF THE ARCHITECT OF RECORD

CD



4 EXISTING PHOTOS
2SP1.0 1/8" = 1'-0"



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

Care Net Pregnancy Center of the Hudson Valley
226 Church Street
Poughkeepsie NY 12601

RE

SEP 20 2023

Re: 226 Church Street
ID # 076020
Site Plan Application # PB-2023-065

To whom it may concern,

The Development Department is in receipt of your Site Plan Application # PB-2023-065 relative to installing a new accessible ramp for the property of 226 Church Street located in the Creative Edge Sub-District (PID-CE). The use of the property for professional medical offices is not proposed to be changed and is allowed per Section 19-3.37(7) Table 3.37-1. Upon review of the provided plans, I've been able to determine that an Area Variance will be required for the setback of the proposed ramp as it is proposed to be 5' from the property line where 6' is required. The code section governing the setback will change depending on whether the ramp is covered or not. If the proposed ramp will be covered, then Section 19-3.37(8) Table 3.37-2 does not require a side yard unless one is provided, then it shall not be less than 6'. If the proposed ramp is not covered then Section 19-4.13(1) requires accessory structures shall be located not near than 6' to an adjoining property line.

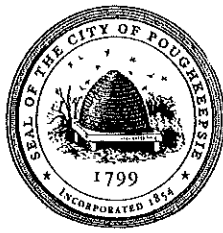
Therefore, an Area Variance will be required from the Zoning Board of Appeals before the Site Plan can be approved by the Planning Board. After you obtain approvals from the Planning Board and Zoning Board you would then need to file all required Building permits and obtain an issued Certificate of Compliance from the Building Department.

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: 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
-------	-------------	------

DRAWING TITLE

SITE PLAN

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

A-1



PROJECT
**147 UNION STREET
POUGHKEEPSIE, NY**

SCHEMATIC DESIGN

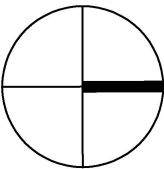
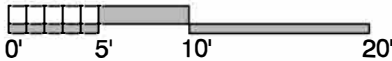
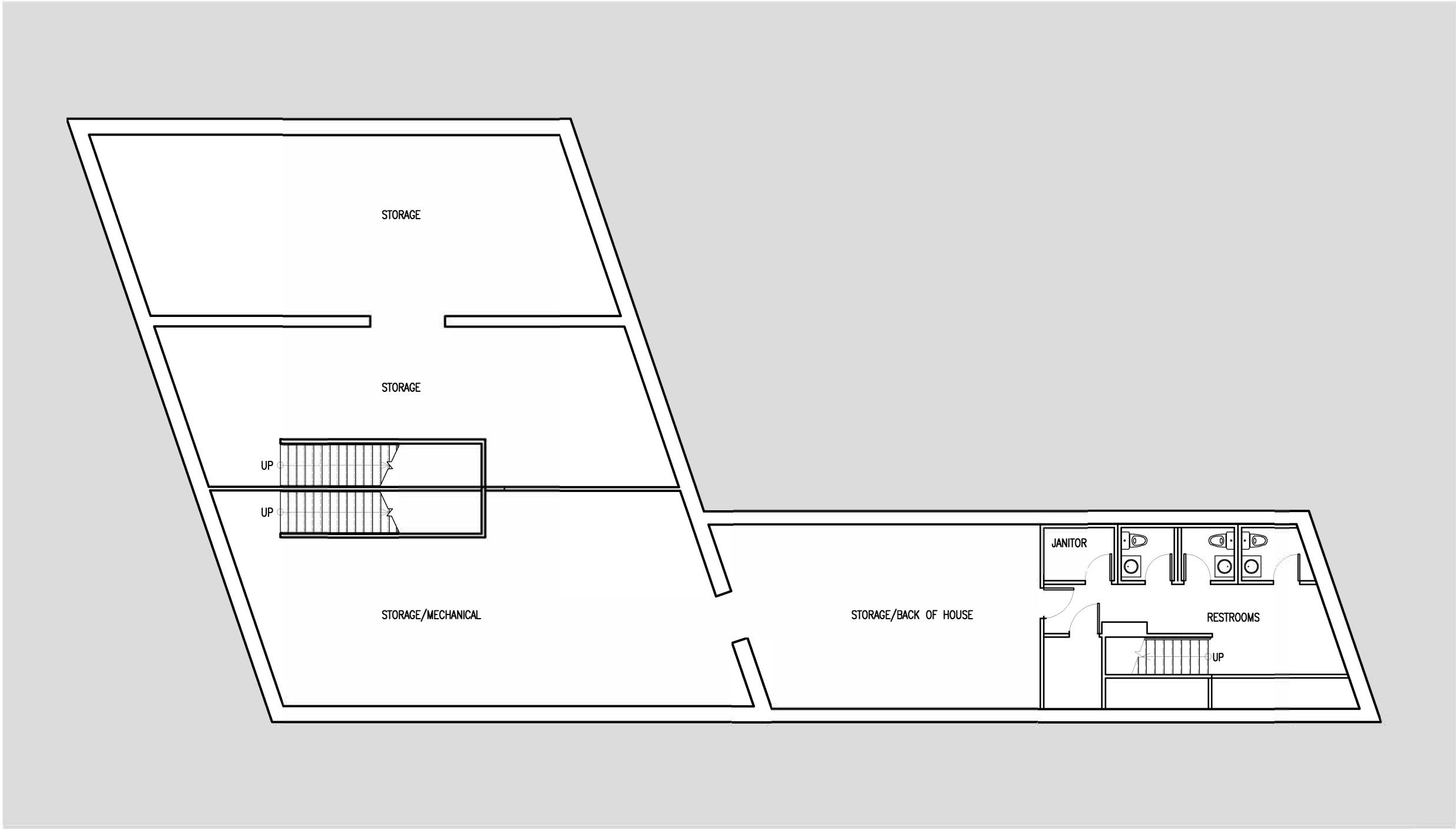
ISSUE	DESCRIPTION	DATE
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DRAWING TITLE

CELLAR PLAN

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

A-2





PROJECT
**147 UNION STREET
POUGHKEEPSIE, NY**

SCHEMATIC DESIGN

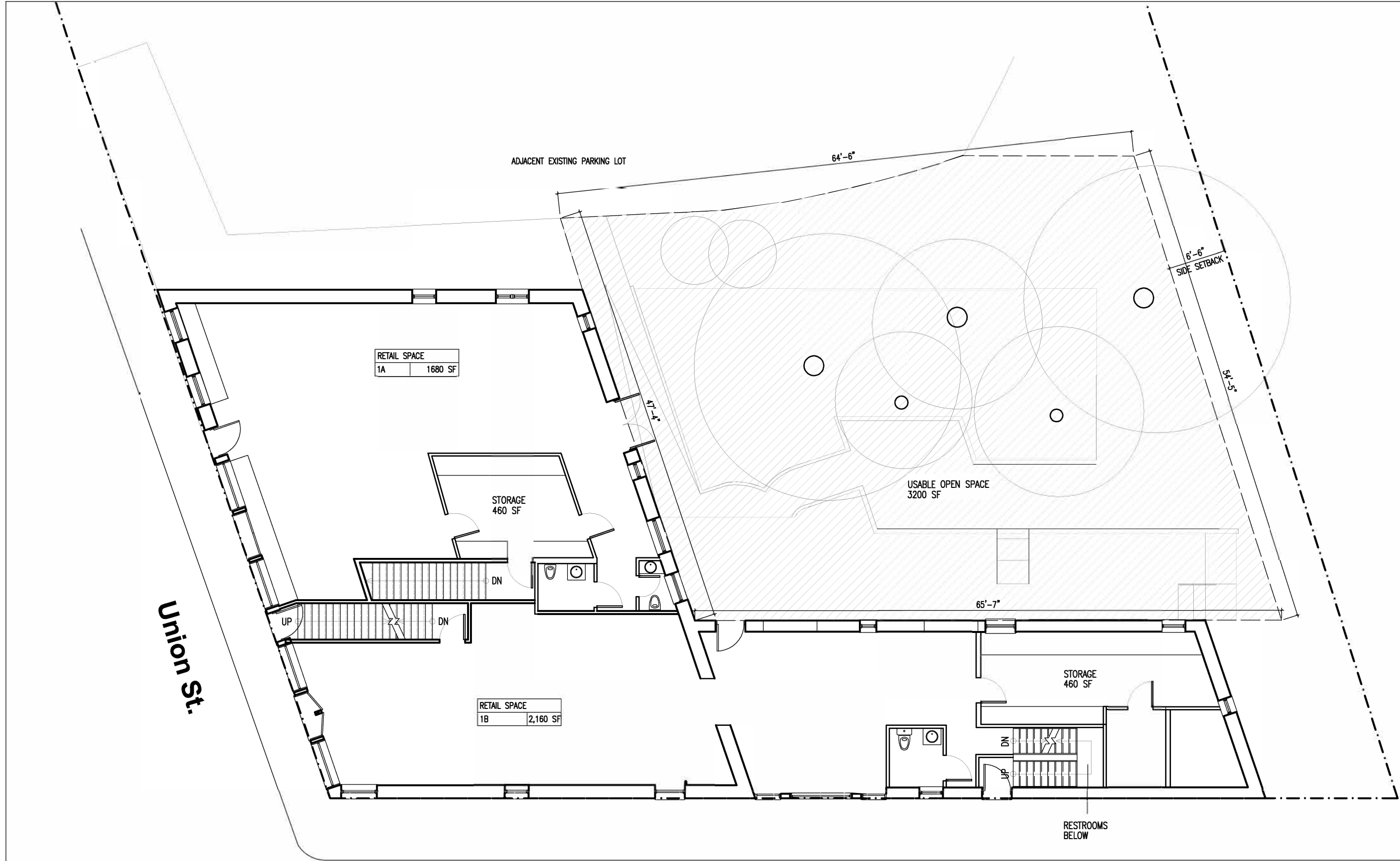
ISSUE	DESCRIPTION	DATE
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DRAWING TITLE

1ST FLOOR PLAN

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

A-3





PROJECT
**147 UNION STREET
POUGHKEEPSIE, NY**

SCHEMATIC DESIGN

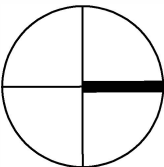
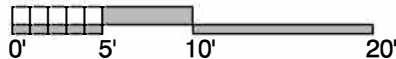
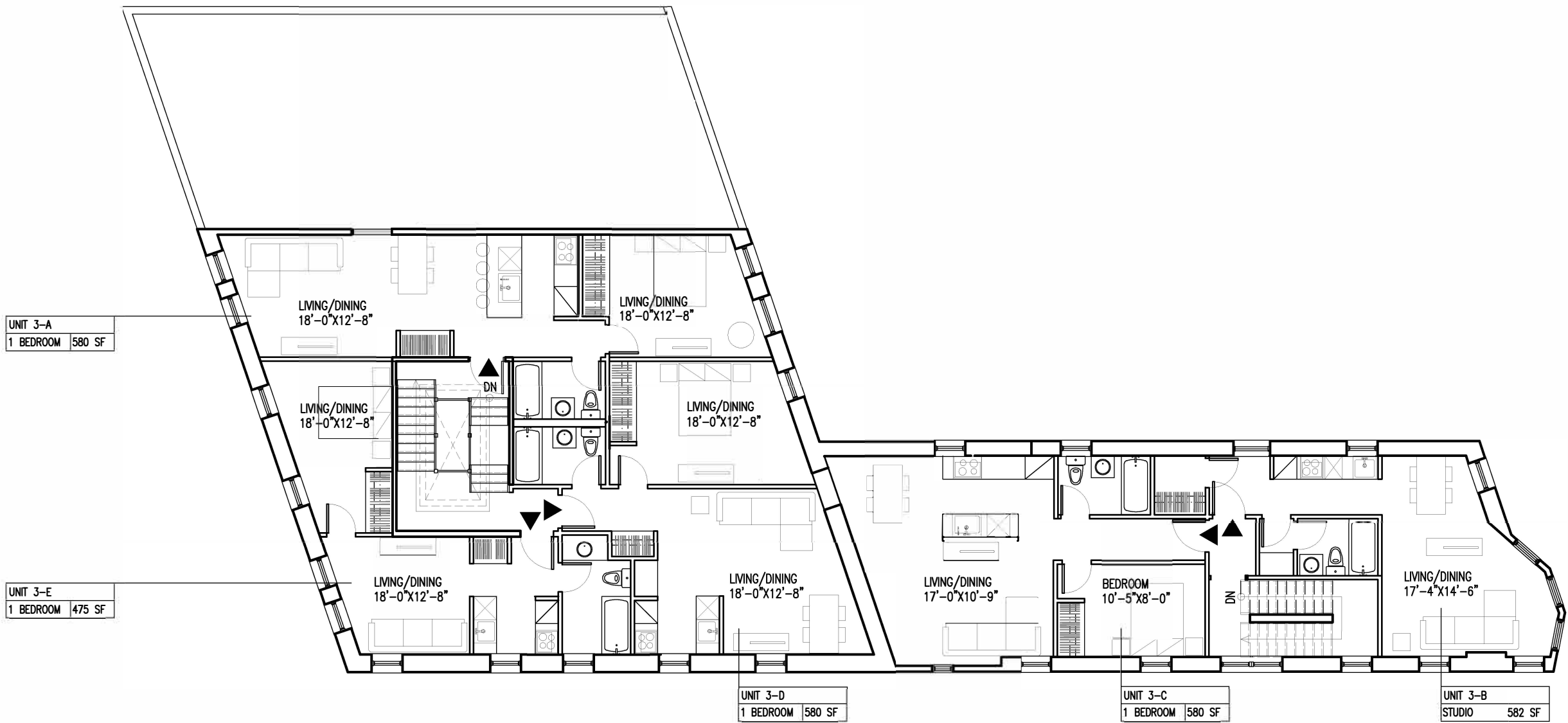
ISSUE	DESCRIPTION	DATE
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DRAWING TITLE

