



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

Common Council Chambers  
Tuesday, December 12, 2023  
6:00 PM

**I. CALL TO ORDER**

**II. APPROVAL OF MEETING MINUTES**

1. Approval of November 20, 2023 and November 30, 2023 Meeting Minutes

**III. REVIEW OF RESOLUTIONS**

**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

**3. 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

**4. 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

**IV. PUBLIC HEARINGS & DELIBERATIONS**

**1. 49 CIVIC CENTER PLAZA - INTERPRETATION**  
**ADJOURNED TO JANUARY**

**2. 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

**3. 16 PERSHING AVENUE APPLICATION FOR USE AND AREA VARIANCES**

Application for variances relative to the proposed conversion of the former emergency mobile response facility to an autobody repair shop, requiring a use variance of Section 19-3.23(2) of the Zoning Ordinance, which does not permit autobody facilities in the C-2A District in which the property is located, and area variances of Section 19-3.23(2)(b)(3) which provides that no automotive uses be located within thirty (30) feet of a residential zoning district, to allow the use to abut an R-4 residential district, and Section 19-4.3(11)(c), which requires 25 parking spaces plus 1 for every 2 employees, to allow the existing 25 spaces with no additional parking for employees.



Owner/Applicant: Devanand Jaikarran; Consultant: Liscum McCormack VanVoorhis; Zoning District: C-2A; Grid #6161-24-427963: File #ZBA2023-040

**4. 44 BEECHWOOD AVENUE - AREA VARIANCE**

Application for an area variance relative to the proposed placement of a fence on the northern property line at 44 Beechwood Avenue, requiring a variance of Section 19-4.14(4)(3)(a) of the Zoning Ordinance, which prohibits the placement of a fence nearer than 10 feet to any wall of an adjoining building that contains legal windows, to allow placement of a fence within 6'8" and 7'5" from the northern wall of the existing dwelling.

Owner/Applicant: Digna Ayala; Zoning District: R-1; Grid #6161-70-237237: File #ZBA2023-048

**5. 29 GIFFORD AVENUE - AREA VARIANCES**

Application for an area variances relative to the proposed conversion of the legal single-family dwelling at 29 Gifford Avenue, located in an R-4 Zoning District, to a three family dwelling, requiring variances of Section 19-3.15(4)(c)(1) to allow 3780 square feet of lot area where 6600 square feet are required; Section 19-3.15(4)( e)(2) to allow a side yard of 2'9.5" where 15 feet are required; Section 19-3.15(4)(i) to allow 956 square feet of usable open space with a minimum dimension of 31.18' where 900 square feet with a minimum dimension of 40 feet is required; Section 19-4.3(5)(a) to allow 3 off-street parking spaces where 5 are required; Section 19-4.11 to allow no perimeter landscaping where landscaping is required. Owner: Shauna Powell; Applicant: Jon Moss, Berg Moss Architects; Zoning District: R-4; Grid #61062-68-937310: File #ZBA2023-049

**V. CONTINUED APPLICATION REVIEW**

**1. 134 SMITH STREET: USE VARIANCE**

**ADJOURNED TO JANUARY**

**2. 27 SOUTH CLINTON STREET – USE & AREA VARIANCE APPLICATIONS**

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)

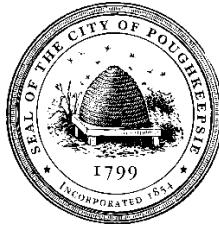
side yard of 8 feet; Section 19-3.13.1(4)(d)(3), which requires a rear yard of 15 feet, to allow the (east) rear yard to be 4 feet (the remaining yard area is compromised with off-street parking); Section 19-4.3(5)(a) which requires a 15 foot access lane to parking, to allow a 12 foot access lane; Section 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.

**3. 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

**VI. APPROVAL OF MEETING DATES**

**1. Approval of 2024 Meeting Dates**



## **City of Poughkeepsie Zoning Board of Appeals**

### **DRAFT Meeting Minutes**

Common Council Chambers

Monday, November 20, 2023 1:00 PM

#### **ATTENDANCE**

Jessica Vinall  
Thomas Klug  
Justin Phillips  
Sam Finnerman

#### **EXCUSED**

Scott Parker  
James Patterson

#### **STAFF**

Judith Knauss, Deputy Zoning Administrator  
Lori Garcia, Board Administrative Assistant

### **CALL TO ORDER 1:07 PM**

### **REVIEW OF RESOLUTIONS**

#### **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.

Motion to approve

Motion: Thomas Klug

Second: Justin Phillip

Carried: 4:0:0

#### **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

Motion to approve  
Motion: Justin Phillip  
Second: Thomas Klug  
Carried: 4:0:0

### **63 THOMPSON STREET - AREA VARIANCE**

Application for area variance relative to adding a 3<sup>rd</sup> 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

Motion to approve  
Motion: Thomas Klug  
Second: Justin Phillip  
Carried: 4:0:0

### **357 HOOKER AVENUE**

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

Motion to approve  
Motion: Thomas Klug  
Second: Sam Finnerman  
Carried: 4:0:0

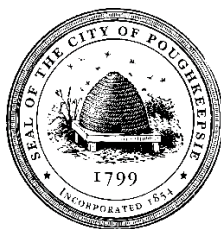
### **50 DELAFIELD AVENUE – AREA VARIANCE**

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

Motion to approve  
Motion: Thomas Klug  
Second: Justin Phillip  
Carried: 4:0:0

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



## **City of Poughkeepsie Zoning Board of Appeals**

### **DRAFT Meeting Minutes**

Common Council Chambers

Thursday, November 30, 2023 6:00 PM

#### **ATTENDANCE**

Scott Parker  
Thomas Klug  
Justin Phillips  
Sam Finnerman  
James Patterson

#### **EXCUSED**

Jessica Vinall

#### **STAFF**

Rebecca Valk, Corporation Counsel  
Richard Distel, City Planner  
Lori Garcia, Board Administrative Assistant  
Joe Donat, Development Director (6:24 pm)

### **CALL TO ORDER 6:00 pm**

### **APPROVAL OF MEETING MINUTES**

Approval of October 23, 2023 Meeting Minutes

Motion: Thomas Klug

Second: Justin Phillip

Carried: 5:0:0

### **NEW PUBLIC HEARINGS**

#### **49 CIVIC CENTER PLAZA REQUEST FOR 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

Applicant asked to adjourn to December 12, 2023

Motion to open the public hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

No Speakers

Motion to adjourn application review and the public hearing to the December 12<sup>th</sup> meeting

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

#### **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

Presenting: Gary Beck, Z3 Consulting

Motion to open the public hearing

Motion: Scott Parker

Second: Justin Phillip

Carried: 5:0:0

No Speakers

Motion to close the public hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

Motion to adjourn application review and the public hearing to the December 12<sup>th</sup> meeting

Motion: Scott Parker

Second: Justin Phillip

Carried: 5:0:0

#### **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

Presenting: Mohamad Salameh, Applicant

Mohammed Islam, MI Design



Motion to open the public hearing

Motion: Scott Parker

Second: Justin Phillip

Carried: 5:0:0

No Speakers

Motion to close the Public Hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

## **27 SOUTH CLINTON STREET – USE & AREA VARIANCE APPLICATIONS**

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.

Presenting: Ciro Interrante, Architect

Quincy Williams, Applicant

Motion to open the public hearing

Motion: Scott Parker

Second: Justin Phillip

Carried: 5:0:0

Speakers:

Marta Knapp

Demaj Ffriend

Chris Grant

Natasha Brown

Hillari Spooner

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

Motion made to adjourn review to December meeting  
Motion: Scott Parker  
Second: Thomas Klug  
Carried: 5:0:0

#### **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

Presenting: Andrew Goulding, Associate of Paul Tirums - consultant  
Marlyn Stuart

Motion to open the public hearing  
Motion: Scott Parker  
Second: Thomas Klug  
Carried: 5:0:0

No Speakers

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

Motion made to adjourn review to December meeting  
Motion: Scott Parker  
Second: Thomas Klug  
Carried: 5:0:0

#### **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

Presenting: Ciro Interrante, Architect  
Jose Juarez, Applicant

Motion to open the public hearing

Motion: Scott Parker

Second: Justin Phillip

Carried: 5:0:0

No Speakers

Motion to close the Public Hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

#### **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

Presenting: Russel Beck, Business owner

Tyson, Timely Signs

Motion to open the public hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

No Speakers

Motion to close the Public Hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

A motion was made to approve the resolution as received in print and posted

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

## **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

Presenting: Joe DeMarco and Steve Whalen, Whalen Architects

Motion to open the public hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

No Speakers

Motion to close the Public Hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

A motion was made to approve the resolution as received in print and posted

Motion: Scott Parker

Second: Justin Phillip

Carried: 5:0:0

## **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

Presenting: Kelly Libolt, KAR Consulting

Motion to open the public hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

No Speakers

Motion to close the Public Hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

A motion was made to approve the resolution as received in print and posted

Motion: Scott Parker

Second: Justin Phillip

Carried: 5:0:0

## **CONTINUED PUBLIC HEARINGS**

### **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

Presenting: Wayne Thompson, Consultant

Motion to open the public hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

No Speakers

Motion to close the Public Hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

### **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  
Presenting: Wayne Thompson, Consultant

Motion to open the public hearing

Motion: Scott Parker

Second: Justin Phillip

Carried: 5:0:0

No Speakers

Motion to close the Public Hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

**A motion was made to adjourn the meeting**

Motion: Scott Parker

Second: Justin Phillip

Carried: 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  
ZONING BOARD OF APPEALS  
DRAFT RESOLUTION  
20 CORLIES AVENUE  
DECEMBER 12, 2023**

In the matter of the appeal of Shauna Powell/Jon Moss, regarding the property at 20 Corlies Avenue, Poughkeepsie, New York:

At a Regular Meeting of the Zoning Board of Appeals held in the Common Council Chambers, 3<sup>rd</sup> Floor, City Hall, 62 Civic Center Plaza, on the 12th day of December 2023, at 6:00pm:

**Present**

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

**Excused**

**Absent**

WHEREAS, the Zoning Board has received an application for area variances from Javier Ortega/Wayne Thompson relative to the proposed conversion of the existing single family at 20 Corlies Avenue dwelling to a two family dwelling, as follows: 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); and,

WHEREAS, this application has been classified as a Type 2 Action for the purposes of SEQRA, requiring no further environmental review; and,

WHEREAS, the action is more fully detailed on a site plan dated 5/28/23 prepared by Grand Design, and supplemental documentation; and,

WHEREAS, a public hearing on the application was held on November 30, 2023; and,

**NOW THEREFORE BE IT RESOLVED THAT THE ZONING BOARD OF APPEALS MAKES THE FOLLOWING FINDINGS:**

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

1. The variances will not necessarily produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties as the neighborhood is a mix of primarily

one, two and three family dwellings.

2. The benefit sought by the applicant would not appear to be able to be achieved in a manner to comply with the requirements of the zoning ordinance relative to the conversion, although it is not clear that the conversion is necessary as reasonable return is not usual relevant to one and two family dwellings.
3. The area variance, which is for roughly one-third the required lot area, could be said to be substantial. especially as the single family dwelling requires no variances.
4. The proposed variance may have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district as approving the significant increase in density may establish a precedent;
5. The hardship is self-created, as the use of the property as a single family dwelling is reasonable, permitted and requires no variances. This factor constitutes only one factor to be considered by the board of appeals and it does not, in and of itself, preclude the board from granting the variance requested.

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby grants the variance for 20 Corlies Avenue, File #2023-016, as outlined above.

Motion:

Second:

Carried:

---

Lori Garcia  
Municipal Administrative Assistant  
Date:





**THE CITY OF POUGHKEEPSIE  
ZONING BOARD OF APPEALS  
DRAFT RESOLUTION  
7 GRANT STREET  
DECEMBER 12, 2023**

In the matter of the appeal of Shauna Powell/Jon Moss, regarding the property at 7 Grant Street, Poughkeepsie, New York:

At a Regular Meeting of the Zoning Board of Appeals held in the Common Council Chambers, 3<sup>rd</sup> Floor, City Hall, 62 Civic Center Plaza, on the 12<sup>th</sup> day of December 2023, at 6:00pm:

**Present**

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

**Excused**

**Absent**

WHEREAS, the Zoning Board has received an application for area variances relative to the proposed conversion of the single-family dwelling at 7 Grant Street to a two family dwelling, requiring the following variance: Section 19-3.15(4)(a) requiring 10,000 square feet of lot area, to allow for 4,791 square feet, (a variance of 5209 square feet); and Section 19-4.3(11) requiring 4 parking spaces, to allow for two compliant parking spaces, (a variance of two spaces); and,

WHEREAS, this application has been classified as a Type 2 Action for the purposes of SEQRA, requiring no further environmental review; and,

WHEREAS, the action is more fully detailed on a site plan dated 3/15/22, prepared Cummings Engineering, and supplemental documentation; and,

WHEREAS, a public hearing on the application was held on November 30, 2023; and,

NOW THEREFORE BE IT RESOLVED THAT THE ZONING BOARD OF APPEALS MAKES THE FOLLOWING FINDINGS:

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

1. The variances will not necessarily produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties as the neighborhood is a mix of primarily

one and two family dwellings, although the majority are single family dwellings and the proposed density is a significant increase;

2. The lot area benefit sought by the applicant would not appear to be able to be achieved in a manner to comply with the requirements of the zoning ordinance relative to the conversion, although it is not clear that the conversion is necessary. Additionally, with minor adjustments to the plan, no variance of the parking requirement is necessary;
3. The variances could be said to be substantial. The lot area variance is for 52% of the requirement, and the off-street parking variance is for 50% of the requirement;
4. The proposed variance will not necessarily have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. The hardship is self-created, as the use of the property as a single family dwelling is reasonable, permitted and requires no variances. This factor constitutes only one factor to be considered by the board of appeals and it does not, in and of itself, preclude the board from granting the variance requested.

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby grants the variance for 29 Gifford Avenue, File #2023-021, as outlined above.

Motion:

Second:

Carried:

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Lori Garcia

Municipal Administrative Assistant

Date:



**CITY OF POUGHKEEPSIE  
ZONING BOARD OF APPEALS  
DRAFT APPROVAL RESOLUTION  
DECEMBER 12, 2023  
196 WINNIKEE AVENUE**

|                           |  |
|---------------------------|--|
| <b>Attending Members:</b> |  |
|                           |  |
|                           |  |

In the matter of the appeal of Henry Seay/Amal and Mohamad Salameh, regarding the property at 196 Winnikee Avenue, Poughkeepsie, New York:

At a Regular Meeting of the Zoning Board of Appeals held on the 14th day of November, 2023:

With regard to our File #ZBA2023-029

WHEREAS, the Zoning Board of Appeals has received an application from Henry Seay/Amal and Mohamad Salameh for the proposed conversion of an existing single family dwelling to a two family dwelling; and,

WHEREAS, the following variances are requested regarding Section 19-3.15(4)(a), requiring 10,000 square feet of lot area, to allow 8,150 square feet; and,

WHEREAS, the action is more fully detailed on a plot plan prepared by MI Design LLC, dated 4/04/23 and supplemental documentation; and,

WHEREAS, this application is considered to be a Type 2 Action under SEQRA requiring no further environmental review for the purposes of SEQRA; and,

WHEREAS, a public hearing was held on November 14, 2023.

NOW THEREFORE BE IT RESOLVED THAT THE ZONING BOARD OF APPEALS MAKES THE FOLLOWING FINDINGS:

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

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

An undesirable change will not be produced in the character of the neighborhood. Adjacent properties to the applicant are two family residences with lots of less than an acre.

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

The benefit sought by the applicant cannot be achieved by another feasible method. The lot and building are pre-existing.

(3) whether the requested area variance is substantial;

The requested area variances are not substantial.

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

The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.

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

The alleged difficulty is self-created. This factor constitutes only one factor to be considered by the board of appeals and it does not, in and of itself, preclude the board from granting the variance requested;

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby grants the variance for File #ZBA2023-029 as outlined above, with the following conditions:

•

Motion:

Second:

Carried:

\_\_\_\_\_  
Board Administrative Assistant

\_\_\_\_\_  
Date



**CITY OF POUGHKEEPSIE  
ZONING BOARD OF APPEALS  
DRAFT APPROVAL RESOLUTION  
7 FOSTER STREET  
DECEMBER 12, 2023**

|                           |  |
|---------------------------|--|
| <b>Attending Members:</b> |  |
|                           |  |
|                           |  |

In the matter of the appeal of Jose and Carmen Juarez, regarding the property at 7 Foster Avenue, Poughkeepsie, New York:

At a Regular Meeting of the Zoning Board of Appeals held on the 12th day of December, 2023:

With regard to our File #ZBA2023-039

WHEREAS, the Zoning Board of Appeals has received an application from Jose and Carmen Juarez for the proposed construction of an addition to an existing single-family dwelling; and,

WHEREAS, the following variances are requested regarding 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".; and,

WHEREAS, the action is more fully detailed on a site plan prepared by Ciro Interrante Architect, P.C., dated 6/08/23 and supplemental documentation; and,

WHEREAS, this application is considered to be a Type 2 Action under SEQRA requiring no further environmental review for the purposes of SEQRA; and,

WHEREAS, a public hearing was held on November 30, 2023.

NOW THEREFORE BE IT RESOLVED THAT THE ZONING BOARD OF APPEALS MAKES THE FOLLOWING FINDINGS:

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

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

No undesirable change will be produced in the character of the neighborhood nor will a detriment be created to nearby properties by the granting of the variance.

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

The benefit sought by the applicant cannot be achieved by another feasible method.

(3) whether the requested area variance is substantial;

The requested area variance is not substantial.

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

The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.

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

The alleged difficulty is self-created. This factor constitutes only one factor to be considered by the board of appeals and it does not, in and of itself, preclude the board from granting the variance requested;

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby grants the variance for File #ZBA2023-039 as outlined above, with the following conditions:

- 

Motion:

Second:

Carried:

\_\_\_\_\_  
Board Administrative Assistant

\_\_\_\_\_  
Date

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.