3RD FLOOR PLAN

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

A-5
Page 292 of 358





PROJECT
**147 UNION STREET
POUGHKEEPSIE, NY**

SCHEMATIC DESIGN

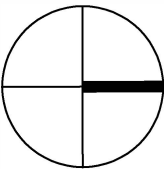
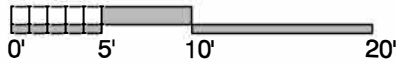
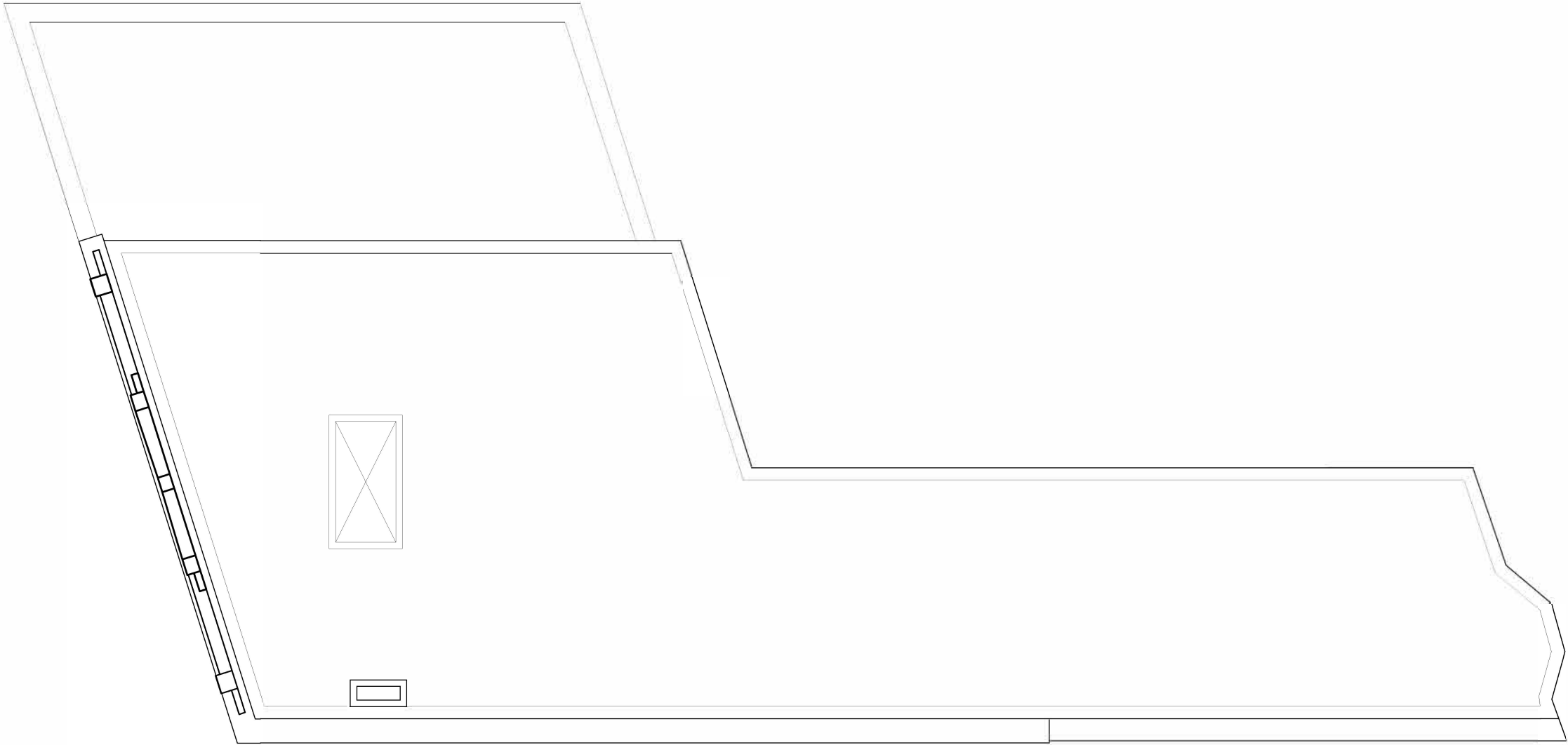
ISSUE	DESCRIPTION	DATE
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DRAWING TITLE

ROOF PLAN

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

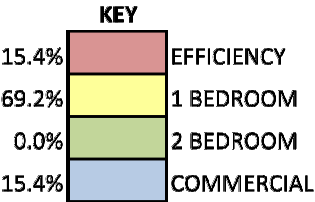
A-6
Page 293 of 358



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



62 Allen Street, 2nd Fl
New York, NY 10002
Tel: 212 334 1232
Fax: 212 334 4520
www.abarchitekten.com



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

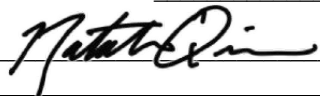
Instructions for Completing

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,	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
_____ _____	☒	☐
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.











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: 131300-6162-69-065177

ZONING DISTRICT: C-2 & PID-CC

II. PROPERTY OWNERSHIP

Name of Owner: Journal Plaza LLC / Page Park Associates

Address: PO Box 792
Poughkeepsie, NY 12602

III. APPLICANT INFORMATION

Name of Applicant: Same as Owner

Address: Consultant: KARC Planning, Kelly Libolt
PO Box 924, Poughkeepsie, NY 12602

Phone#: 845-874-7166

Email: kelly@karcpc.com; copy natalie@karcpc.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 O'Brien, Deputy Zoning Administrator, City of Poughkeepsie Building Department)

A copy of this decision, dated August 15, 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):

See attached memo

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):

Letter of negative decision from City of Poughkeepsie Building Department dated August 15, 2023

Rationale for request memo

Relevant sections of city zoning ordinance

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: October 12, 2023



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 15th, 2023

Journal Plaza LLC
P.O. Box 792
Poughkeepsie NY 12602

Re: 49 Civic Center Plaza
ID # 079150
Site Plan Application # PB-2023-054

To whom it may concern,

The Development Department is in receipt of your Site Plan Application # PB-2023-054 relative to the construction of a new 6 story mixed use building containing 62 residential units along with a restaurant and 3 retail spaces for the property of 49 Civic Center Plaza located in the Central Commercial District (C-2) & The Civic Corridor Subdistrict (PID-CC). Pursuant to **Section 19-3.3**, since more than 50% of the lot is within the more restrictive district and the principal building is split by the boundary line, the more restrictive district (C-2) shall be extended to the entire lot for the purpose of compliance with the zoning code. **Section 19-3.23(2)(a)14** allows multiple dwellings in new structures at urban density (R-6), provided that the first floor is devoted to retail or service use; and further provided that the usable open space requirements of **Section 19-3.15(4)(i)** are satisfied, for which none of these requirements are met. Therefore, both Use and Area Variances will be required prior to Site Plan approval from the Planning Board, a Use Variance for the proposed Restaurant and Area Variances for the deficient lot area and open space which will be identified in more detail below. This proposal also includes 85 Civic Center Plaza and proposes to change parking and access for that lot which triggers **Section 19-6.1** and would require Site Plan approval from the Planning Board along with granting an easement for 49 Civic Center Plaza. Upon review of the provided plans, which were not submitted drawn to scale, I've been able to determine some confirmed and possible Area Variance(s) that will be required along with some determinations that will need to be made by the Planning Board which are as follows;

1. **Section 19-3.23(2)(a)14** requires multiple dwellings in new structures meet the density requirement of the R-6 zoning district, which for this proposal would equal 53,200sf of lot area; this lot contains 0.808 acres or 35,196.48sf of lot area.
2. **Section 19-3.23(2)(a)14** requires multiple dwellings in new structures meet the usable open space requirement within the R-4 zoning district, which for this proposal would equal 19,200sf of usable open space; the proposed plans indicate that there is in total 1,806sf of usable open space.
3. **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



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

provided between the parking area and the street line or property line; no such proposal is indicated on the provided plans.

4. **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; no such proposal is indicated on the provided plans.
5. **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; no such proposal is indicated on the provided plans.
6. **Section 19-4.3(5)(b)** requires 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; 2 accessible parking spaces are listed at 8' wide, as the plans were not submitted to scale, at this time I will not be able to confirm compliance with the remainder of this section. Also please note that access aisles need to be at least 8' wide per **Section 1106.1.1** of the NYS Building code, 1 of the proposed access aisles is listed at 5' wide.
7. **Section 19-4.3(11)** requires 158 parking spaces for the proposed use; as only 49 spaces are proposed, an area variance will be required if the Planning Board denies your request for a parking waiver as requested.
8. **Section 19-4.11(b)** requires that landscape strips shall be provided along all property lines of multifamily and nonresidential uses; no such proposal is indicated on the provided plans.

Therefore, Area Variance(s) will be required from the Zoning Board of Appeals along with an Use Variance as stated above. 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 Occupancy from the Building Department.

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

October 12, 2023

Scott Parker
ZBA Chairman
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: Journal Square
Site Plan Application #PB-2023-054
Appeal of Zoning Determination – Rationale for Request**

Dear Mr. Parker,

We submit this letter in response to the zoning determination issued by Deputy Zoning Administrator Joseph O'Brien dated August 15, 2023. We would like to submit two points of information for consideration and as rationale for our request of an alternative zoning determination by the Zoning Board of Appeals.

- (1) Contrary to the findings of the zoning determination letter dated 8/15/23, the applicant believes that the proposed development site of 49 Civic Center Plaza is, and is permitted to remain, split by two zoning districts – the C-2 and PID-CC zoning districts. This belief is supported by precedent as well as a lack of language to the contrary provided within the zoning code.

Section 19-3.3 of the Code of Ordinances does not indicate any requirement to apply the most restrictive zoning designation to the entirety of a merged lot. In fact, sub-bullet (a) of the above referenced section permits the opposite, that “the less restricted district may be extended to such portion of the more restricted portion of said lot which lies within 50 feet of such district boundary.” It is worth noting that the regulation uses the word “may” rather than “must,” indicating that the extension of the less restrictive zoning district regulations is optional. The applicant is not requesting to extend the less restrictive boundary at this time but is instead requesting that the boundary between the two zoning districts remain where it is currently shown on the City of Poughkeepsie zoning map, along the former division of 49 and 47 Civic Center Plaza before the two lots were merged (see project description).

In terms of precedent, it is our understanding that a similar question arose during the city's review of the site plan for 331 Main Street (aka Wallace Campus Development) where the proposed merger of multiple lots meant that the proposed Main Street Building would fall

within the PID-UV zoning district as well as the PID-HC zoning district. As noted in the attached zoning determination by Judith Knauss, dated March 31, 2021, each portion of the proposed building was required to comply with the zoning district in which it was located. We would ask that the same determination be applied to our proposed project at 49 Civic Center Plaza, permitting various portions of the proposed development to fall within the PID-CC zoning district and C-2 zoning district respectively, as is shown on the proposed site plan dated 7/25/2023.

- (2) The August 2023 zoning determination indicates that restaurants cannot be classified as a “service use” and a use variance is therefore required in order to locate a restaurant business within a mixed-use building in the C-2 zoning district. “Service businesses” are permitted within the C-2 district per section 19-3.23(2)(3), which then goes on to say “such as but not limited to” prior to listing a variety of service uses. We are requesting that the ZBA determine restaurants to qualify as a “service use” under Section 19-3.23(2)(a)(14).

The applicant believes the intent of Section 19-3.23(2)(a)14 is to permit a range of “retail and service use” businesses on the ground floor of mixed-use buildings within the C-2 zoning district. These uses could include banks, bars, restaurants, convenience stores, arts or craft markets, beauty and barber shops, and general retail – all uses which are individually defined within the zoning code but could be classified as retail or service, and which currently exist in the downtown area. Restaurants are a use permitted-by right within the C-2 zoning district.

In terms of precedent, 178 Main Street (Queen City Lofts) is an example of a new construction mixed-use building within the C-2 zoning district that contains a restaurant business on the ground floor. Additionally, in relation to point #1 above, 178 Main Street is another example of a building that was built on a parcel divided by two zoning districts. Similar to the development of Wallace Campus, it is our understanding that 178 Main Street was required to abide by the regulations of each of the zoning districts in which the building is located.

We appreciate your consideration of the rationale provided above.

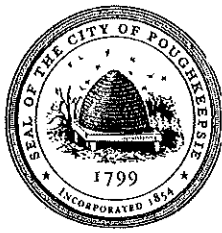
Sincerely,



Kelly Libolt

KARC

PLANNING CONSULTANTS, INC.



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4010 Fax: (845) 451-4006**

March 31, 2021

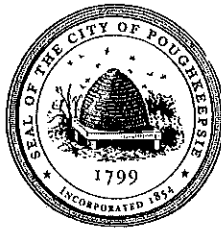
Wallace Campus Manager LLC
c/o Emanuel Kokinakis
48-02 25th Ave, Suite 400
Astoria, NY 11103

Dear Mr. Kokinakis:

The Wallace Campus site plan bearing the revision date of March 2, 2021 has been reviewed for compliance with the provisions of the Zoning Ordinance, and the following deficiencies were noted to exist:

Note: As noted on the site plan set and related materials, the “Main Street Building” refers to the proposed new construction building located on the properties currently listed as 319-329 Main Street, the “Wallace Building” refers to the existing building located at 331 Main Street with an annex fronting on Catharine Street, and the “Catharine Street Building” refers to the proposed new construction building on the existing accessory parking area located on the 331 Main Street property, which is proposed to front entirely on Catharine Street.