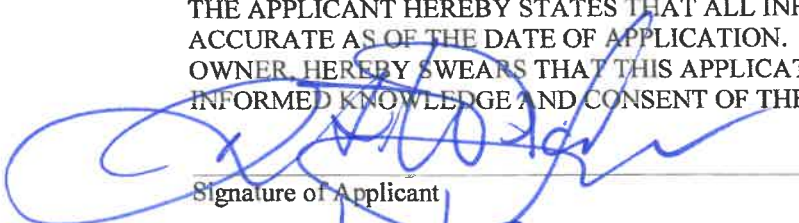
VII. LIST OF REQUIRED ATTACHMENTS

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:

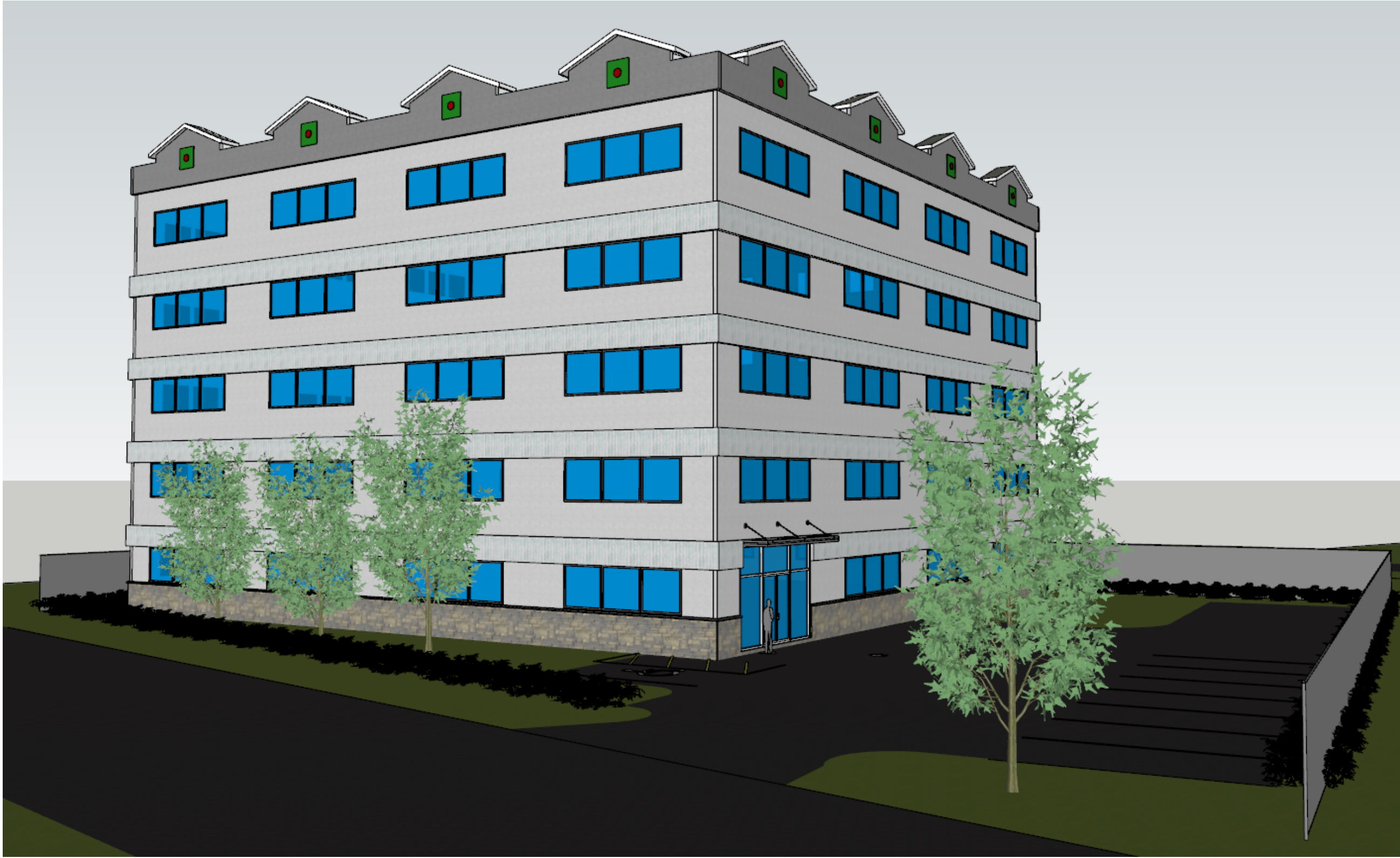
23-37

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<br>4 STORY STORAGE<br>BUILDING | 09/09/23 |
|----------------------------------------|----------|

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

S-101



CITY OF POUGHKEEPSIE  
ZONING BOARD OF APPEALS

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

PIEDMONT PROPERTIES OF DUTCHESS, LLC

-----X

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

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



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Joshua Mackey, Esq.  
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.<sup>1</sup>

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.

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<sup>1</sup> 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 TECHINICALLY 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 COMMERICAL 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.<sup>2</sup>

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.”

---

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

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

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

#### **POINT IV**

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

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

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

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

### **CONCLUSION**

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

Dated: Poughkeepsie, New York  
August 21, 2023

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



---

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



# EXHIBIT A



# EXHIBIT B

# MACKEY BUTTS & WHALEN LLP

ATTORNEYS AT LAW

June 27, 2023

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

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

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

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

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

Dear Mr. O'Brien:

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

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

Reply to:

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

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

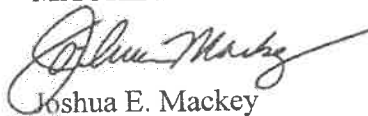
☐ 81 Main Street  
P.O. Box 308  
Sharon, CT 06069  
P 860.364.6232  
F 860.364.6429

www.mbwlawyers.com

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

Very truly yours,

MACKEY BUTTS & WHALEN, LLP



Joshua E. Mackey

JEM/aed  
Enclosures

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

{00054946 1}

EXHIBIT B  
Page 45 of 24



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

FEE: \$50.00  
CODE: ZRSP  
ID# \_\_\_\_\_

### ZONING REVIEW REQUEST

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

#### Official use only:

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

Notes: \_\_\_\_\_

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

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

Date \_\_\_\_\_

Revised August 2022: Previous Editions Obsolete

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



20009

10-4/220

DATE

AMOUNT

06/27/2023

\*\*\*\*\$300.00

PAY

\*\*\* THREE HUNDRED & 00/100 DOLLARS

TO THE  
ORDER OF

City of Poughkeepsie Building Department



*[Signature]*

⑈020009⑈ ⑆022000046⑆

9864656340⑈

MACKEY BUTTS & WHALEN LLP  
DATE IOLA ACCOUNT TRUST NAME

PAY TO City of Poughkeepsie Building Department 20009  
DESCRIPTION AMOUNT

06/27/2023

Piedmont Properties  
Account: 1274.0001-1

Review Zoning Application

300.00

CHECK DATE

CHECK NO.

CHECK AMOUNT

06/27/2023

20009

300.00



**MACKEY BUTTS & WHALEN LLP**

IOLA TRUST ACCOUNT  
3208 FRANKLIN AVE  
MILLBROOK, NY 12545



10-4/220

19957

DATE

AMOUNT

06/08/2023

\*\*\*\*\*\$50.00

**PAY**

\*\*\* FIFTY & 00/100 DOLLARS

TO THE  
ORDER OF

City of Poughkeepsie



*[Handwritten signature]*

⑈019957⑈ ⑆022000046⑆ 9864656310⑈

MACKEY BUTTS & WHALEN LLP  
DATE IOLA ACCOUNT TRUST NAME

PAY TO  
City of Poughkeepsie  
DESCRIPTION

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, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp  
Building Inspector

July 11<sup>th</sup>, 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](mailto:jobrien@cityofpoughkeepsie.com)



# BUILDING DEPARTMENT

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

Eric Philipp  
Building Inspector

July 11<sup>th</sup>, 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](mailto:jobrien@cityofpoughkeepsie.com)



# BUILDING DEPARTMENT

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

Eric Philipp  
Building Inspector

July 11<sup>th</sup>, 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](mailto:jobrien@cityofpoughkeepsie.com)



# BUILDING DEPARTMENT

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

Eric Philipp  
Building Inspector

July 11<sup>th</sup>, 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](mailto:jobrien@cityofpoughkeepsie.com)



# BUILDING DEPARTMENT

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

Eric Philipp  
Building Inspector

July 11<sup>th</sup>, 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](mailto:jobrien@cityofpoughkeepsie.com)

# EXHIBIT D



EXHIBIT D

# EXHIBIT E





## EXHIBIT F





EXHIBIT K

# EXHIBIT G





# EXHIBIT H





EXHIBIT H





EXHIBIT 4



# EXHIBIT I



EXHIBIT I

# EXHIBIT J





EXHIBIT J





EXHIBIT J



# BUILDING DEPARTMENT

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

Eric Philipp  
Building Inspector

July 11<sup>th</sup>, 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](mailto:jobrien@cityofpoughkeepsie.com)





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

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

*500.00 per Lori Garcia 10/11/23*

**ZONING BOARD OF APPEALS USE VARIANCE APPLICATION**

**PROPERTY ADDRESS:** 16 Pershing Avenue, Poughkeepsie, New York 12601

**ZONING DISTRICT:** C2A (formerly C2A and C-3 in 2016)

**OWNER INFORMATION:**

**Name:** AJ Autobody, LLC  
**Address:** 16 Spyglass Hill Road  
Hopewell Junction, NY 12533  
**Phone:** 347-681-5626  
**Email:** info@vinesautobodyworks.com; vidyajairkarran1@gmail.com

**APPLICANT INFORMATION:**

**Name:** Devanand and Vidya Jaikarran, by their Attorneys Mackey Butts & Whalen, LLP  
**Address:** 16 Spyglass Hill Road  
Hopewell Junction, NY 12533  
**Phone:** 347-681-5626  
**Email:** info@vinesautobodyworks.com

**CONSULTANT INFORMATION:**

**Name:** Liscum McCormack VanVoorhis, LLP  
**Address:** 181 Church Street  
Poughkeepsie, NY 12601  
**Phone:** 845-452-2268  
**Email:** mmccormack@lmvarchitects.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:** November 1, 2023 (amending determination August 7, 2023)

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

**ZONING BOARD OF APPEALS USE VARIANCE APPLICATION**  
**PROPERTY ADDRESS:** 16 Pershing Avenue, Poughkeepsie, NY 12601

**USE VARIANCE REQUESTS**

| <b>SECTION</b> | <b>PROHIBITING</b>                            | <b>TO ALLOW</b>                              |
|----------------|-----------------------------------------------|----------------------------------------------|
| 19-2.2         | major repairing of automobiles, which         | major repairing of automobiles, which        |
|                | is defined as collision service, body repair, | is defined as collision service, body repair |
|                | and frame straightening; painting and         | and frame straightening; painting and        |
|                | upholstering.                                 | upholstering.                                |

**VARIANCE REQUEST JUSTIFICATION**

- see November 21, 2023 Letter attached

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: \_\_\_\_\_

**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):  
copies of closing statement on purchase of property, tax statement, expenses,  
DMV Certificate, pictures, etc.  
(Items #2-#5 were previously submitted by applicant for the area variance application.)

**SIGNATURE AND VERIFICATION**

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

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

Devanand Jaikar  
SIGNATURE OF APPLICANT

11/21/23  
DATE

# MACKEY BUTTS & WHALEN LLP

ATTORNEYS AT LAW

November 21, 2023

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

Christina A. Mazzarella  
Lita M. Ward

Emily Abrahams  
Tyrone Brown  
R. Keith Salisbury

via in hand delivery and email LGarcia@cityofpoughkeepsie.com

Mr. Scott Parker, Chairman  
Zoning Board of Appeals  
City of Poughkeepsie  
62 Civic Center Plaza, 2<sup>nd</sup> Floor  
Poughkeepsie, New York 12601

## Re: VARIANCE REQUEST JUSTIFICATIONS

16 Pershing Avenue, Poughkeepsie, New York, ID# 382100  
Related matter: Area Variance Application #ZBA-2023-040

Dear Chairman Parker,

We represent Devanand and Vidya Jaikarran, the owners of AJ Autobody, LLC, which is the owner of the above-referenced property. Our client is also the owner and operator of Dutchess Auto Collision, LLC. Please find attached our client's **Use Variance Application**, along with a fee in the amount of \$500.

**Exhibit A.** It was our client's understanding before we were retained on this matter, that this Use Variance Application was to be heard with the Area Variance Application that was timely and fully submitted by our client in October of 2023. Per confirmation from Lori Garcia today, our client need only to submit the Application, Justifications for the Use Variance (as explained in this letter), and \$500 for the Use Variance Application. As will be explained below, due to the mistake of the City in advising our client to apply for a Special Use Permit in the amount of \$500, which they did, since it was later determined to be the incorrect advice, our client was credited \$500.

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  
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The history of this property is unique. The property was built in 2016 and was operated by Mobile Life Support Services, Inc. for the past several years. The owner of the property at the time was Pandemonium Realty, LLC. **Exhibit B.** In May of 2016, the Zoning Board of Appeals Minutes reflect that the property was made up of two separate parcels, #16 and #18, with the southern parcel near Main Street being in the C-2A Commercial Zone and the northern parcel, with the four bay garages in the C-3 Commercial Zone. **Exhibit C.**

It is critical to note that the C-3 Commercial Zone under 19-3.24(a)(a)(5) allows for heavy and light auto repair, and that such part of the property that lies in the former C-3 Zone is where the repair would be taking place, as there are four bay garages in this former C-3 Zone. It is not clear why the City Zoning Map shows both parcels as only within the C-2A Commercial Zone, but nonetheless, if

the City re-zoned it to C-2A, it would have constituted illegal reverse spot zoning. *See, Humble Oil & Refining Company, v. Dekdebrun*, 38 A.D.2d 46 (4<sup>th</sup> Dep't 1971). If the lot in fact is now only in the C-2A zone, reverse spot zoning occurred presumably sometime after 2016 and the subject property was singled out for different, less favorable treatment than the neighboring properties in a manner that was inconsistent with the well-considered use plan constituting discriminatory reverse spot zoning. Reverse spot zoning is arbitrary and capricious as it made one parcel more restrictive, although multiple properties nearby on Pershing Avenue and on Main Street, which are zoned C-3 or are allowed to operate as if they are in a C-3 Zone. There are multiple auto repair shops not only on Pershing Avenue, which lies in the C-3 Commercial Zone in most areas, but there are also auto repair shops on Mail Street, which is in the C-2A Commercial Zone. **Exhibit D.**

Our client met with Joseph O'Brien, the Deputy Zoning Administrator in August of 2023 prior the purchase of 16 Pershing Avenue on September 28, 2023. Our client paid \$50 for a determination by Mr. O'Brien as to whether the property was zoned for their automobile repair shop. Our client received a Determination Letter from Mr. O'Brien on August 7, 2023. **Exhibit E.** The letter stated that the "Development Department is in receipt of your zoning review request relative to the property at 16 Pershing Avenue and the proposed conversion of the existing Emergency Mobile Service Station to an Auto Body Repair Shop. This property is located within the Main Street Commercial District (c-2A) which does allow Motor Vehicle Service Stations per code Section **19-3.23.1(2)(b)3** of the Zoning Ordinance but are subject to the issuance of a Special Permit from the Planning Board provided that [certain] criteria are met[.]"

Relying on that representation, on September 28, 2023, our client purchased the property for the sum of \$1,205,719.95, **Exhibit F.** laying out many closing costs, **Exhibit G.** and which property has taxes due in the amount of \$19,027.14 per year and a monthly commercial loan payment in the amount of \$7,027.39 per month. **Exhibit H.**

On the advice of the City of Poughkeepsie, our client applied for a Special Permit on August 28, 2023, which was paid in full in the amount of \$500. **Exhibit I.** Our client attended the September Planning Board meeting and was advised that he needed to apply for two small area variances, which have been fully submitted along with the Short Environmental Assessment Form, and paid in the amount of \$350, which was scheduled to be on the October agenda. **Exhibit J.** On October 16, 2023, our client received an email from Lori Garcia indicating that their application was moved to the November 12, 2023 Agenda stating that "it is more a fix now on our end". **Exhibit K.** This was through no fault of our client. Our client also paid in excess of \$400 for postage in mailing the adjacent property owners as well as paying for the Poughkeepsie Journal to run the notices for both the Planning Board and the Zoning Board of Appeals.

Subsequently, on November 2, 2023, our client received a Determination Letter and email from Mr. O'Brien stating that upon further review of the Zoning



Board of Appeals application for Area Variances, it was determined that the proposed use was in fact not permitted within the C-2A Main Street Commercial District, and therefore, a *Use Variance* is now required instead of a Special Permit, *Exhibit L*, in direct conflict with Mr. O'Brien's August 7, 2023 letter. The rationale was that Automobile Service Stations, defined in 19-2.2 may be accompanied by certain accessory uses, but those did not include major repairing of automobiles, which is defined as general repair.... collision service, body repair and frame straightening; painting and upholstering. Mr. O'Brien then stated that both Use and Area Variance would be required, and not a Special Permit by the Planning Board.

Ms. Garcia confirmed that the Site Plan, Site Plan Application, and Variance Application have been previously and satisfactorily accepted by the both the Planning Board and Zoning Board of Appeals and thus, all that is required is the Use Variance Application, the Justifications for the Use Variance (this letter), and the required fee of either \$500.

Our client should be granted a use variance in this instance as the applicant can show that the applicable zoning regulations and restrictions have caused unnecessary hardship for each and every permitted use under the zoning regulations for the particular district where this property is located:

1. The Applicant cannot realize a reasonable return. The applicants are in the vehicle repair business, have been doing so for many years, and now have a written contract with Dutchess County and a verbal contract with Mobile Life Services to repair city buses, police vehicles, snow plows and water trucks. The very reason our client purchased this property is because the four bay garages can accommodate the large city vehicles and the ambulances that need repair. They do not provide services that are allowed in the C-2A zone, but rather services that are allowed in the C-3 Zone. The competent financial evidence can be seen by the line of credit which has a monthly payment of \$7,027.39, and the closing statement showing the relevant expenditures to purchase the property in excess of \$1,200,000. Furthermore, the applicant now has school taxes in the amount of \$19,027.14 and property taxes of \$21,975.53 per year. *Exhibit M*. The applicant also applied for and paid for and received a certificate from the Department of Motor Vehicles allowing for the operation of the auto repair shop. *Exhibit N*. Such certificate would not have been possible but for the August 7, 2023 letter from Mr. O'Brien indicating that our client's business would be allowed in the zoning district. Our client only has debt and recurring expenses, which also include the cost to keep the property free from vagrants, garbage and hypodermic needles that are strewn across the now vacant property. Our client also had a break in in September of 2023 and filed a police report. Furthermore, as of today, our client found a mattress on their property with belongings indicating that there is an unauthorized squatter, potentially causing liability for our client. *Exhibit O*. here is no income being generated on this property, and therefore, the business is operating at a significant loss every month since the owner

cannot operate its business, realize a profit, but rather is operating at a heavy loss each month. Without the use variance, they cannot obtain a reasonable rate of return on this property as they would not be able to repair the large vehicles. There is no alternative use by our client as vehicle repair is their business. The property would be useless to them otherwise with four existing bay garages.

2. The hardship relating to this particular property is unique and does not apply to a substantial portion of the district. For example, the property currently is on a street that contains many C-3 zoned properties that are adjacent to the R-4 Zone, just like our client's property. See attached zoning map excerpt indicating the C-2A Zone and C-3 Zone properties. Going north on Pershing Avenue, the zone changes from C-2A to C-3, which allows major repair. This parcel is unique and is a larger size, and partially in the former C-3 zone. The particular piece that is located in the former C-3 Zone is the larger part of the parcel and contains four pre-existing bay garages that are not in any other lot on Pershing Avenue. The fact that the parcel was arbitrarily merged into a C-2A district also makes it unique. This did not happen to any other parcel in the neighborhood. The building itself is unique in that it already has existing four bay garages, that are set up for auto repair.
3. The requested use variance, if granted, will not alter the essential character of the neighborhood. First, the existing buildings and parking area will remain unchanged and will be repurposed for a new business similar to the previous business/occupancy. The existing building and parking area are only six years old and in great condition and can be reused. There are many auto repair shops in both the C-2A as well as the C-3 Zone. The property is near Main Street and along Pershing Avenue. Also in the neighborhood are the following businesses:

Sabia Auto Exchange at 585 Main Street  
Dutchess County Auto Repair at 650 Main Street  
BTO Auto Works, Inc. at 471 Main Street  
Stofa's Collision at 12 N Clinton Street  
Leroy's Auto Repair & Sales, Inc. at 374 Mill Street  
Caliber Collision at 487 W. Haight Avenue  
Mike's Auto Center, Inc. at 643 Main Street  
R&C Auto Repair at 801 Main Street  
Knuckle Busters at 816 Main Street

Therefore, the character of the neighborhood and the intent of the Zoning Ordinance will not be affected. It is important to show that in the 2022 Comprehensive Plan for Poughkeepsie, our client's parcel falls within District C. District C is the Main Street Corridor, is essential for business, and is mentioned throughout the Comprehensive Plan as a primary concern as follows:

- Recognized as an incoherent corridor that fails to deliver on its full potential to connect and gather the community.
- Main Street is lagging behind, but can and should play a vital connective role
- Main Streets and downtowns across New York have experienced remarkable progress over the past 20 years, with more residents, more businesses, and better public spaces providing communities with vibrant and diverse centers. While some progress has been made in Poughkeepsie, most parts of Main Street continue to struggle.
- Vacancies at business addresses along the Main Street corridor, for example, have remained at or around 25% for several years—higher than vacancy rates elsewhere in the city and much higher than countywide rates. The total assessed value of properties along Main Street has also lagged, and most properties with residential units along Main Street (71%) show clear signs of deferred maintenance.
- Main Street corridor's position between the north and south sides means that it can and should plan an important role in connecting neighborhoods and contributing to economic opportunity and quality of life.
- Committed to being: We recognize that our community has struggled and continues to struggle with being an inclusive and welcoming place to all its citizens, and that a lack of collaboration has often held back our progress.
- Decisions we make going forward must include active participants from throughout the city to ensure that we truly benefit from all of our community's strengths and that ownership of what we achieve is shared.
- Actions must reflect a commitment to meaningful collaboration and inclusion in order for Poughkeepsie to become more socially sustainable.
- Small businesses are developing and thriving along Poughkeepsie's commercial corridors—especially downtown and along Main Street.
- Poughkeepsie's downtown and Main Street corridor contain 40% of all business addresses in the city—in a wide range of office, retail, and other commercial spaces. But a persistently high share of those business addresses are vacant. PK4Keeps sets a target that would bring the vacancy rate of this core area to the county's current vacancy rate (12%) by 2032.
- Growing the city's corps of young businesses in improved commercial properties is one way to fill vacancies in this important part of the city. PK4Keeps sets a target for the share of jobs at young companies—12%—that would bring the city on par with the state average. A higher share of jobs at young firms is a sign of business dynamism and an entrepreneurial culture
- District C encompasses downtown Poughkeepsie, most of the city's Main Street corridor, multiple public schools, and a wide range of residential environments. More than any other district, the legacy of

mid-20th Century urban renewal and highway development is apparent here—especially in the form of the East-West Arterial and its impact on neighborhood livability. But much remains intact, including a large and diverse supply of space for small business development.

- Efforts here should include a fixed focus on the Downtown Core Blocks— making them as healthy and vibrant as possible—and on ensuring that Downtown Peripheral Blocks contribute to strength on the Core Blocks. Outside of downtown, efforts should focus on tying mixed-income reinvestments
- Prioritize Main Street downtown and expand efforts to neighborhood commercial areas
- Efforts through a campaign to promote Poughkeepsie as a home base for new small businesses and entrepreneurs, backed by tools to assist start-ups such as access to high-quality space, low-interest loans, or forgivable loans.
- Chosen outcome is that businesses are developing and thriving along Poughkeepsie’ commercial corridors – especially downtown and along Main Street.
- Underutilization of commercial space is a key concern for downtown Poughkeepsie and the entire Main Street corridor. Analysis of vacant business addresses underscores the city’s underperformance relative to the rest of Dutchess County.
- Promote small businesses on Main Street, including minority- and women-owned businesses.

It is the clear intent of the City of Poughkeepsie to promote minority owned businesses, small businesses, address underutilization of commercial space, develop Main Street so that businesses thrive, include and welcome all of its citizens, and promote jobs for locals in the community. As such, our client submits this application for a use variance as not only *not* altering the character of the community, but that this actual business is exactly what the City promotes. Here, we have a minority owned, small business, that can provide services for an ambulance company, that services the residents of the City of Poughkeepsie.

4. The alleged hardship has not been self-created. Our client went to the Zoning Administrator, paid \$50 for an opinion, received a determination allowing our client to operate an auto repair shop on August 7, 2023. In reliance on that authority, our client went to the Department of Motor Vehicles and obtained a Certificate to operate an auto repair shop. Our client would not have been able to obtain such certificate from the DMV without Mr. O’Brien’s approval. Such approval was the reason why our client continued to move forward with area variance applications and a special permit. Three months later, they are told that they are NOT allowed to operate the proposed auto repair shop, because it includes body repair, painting, etc. This is what most auto repair shops do! This

particular auto repair shop although falls under the definition of major repair, presumably because it involves painting, also falls under the category for auto repair services. This was indicated in Mr. O'Brien's August 7, 2023 letter and opinion. Our client did not create the hardship, the City of Poughkeepsie created the hardship. The applicant here acquired the property in reliance of the City's opinion that they were allowed to operate an auto repair shop. Furthermore, our client applied for every permit, area variance, and now use variance requested despite the City moving the agenda one month for no reason, not giving applicant enough time to submit a use variance, making applicant have to submit two mailings, as well as two publishings in the Poughkeepsie Journal. In addition, as each month goes by, our client is not able to operate its business, has no income for the property and is incurring heavy expenses each month, such as interest on the equity line of credit, and school and property taxes in the amount of \$41,002.67 per year.

With these set of facts that have been presented on behalf of our client, our client should be granted a use variance as they cannot realize a reasonable financial return, and in fact, cannot operate at a profit at all. Our client also has a unique property in that it consists of two former parcels that were arbitrarily combined from two zones C-2A and C-3, to C-2A for no other reason than to be singled out for lesser treatment. It is also clear that the character of the neighborhood will not be altered as service stations and auto repair shops are abundant in the direct area of Main Street and Pershing Avenue. The hardship was not self-created in that our client did everything they were supposed to do, received approval from the City to operate an auto repair business, and then three months later, were told that their approval had been revoked and now the applicant has to apply for a use variance.

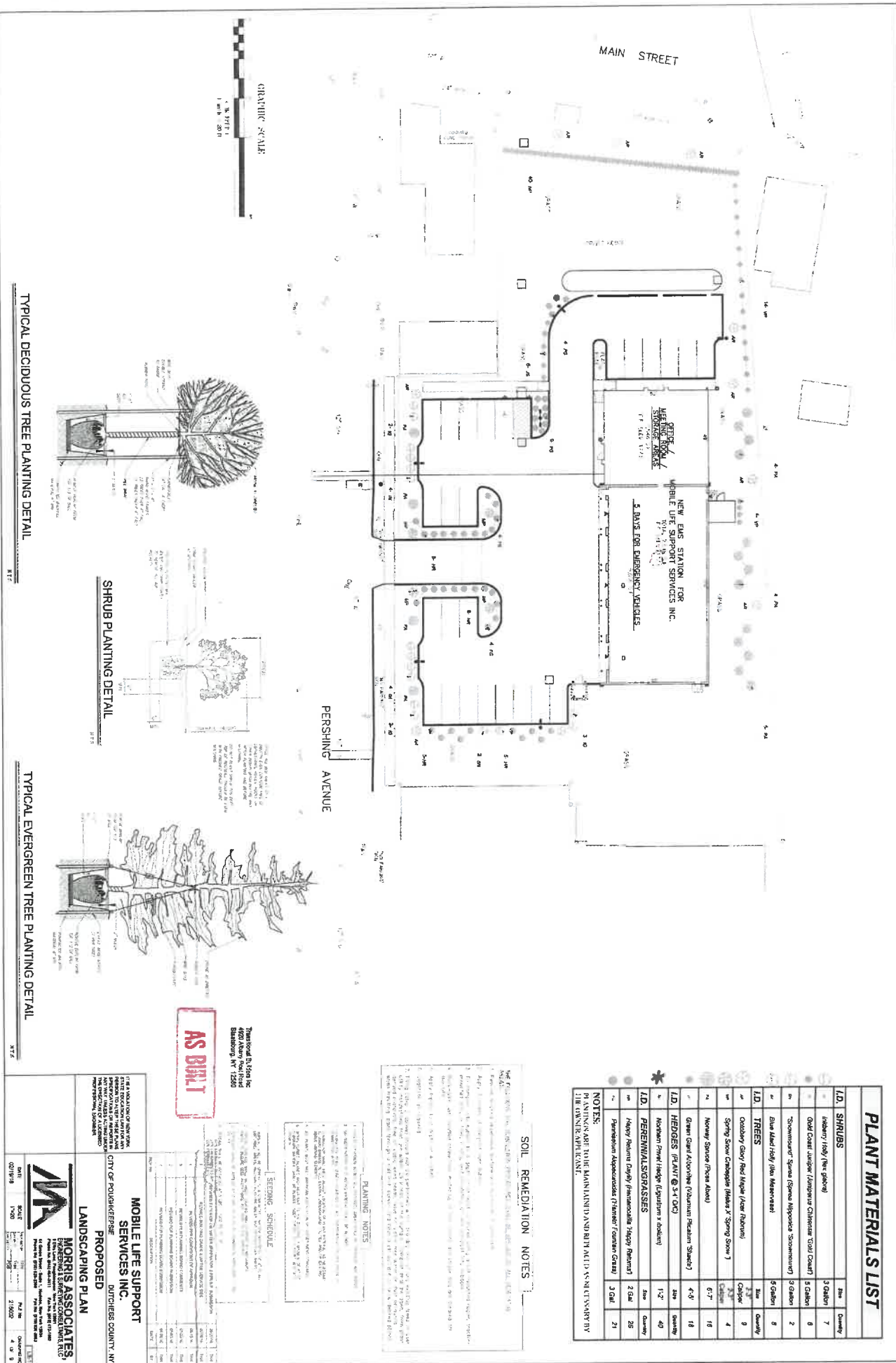
We look forward to hearing from you. Thank you for your time and consideration.

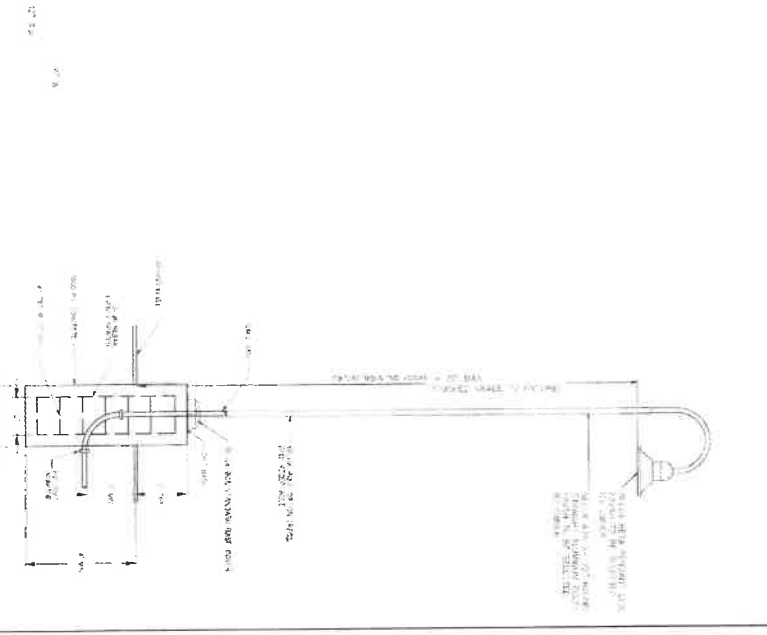
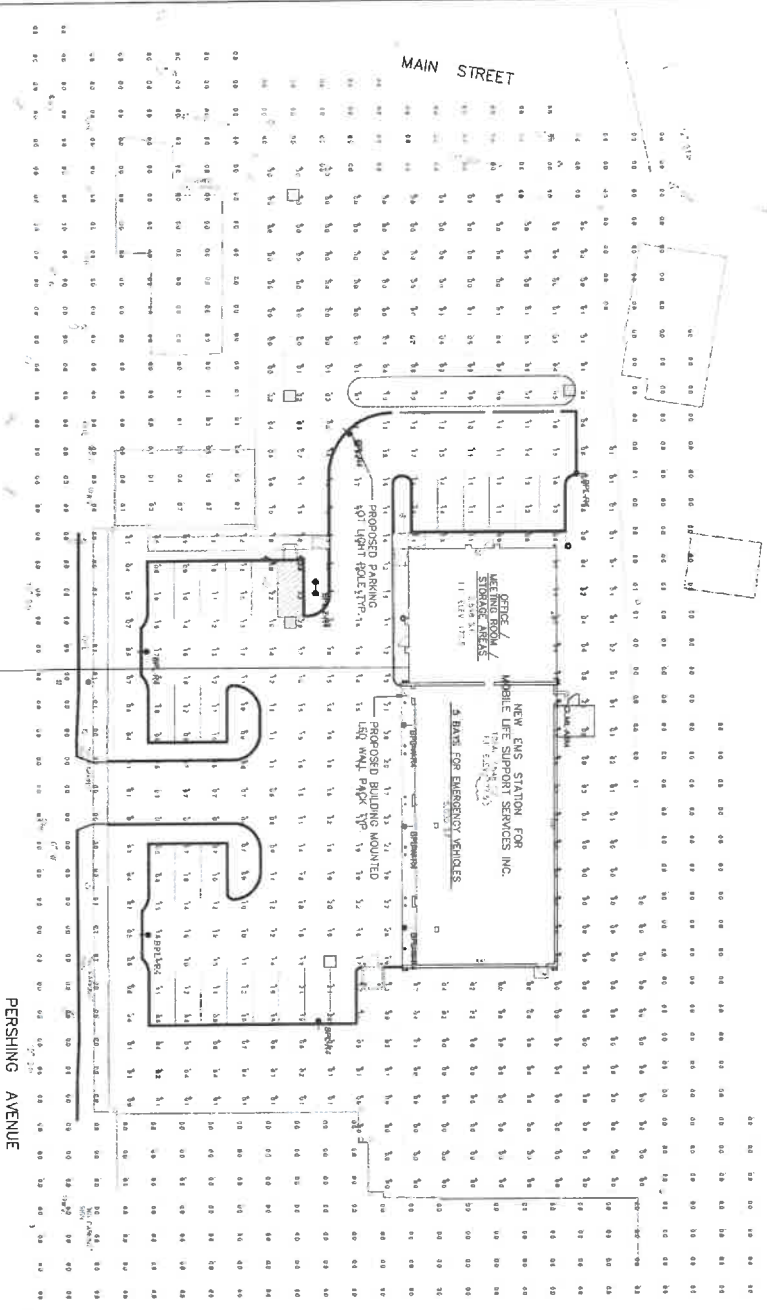
Sincerely,  
**MACKEY BUTTS & WHALEN, LLP**

By:   
Lita M. Ward  
319 Mill Street  
Poughkeepsie, New York, 12601  
lward@mbwlawyers.com

cc: AJ Autobody, LLC







Calculation Summary

| Label                | City | Label    | Arrangement | Units | Avg  | Max | Min | Appln | Max/Min |
|----------------------|------|----------|-------------|-------|------|-----|-----|-------|---------|
| Property Lot Calc/PS | 5    | BPL-R4   | SINGLE      | PS    | 0.28 | 7.0 | 0.0 | N/A   | N/A     |
| Property Calc/PS     | 1    | BPL-2-R4 | BACK-BACK   | PS    | 0.01 | 0.7 | 0.0 | N/A   | N/A     |
| Spill Calc/PS        | 3    | CLML-ASM | SINGLE      | PS    | 0.01 | 0.7 | 0.0 | N/A   | N/A     |
|                      |      | BPL-W-R4 |             |       |      |     |     |       |         |