1. Section 19-3.37 Table 3.37-2(h) requires that in the PID-HC, 100% frontage occupancy must be provided, while the PID-UV allows a minimum of 80% up to 100% frontage occupancy; while Table 3.37-2(1) permits side yards in PID-UV to be between zero (0) to ten (10) feet. The portion of the proposed consolidated lot located in the PID-HC provides less than 100% frontage occupancy. The side yard along the lot’s western boundary in the PID-UV district is 0 feet at the street and widens to 25 feet 9.6 inches.
2. Section 19-3.37 (8) (c) and Table 3.37-2(b) allow for a maximum height of five stories in the PID-HC, with no allowance for bonus stories. The same table allows buildings in the PID-UV to be a maximum of six stories, with bonus stories permitted. The Main Street Building is proposed to be seven stories. **The Main Street Building straddles the two subdistricts, and is subject to the zoning provisions governing the land upon which each section is located.**
3. Section 19-3.37 (8) (c) and Table 3.37-2(b) allow for a maximum height of five stories in the PID-HC, with no allowance for bonus stories. The Catharine Street building is proposed to be six stories.
4. Section 19-3.37 Table 3.37-2(h) requires a minimum of 80% frontage occupancy in the PID-UV and 100% frontage occupancy in the PID-HC. There is zero (0) frontage occupancy at the two sections of the site that abut Mill Street.



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5. Section 19-3.37 (7) (b) (2) requires that off-street parking be beyond the front building line, on the interior of the lot and not visible from street: the parking is not entirely on the interior of the lot and is visible from the street.
6. Section 19-3.37 (13) (b)(2) requires that 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. Parking is within 40 feet of the front property line and is not notably screened from view.
7. Section 19-3.37 (13) (g) (2) (i) requires that 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. Both entrances/exits to the site contain off-street parking spaces which are within the required set-back and are not notably landscaped.
8. Section 19-3.37(13)(g)(2)(iii) requires that 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. There are two diagonal rows with more than eight (8) spaces. While these rows are existing, and previously approved by the Planning Board, the change of use of the site and the overall site alterations require compliance, or a variance.

Please see the attached zoning analysis for details and further discussion items.

You may, within thirty (30) days of the date of this letter, either:

1. Appeal to the Zoning Board of Appeals, including any request for variances; or
2. Modify the plan to reflect compliance for any or all of the items noted above.

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

Very truly yours,

Judith Knauss
Deputy Zoning Administrator

July 25, 2023

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

**Re: Journal Square
Application for Site Plan - Project Description**

Dear Mrs. Garcia:

This application is for new construction of an 84,604 (+/-) square foot, six (6) story mixed use building. The project includes 62 multifamily residential units, 53 one-bedroom and 9 two-bedroom, with ground floor restaurant and retail space. A number of residential amenities are also featured within the proposed building, including fitness room, storage laundry room, and multiple rooftop terraces. The existing 4,774 (+/-) square foot, one-story office building existing on the corner of the site will be removed.

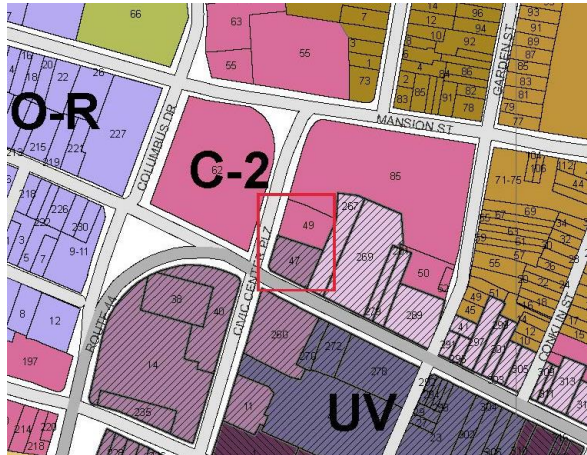
The project area contains the following two parcels (see attached Parcel Access Sheets):

1. 49 Civic Center Plaza identified as 6162-69-061166 and contains 0.808 acres.
2. 85 Civic Center Plaza identified as 6162-69-090193 and contains 3.170 acres.

The lots of 47 and 49 Civic Center Plaza were merged into one lot of record in 2021 following a previous site plan approval. An existing (1) story structure of approximately 4,749 square feet was removed at that time.

A small portion of 85 Civic Center Plaza is included within the project to facilitate improved parking layout, access and traffic circulation between the two adjoining sites. Currently, the parcel at 49 Civic Center Plaza has (1) ingress/egress on Mill Street and (1) ingress/egress on Civic Center Plaza. The plan proposes to convert the ingress/egress on Mill Street to ingress only and to close the ingress/egress on Civic Center Plaza. The existing ingress/egress to 85 Civic Center Plaza will be shared with the proposed development at 49 Civic Center Plaza. The reduction of curb cuts and locations where vehicles will be turning is intended to improve pedestrian safety along the corridor. A traffic analysis was prepared in 2019 to support the proposed traffic circulation and generation on site.

The project area is located in the C-2 Zoning District and the PID-CC (Civic Corridor) District. The newly merged lot at 49 Civic Center Plaza now spans both zoning districts. The existing development at 85 Civic Center Plaza is located completely within the C-2 zoning district. (see image below).



As noted on the accompanying application form and site plan set, the applicant will be seeking approval of joint use of parking, as well as a waiver of parking, from the Planning Board due to the proximity and availability of parking at nearby municipal and private parking facilities.

Pursuant to Section 19-4.3(4) *Joint use of parking areas*, “in the case of two or more establishments on the same lot or on contiguous lots, the Planning Board may approve the joint use of parking areas with a total capacity of not less than 50% of the sum of the spaces required for cars and using the same driveways giving access thereto, provided that the same Board finds that the proposed capacity will substantially meet the intent of the requirements by reason of variation in the probable time of maximum use by patrons or employees among such establishments.”

Pursuant to Section 19-4.3(9) *Waiver of parking requirements*, “all or portions of the off-street parking requirement may be waived by the Planning Board, provided that:

(a) The proposed use is within 600 feet of a municipally operated off-street parking facility or privately owned parking area...” The proposed site is across the street from Poughkeepsie City Hall Parking Facility, and approximately 500 feet from the Financial Plaza Parking Deck.

The applicant is an experienced developer and property manager, with numerous developments in the City of Poughkeepsie and surrounding area. Please accept this as a statement indicating the financial capability of the applicant to complete the proposed development.

I have enclosed the following documents for your review. Upon your review and advisement, we will submit the necessary copies to the Planning Department/Planning Board.

1. Two (2) copies of an Application for Site Plan dated July 25, 2023.
2. Two (2) copies of cover letter.
3. Two (2) 18x24' copies of the Site Plan set prepared by LRC Group dated July 25, 2023
4. Two (2) 18x24' copies of elevations, floorplans and renderings prepared by QPK Architecture dated July 24, 2023
5. Two (2) copies of a Short Form EAF dated July 25, 2023
6. Two (2) copies of the Dutchess County Parcel Access sheets for each parcel.
7. One (1) copy of Traffic Study completed by Maser Consulting, November 19, 2019

Sincerely,



Kelly Libolt

Section 19-3.3. Boundaries. [Ord. of 7-15-1999, § 1; Ord. of 10-15-2002, § 2]

Unless otherwise indicated on the Map, the boundaries are lot lines, centerlines of streets, alleys, railroad rights-of-way, streams, rights-of-way or the corporate limits of the City.

Where a district boundary divides a parcel or lot, the location of such boundary, if not indicated by dimensions shown upon such Zoning Map, shall be determined by the use of the scale appearing thereon:

- (1) In all cases where a district boundary divides a lot in one ownership and more than 50% of the area of such lot lies in the less restrictive district, the regulations prescribed by this chapter for the less restricted district **may be extended** to such portion of the more restricted portion of said lot which lies within 50 feet of such district boundary, subject to such conditions as the Planning Board may deem necessary to protect the adjoining lots. For purposes of this section, the more restrictive district shall be deemed that district subject to regulations which prohibit the use intended to be made of said lot or which require higher standards with respect to density coverage, yards, screening, landscaping, parking, loading and similar requirements. The provisions of this subsection shall not apply in any case where the boundary line which divides the lot is a boundary line between an R-1 District and an R-4 District.
- (2) In all cases where a district boundary line is located not farther than 15 feet away from a lot line of record, such boundary line shall be construed to coincide with such lot line.
- (3) In all other cases where dimensions are not shown on the Map, the location of boundaries shown on the Map shall be determined by the Zoning Administrator by application of a scale thereto.
- (4) Where natural or man-made features existing on the ground are at variance with those shown on the Zoning Map or in other circumstances not covered in the subsections above, the district boundaries shall be interpreted by the Board of Appeals.
- (5) For purposes of this section, all lots of record or lot lines of record shall be determined as they existed on the effective date of this subsection.

Section 19-3.23. Central Commercial District (C-2). [Ord. of 6-1-1987, § 1; Ord. of 3-16-1992, § 4; Ord. of 2-21-1995, § 1; Ord. of 4-11-1996, § 2]

- (1) *Purpose of district.* The purpose of this district is to provide for and encourage a variety of retail businesses, business and professional offices, service businesses, entertainment and cultural establishments and related activities, such as parking and pedestrian spaces, all designed to serve the City and the region; to encourage the concentration of retail and service uses to achieve continuity of frontage devoted to such purposes which will strengthen and complement one another; further, it is a purpose of this district to protect the major public investment made and to be made

toward revitalization of the central business area, a vital part of the City's tax base, by conserving the value of land and buildings.

(2) *Permitted uses.* No building or premises shall be used, in whole or in part, for any purpose other than those listed below:

(a) Uses permitted by right:

1. Retail stores, except adult book stores as defined herein.
2. Banks, including drive-in windows.
3. Service business, such as but not limited to barbershops, beauty parlors, tailors and dry-cleaning stores, custom dressmaker, jewelry repair, shoe repair, travel agent, appliance repair and duplicating business. Automotive service and/or repair are not permitted.
4. Business, professional or governmental offices.
5. Newspaper printing and job printing having not more than ten (10) persons engaged therein.
6. Manufacturing, assembling, converting, altering, finishing, cleaning or any other processing of products where goods so produced or processed are to be sold at retail, exclusively on the premises, provided that:
 - (i) Only an area fully concealed from any street and equal to not more than 20% of the area devoted to retail sales may be used for such purpose.
 - (ii) Electrical power not exceeding a total of 100 horsepower in electric motive power may be used exclusively, except that installation of 10 horsepower or less using fuel other than electricity may be used upon a finding by the Director of Public Works that said installation shall be free of nuisance characteristics and will have no adverse affect on neighboring uses.
7. Standard restaurants, provided that meals are served at least twice a day each day that the restaurant is open and 75 of the seats are at tables.
8. Libraries, art galleries and museums.
9. Arts and crafts studios or studios for teaching performing arts.
10. Private transportation service, excluding garage and maintenance facilities.
11. Taxi station.
12. Auto rental office.
13. Municipal parks and recreational facilities, including refreshment and

service buildings accessory thereto and any other governmental uses and structures of the City of Poughkeepsie, the County of Dutchess or the state or federal governments or agencies thereof.

14. Multiple dwellings in new structures at urban density (R-6), provided that the first floor is devoted to retail or service use; and further provided that the usable open space requirements of Section 19-3.15(4)(i) are satisfied.
- (b) Uses subject to issuance of a special permit by the Planning Board, subject to the requirements of Section 19-6.2 of this Chapter:
1. Public or quasi-public community centers, including meeting rooms, recreation facilities, counseling and similar services and places of worship; except none of these uses may be located on the ground floor; a place of worship which is to occupy a structure originally built for such purpose may occupy the ground floor.
 2. Hospitals for human beings.
 3. Hotels, motels and conference facilities.
 4. Institutions for higher learning, business, vocational and training schools, including colleges, universities, junior colleges, business, banking, business management, secretarial and office services schools, computer and data processing schools, art and drafting schools, barber, beauty and cosmetology schools, commercial or noncommercial food preparation schools, photography schools, schools for training in the martial arts, dancing, gymnastics and music, schools for fashion design; subject to the following requirements:
 - (i) The curriculum shall satisfy the requirements of the New York State Department of Education;
 - (ii) No accommodations for resident students shall be permitted;
 - (iii) No music or noise shall be audible beyond the immediate premises; and
 - (iv) Such use shall not occur on the ground floor of any structure along the Main Mall.
 5. Movie and legitimate theaters, other than drive-in-type and adult motion picture and mini-motion picture theaters, as defined herein.
 6. Drinking establishments, discotheques or nightclubs, except adult cabaret, as defined herein.
 7. Public garages, provided that:
 - (i) There is no automotive service or repair.
 - (ii) The Board finds that the proposed use is in the public interest.

- (iii) The use will not increase traffic congestion in the streets abutting the property.
- 8. Dance halls, billiard parlors, bowling alleys, skating rinks, provided that such use is not on the street level.
- 9. Radio, television or recording studios.
- 10. As a means of preserving existing sound buildings, especially historically or architecturally significant structures, as well as to encourage population in the central business area and provide an additional housing resource, conversion of existing buildings that do not meet minimum lot size requirements to residential use or additional residential units, provided that:
 - (i) A building is in existence on the effective date of this Chapter.
 - (ii) No dwelling unit shall contain more than one bedroom.
 - (iii) The minimum floor area of a dwelling unit not containing a separate bedroom shall be 400 square feet, of which a minimum of 35 square feet shall be a bathroom and a minimum of 60 square feet shall be a kitchen or kitchen area.
 - (iv) The minimum floor area of a one-bedroom dwelling unit shall be 600 square feet, of which a minimum of 35 square feet shall be a bathroom, and 60 square feet shall be a kitchen, and a minimum of 120 square feet shall be a bedroom.
 - (v) Off-street parking space shall be provided in accordance with the requirements of Section 19-4.3 of this Chapter, and such space shall be located within 600 feet of the premises.
- 11. Funeral parlors.
- 12. Fast food restaurant, provided that eating on the premises shall be permitted only inside the structure or in areas specifically designated and properly maintained outside of the structure.
- 13. Transportation terminals, including sales of tickets, waiting area, restaurants and newspaper and candy shops.
- 14. Light manufacturing, processing, assembly activities, provided that such activities are designed, constructed and enclosed so that there will be no observable external evidence thereof, other than loading and unloading functions. Industrial uses involving primary production from raw materials, such as but not limited to asphalt, cement, charcoal, fuel briquettes, chemicals and similar products which may be dangerous, offensive or create nuisances; and processes, whether or not related to such production, including but not limited to nitrating, milling, reduction, refining, melting, alloying and distillation, shall be prohibited. The

special permit may be granted, subject to the following use restrictions:

- (i) Any light manufacturing, processing or assembly activity approved under this special permit provision shall not be located on the ground floor of the building in which such use is conducted.
- (ii) No smoke, gas, dust, fumes, odors or any other atmospheric pollutant, radiation, noise, glare or vibration shall be disseminated beyond the building in which such use is conducted.
- (iii) Such use shall not constitute a fire, explosion, health, personal safety or other hazard.

15. Off-street parking, as the principal use of a lot, subject to the following requirements:

- (i) The parking facility shall be designed and maintained in accordance with provisions of Section 19-4.3 of this Chapter entitled "Off-street parking and loading."
- (ii) Said facility shall be utilized solely for parking registered and operable motor vehicles.
- (iii) The lot and bulk requirements of this section do not pertain to any paved or resurfaced parking area; however, if a building or structure is proposed to be erected on the lot, said structure must conform to the lot and bulk requirements herein.

16. Convenience store/self-service gasoline pumps, subject to the following requirements:

- (i) The principal use of the property shall be considered a convenience store in accordance with the definition section or Section 19-2.2 of the Code of Ordinances of the City of Poughkeepsie, with self-service gasoline pumps allowed only as a subordinate use of the property.
- (ii) The convenience store/self-service gasoline pumps must be located on a lot facing an intersection with street frontage on both a city arterial highway as defined in Chapter 13, Section 13-305, of the City of Poughkeepsie Code of Ordinances and frontage on a through street as defined in Chapter 13, Section 13-174, of the City of Poughkeepsie Code of Ordinances. Said lot shall not have any frontage on a New York State arterial highway or road.
- (iii) Each street frontage must provide a curb cut which shall not be located any closer than 80 feet to any street intersection; and each curb cut must provide both an ingress and an egress to the site.
- (iv) The self-service gas pumps must have a minimum setback of at least 20 feet from any property boundary.

- (v) The minimum required lot area for a convenience store must be 15,000 square feet.
 - (vi) At least two trash receptacles shall be located next to the walkway for customer use.
17. Skilled nursing homes, provided that the building is placed on a lot which contains a minimum lot area of 1 1/2 acres.
18. Work/live lofts, subject to the following requirements:
- (i) Each such loft shall have a minimum floor area of 800 square feet, of which a minimum area shall be devoted to the following: 35 square feet for an enclosed bathroom, 60 square feet for a kitchen or kitchenette and 120 square feet for a sleeping area.
 - (ii) No such loft shall be located on the ground level floor of a building.
 - (iii) No signs or displays shall be permitted in association with such loft, except one sign not to exceed one square foot in size.
 - (iv) No such loft shall be used as a retail shop, gallery or any other use which relies on regular customer or client visitation as a normal part of its operation.
 - (v) No such loft shall serve as a place from which commercial vehicles are dispatched or operated.
 - (vi) No such loft shall be occupied as a residence of more than two persons.
 - (vii) Off-street parking shall be provided in accordance with the provisions of Section 19-4.3 of this Chapter, and such space shall be located either on premises or within 1,320 feet of the premises in a municipally operated off-street parking facility or a privately owned and operated parking area.
- (3) *Accessory uses.* Accessory uses shall be as follows:
- (a) Off-street parking.
 - (b) Buildings for housing pets; playhouses.
 - (c) Garden houses, greenhouses.
 - (d) Signs, subject to the requirements of Section 19-4.9 of this Chapter.
 - (e) Swimming pool and/or tennis court and related recreational facilities, subject to the requirements of Sections 19-4.7 and/or 19-4.8 of this Chapter.
 - (f) Keeping of not more than three customary household pets over six months old. The commercial breeding of pets shall be prohibited.

(g) Fully enclosed storage.

(4) *Lot and bulk requirements.* Lot and bulk requirements shall be as follows:

(a) Minimum required lot area: none.

(b) Maximum lot coverage of principal and accessory buildings: 100%, except, where applicable, the following minimum yards and setbacks shall apply:

1. Front yard. Where the block frontage is located partly in the C-2 District and partly in an R-1 through R-6 or O-R District, the front yard requirement of the R or O-R District shall apply in the C-2 District.
2. Side yard. Where the side of a lot in the C-2 District abuts upon the side of a lot in an R or O-R District, there shall be a side yard of not less than the side yard required in the abutting R or O-R District. In all other cases a side yard for a commercial building shall not be required but, if provided, shall not be less than six feet in width.
3. Rear yard. Where the C-2 District abuts upon an R or O-R District, there shall be a rear yard of not less than 15% of the depth of the lot, but such a rear yard need not exceed 20 feet. In all other cases a rear yard is not required, except that if one is provided it shall not be less than eight feet in depth. In the case of a corner lot abutting a nonresidential district on both streets, both interior property lines shall be considered to be side lot lines. (Note: This avoids the need for a rear yard on a corner lot in a C-2 District which would disrupt the continuity of frontage.)

(c) Maximum floor area ratio (FAR).

1. For building on lots containing 5,000 square feet or less, a maximum FAR of 4.0 is allowed.
2. For each 1,000 square feet of lot area in excess of 5,000 square feet, an additional FAR of 1.0 may be added to the basic FAR of 4.0, to a maximum FAR of nine and 9.0.
3. Upon approval by the Planning Board, a bonus FAR of 1.0 may be added if the proposed use or occupancy of 75% or more of the leasable floor area of the ground floor of a building is for retail, restaurant or banking activity.
4. In no instance shall the maximum FAR allowed exceed 10.0.

(d) Height limitation. The maximum height of a building shall be 100 feet, measured from the street, road or driveway providing access for fire-fighting equipment, to the roof line. Except as provided below, no building shall exceed 10 stories in height.

1. Waiver of height limitation. In the site plan review process, the Planning Board may approve an application for construction of a building in excess

of the one-hundred-foot height limitation, but not in excess of 120 feet, or in excess of 10 stories but not exceeding 12 stories, conditioned upon the review and approval by the Fire Chief of detailed construction drawings which incorporate all fire safety elements as mandated by the State Building Construction Code, Pamphlet No. 14 of the National Fire Codes entitled "Standpipe and Hose Systems," and any other requirements as specified by the Fire Chief or Fire Inspector which shall ensure the maximum protection of life and property against fire hazards.

- (e) *Upper-story setbacks on principal buildings.* In order to ensure that building height extensions or the construction of new principal buildings on infill lots do not create new nonconformities to preexisting adjacent structures with regard to wall openings and other requirements of the Uniform Fire Prevention and Building Code, or create functionally obsolete wall openings for the purposes of light and ventilation, or obstruct access of emergency service vehicles to upper floors of existing adjacent structures, the following setback requirements shall apply: **[Added by Ord. No. O-15-06, 8-24-2015, § 1]**
1. Where a height extension is proposed on an existing principal building, said extension shall be set back a minimum of five feet from any preexisting, legal exterior wall openings, such as windows, of an adjacent principal building located on an abutting lot.
 2. The construction of a new principal building on a lot that abuts a lot with a preexisting principal building with a side yard setback of zero is permitted to be constructed with a side yard setback of zero on the first floor. However, for all additional floors above the first floor, a setback of at least five feet shall be required from any existing exterior wall openings, such as windows, of the adjacent preexisting principal building. The setback shall be measured from the lot line.
- (5) *Parking and loading.* Off-street parking and loading spaces shall be provided, subject to the requirements of Section 19-4.3 of this Chapter.
- (6) *Landscaping and screening.* Landscaping and screening shall be provided, subject to the requirements of Section 19-4.11 of this Chapter.
- (7) *Facade review.* Any new facade or change in the facade of an existing building shall be reviewed by the Planning Board in accordance with the rules and procedures established by said Board.



SITE

SITE PLAN SUBMISSION SET

FOR

JOURNAL SQUARE

49 & 85 CIVIC CENTER PLAZA

CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK

TAX MAP(S) ID# 6162-69-065177 -6162-69-090193

ORIGINALLY SUBMITTED: JULY 25, 2023



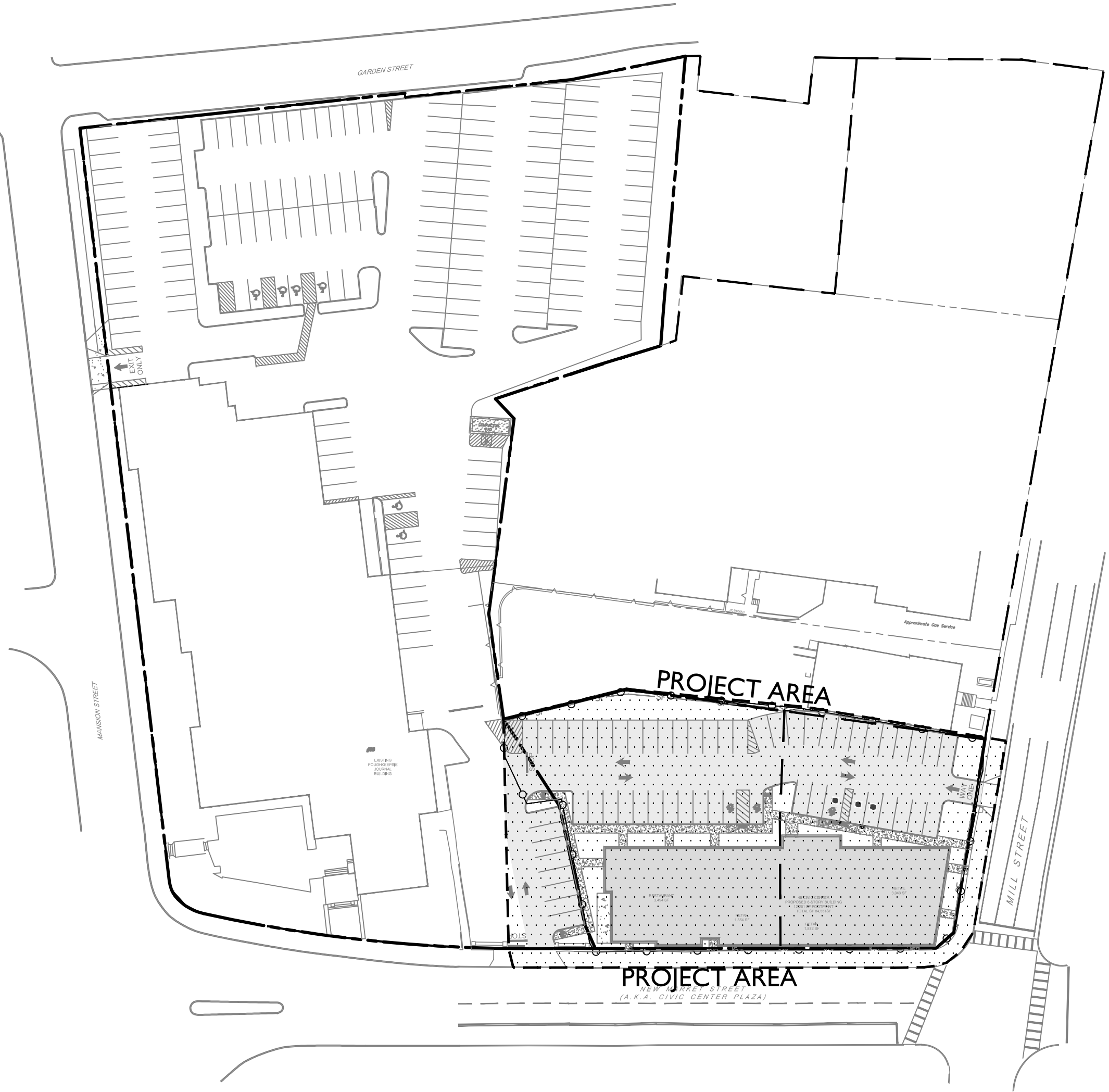
SITE

VICINITY MAP

SCALE: 1"=200'

LOCATION MAP

SCALE: 1"=1,000'



INDEX OF DRAWINGS

- CV-1 COVER SHEET
- EX-1 EXISTING CONDITIONS
- OP-1 OVERALL SITE PLAN
- SP-1 SITE PLAN
- SG-1 SITE GRADING / DRAINAGE PLAN
- UT-1 SITE UTILITIES
- EC-1 EROSION AND SEDIMENTATION CONTROL PLAN
- LL-1 LANDSCAPING PLAN
- LP-1 LIGHTING PLAN
- MPT-1 MAINTENANCE AND TRAFFIC PROTECTION PLAN
- DN-1 SITE / LANDSCAPING DETAILS
- DN-2 WATER / SANITARY DETAILS
- DN-3 STORMWATER DETAILS
- DN-4 EROSION CONTROL DETAILS

SITE PLANNER / CIVIL ENGINEER:



- LAND PLANNING
- CIVIL ENGINEERING
- ENVIRONMENTAL SERVICES
- LAND SURVEYING
- LANDSCAPE ARCHITECTURE

LRC Engineering & Surveying, DPC
LRC Engineering and Surveying, LLC
LRC Environmental Services, Inc.
Land Resource Consultants, Inc.