Total Lamp Lumens LfE

| Description         | Mounting Height |
|---------------------|-----------------|
| BPL-1-47T-500-R4-45 | 22'             |
| BPL-2-47T-500-R4-45 | 22'             |
| CLML-45T-160-40-120 | 14'             |
| BPL-W-47T-130-R4-45 | 14'             |

**LIGHTING NOTES**

1. THE LIGHTING PLAN IS BASED ON THE ASSUMPTIONS LISTED BELOW.

2. THE LIGHTING PLAN IS BASED ON THE ASSUMPTIONS LISTED BELOW.

**AS BUILT**

Approved & Sealed by  
400 Albany Street  
Shelton, CT 06484

**MORRIS ASSOCIATES**

175 N. MORTIMER STREET, SUITE 100  
ANN ARBOR, MI 48106  
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**MOBILE LIFE SUPPORT SERVICES INC.**

PROPOSED LIGHTING PLAN

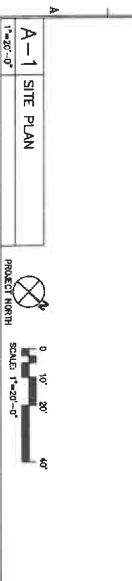
CITY OF TOWNSHIRE, DUTCHES COUNTY, NY

DATE: 12/15/15

SCALE: 1"=20'

FILE NO: 170000

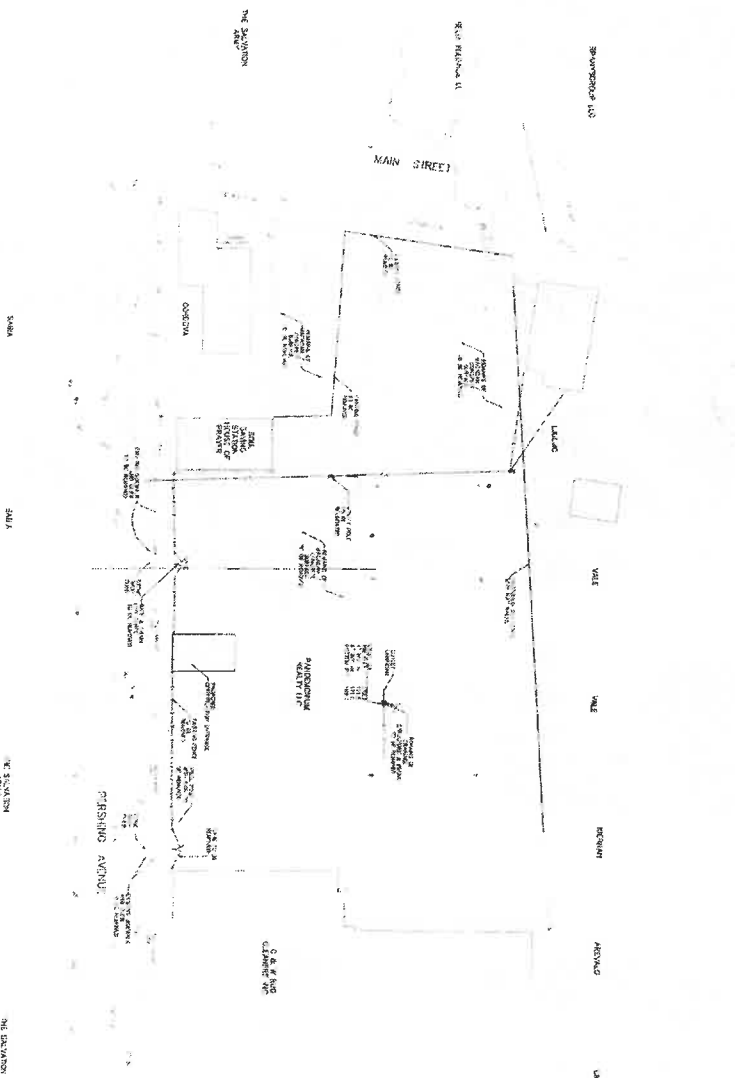
SHEET NO: 1 OF 1



PROVIDED  
27,548 SF / 300 = 25.16  
3 EMPLOYEES = 3  
25 EXISTING SPACES

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |                 |  |         |  |
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| 1. JURISDICTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  | 2. ZONING BOARD |  | 3. DATE |  |
| 10<br>11<br>12<br>13<br>14<br>15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23<br>24<br>25<br>26<br>27<br>28<br>29<br>30<br>31<br>32<br>33<br>34<br>35<br>36<br>37<br>38<br>39<br>40<br>41<br>42<br>43<br>44<br>45<br>46<br>47<br>48<br>49<br>50<br>51<br>52<br>53<br>54<br>55<br>56<br>57<br>58<br>59<br>60<br>61<br>62<br>63<br>64<br>65<br>66<br>67<br>68<br>69<br>70<br>71<br>72<br>73<br>74<br>75<br>76<br>77<br>78<br>79<br>80<br>81<br>82<br>83<br>84<br>85<br>86<br>87<br>88<br>89<br>90<br>91<br>92<br>93<br>94<br>95<br>96<br>97<br>98<br>99<br>100<br>101<br>102<br>103<br>104<br>105<br>106<br>107<br>108<br>109<br>110<br>111<br>112<br>113<br>114<br>115<br>116<br>117<br>118<br>119<br>120<br>121<br>122<br>123<br>124<br>125<br>126<br>127<br>128<br>129<br>130<br>131<br>132<br>133<br>134<br>135<br>136<br>137<br>138<br>139<br>140<br>141<br>142<br>143<br>144<br>145<br>146<br>147<br>148<br>149<br>150<br>151<br>152<br>153<br>154<br>155<br>156<br>157<br>158<br>159<br>160<br>161<br>162<br>163<br>164<br>165<br>166<br>167<br>168<br>169<br>170<br>171<br>172<br>173<br>174<br>175<br>176<br>177<br>178<br>179<br>180<br>181<br>182<br>183<br>184<br>185<br>186<br>187<br>188<br>189<br>190<br>191<br>192<br>193<br>194<br>195<br>196<br>197<br>198<br>199<br>200<br>201<br>202<br>203<br>204<br>205<br>206<br>207<br>208<br>209<br>210<br>211<br>212<br>213<br>214<br>215<br>216<br>217<br>218<br>219<br>220<br>221<br>222<br>223<br>224<br>225<br>226<br>227<br>228<br>229<br>230<br>231<br>232<br>233<br>234<br>235<br>236<br>237<br>238<br>239<br>240<br>241<br>242<br>243<br>244<br>245<br>246<br>247<br>248<br>249<br>250<br>251<br>252<br>253<br>254<br>255<br>256<br>257<br>258<br>259<br>260<br>261<br>262<br>263<br>264<br>265<br>266<br>267<br>268<br>269<br>270<br>271<br>272<br>273<br>274<br>275<br>276<br>277<br>278<br>279<br>280<br>281<br>282<br>283<br>284<br>285<br>286<br>287<br>288<br>289<br>290<br>291<br>292<br>293<br>294<br>295<br>296<br>297<br>298<br>299<br>300<br>301<br>302<br>303<br>304<br>305<br>306<br>307<br>308<br>309<br>310<br>311<br>312<br>313<br>314<br>315<br>316<br>317<br>318<br>319<br>320<br>321<br>322<br>323<br>324<br>325<br>326<br>327<br>328<br>329<br>330<br>331<br>332<br>333<br>334<br>335<br>336<br>337<br>338<br>339<br>340<br>341<br>342<br>343<br>344<br>345<br>346<br>347<br>348<br>349<br>350<br>351<br>352<br>353<br>354<br>355<br>356<br>357<br>358<br>359<br>360<br>361<br>362<br>363<br>364<br>365<br>366<br>367<br>368<br>369<br>370<br>371<br>372<br>373<br>374<br>375<br>376<br>377<br>378<br>379<br>380<br>381<br>382<br>383<br>384<br>385<br>386<br>387<br>388<br>389<br>390<br>391<br>392<br>393<br>394<br>395<br>396<br>397<br>398<br>399<br>400<br>401<br>402<br>403<br>404<br>405<br>406<br>407<br>408<br>409<br>410<br>411<br>412<br>413<br>414<br>415<br>416<br>417<br>418<br>419<br>420<br>421<br>422<br>423<br>424<br>425<br>426<br>427<br>428<br>429<br>430<br>431<br>432<br>433<br>434<br>435<br>436<br>437<br>438<br>439<br>440<br>441<br>442<br>443<br>444<br>445<br>446<br>447<br>448<br>449<br>450<br>451<br>452<br>453<br>454<br>455<br>456<br>457<br>458<br>459<br>460<br>461<br>462<br>463<br>464<br>465<br>466<br>467<br>468<br>469<br>470<br>471<br>472<br>473<br>474<br>475<br>476<br>477<br>478<br>479<br>480<br>481<br>482<br>483<br>484<br>485<br>486<br>487<br>488<br>489<br>490<br>491<br>492<br>493<br>494<br>495<br>496<br>497<br>498<br>499<br>500<br>501<br>502<br>503<br>504<br>505<br>506<br>507<br>508<br>509<br>510<br>511<br>512<br>513<br>514<br>515<br>516<br>517<br>518<br>519<br>520<br>521<br>522<br>523<br>524<br> |  |                 |  |         |  |

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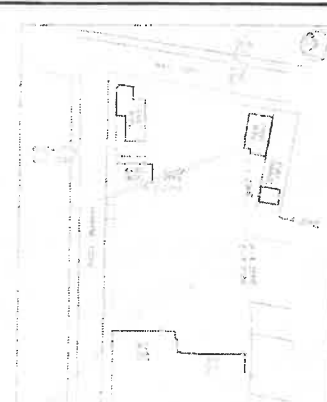
CONSTRUCTION NOTES

- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL RESIDENTIAL CODE (IRC).
- 2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT.
- 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 4. ALL UTILITIES SHALL BE LOCATED AND DEPTH MARKED PRIOR TO ANY EXCAVATION WORK.
- 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
- 6. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.
- 7. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
- 8. ALL WASTE MATERIALS SHALL BE PROPERLY DISPOSED OF AT AN APPROVED LOCATION.
- 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPING.
- 10. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE ARCHITECTURAL SPECIFICATIONS.
- 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
- 12. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
- 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
- 14. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.
- 15. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
- 16. ALL WASTE MATERIALS SHALL BE PROPERLY DISPOSED OF AT AN APPROVED LOCATION.
- 17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPING.
- 18. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE ARCHITECTURAL SPECIFICATIONS.
- 19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
- 20. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

LEGEND

|    |                   |
|----|-------------------|
| 1  | EXISTING BUILDING |
| 2  | NEW BUILDING      |
| 3  | DEMOLITION        |
| 4  | PAVING            |
| 5  | LANDSCAPING       |
| 6  | UTILITIES         |
| 7  | STREETS           |
| 8  | PARKING           |
| 9  | LANDSCAPE         |
| 10 | UTILITIES         |
| 11 | STREETS           |
| 12 | PARKING           |
| 13 | LANDSCAPE         |
| 14 | UTILITIES         |
| 15 | STREETS           |
| 16 | PARKING           |
| 17 | LANDSCAPE         |
| 18 | UTILITIES         |
| 19 | STREETS           |
| 20 | PARKING           |
| 21 | LANDSCAPE         |
| 22 | UTILITIES         |
| 23 | STREETS           |
| 24 | PARKING           |
| 25 | LANDSCAPE         |
| 26 | UTILITIES         |
| 27 | STREETS           |
| 28 | PARKING           |
| 29 | LANDSCAPE         |
| 30 | UTILITIES         |

AS BUILT



ZONING MAP

NOTES

1. THE PROJECT IS LOCATED WITHIN THE CITY OF FLORENCE, SOUTH CAROLINA.

2. THE PROJECT IS SUBJECT TO THE CITY OF FLORENCE ZONING ORDINANCE.

3. THE PROJECT IS SUBJECT TO THE CITY OF FLORENCE SUBDIVISION ORDINANCE.

4. THE PROJECT IS SUBJECT TO THE CITY OF FLORENCE PLANNING AND ZONING COMMISSION.

5. THE PROJECT IS SUBJECT TO THE CITY OF FLORENCE PLANNING AND ZONING COMMISSION.

6. THE PROJECT IS SUBJECT TO THE CITY OF FLORENCE PLANNING AND ZONING COMMISSION.

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12. THE PROJECT IS SUBJECT TO THE CITY OF FLORENCE PLANNING AND ZONING COMMISSION.

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17. THE PROJECT IS SUBJECT TO THE CITY OF FLORENCE PLANNING AND ZONING COMMISSION.

18. THE PROJECT IS SUBJECT TO THE CITY OF FLORENCE PLANNING AND ZONING COMMISSION.

19. THE PROJECT IS SUBJECT TO THE CITY OF FLORENCE PLANNING AND ZONING COMMISSION.

20. THE PROJECT IS SUBJECT TO THE CITY OF FLORENCE PLANNING AND ZONING COMMISSION.

DRAWING LIST

AS BUILT

AS BUILT

**MORRIS ASSOCIATES**  
ARCHITECTS  
1000 1/2 STREET, SUITE 100  
FLORENCE, SOUTH CAROLINA 29506  
TEL: 843.666.1111  
WWW.MORRISASSOCIATES.COM

**MOBILE LIFE SUPPORT SERVICES INC.**  
EXISTING CONDITIONS & DEMOLITION PLAN

DATE: 10/1/2024

PROJECT: MOBILE LIFE SUPPORT SERVICES INC. EXISTING CONDITIONS & DEMOLITION PLAN

DESIGNED BY: [Signature]

CHECKED BY: [Signature]

APPROVED BY: [Signature]

SCALE: 1/8" = 1'-0"









MAIN STREET

PERSHING AVENUE

| PLANT MATERIALS LIST |                                                      |          |          |
|----------------------|------------------------------------------------------|----------|----------|
| I.D.                 | SHRUBS                                               | Qty      | Quantity |
| 1                    | Waxberry Holly (100' x 100')                         | 3 Galton | 7        |
| 2                    | Gold Coast Juniper (Landscape Columnar) 10' x 10'    | 2 Galton | 6        |
| 3                    | Thornedwarf Spirea (Compact Mophead) 5' x 5'         | 2 Galton | 2        |
| 4                    | Blue Star Holly (10' x 10')                          | 5 Galton | 8        |
| I.D.                 | TREES                                                | Qty      | Quantity |
| 5                    | Deciduous Red Maple (Landscape Columnar) 10' x 10'   | 2 Galton | 2        |
| 6                    | Spring Snow Crabapple (Landscape Columnar) 10' x 10' | 2 Galton | 4        |
| 7                    | Amelanchier (Landscape Columnar) 10' x 10'           | 2 Galton | 16       |
| 8                    | Green Leafed Arbutus (Landscape Columnar) 10' x 10'  | 2 Galton | 12       |
| 9                    | Red Maple (Landscape Columnar) 10' x 10'             | 2 Galton | 40       |
| I.D.                 | PERENNIAL SIGNS                                      | Qty      | Quantity |
| 10                   | Spring Snow Crabapple (Landscape Columnar) 10' x 10' | 2 Galton | 25       |
| 11                   | Amelanchier (Landscape Columnar) 10' x 10'           | 2 Galton | 21       |

NOTES:  
1. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MOBILE SPECIFICATIONS FOR LANDSCAPING.

SOIL REMEDIATION NOTES

1. SOIL REMEDIATION SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MOBILE SPECIFICATIONS FOR LANDSCAPING.

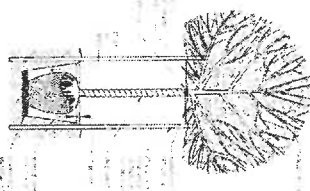
PLANTING NOTES

1. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MOBILE SPECIFICATIONS FOR LANDSCAPING.

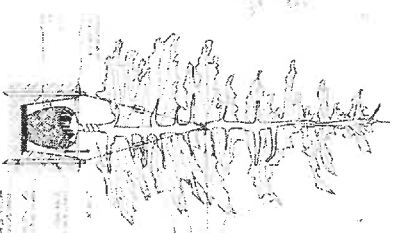
**MORRIS ASSOCIATES, INC.**  
LANDSCAPING  
1000 10th Avenue, Suite 100  
Mobile, AL 36684  
Phone: 334-881-1111  
Fax: 334-881-1112

**MOBILE LIFE SUPPORT SERVICES, INC.**  
LANDSCAPING  
1000 10th Avenue, Suite 100  
Mobile, AL 36684  
Phone: 334-881-1111  
Fax: 334-881-1112

TYPICAL DECIDUOUS TREE PLANTING DETAIL



TYPICAL EVERGREEN TREE PLANTING DETAIL

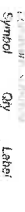


SHRUB PLANTING DETAIL



AS SHOWN

THESE NOTES ARE FOR INFORMATION ONLY AND DO NOT CONSTITUTE A CONTRACT.



| Symbol | Label   | Arrangement | Label | Temp | Lumens | LLF   | Discharge          |
|--------|---------|-------------|-------|------|--------|-------|--------------------|
| QW     | BPI R4  | SINGLE      | 4656  |      |        | 0.900 | BPI-471.950-R4.45  |
| 5      | BPI R4  | BACK-6ACK   | 4656  |      |        | 0.900 | BPI-472.500-R4.45  |
| 1      | OLM ASM | SINGLE      | N/A   |      |        | 0.900 | OLM-ASV-476-10-125 |
| 3      | BPI-WR4 | SINGLE      | 3464  |      |        | 0.900 | BPI-W471.350-R4.45 |

Measuring Height

AS  
DIT

### PARKINGLOT LIGHTING ASSEMBLY DETAIL

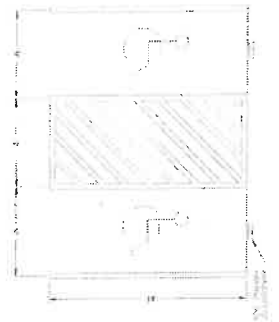
MOBILE LIFE SUPPORT  
SERVICES INC.