85 Civic Center Plaza, Suite 103
Poughkeepsie NY 12601
Tel: 845.243.2880

160 West Street, Suite E
Cromwell, CT 06416
Tel: 860.635.2877

1 International Blvd, Suite 400
Mahwah, NJ 07495
Tel: 908.603.5730

www.lrcconsult.com



Rodney Morrison P.E. #074194

ARCHITECT:

QPK DESIGN LLP
ARCHITECTURE
ENGINEERING
SITE & PLANNING

OWNER / APPLICANT:

49 CIVIC CENTER PLAZA-JOURNAL PLAZA LLC
85 CIVIC CENTER PLAZA-PAGE PARK ASSOCIATES
PO BOX 792
POUGHKEEPSIE, NY 12602

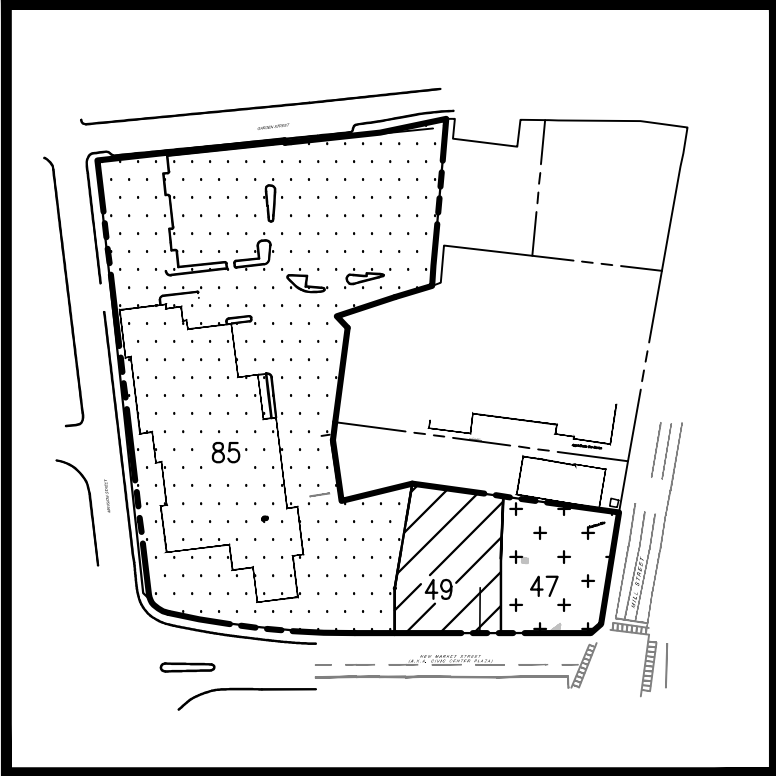


OVERALL SITE PLAN

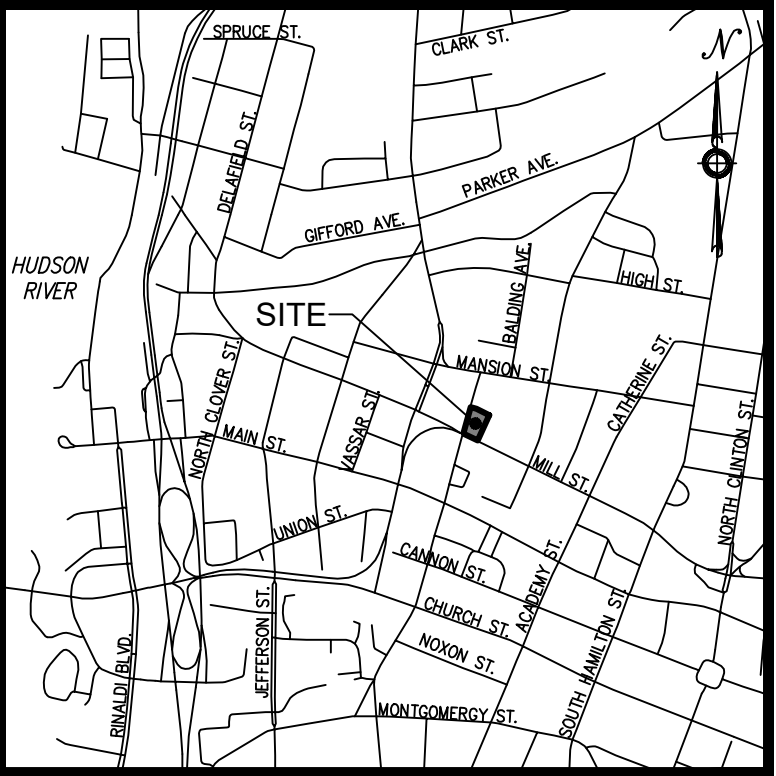
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PLANNER:

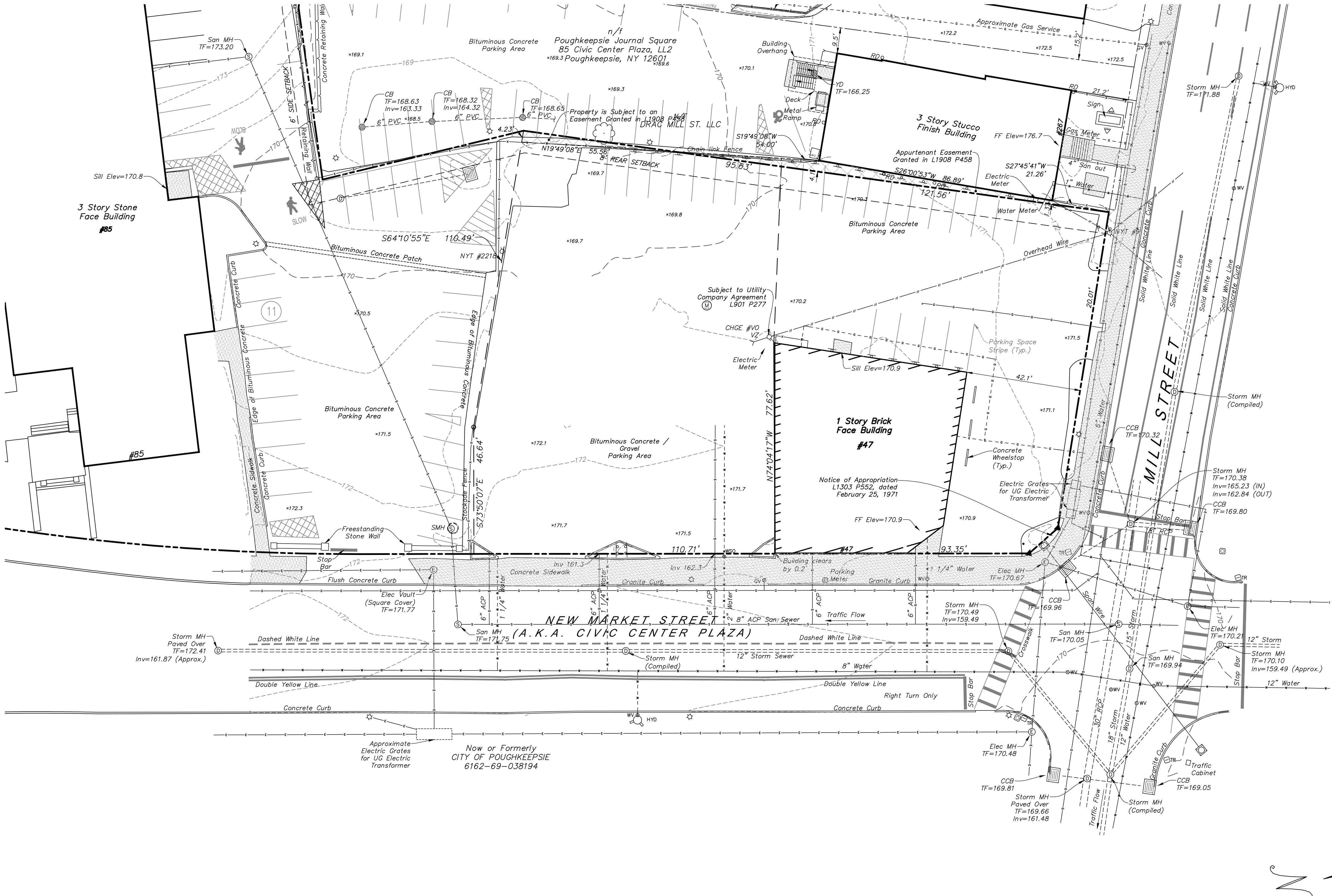
KARC
PLANNING CONSULTANTS, INC.
PO BOX 924
POUGHKEEPSIE, NY 12601
845-594-1055



Key Map
Scale: 1"=200'



Vicinity Map
Scale: 1"=1,500'



Map Notes

- 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.
- Only copies from the original of this survey marked with an original of the land surveyor's seal shall be considered to be a true copy.
- The above certification shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution. Certifications are not transferable to additional institutions or subsequent owners.
- North Arrow and Bearings are referenced to the North American Datum (NAD) of 1983 projected onto the New York East State Plane Coordinate System based on GPS observations made on April 22, 2019 utilizing the Keystone KeyNetGPS VRS GPS network.
- Contours and elevations are referenced to the North American Vertical Datum (NAVD) of 1988 based on GPS observations made on April 22, 2019 utilizing the Keystone KeyNetGPS VRS GPS network.
- Field survey was completed on May 6, 2019.
- Reference is made to the following maps:
 - Map of Survey, Platinum Holdings Inc., City of Poughkeepsie, Dutchess County, N.Y., scale 1"=20', dated December 26, 2005, prepared by Robert L. Campbell.
 - Map of Survey for Platinum Holdings Inc., City of Poughkeepsie, Dutchess County, New York, scale 1"=20', dated December 30, 2013, prepared by Robert L. Campbell.
 - Survey Map Prepared for Pope Park Associates, City of Poughkeepsie, County of Dutchess, State of New York, scale 1"=30', dated September 15, 1988, revised through August 26, 2009.
 - Subdivision Plot of Lands of South Clover Properties Inc. & 289 Mill Street Realty, Corporation, City of Poughkeepsie, Dutchess County, N.Y., scale 1"=20', dated July 31, 2003, revised through August 25, 2005, prepared by Berger Engineering & Surveying.
 - Property to be Acquired by Poughkeepsie Newspapers Inc. in the City of Poughkeepsie, Dutchess County, New York, scale 1"=10', dated September 13, 1965, prepared by Robert A. Monell, map on file in the Dutchess County Clerk's Office as map #3378.
 - New York State Department of Transportation Description and map for the Acquisition of Property, Poughkeepsie Arterial East-West-Route, Map 265 parcel No. 268.
- Reference is made to certificate for Title Insurance prepared by Chicago Title Insurance Company, Title #RPA15-5578, effective date: April 2, 2019.
- Property is located in Zone "X" as depicted on Flood Insurance Rate Map (FIRM) Panel 0358E, Dutchess County, New York, City of Poughkeepsie, community number 360222, Town of Poughkeepsie, community number 316642 map number 3602700358E, effective date: May 2, 2012.
- The subsurface utilities depicted hereon conform to the following Utility Quality Levels, as defined by the American Society of Civil Engineers (ASCE) in Document C/ASCE 38-02 titled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data":
 - Sanitary Sewer: QLC and QLD
 - Storm Sewer: QLC
 - Water: QLC
 - Natural Gas: QLC and QLD
 - Electric: QLC and QLD

The subsurface utilities were compiled from parcel evidence, record drawings, and surficial evidence located during the field survey. The Surveyor has not physically exposed the subsurface utilities, and makes no guarantee that the subsurface utilities depicted hereon comprise all such utilities within the surveyed area, either in service or abandoned. The Surveyor further does not warrant or guarantee that the subsurface utilities are in the exact location depicted, though they have been plotted, in accordance with the standard of care, from information available.

The contractor is required to utilize the local utility one call system prior to excavation for the purpose of verifying the subsurface utilities in the area.

Certification

I hereby declare this map to be prepared in accordance with the Code of Practice of the New York State Association of Land Surveyors, adopted October, 1966 and revised through January 28, 1993.

John Wagenblatt, L.S.
Lic. #050547



Legend

- | | | | |
|--------|-----------------------------------|---|----------------------|
| ■ | Monument | □ | Catch Basin |
| ● | Iron Pin, Pipe, Rebar, Drill Hole | □ | Curbless Catch Basin |
| ○ | Calculated Property Corner | ☼ | Deciduous Tree |
| ▲ | NYSDOT Monument Found | Ⓜ | Monitor Well |
| + | Single Post Sign | ■ | Concrete Surface |
| • | Bollard | ▨ | Easement Area |
| ×234.0 | Existing Spot Grade | | |
| ○ | Guy Wire | | |
| ○ | Utility Pole | | |
| ○ | Water Valve | | |
| ○ | Hydrant | | |
| ○ | Gas Valve | | |
| ○ | Drainage Manhole | | |
| ○ | Sanitary Manhole | | |
| ○ | Electric Manhole | | |
| ○ | Paved-Over Manhole | | |
| ○ | Manhole, Utility Type Unknown | | |
| ☆ | Lamp Post | | |
| ○ | Parking Meter | | |
| ○ | Traffic Span Pole | | |
| ○ | Pedestrian Crossing Pole | | |
| ○ | Double Post Sign | | |
| ○ | Traffic Handhole | | |

Deed Reference

02-2006-69

Parcel References

061166 & 065177

#85 Civic Center Plaza

Total Parcel Area

138,111 S.F.

3.170 Acres

#47 Civic Center Plaza

Total Parcel Area

15,090 S.F.

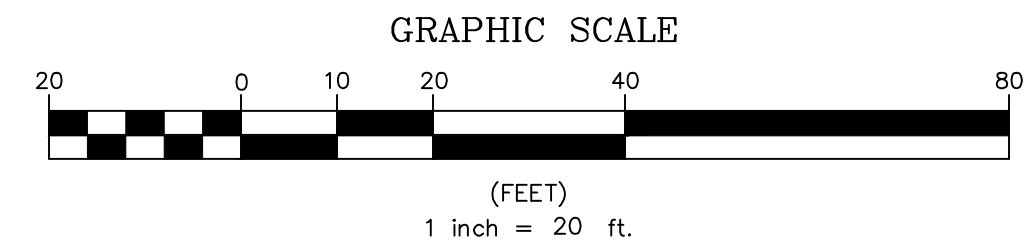
0.346 Acres

#49 Civic Center Plaza

Total Parcel Area

15,679 S.F.