SERVICES INC. 01/17/12

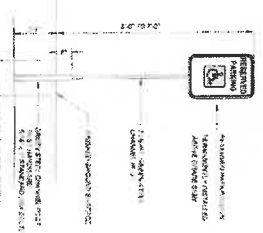
## LIGHTING PLAN



**MORRIS ASSOCIATES,**  
ENGINEERING & SURVEYING CONSULTANTS, LLC  
20 E. Canal, Poughkeepsie, New York 12601  
Phone No. 845.464.4444 Fax No. 845.464.475-5062  
e-mail: info@morrisassoc.com  
54 Graves Street • Suite 101 • Ithaca, New York 14850  
Phone No. 607.255.7200 Fax No. 607.255.7200



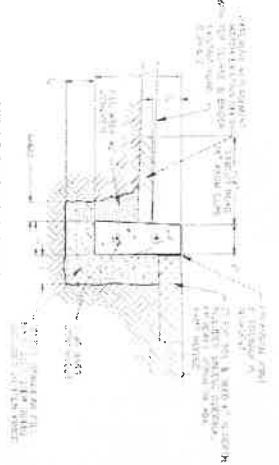
HANDICAP STALL DETAIL



PARKING & TRAFFIC SIGN DETAIL



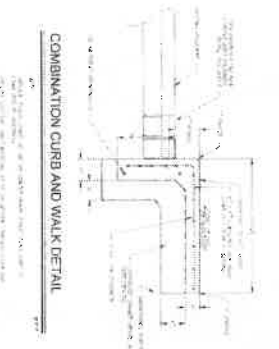
RESERVED PARKING



CITY OF POUGHKEEPSIE  
FORMED CURB DETAIL



TYPICAL CAST IN PLACE  
CONCRETE CURB DETAIL



COMBINATION CURB AND WALK DETAIL

SAWCUT JOINT DETAIL



PARKING LOT PAVEMENT DETAIL



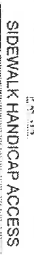
TYPICAL EXPANSION JOINT



UTILITY TRENCH DETAIL



SIDEWALK HANDICAP ACCESS



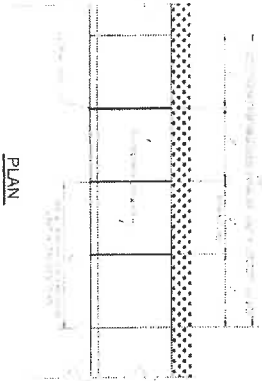
SECTION

DRIVEWAY CURB RAMPS & ADA  
RAMP - CITY R.O.W.

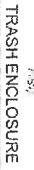


PLAN

CONCRETE SIDEWALK CURB AND SLAB  
PLAN OF SCORING AND EXPANSION JOINTS



TRASH ENCLOSURE



TYPICAL BOLLARD DETAIL



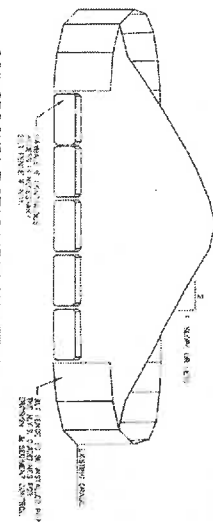
AS BUILT

SITE DETAILS  
MORRIS ASSOCIATES  
CITY OF POUGHKEEPSIE

PROPOSED  
MOBILE LIFE SUPPORT  
SERVICES INC.  
DUTCHESS COUNTY, NY

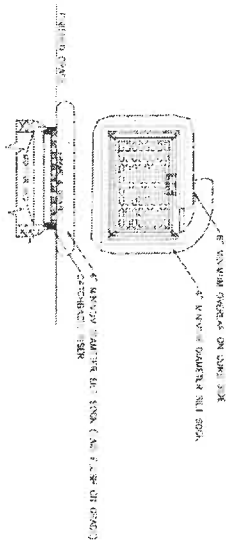
|          |       |      |       |
|----------|-------|------|-------|
| DATE     | 11/13 | BY   | 11/13 |
| REVISION | 1     | DATE | 11/13 |
| REVISION | 2     | DATE | 11/13 |
| REVISION | 3     | DATE | 11/13 |
| REVISION | 4     | DATE | 11/13 |
| REVISION | 5     | DATE | 11/13 |
| REVISION | 6     | DATE | 11/13 |
| REVISION | 7     | DATE | 11/13 |
| REVISION | 8     | DATE | 11/13 |
| REVISION | 9     | DATE | 11/13 |
| REVISION | 10    | DATE | 11/13 |



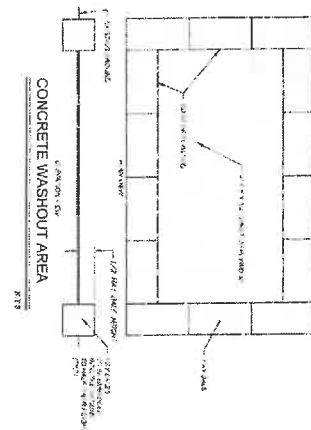


**SOIL STOCKPILE STABILIZATION DETAIL**

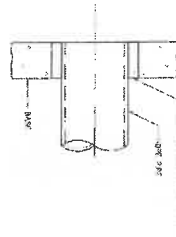
1. AFTER 10 YEARS FOR STRENGTHENING THE INDY AND TRADE
2. IMPROVE QUALITY OF SERVICE (INDY, TRADE)
3. IMPROVE THE QUALITY OF SERVICE (INDY, TRADE)
4. IMPROVE THE QUALITY OF SERVICE (INDY, TRADE)
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9. IMPROVE THE QUALITY OF SERVICE (INDY, TRADE)
10. IMPROVE THE QUALITY OF SERVICE (INDY, TRADE)



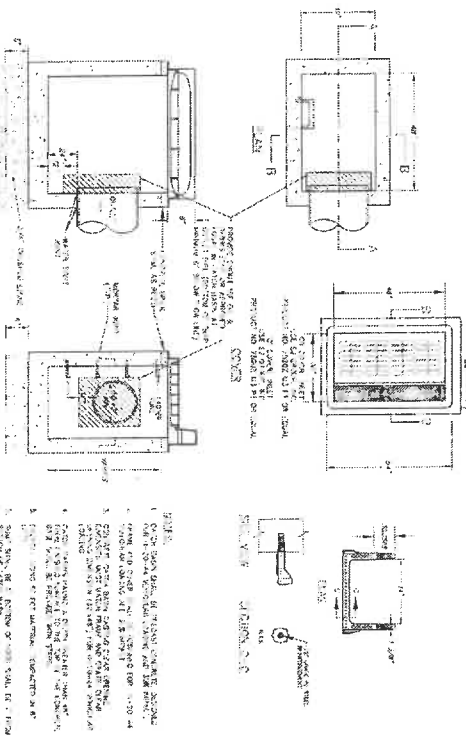
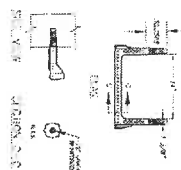
## TEMPORARY INLET PROTECTION DETAIL



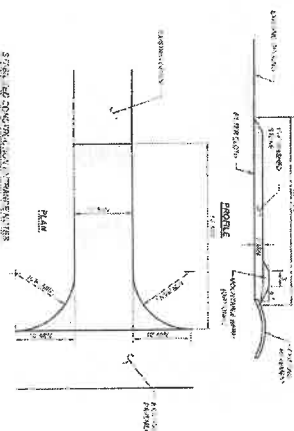
**TYPICAL SILT FENCE/HAYBALE DETAIL**



MOVING WATER TIGHT JOINT AT ALL INLET AND OUTLET PIPES  
PREPARE WATER TIGHT JOINT AT ALL MANHOLES AND CATCH BASINS  
AT ALL MANHOLES AND CATCH BASINS

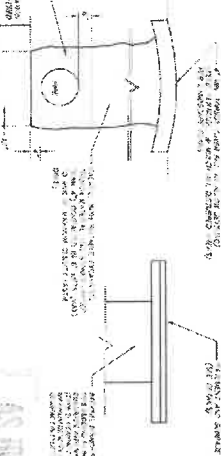


## CATCH BASIN / DROP INLET DETAIL



# STABILIZED CONSTRUCTION ENTRANCE

1. 1947年12月，国民党政府为“抢救运动”而召开“抢救运动”大会，在大会上，许多干部被“抢救”为“叛徒”、“内奸”、“特务”等，受到残酷的迫害。许多干部在“抢救”运动中，被迫承认自己是“叛徒”、“内奸”、“特务”等，甚至有人因此而被处决。这一运动给许多干部造成了极大的伤害，也给党的事业造成了严重的损失。



# ON-SITE STORM DRAINAGE TRENCH DETAIL

[illegible]

## DRAINAGE DETAILS-1

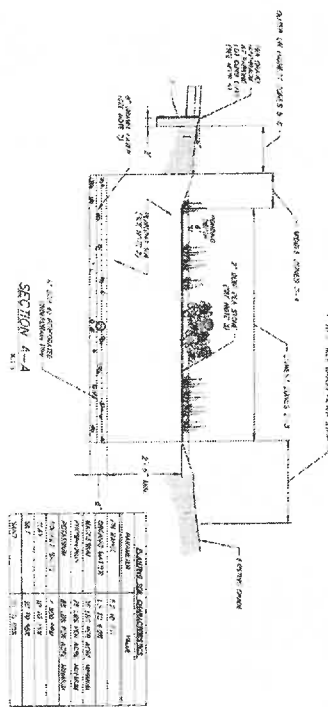
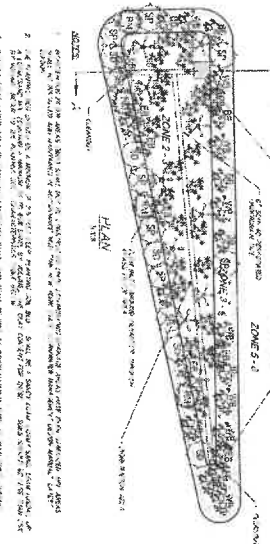
MOBILE LIFE SUPPORT  
SERVICES INC.

CITY OF POKESMILLS, IDAHO

[illegible]

# BIORETENTION FILTER PLANTING SCHEDULE

| ZONE 4, 5 & 6 |     |      |              |     |      |              |     |      |              |
|---------------|-----|------|--------------|-----|------|--------------|-----|------|--------------|
| PLANT         | QTY | ZONE | PLANT        | QTY | ZONE | PLANT        | QTY | ZONE | PLANT        |
| 1. BIRCH      | 10  | 4    | 1. BIRCH     | 10  | 5    | 1. BIRCH     | 10  | 6    | 1. BIRCH     |
| 2. PINE       | 10  | 4    | 2. PINE      | 10  | 5    | 2. PINE      | 10  | 6    | 2. PINE      |
| 3. SPRUCE     | 10  | 4    | 3. SPRUCE    | 10  | 5    | 3. SPRUCE    | 10  | 6    | 3. SPRUCE    |
| 4. FERN       | 10  | 4    | 4. FERN      | 10  | 5    | 4. FERN      | 10  | 6    | 4. FERN      |
| 5. ORCHID     | 10  | 4    | 5. ORCHID    | 10  | 5    | 5. ORCHID    | 10  | 6    | 5. ORCHID    |
| 6. TULIP      | 10  | 4    | 6. TULIP     | 10  | 5    | 6. TULIP     | 10  | 6    | 6. TULIP     |
| 7. ROSE       | 10  | 4    | 7. ROSE      | 10  | 5    | 7. ROSE      | 10  | 6    | 7. ROSE      |
| 8. HYDRANGEA  | 10  | 4    | 8. HYDRANGEA | 10  | 5    | 8. HYDRANGEA | 10  | 6    | 8. HYDRANGEA |
| 9. LILY       | 10  | 4    | 9. LILY      | 10  | 5    | 9. LILY      | 10  | 6    | 9. LILY      |
| 10. JASMINE   | 10  | 4    | 10. JASMINE  | 10  | 5    | 10. JASMINE  | 10  | 6    | 10. JASMINE  |



## BIORETENTION FILTER DETAIL

1. THE BIORETENTION FILTER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING DETAILS.
2. THE BIORETENTION FILTER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING DETAILS.
3. THE BIORETENTION FILTER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING DETAILS.
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9. THE BIORETENTION FILTER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING DETAILS.
10. THE BIORETENTION FILTER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING DETAILS.

# BIORETENTION FILTER MAINTENANCE SCHEDULE

| MAINTENANCE SCHEDULE     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| MAINTENANCE ACTIVITY     | SCHEDULE                 | MAINTENANCE ACTIVITY     | SCHEDULE                 | MAINTENANCE ACTIVITY     | SCHEDULE                 | MAINTENANCE ACTIVITY     | SCHEDULE                 | MAINTENANCE ACTIVITY     | SCHEDULE                 |
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AS BUILT

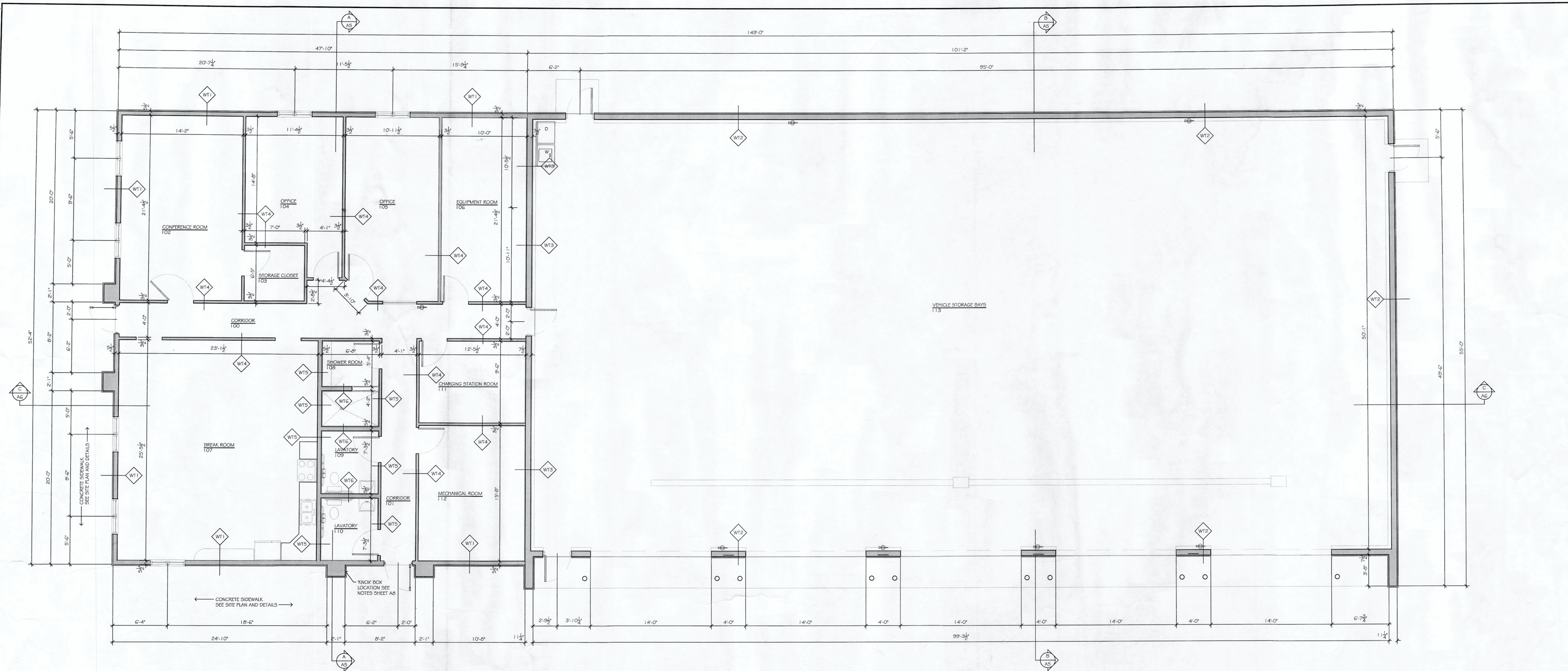


**MORRIS ASSOCIATES, INC.**  
ENGINEERING AND ARCHITECTURE  
1000 WEST 10TH AVENUE  
SUITE 100  
DENVER, CO 80202  
TEL: 303.733.1100  
FAX: 303.733.1101  
WWW.MORRISASSOCIATES.COM

**MOBILE LIFE SUPPORT SERVICES INC.**  
1000 WEST 10TH AVENUE  
SUITE 100  
DENVER, CO 80202  
TEL: 303.733.1100  
FAX: 303.733.1101  
WWW.MORRISASSOCIATES.COM

**DRAINAGE DETAILS-2**  
CITY OF POLK COUNTY  
MICHIGAN COUNTY, MI

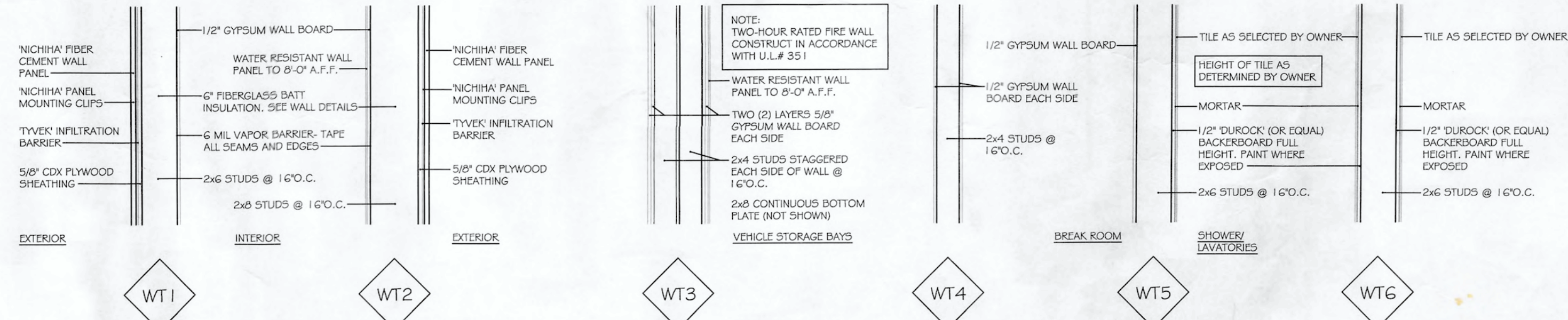
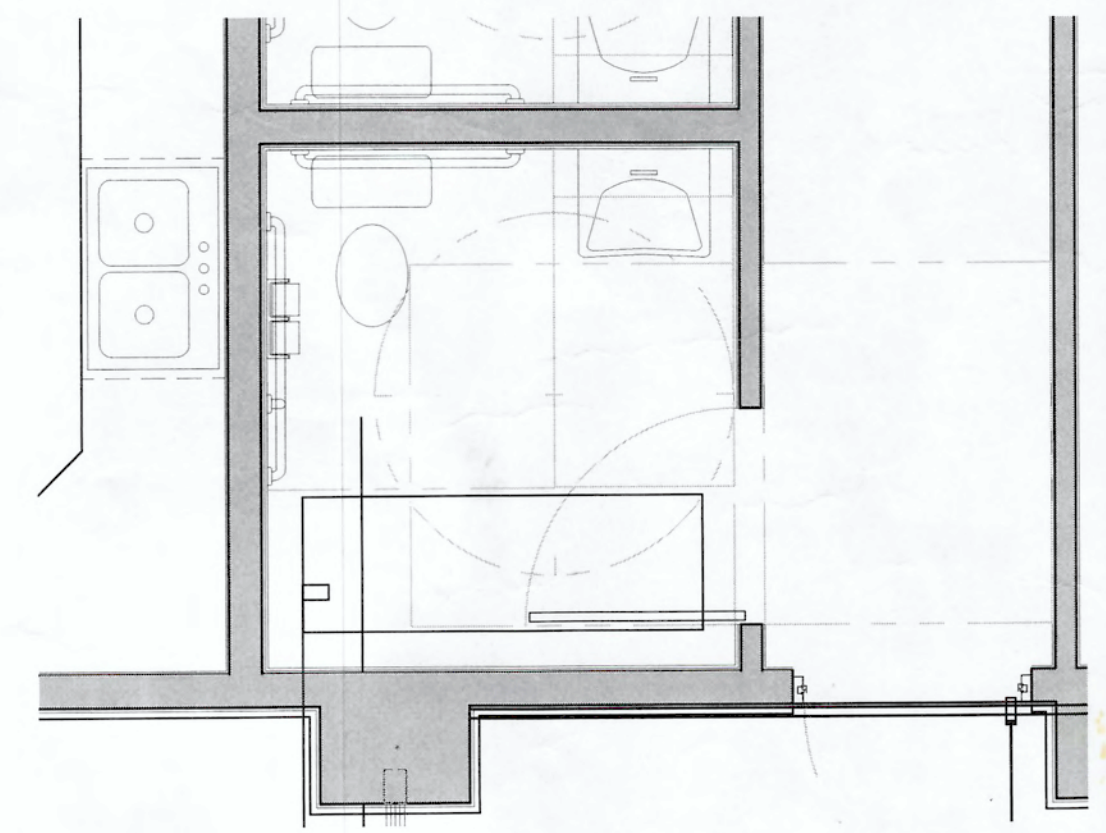




FLOOR PLAN  
SCALE: 3/8" = 1'-0"

Transitional Builders Inc  
4920 Albany Post Road  
Staatsburg, NY 12580

**AS BUILT**



27 WALL TYPES  
SCALE: 3/8" = 1'-0"

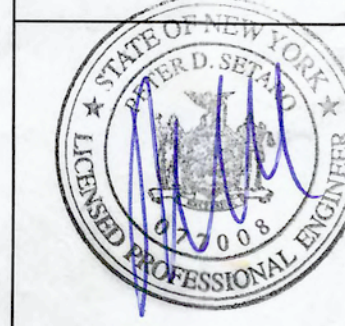
CITY OF Poughkeepsie Building Dept.  
APPROVED WITH BUILDING PERMIT # 161355

| 1        | PER BUILDING DEPT. COMMENTS/ GENERAL REVISIONS | 10/4/16 | TJG |
|----------|------------------------------------------------|---------|-----|
| REV. No. | DESCRIPTION                                    | DATE    | BY  |

**MOBILE LIFE SUPPORT SERVICES**

CITY OF Poughkeepsie DUTCHESS COUNTY, NY

**FLOOR PLAN**

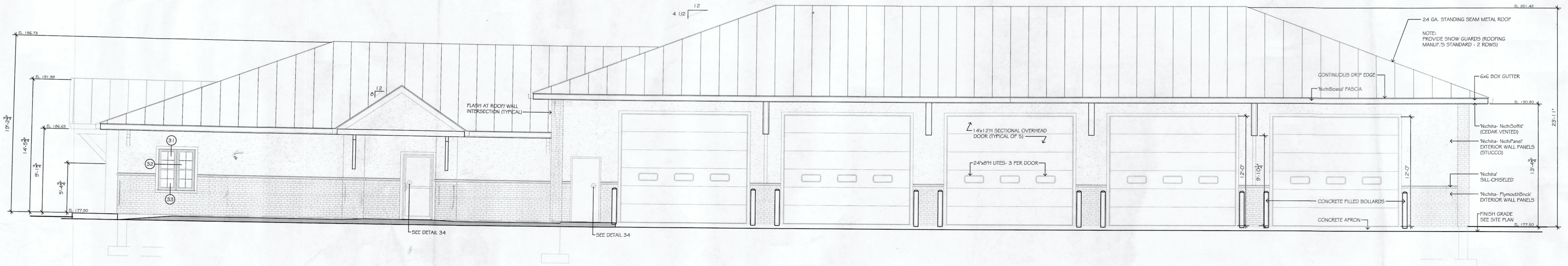


**MORRIS ASSOCIATES**  
ENGINEERING & SURVEYING CONSULTANTS, PLLC  
7 Elys Lane,  
Poughkeepsie, New York 12601  
Phone No. (845) 454-3411  
Fax No. (845) 473-1962

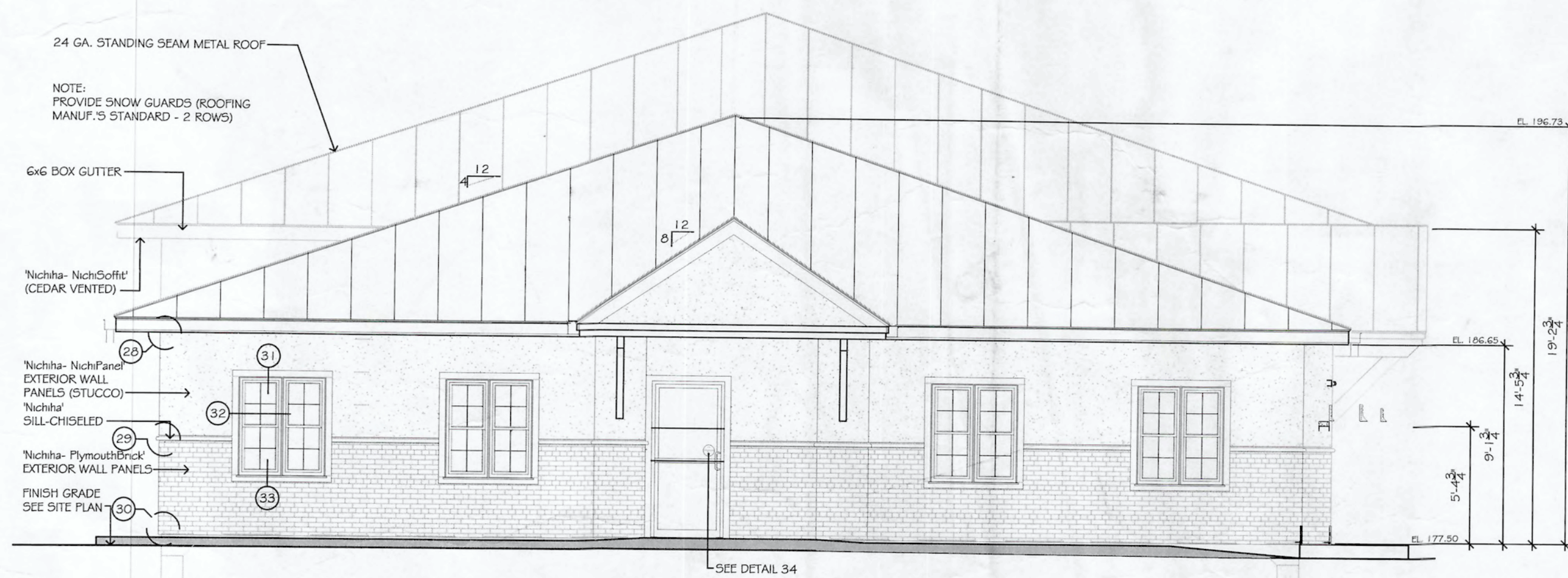
64 Green Street  
Hudson, New York 12534  
Phone No. (518) 828-2300  
Fax No. (518) 828-3963

| DATE    | SCALE    | DESIGNED BY            | FILE No. | DRAWING No. |
|---------|----------|------------------------|----------|-------------|
| 9/13/16 | AS NOTED | TJG<br>CHECKED BY: PDS | 216002   | A7 of 10    |

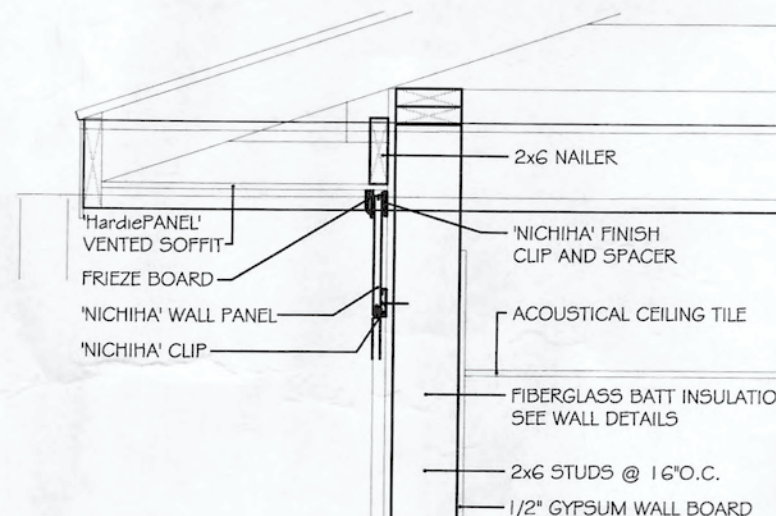




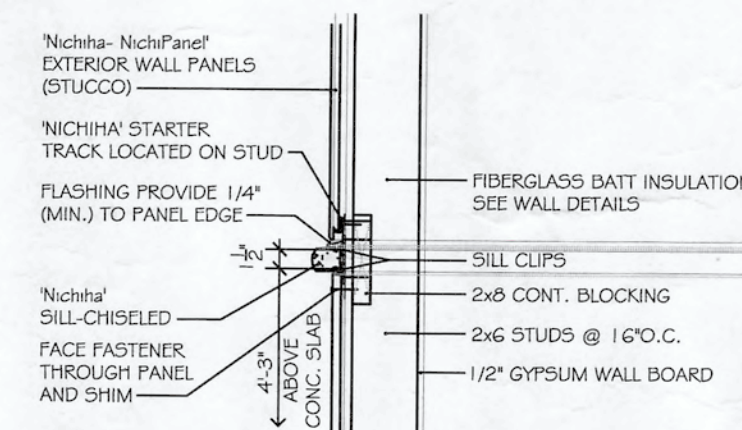
EAST ELEVATION  
SCALE: 1/4"=1'-0"



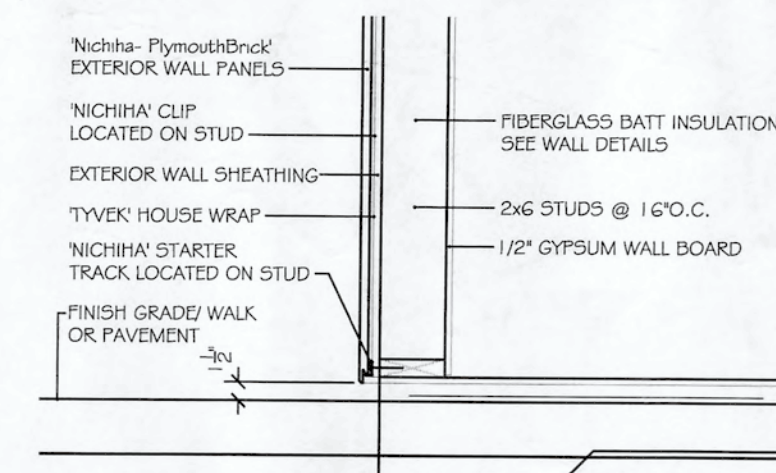
SOUTH ELEVATION  
SCALE: 1/4"=1'-0"



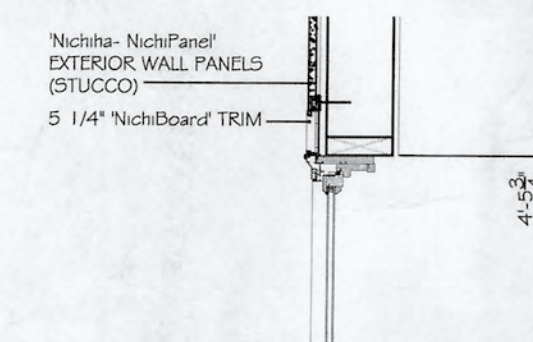
28 SIDING DETAIL  
SCALE: 1"=1'-0"



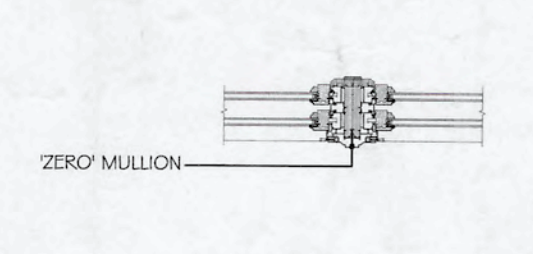
29 SIDING DETAIL  
SCALE: 1"=1'-0"



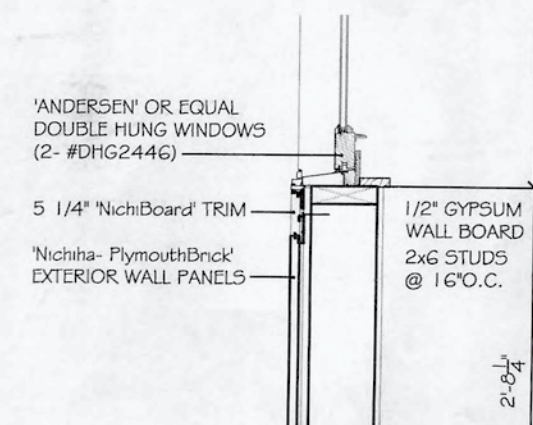
30 SIDING DETAIL  
SCALE: 1"=1'-0"



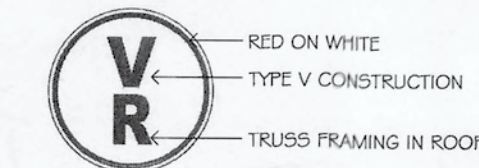
31 WINDOW HEAD DETAIL  
SCALE: 1"=1'-0"



32 WINDOW JAMB DETAIL  
SCALE: 1"=1'-0"



33 WINDOW SILL DETAIL  
SCALE: 1"=1'-0"



TRUSS IDENTIFICATION SIGN  
6\"/>

34 TRUSS IDENTIFICATION SIGN DETAIL  
SCALE: N.T.S.

AS BUILT

CITY OF Poughkeepsie BUILDING DEPT  
APPROVED WITH BUILDING PERMIT # 161355

| 1        | PER BUILDING DEPT. COMMENTS/ GENERAL REVISIONS | 10/4/16 | TJG |
|----------|------------------------------------------------|---------|-----|
| REV. No. | DESCRIPTION                                    | DATE    | BY  |