0.360 Acres



EXISTING CONDITIONS

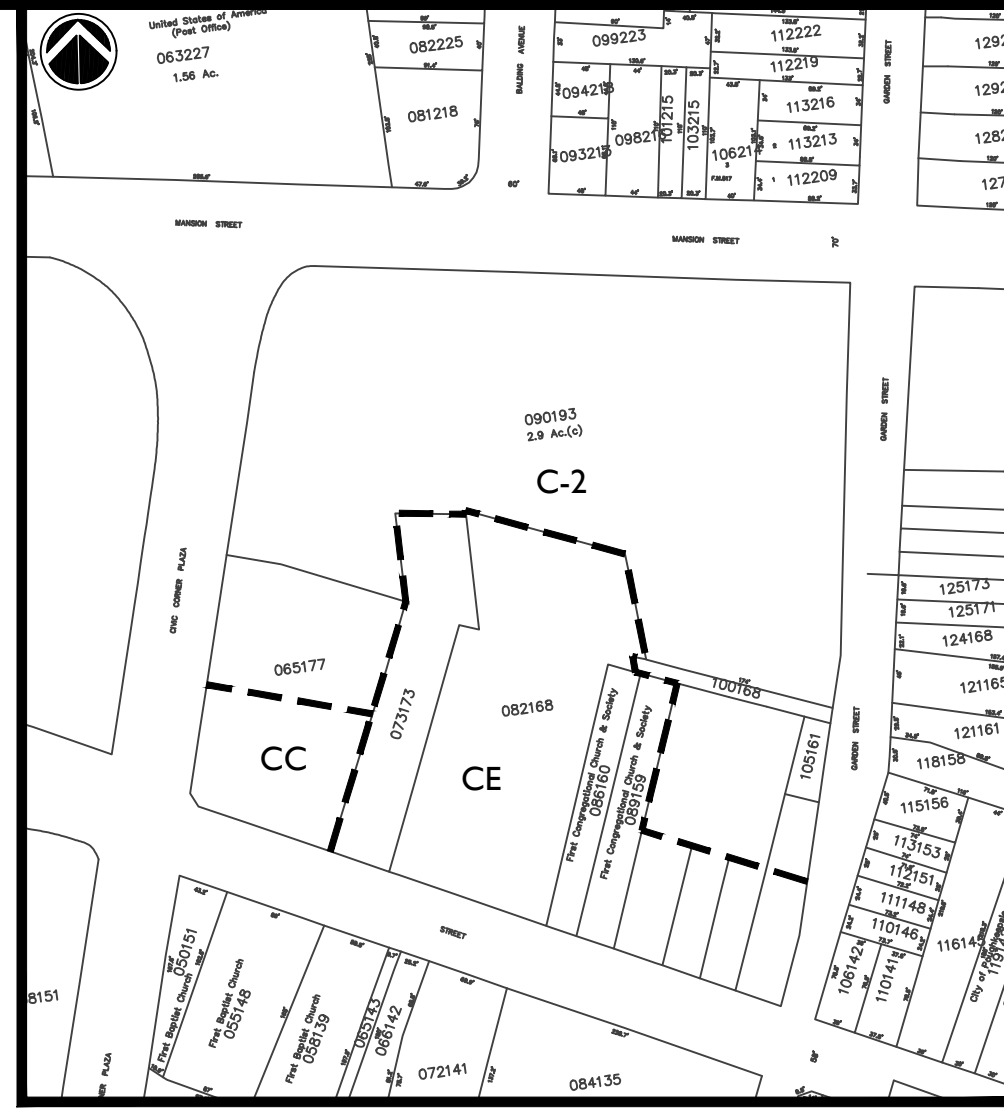
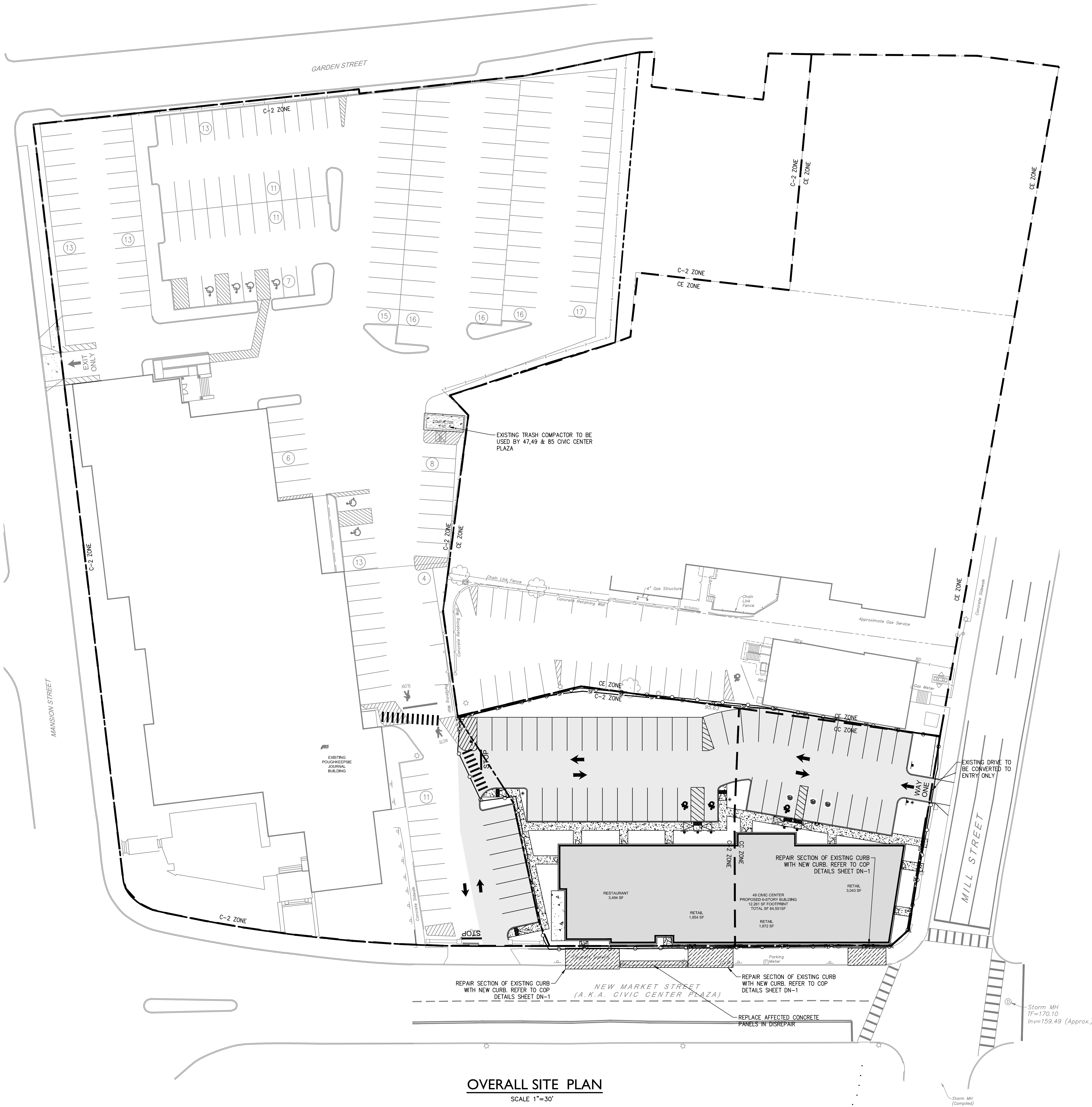
JOURNAL SQUARE

49 & 85 CIVIC CENTER PLAZA
CITY OF POUGHKEEPSIE
DUTCHESS COUNTY, NEW YORK

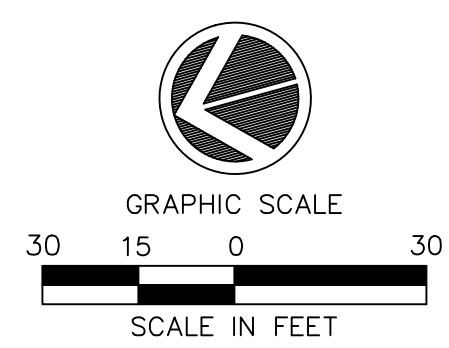
Design/Calcs	LRC	CAD File	EX-19-2426.dwg	Sheet No.
Drawn	KFC	Project No.	19-2426	
Checked	KFC	Date	07/25/23	
Approved	REM	Scale	1"=20'	

EX-I

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EXISTING ZONING MAP
Scale: 1"=1,000'



Revisions		Description	
No.	Date		

- Land Planning
- Civil Engineering
- Environmental Services
- Land Surveying
- Landscape Architecture

85 Civic Center Plaza, Suite 204
Poughkeepsie, NY 12601
Tel: 845.243.2880
160 West Street, Suite E
Cromwell, CT 06416
Tel: 860.635.2877
1 International Blvd., Suite 400
Malhars, NJ 07495
Tel: 908.603.5750
www.lrcconsult.com
LRC Engineering & Surveying, DPC
LRC Engineering and Surveying, LLC
LRC Environmental Services, Inc.
Land Resource Consultants, Inc.

Design/Calcs	LRC	CAD File	OP19242601.dwg	Sheet No.
Drawn	KFC	Project No.	19-2426	OP-1
Checked	KFC	Date	07/25/23	
Approved	REM	Scale	1"=30'	

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PARKING SUMMARY CHART				
C-2		PID-CC		
ITEM	REQ'D	PROVIDED	REQ'D	PROVIDED
PARKING REQUIREMENTS:				
RESIDENTIAL	1.5 SPACES PER ONE-BED (25.5)=38.25 spaces	37	0.5 SPACES PER UNIT (30)= 15 spaces	20
	2.0 SPACES PER TWO-BED (6.5)=13 spaces		1 VISITOR SPACE PER EVERY 10 UNITS (6.2)=6.2 spaces	
	TOTAL 51.25spaces		TOTAL 21.2	
RETAIL	1,896 SF / 1 SPACE FOR EVERY 300 SF	37	4,873 SF / 1 SPACE FOR EVERY 500 SF	20
	TOTAL 6.32		TOTAL 9.7	
RESTAURANT	6,913 SF / 1 SPACE FOR EACH 100 SF		0 SF / 1 SPACE FOR EVERY 250 SF	
	TOTAL 69.13		TOTAL 0	
TOTAL REQUIRED	126.7		30.9	

* A TOTAL OF 158 PARKING SPACES ARE REQUIRED BY CODE. 57 PARKING SPACES ARE PROPOSED ONSITE. A WAIVER OF 101 SPACES IS REQUESTED DUE TO PROXIMITY TO BOTH MUNICIPAL AND PRIVATE PARKING

ZONING SUMMARY TABLE

ZONING INFORMATION				
PARCEL SIZE	6162-69-065177 (0.808 ACRES) -6162-69-090193 (3.170 ACRES)			
ASSESSOR'S LOCATION	6162-69-065177 -6162-69-090193			
ZONING DISTRICT	C-2 (CENTRAL COMMERCIAL DISTRICT) & (PID-CC CIVIC CORRIDOR)			
PROPOSED USE	PROPOSED RESIDENTIAL, RETAIL, AND RESTAURANT			
PROPOSED BULK REGULATION CALCULATIONS		APPLY ONLY TO PARCEL 065177		
ITEM	REQUIRED		PROPOSED	
	C-2 ZONE	PID-CC ZONE	C-2 ZONE	PID-CC ZONE
MINIMUM LOT AREA	NONE REQUIRED	NONE REQUIRED	0.468 ACRES	0.34 ACRES
FRONT YARD SETBACK	NONE REQUIRED	0' MIN/15'MAX	1'	0.9'
SIDE YARD SETBACK	NONE REQUIRED BUT IF ONE IS PROVIDED NOT LESS THAN 6FT	NONE REQUIRED BUT IF ONE IS PROVIDED NOT LESS THAN 6FT	15'	0'/68.8'
REAR YARD SETBACK	NONE REQUIRED BUT IF ONE IS PROVIDED NOT LESS THAN 8FT	NONE(1)	88.9'	N/A
MAXIMUM BUILDING HEIGHT (FEET)	100FT/ 10 STORIES	3 STORIES MIN 6 STORIES MAX	70 FT/ 6 STORIES	70 FT / 6 STORIES
MINIMUM OPEN SPACE	200 SF PER EFFICIENCY UNIT 300 SF PER ONE-BED 400 SF PER TWO-BED	15% MIN	1043 SF PATIO	763 SF PATIO
MAXIMUM LOT COVERAGE (%)	100% MAX	50% MIN	85%	83%
FRONTAGE OCCUPANCY	N/A	80% MIN/100% MAX	111.15'	225.01'
(1) Section 19-3.37(9)(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..."				