## MOBILE LIFE SUPPORT SERVICES

CITY OF Poughkeepsie DUTCHESS COUNTY, NY

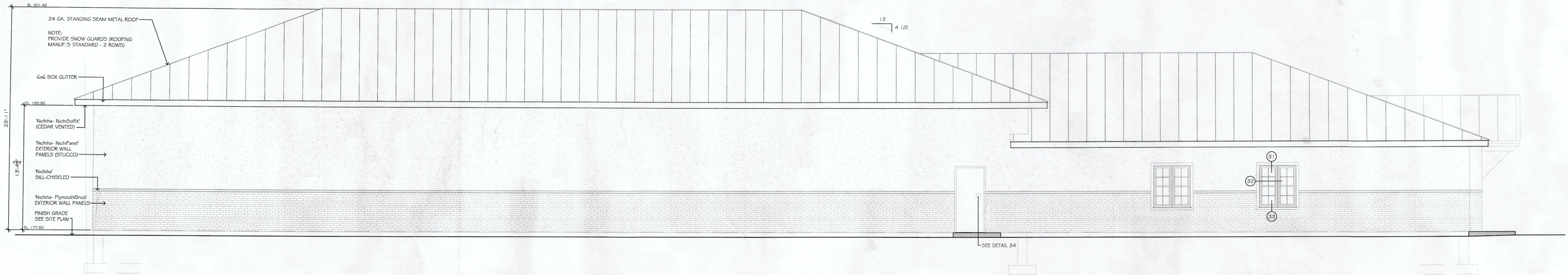
## BUILDING SECTIONS & DETAILS



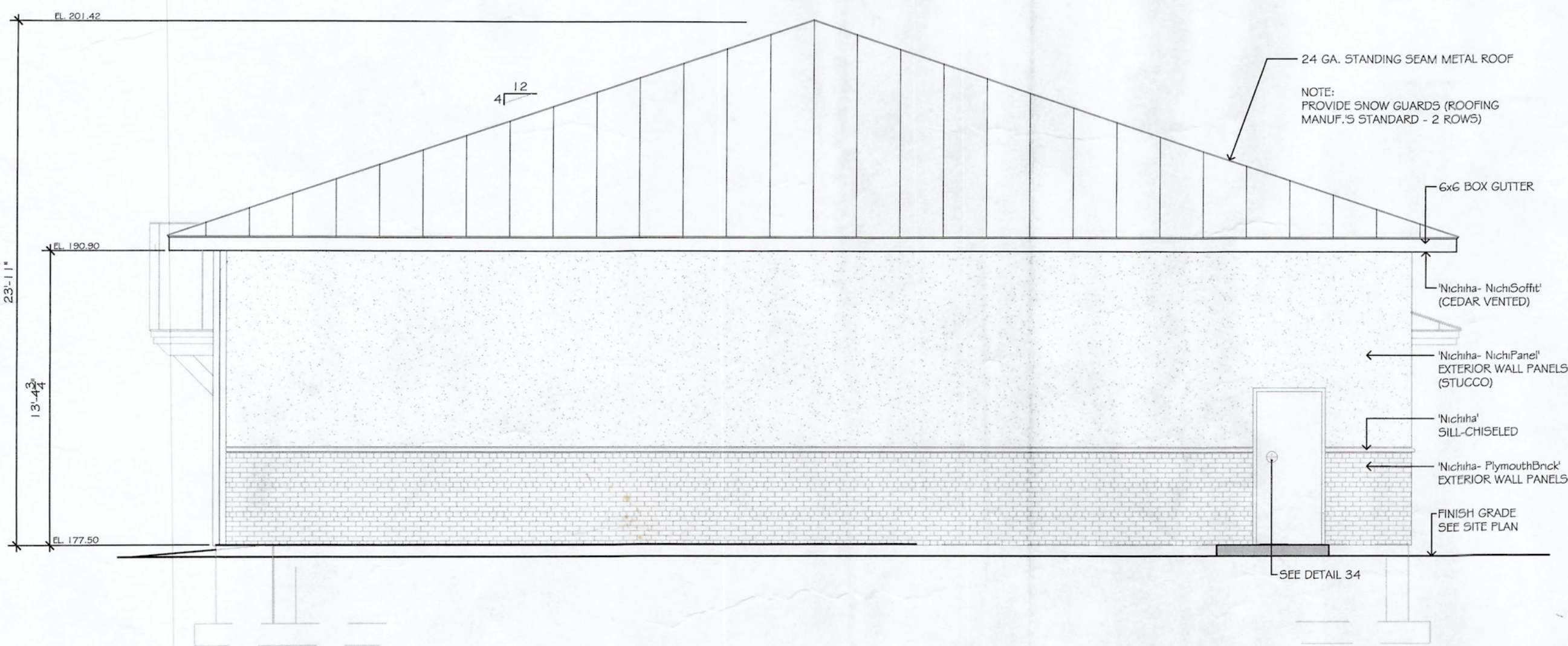
**MORRIS ASSOCIATES**  
ENGINEERING & SURVEYING CONSULTANTS, PLLC  
9 Elks Lane,  
Poughkeepsie, New York 12601  
Phone No. (845) 454-3411  
Fax No. (845) 473-1962

| DATE    | SCALE    | DESIGNED BY     | FILE No. | DRAWING No. |
|---------|----------|-----------------|----------|-------------|
| 9/13/16 | AS NOTED | TJG             | 216002   | A9 of 10    |
|         |          | DRWN BY: TJG    |          |             |
|         |          | CHECKED BY: PDS |          |             |





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



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

Transitional Builders Inc  
4920 Albany Post Road  
Staatsburg, NY 12580

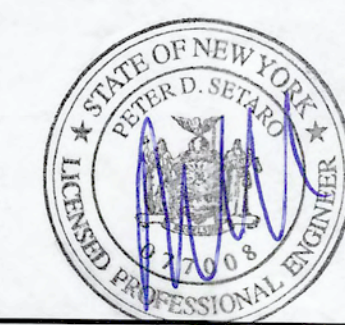
**AS BUILT**

CITY OF Poughkeepsie BUILDING DEPT.  
APPROVED WITH BUILDING PERMIT # 161355

| REV. No. | PER BUILDING DEPT. COMMENTS/ GENERAL REVISIONS | DATE    | BY  |
|----------|------------------------------------------------|---------|-----|
| 1        |                                                | 10/4/16 | TJG |

**MOBILE LIFE SUPPORT SERVICES**  
CITY OF Poughkeepsie DUTCHESS COUNTY, NY

**BUILDING SECTIONS & DETAILS**



**MORRIS ASSOCIATES**  
ENGINEERING & SURVEYING CONSULTANTS, PLLC  
9 Elks Lane,  
Poughkeepsie, New York 12601  
Phone No. (845) 454-3411  
Fax No. (845) 473-1922

64 Green Street  
Hudson, New York 12534  
Phone No. (518) 828-2300  
Fax No. (518) 828-3963

|                 |                   |                                                      |                    |                          |
|-----------------|-------------------|------------------------------------------------------|--------------------|--------------------------|
| DATE<br>9/13/16 | SCALE<br>AS NOTED | DESIGNED BY: TJG<br>DRAWN BY: TJG<br>CHECKED BY: PDS | FILE No.<br>216002 | DRAWING No.<br>A10 of 10 |
|-----------------|-------------------|------------------------------------------------------|--------------------|--------------------------|





VIEW NORTH FROM BEHIND THE BUILDING



VIEW SOUTH FROM BEHIND THE BUILDING



VIEW NORTH FROM MAIN STREET



VIEW EAST FROM PERSHING AVENUE



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.

|                                                                                                                                                                                                                                                                                                                                                                                                                                        |           |                                                              |                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------------------------------------------------------|--------------------------------------------------------------|
| <b>Part 1 - Project and Sponsor Information</b>                                                                                                                                                                                                                                                                                                                                                                                        |           |                                                              |                                                              |
| Name of Action or Project:<br>Motor Vehicle Body Repair Shop                                                                                                                                                                                                                                                                                                                                                                           |           |                                                              |                                                              |
| Project Location (describe, and attach a location map):<br>16 Pershing Avenue                                                                                                                                                                                                                                                                                                                                                          |           |                                                              |                                                              |
| Brief Description of Proposed Action:<br>One side of the property borders the Main Street Commercial District (C-2A) which does allow Motor Vehicle Service Stations per code Section 19-3.23.1(2)(b)3 of the Zoning Ordinance but are subject to the issuance of a Special Permit from the Planning Board.                                                                                                                            |           |                                                              |                                                              |
| Name of Applicant or Sponsor:<br>Devanand Jaikarran                                                                                                                                                                                                                                                                                                                                                                                    |           | Telephone: 917-416-7591<br>E-Mail: vidyajaikarran1@gmail.com |                                                              |
| Address: 16 Spyglass Hill Rd.                                                                                                                                                                                                                                                                                                                                                                                                          |           |                                                              |                                                              |
| City/PO: Hopewell Junction                                                                                                                                                                                                                                                                                                                                                                                                             | State: NY | Zip Code: 12533                                              |                                                              |
| 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.                                                                                                                                                                                                                             |           |                                                              | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?                                                                                                                                                                                                                                                                                                                                  |           |                                                              | NO YES                                                       |
| If Yes, list agency(s) name and permit or approval:                                                                                                                                                                                                                                                                                                                                                                                    |           |                                                              | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action?                                                                                                                                                                                                                                                                                                                                                                                 |           | 1.31 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?                                                                                                                                                                                                                                                                                                                 |           | 1.31 acres                                                   |                                                              |
| 4. Check all land uses that occur on, adjoining and near the proposed action.                                                                                                                                                                                                                                                                                                                                                          |           |                                                              |                                                              |
| <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)<br><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____<br><input type="checkbox"/> Parkland |           |                                                              |                                                              |



|                                                                                                                                                                                                                                                                                                                                                                                                                                              | NO                                  | YES                                 | N/A                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations?                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?<br>If Yes, identify: _____                                                                                                                                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?                                                                                                                                                                                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b. Are public transportation service(s) available at or near the site of the proposed action?                                                                                                                                                                                                                                                                                                                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Does the proposed action meet or exceed the state energy code requirements?<br>If the proposed action will exceed requirements, describe design features and technologies: _____                                                                                                                                                                                                                                                          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Will the proposed action connect to an existing public/private water supply?<br>If No, describe method for providing potable water: _____                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Will the proposed action connect to existing wastewater utilities?<br>If No, describe method for providing wastewater treatment: _____                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?                                                                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b. Is the proposed action located in an archeological sensitive area?                                                                                                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?<br>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:<br><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> 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?                                                                                                                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 16. Is the project site located in the 100 year flood plain?                                                                                                                                                                                                                                                                                                                                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,<br>a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES<br>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? <input type="checkbox"/> NO <input type="checkbox"/> YES<br>If Yes, briefly describe: _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |



|                                                                                                                                                                                                                     |                                     |                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|
| 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)?<br>If Yes, explain purpose and size: _____ | NO                                  | YES                      |
|                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____                                               | NO                                  | YES                      |
|                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: _____                                             | NO                                  | YES                      |
|                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Devanand Jaikarran Date: 11/28/2023

Signature: Devanand Jaikarran



181 Church Street  
Poughkeepsie, New York 12601-4114  
Tel: (845) 452-2268 Fax: (845) 452-3752

Date: 08-28-23 Job #: 23102

Attention: Joe O'Brien

Re: 16 Pershing Ave. ID. 382100

TO: Zoning Board

Variance request Justification.

1. Granting of this variance will not produce or have an undesirable change in the character of the neighborhood or be a detriment to nearby properties because the existing building and parking area will remain unchanged and will be repurposed for a new business similar to the previous business / occupancy.
2. This variance is necessary because the existing building and parking area are to remain as is. The rear yard is within 30' of an R-4 property (25') and there are 25 existing parking spaces which will work with the new motor vehicle body repair shop. The existing building and parking area are only 6 to 7 years old and are in great condition and can be reused and provide sufficient parking in its current configuration.
3. The requested area variances are not substantial; the rear yard of the exiting building is 25' from the R-4 Zone rear property line instead of the required 30'. The existing building footprint requires 25 spaces plus 1 per every 2 employees which equals 28, the current property has 25 spaces. The planned usage of the site should not exceed the need for 25 spaces.
4. The variances will not have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district because the property and existing building will remain the same, and the planned usage of the property is similar to the previous occupancy.
5. The need for the variances are related to the existing building and property and are not the result of self-created difficulties on my part, or unique to the property.

LOMORIELLO MOTORS INC.  
dba VINCE'S AUTO BODY WORKS

185 SMITH STREET  
POUGHKEEPSIE, NY 12601  
845-454-3220



50-1356/213

3936

11/21/23

PAY TO THE  
ORDER OF

City of Poughkeepsie  
five hundred

\$ 500.00.

DOLLARS

fees.

MEMO



Pradyawatie Tallam  
AUTHORIZED SIGNATURE

⑈003936⑈ ⑆222370440⑆329151001834⑈

LOMORIELLO MOTORS INC.  
dba VINCE'S AUTO BODY WORKS

3936





Gary E. Beck, Jr.  
Building Inspector

**THE CITY OF POUGHKEEPSIE  
NEW YORK  
BUILDING PLANNING & ZONING  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4007 Fax: (845) 451-4006**

**Planning Board Minutes**

**May 17, 2016**

**7:00pm**

**The meeting was called to order at 7:10 pm.**

**Attendance: Robert Levine, Esq., Chairman  
Daniel McCabe, Esq.**

**Luis Juncosa**

**arrived 7:25 pm, left 8:55 pm**

**Gary Doyle**

**Pat Moore**

**Robert Mallory**

**Marjorie Smith**

**PLANNING BOARD GENERAL RESOLUTIONS**

- 1. REORGANIZATION DISCUSSIONS – NOMINATION OF VICE CHAIR  
Daniel McCabe was nominated as Vice Chair of the Planning Board.**

Motion: Pat Moore

Second: Gary Doyle

Carried: 5:0:1

**PUBLIC HEARINGS**

- 1. 45 READE PLACE – VASSAR HOSPITAL**

Site Plan and Special Permit approval for ±13,800 sf renovation in the existing hospital building; ±696,400 sf addition to hospital to house 294 private rooms, new Emergency Department, loading dock, Central Plant, interventional suite, conference center, café, new helipad, and new inpatient lobby; and an addition to the Dyson Center for Cancer Care; Applicant: Vassar Brothers Hospital/Health Quest Systems, Inc.; Consultant: The Chazen Companies; Grid #s 6061-43-843721 + 24 associated parcels; Zoned H-M; File#2016-003

The Board moved to open the public hearing.

Motion: Marjorie Smith

Second: Robert Mallory

Carried: 5:0:1

The Board moved to close the public hearing.

Motion: Gary Doyle

Second: Robert Mallory

Carried: 5:0:1



**THE CITY OF POUGHKEEPSIE  
NEW YORK**

**BUILDING PLANNING & ZONING  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601**

Gary E. Beck, Jr.  
Building Inspector

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

The Board scheduled a special meeting for May 24, 2016 at 7pm.

Motion: Pat Moore  
Second: Robert Mallory  
Carried: 6:0:1

**2. MCKINLEY LANE LOT LINE REVISION**

Lot line revision for said Parcel; Owner/Applicant: TLP Associates LLC,  
Consultant: Berger Engineering and Surveying; Grid#6162-15-693398, 687395 &  
6162-58-702386; Zoned I-1; File #2015-043

The Board moved to open the public hearing.

Motion: Marjorie Smith  
Second: Daniel McCabe  
Carried: 7:0:0

The Board moved to adjourn the public hearing to June 21, 2016.

Motion: Marjorie Smith  
Second: Daniel McCabe  
Carried: 7:0:0

**3. 332 MAIN STREET – LUCKY PLATT**

Amended Site Plan approval for conversion of Tea room to a 2-bedroom  
apartment; Applicant: ELStathios Vincenzo Consultant: Angelo Zoumas;  
Grid # 6162-77-108053; Zoned C-2; File#2015-059

The Board opened the public hearing.

Motion: Marjorie Smith  
Second: Daniel McCabe  
Carried: 7:0:0

The Board adjourned the public hearing until July 19, 2016.

Motion: Pat Moore  
Second: Marjorie Smith  
Carried: 7:0:0



**THE CITY OF POUGHKEEPSIE  
NEW YORK**

**BUILDING PLANNING & ZONING**  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601

Gary E. Beck, Jr.  
Building Inspector

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

**4. 16 PERSHING AVENUE – MOBILE LIFE SITE PLAN**

Site Plan and Special Permit approval redevelopment of site for proposed emergency mobile service facility; Owner: Pandemonium Realty, LLC;  
Applicant: Mobile Life; Consultant: Morris Associates PLLC;  
Grid # 6161-24-427963; Zoned C-2A & C-3; File#2016-008

The Board opened the public hearing.

Motion: Marjorie Smith  
Second: Daniel McCabe  
Carried: 7:0:0

The Board closed the public hearing.

Motion: Marjorie Smith  
Second: Luis Juncosa  
Carried: 7:0:0

The Board scheduled a special meeting for May 24, 2016 at 7pm.

Motion: Robert Levine  
Second: Robert Mallory  
Carried: 6:0:0

**SITE PLANS/SUBDIVISIONS**

**5. 144 MILL STREET CONVENIENCE STORE SPECIAL PERMIT**

Site Plan and Special Permit approval regarding the proposed convenience store;  
Owner: Antonio Mazzerelli; Applicant: R&K Poughkeepsie Grocery II, Inc.;  
Grid # 6062-76-878231; Zoned C-1; File#2016-011

The Board declared intent to be lead agency.

Motion: Pat Moore  
Second: Bob Mallory  
Carried: 6:0:0

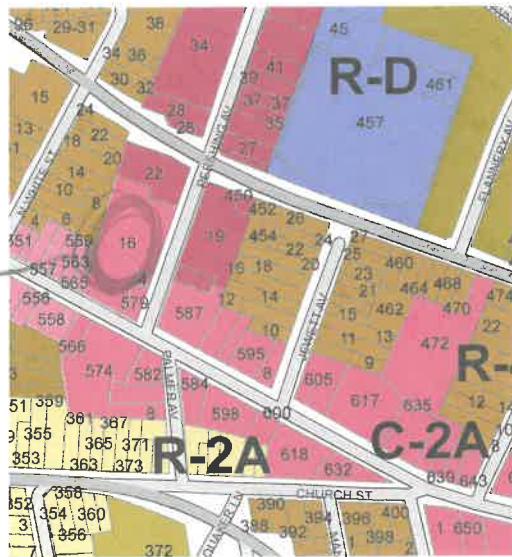
The Board set a public hearing for June 21, 2016.