GENERAL NOTES

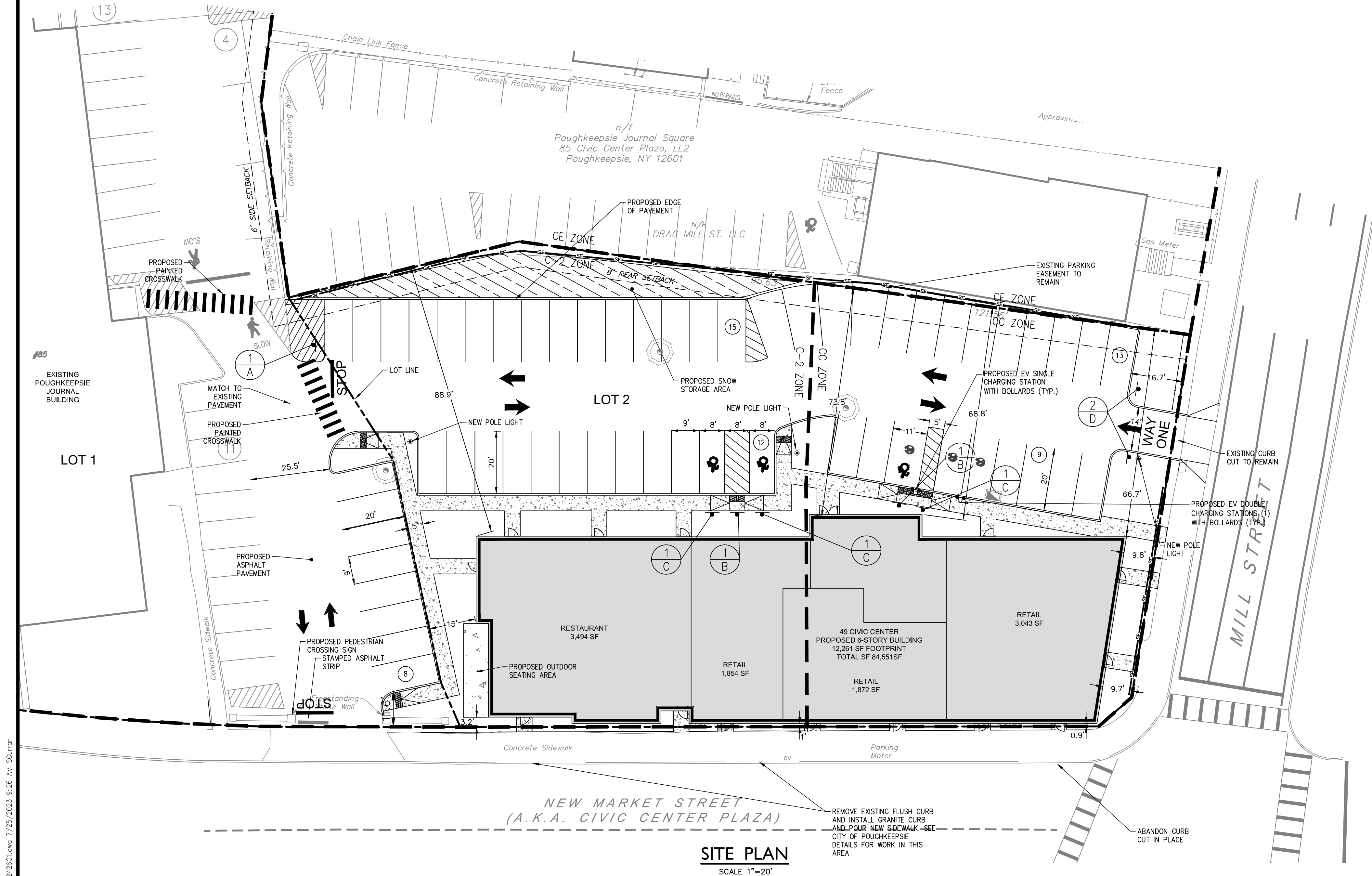
- ALL CONSTRUCTION SHALL COMPLY WITH CITY OF PoughKEEPSIE REQUIREMENTS AND SPECIFICATIONS.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS REQUIRED BY GOVERNMENT AGENCIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL POST ALL BONDS, PAY ALL FEES, PROVIDE PROOF OF INSURANCE AND PROVIDE TRAFFIC CONTROL NECESSARY FOR THIS WORK.
- REFER TO OTHER PLANS AND DETAIL SHEETS FOR ADDITIONAL INFORMATION. THE CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS IN THE FIELD AND CONTACT THE SITE ENGINEER IF THERE ARE ANY QUESTIONS OR CONFLICTS REGARDING THE CONSTRUCTION DOCUMENTS AND/OR FIELD CONDITIONS SO THAT APPROPRIATE REVISIONS CAN BE MADE PRIOR TO BIDDING. ANY CONFLICT BETWEEN DRAWINGS AND THE SPECIFICATIONS SHALL BE CONFIRMED WITH THE LOCAL CONSTRUCTION MANAGER PRIOR TO BIDDING.
- REFER TO THE DETAIL SHEETS FOR PAVEMENT, CURBING, AND SIDEWALK INFORMATION.
- ALTERNATIVE METHODS AND PRODUCTS OTHER THAN THOSE SPECIFIED MAY BE USED IF REVIEWED AND APPROVED BY THE SITE ENGINEER, AND THE APPROPRIATE REGULATORY AGENCIES PRIOR TO INSTALLATION.
- THE CONTRACTOR SHALL RESTORE ANY OF THE FOLLOWING IF THEY ARE NOTED TO REMAIN: UTILITY STRUCTURE, PIPE, UTILITY, PAVEMENT, CURBS, SIDEWALKS, OR LANDSCAPED AREAS DISTURBED DURING CONSTRUCTION TO THEIR ORIGINAL CONDITION OR BETTER TO THE SATISFACTION OF THE CITY OF PoughKEEPSIE.
- TRAFFIC CONTROL MEASURES SHALL BE FAST DRYING TYPE IN ACCORDANCE WITH CITY OF PoughKEEPSIE AND NYSDOT.
- PAVEMENT MARKINGS SHALL BE FAST DRYING TYPE IN ACCORDANCE WITH CITY OF PoughKEEPSIE SPECIFICATIONS.
- THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF ALL PRODUCTS, MATERIALS AND PLANT SPECIFICATIONS TO THE SITE ENGINEER AND OWNER FOR REVIEW AND APPROVAL PRIOR TO FABRICATION OR DELIVERY TO THE SITE. ALLOW A MINIMUM OF 14 WORKING DAYS FOR REVIEW. APPROVED SHOP DRAWINGS WILL BE PROVIDED BY THE ENGINEER AND COPIED TO THE CITY OF PoughKEEPSIE.
- THE CONTRACTOR SHALL PROVIDE AND MAINTAIN TRAFFIC DEVICES FOR PROTECTION OF VEHICLES AND PEDESTRIANS CONSISTING OF DRUMS, BARRIERS, SIGNS, LIGHTS, FENCES AND UNIFORMED TRAFFIC MEN AS REQUIRED OR ORDERED BY THE ENGINEER OR REQUIRED BY THE LOCAL GOVERNING AUTHORITIES. CONTRACTOR SHALL MAINTAIN ALL TRAFFIC LANES AND PEDESTRIAN WALKWAYS AT ALL TIMES UNLESS WRITTEN APPROVAL FROM THE CITY AND GOVERNING AUTHORITIES IS GRANTED.
- THE PROJECT DRAWINGS ARE GENERALLY DIAGRAMMATIC IN INDICATING THE PRESENCE OF EXISTING UNDERGROUND UTILITIES. INFORMATION ON EXISTING UTILITIES HAS BEEN COMPILED FROM AVAILABLE INFORMATION INCLUDING UTILITY COMPANY AND MUNICIPAL RECORD MAPS AND FIELD SURVEY AND IS NOT GUARANTEED TO BE CORRECT OR COMPLETE. UTILITIES ARE SHOWN TO ALERT THE CONTRACTOR OF THEIR PRESENCE AND THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DETERMINING ACTUAL LOCATIONS AND ELEVATIONS OF ALL UTILITIES AND SERVICES. WHEN THE UTILITIES ARE TO BE LEFT IN PLACE, THE CONTRACTOR SHALL PROVIDE ADEQUATE MEANS OF SUPPORT AND PROTECTION DURING THE EXCAVATION AND BACKFILLING OPERATIONS.
- PRIOR TO DEMOLITION OR CONSTRUCTION THE CONTRACTOR SHALL CONTACT "CALL BEFORE YOU DIG" AT 1-800-962-7962 AT LEAST 72 HOURS BEFORE COMMENCEMENT OF WORK TO VERIFY ALL UTILITY LOCATIONS. CONTRACTOR SHALL NOT INTERRUPT EXISTING UTILITIES SERVING FACILITIES OCCUPIED AND USED BY THE OWNER OR OTHERS DURING OCCUPIED HOURS.
- IF ANY UNCHARTED OR INCORRECTLY CHARTED EXISTING PIPING OR OTHER UTILITY IS UNCOVERED DURING EXCAVATION, THE CONTRACTOR SHALL CONSULT THE SITE ENGINEER IMMEDIATELY FOR DIRECTIONS BEFORE PROCEEDING FURTHER WITH THE WORK.
- STORAGE OF FLAMMABLE AND HAZARDOUS MATERIALS SHALL BE IN COMPLIANCE WITH THE NYS FIRE AND BUILDING CODE.
- CONTRACTOR TO PROVIDE SITE ENGINEER WITH SUBMITTALS. ONCE APPROVED, COPIES WILL BE SUPPLIED TO CITY ENGINEER AND APPROPRIATE CITY DEPARTMENTS.
- NO HERBICIDES OR PESTICIDES WILL BE USED DURING THE OPERATION OF THE SITE.

NOTES:

- NO EXISTING OR PROPOSED EASEMENTS, DEED RESTRICTIONS, CONVENTS RIGHTS OF WAY, RESERVATIONS, REARS TO DEDICATION TO PUBLIC USE AND ANY PUBLIC IMPROVEMENTS CONTEMPLATED ON OR ADJOINING PROPERTIES ARE ASSOCIATED WITH THE PROPOSED PROJECT.
- NO LOCATION OF ANY FIRE BOXES AND OR CONNECTIONS TO THE CITY FIRE ALARM ARE SHOWN.
- THE PROPOSED PROJECT IS NOT LOCATED IN A WATERFRONT OR OVERLAY DISTRICT.
- NO EXISTING FLOODPLAINS OR ENDANGERED SPECIES LOCATED IN THE PROJECT AREA.
- SITE IS LOCATED WITHIN 2,000' OF NYSDOT REMEDIATION DATABASE SITES: 314071, C314125, B00148, 314122 & C314126

ADDITIONAL NOTES:

- TOPOGRAPHIC INFORMATION FIELD PROVIDED BY LRC GROUP IN MAY OF 2019. SEE EXISTING CONDITIONS (EX-1) FOR ADDITIONAL INFORMATION.
- CONTRACTOR TO FIELD VERIFY UTILITIES PRIOR TO CONSTRUCTION.
- UPON APPROVAL OF THE SITE PLAN, THE APPROVED SITE PLAN WITH SIGNATURES SHALL BE PROVIDED IN PDF FORMAT. UPON COMPLETION OF CONSTRUCTION, AS-BUILT DRAWINGS SHALL BE PROVIDED TO THE CITY ENGINEERING IN AUTOCAD FORMAT.
- ANY CURBS OR SIDEWALKS WITHIN THE CITY ROW DAMAGED BY CONSTRUCTION SHALL BE REPLACED PER CITY STANDARDS.



SITE PLAN

SCALE 1"=20'

LEGEND

	PROPOSED EDGE OF PAVEMENT
	PROPOSED ASPHALT
	PROPOSED SNOW STORAGE AREA
	PROPOSED CONCRETE SIDEWALK
	PROPOSED PAVERS
	PROPOSED SIGN
	PROPOSED DRYWELL

SIGN LEGEND

NO.	LEGEND	QTY.
A		1
B		2
C		3
D		2

PROPERTY OWNERS

6162-69-065177
(49 CIVIC CENTER PLAZA)
JOURNAL PLAZA LLC
PO BOX 792
POUGHKEEPSIE, NY 12602

6162-69-090193
(85 CIVIC CENTER PLAZA)
PAGE PARK ASSOCIATES LLC
PO BOX 792
POUGHKEEPSIE, NY 12602



• Land Planning
• Civil Engineering
• Environmental Services
• Land Surveying
• Landscape Architecture
85 Civic Center Plaza, Suite 204
Poughkeepsie, NY 12601
Tel:845.243.2880
160 West Street, Suite E
Cromwell, CT 06416
Tel:860.635.2877

www.lrcconsult.com
LRC Engineering & Surveying, DPC
LRC Engineering and Surveying, LLC
LRC Environmental Services, Inc.
Land Resource Consultants, Inc.

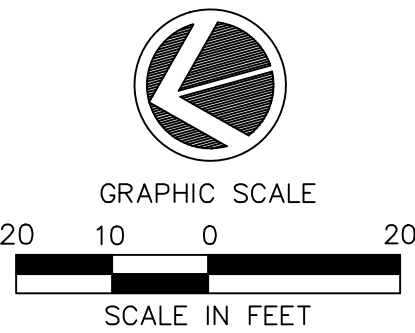
SITE PLAN

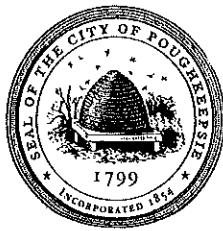
JOURNAL SQUARE

49 & 85 CIVIC CENTER PLAZA
CITY OF PoughKEEPSIE
DUTCHESS COUNTY, NEW YORK

Design/Colors	LRC	CAD File	SP19242601.dwg	Sheet No.
Drawn	KFC	Project No.	19-2426	
Checked	KFC	Date	07/25/23	
Approved	REM	Scale	NOTED	

SP-1





**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:

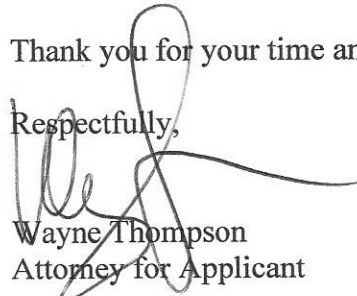
The applicant proposes to convert an existing single family residence into a 2 family home with residences on the first and second floors. Parking will be provided on site necessitating the small requested variances.

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.

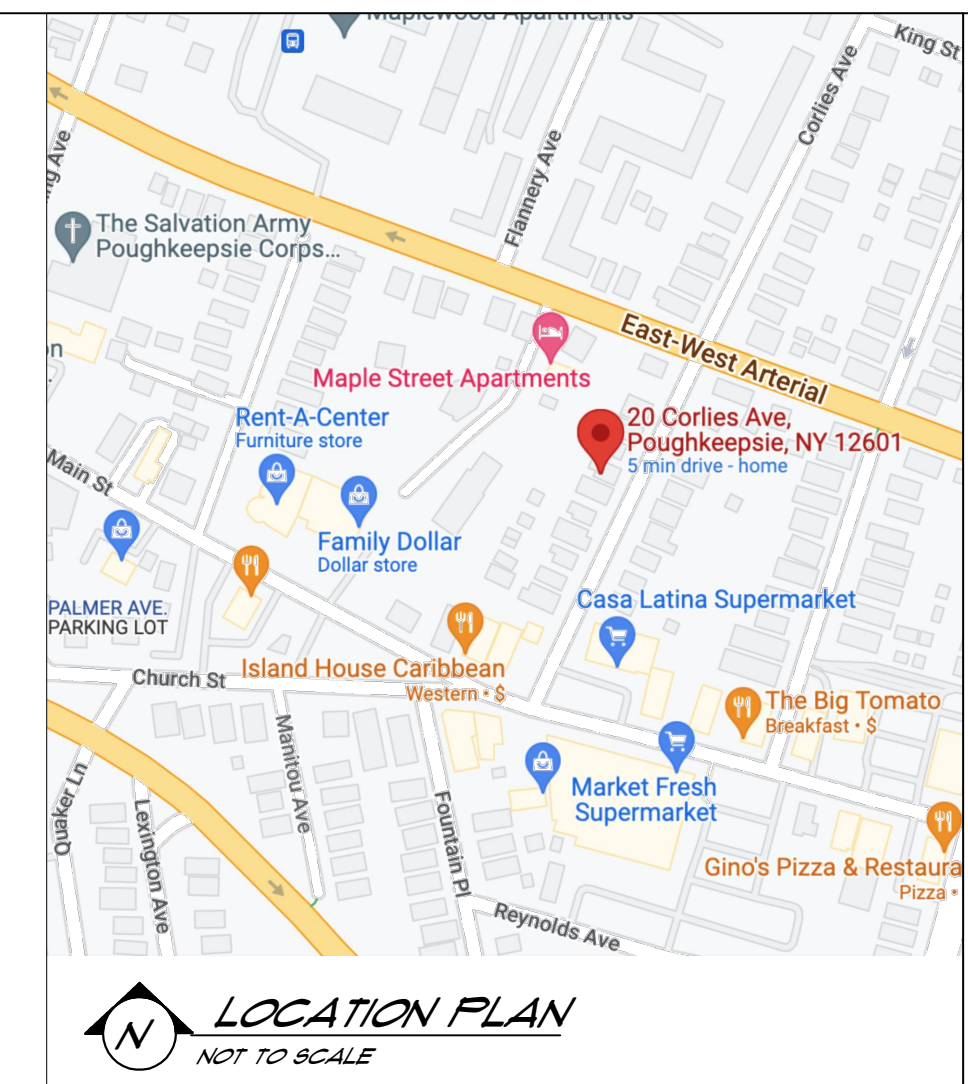
Once complete, the building will add rental inventory which the City desperately requires.

Thank you for your time and consideration.

Respectfully,



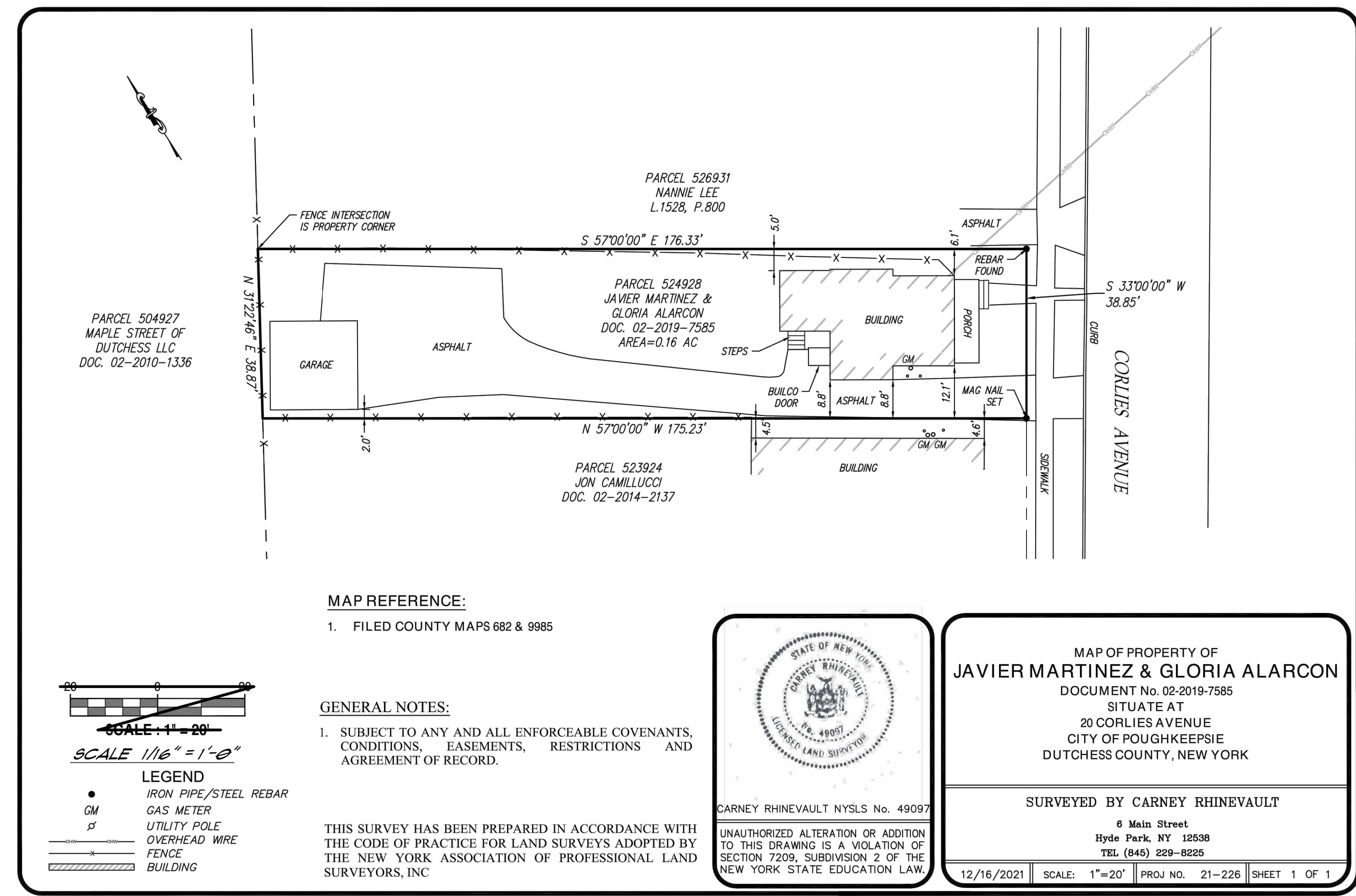
Wayne Thompson
Attorney for Applicant



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: CJ4	SCALE: AS NOTED	JOB #: 22062
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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 #49091 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(1)(X(A)) 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(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 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

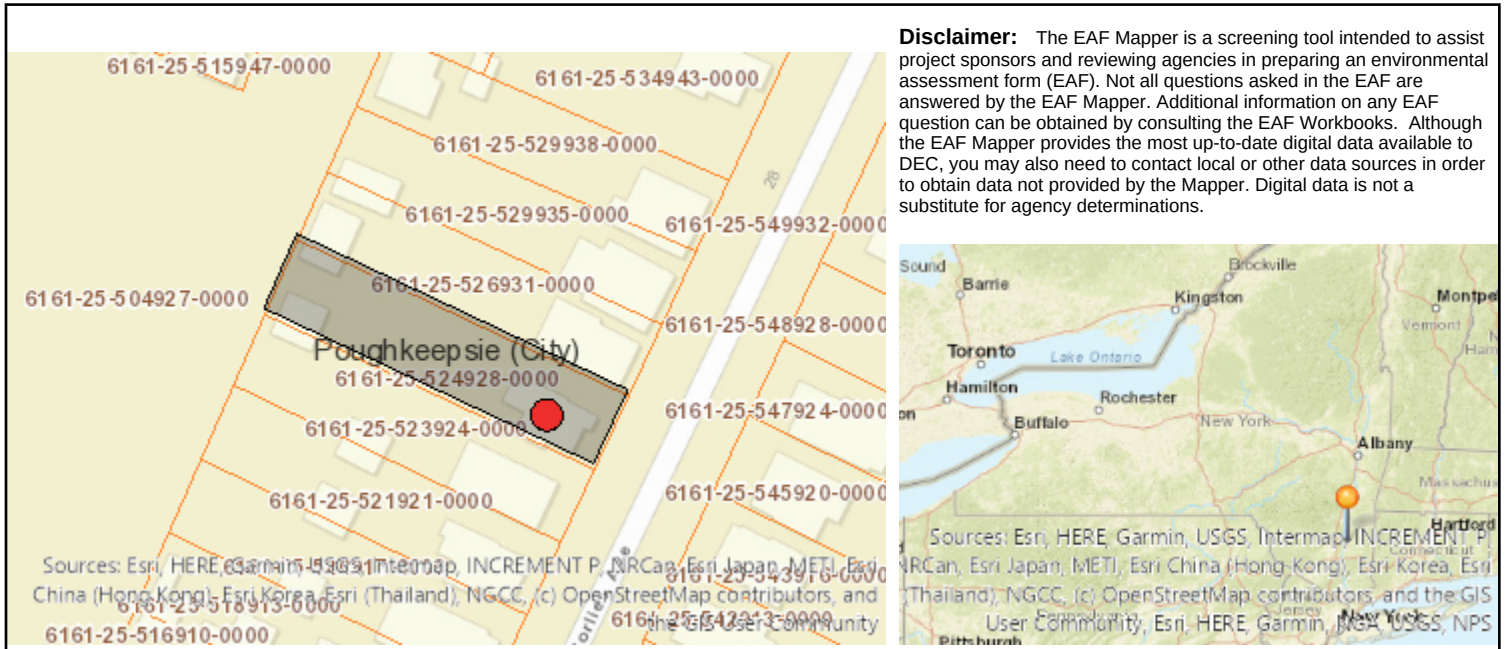
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

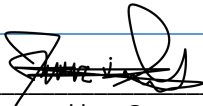
EXPENSES	Annual
Maintenance	\$975.00
Utilities (Electric & Sanatation	\$637.00
Management	\$0.00
Propety Tax	\$5,672.00
Insurance	\$1,265.00
Mortgage	\$0.00
Total Exp.	\$8,549.00

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



**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.

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

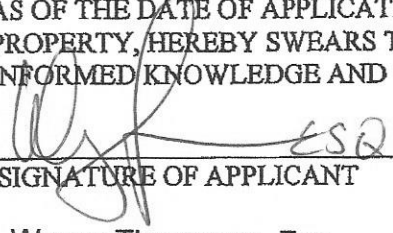
LIST OF REQUIRED ATTACHMENTS

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:

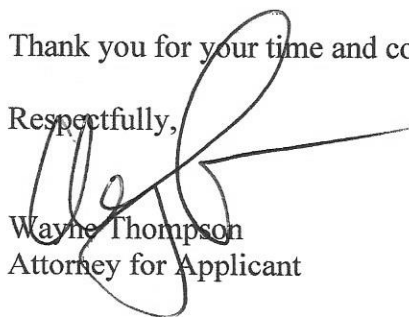
The applicant proposes to convert a dilapidated 1 family residence into a 2 family home with residences on the first and second floors. Parking will be provided both on site and street side as depicted in the plan.

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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

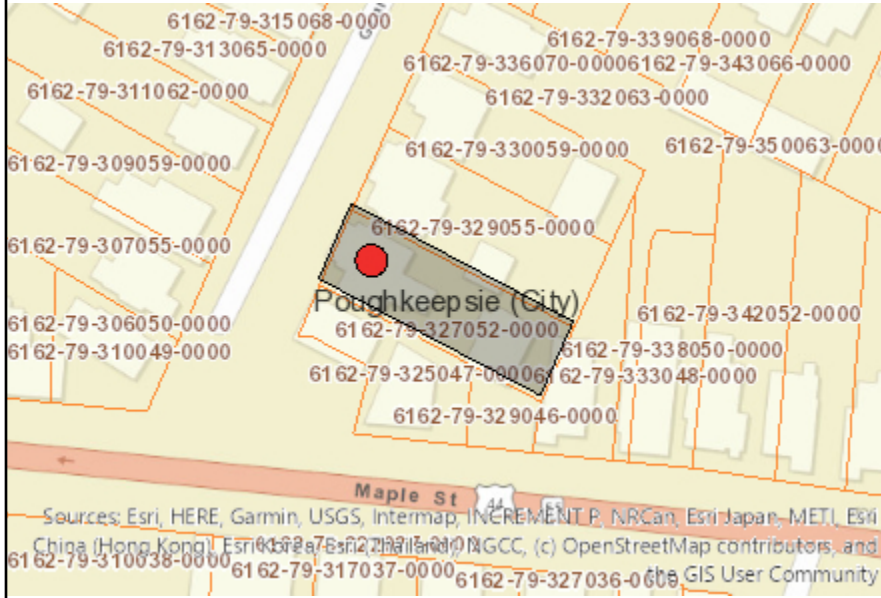
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

[illegible]

EXPENSES	Annual
Maintenance	\$4,940
Utilities (Electric & Sanatation	\$1,000
Management	\$1,650
Property 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%