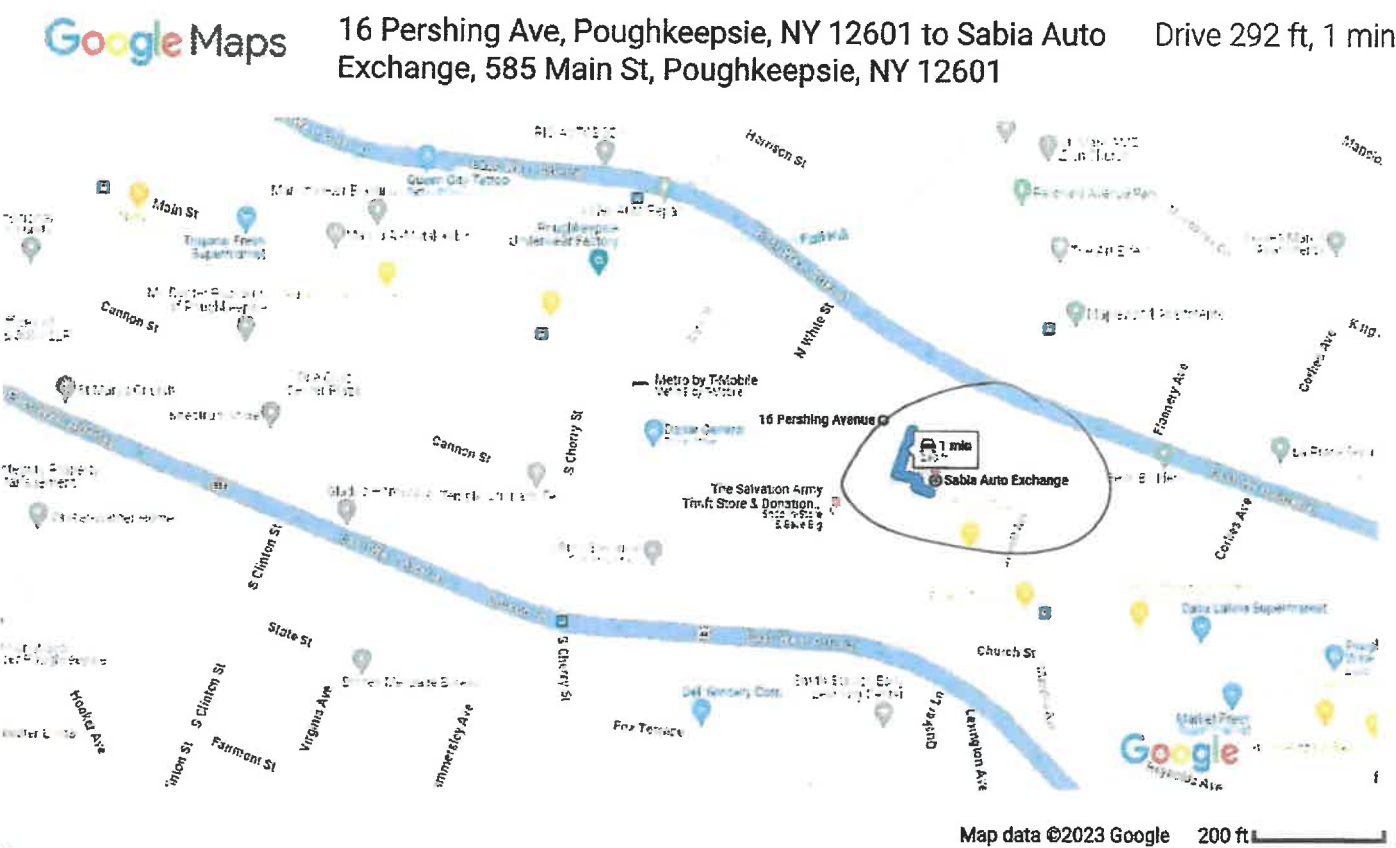
Motion: Pat Moore  
Second: Marjorie Smith  
Carried: 6:0:0





16 Pershing  
C-2A





|  |                                             |              |
|--|---------------------------------------------|--------------|
|  | <b>via Pershing Ave</b>                     | <b>1 min</b> |
|  | Fastest route now due to traffic conditions | 292 ft       |

Explore nearby Sabia Auto Exchange







16 Pershing Ave, Poughkeepsie, NY 12601 to Dutchess County Auto Repair Inc., 650 Main St, Poughkeepsie, NY 12601 Drive 0.3 mile, 1 min



Map data ©2023 Google 100 ft

**via Main St**

**1 min**

**Fastest route now due to traffic conditions**

0.3 mile

**Explore nearby Dutchess County Auto Repair Inc.**



Google Maps

16 Pershing Ave, Poughkeepsie, NY 12601 to BTO Auto Works, Inc., 471 Main St, Poughkeepsie, NY 12601 Drive 0.4 mile, 2 min



via Main St

2 min

Best route now due to traffic conditions

0.4 mile



via East-West Arterial

2 min

0.5 mile



<https://www.google.com/maps/dir/16+Pershing+Avenue,+Poughkeepsie,+NY/bto+auto+works,+inc./@41.7009179,-73.9199321,17z/data=!3m1!4b1!4...>

1/

[› Directions \(/contact-us.html\)](/contact-us.html)[☎ 1-845-485-2557 \(tel:+18454852557\)](tel:18454852557)[Home \(/\)](#)

## Services

### Our **Services**

We are a fully insured Auto Body Shop and offer complete collision and auto body repairs. Estimates are written with a Mitchell computerized estimating system which is updated monthly for accuracy. We have three drive on frame machines including a Car-o-liner-Kansas Jack and a Celette Bench System. We also have a computerized paint mixing and matching system with auto pour for exact color match using Spies Hecker Paint. Spies Hecker is a top of the line German paint line and we are authorized by them to offer Spies Hecker platinum warranty. We have a Well-Built Downdraft oven spray booth which is the best and the first in the area. We also offer air conditioning service, mig and tig welding, including aluminum.

Being in an accident is a traumatic and stressful event and we will work with your insurance company to assure you get a fair and accurate settlement. We will repair your car and return it back to original, which is what BTO stands for.

[Contact Us! \(/contact-us.html\)](/contact-us.html)

*Get In Touch*





**via East-West Arterial**

**2 min**

Fastest route now due to traffic conditions

0.5 mile

Explore nearby 12 N Clinton St





# STOFA'S AUTO REPAIR & COLLISION

## IN POUGHKEEPSIE, NY

Since 1969, Stofa's Auto Repair & Collision has been offering superior service and satisfaction to the customers of Poughkeepsie, NY.

We understand that dealing with vehicle problem or an accident is stressful enough; this is why it has been our goal to offer convenience and quality when restoring your vehicle. Our staff of highly trained and dedicated technicians that will make sure each vehicle leaves our facility in its original condition or better.



With Stofa's Auto Repair & Collision, you can relax knowing your vehicle is in the hands of trusted professionals with years of experience in the auto industry.

Our technicians are provided on-going training and are equipped with the latest



16 Pershing Ave, Poughkeepsie, NY 12601 to Leroy's  
Auto Repair & Sales Inc., 374 Mill St, Poughkeepsie, NY 12601

Drive 0.5 mile, 2 min



Map data ©2023 Google

200 ft



via East-West Arterial

2 min

Fastest route now due to traffic  
conditions

0.5 mile



via Main St

3 min

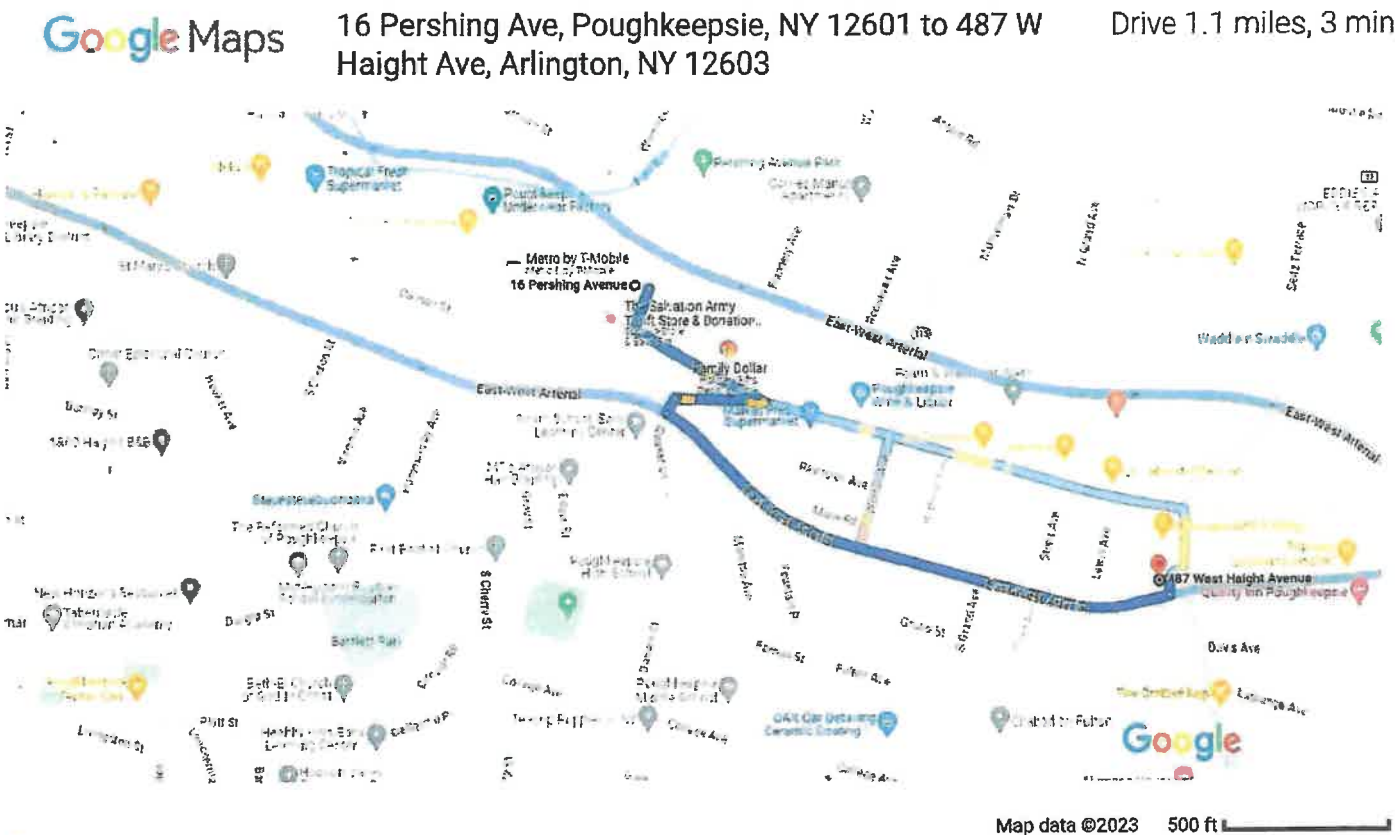
0.5 mile

Explore nearby Leroy's Auto Repair & Sales Inc.



Leroy's Auto Repair & Sales Inc.





-  **via East-West Arterial** **3 min**  
Fastest route now due to traffic conditions  
1.1 miles
-  **via Main St** **4 min**  
0.9 mile
-  **via Main St and East-West Arterial** **3 min**  
1.0 mile



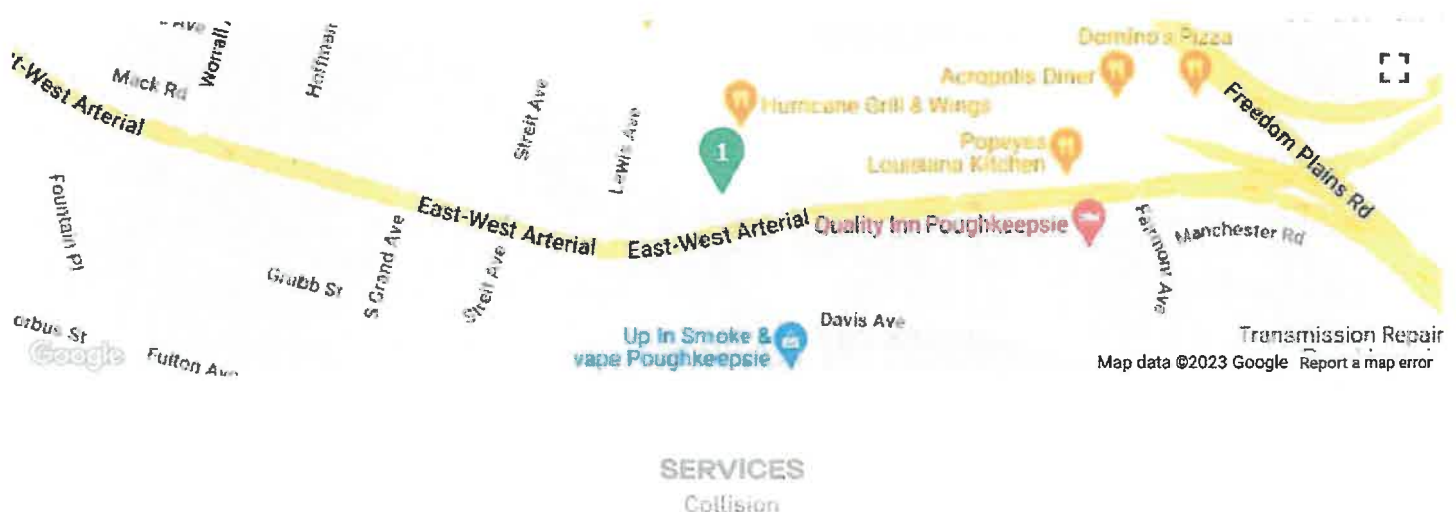
America Financial Center. Opened 2018. I-CAR Gold Class recognized. ASE-certified technicians.

Customer satisfaction is the focus of Caliber Collision's location in Poughkeepsie, NY, as we work to restore you to the rhythm of your life®. With services including auto glass repair, painting, and dent repair, we are committed to having you back driving your vehicle as soon as possible.

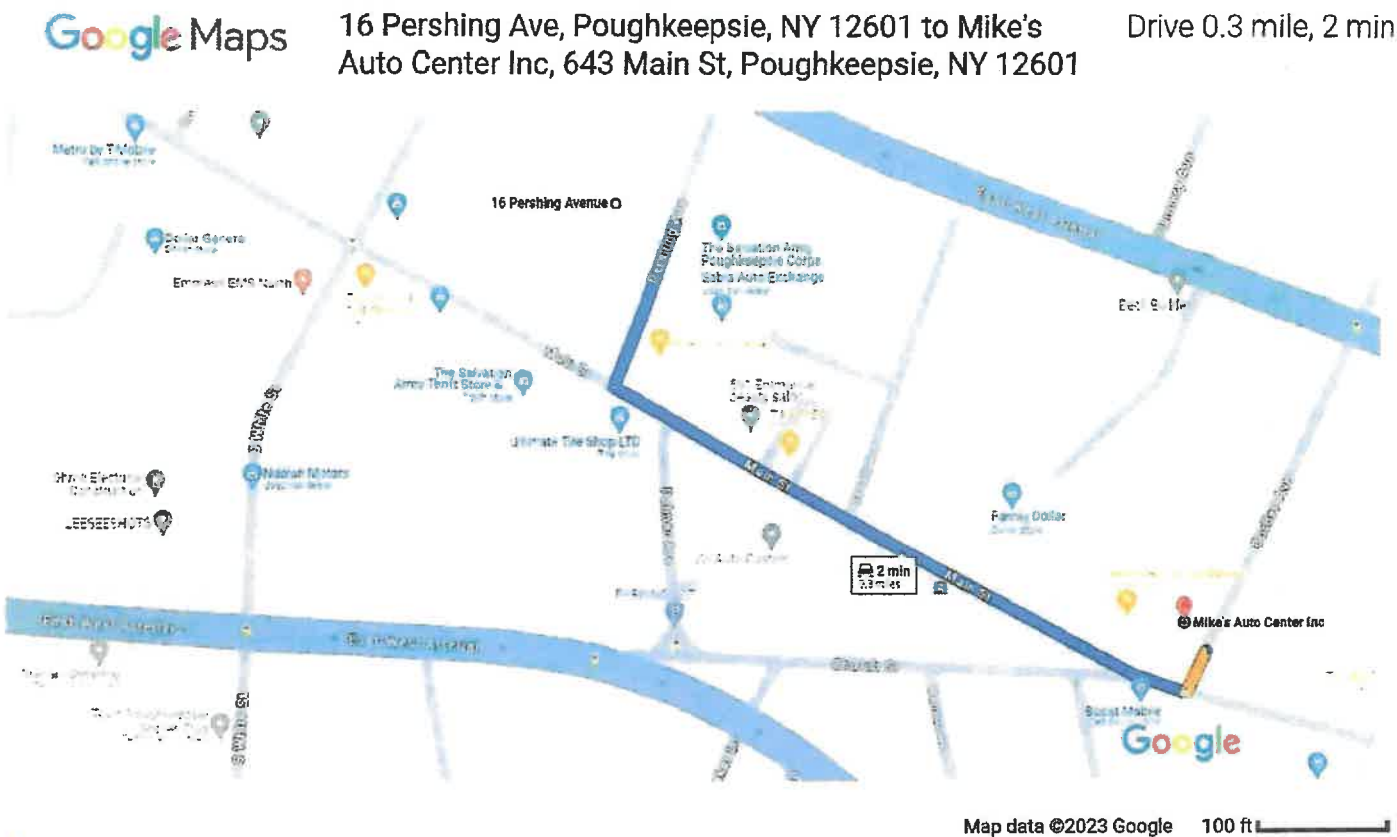
Guaranteed by a written lifetime warranty for as long as you own your vehicle, all of our work is delivered with outstanding repair expertise and customer care. Having customer satisfaction is what drives our Caliber Poughkeepsie team, and we are positive you will be satisfied with the end results. Throughout the collision repair process, we will supply you with frequent status updates on your vehicle so you are informed as we move quickly to restore it to pre-accident condition.

At Caliber Poughkeepsie, we are accessible to anyone in Poughkeepsie and the surrounding areas including Lagrangeville, Millbrook, and Wappingers Falls. We are equipped to serve families and business fleets, and our Caliber Poughkeepsie team is devoted to building customer relationships and treating everyone with respect. To make the process easier, we have an onsite Enterprise location for our customers requiring rental cars.

For our Caliber Poughkeepsie team, we are ready to serve as your auto body repair center of choice both now and in the future, and we thank you for trusting us to repair your vehicle. Simply call our Customer Service Center at 1.888.CALIBER (225-4237) to make an appointment or to leave your vehicle with us today! Click [here](#) to schedule an appointment and [here](#) to receive a free online estimate.



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 **via Main St** **2 min**  
Fastest route now due to traffic conditions **0.3 mile**

Explore nearby Mike's Auto Center Inc

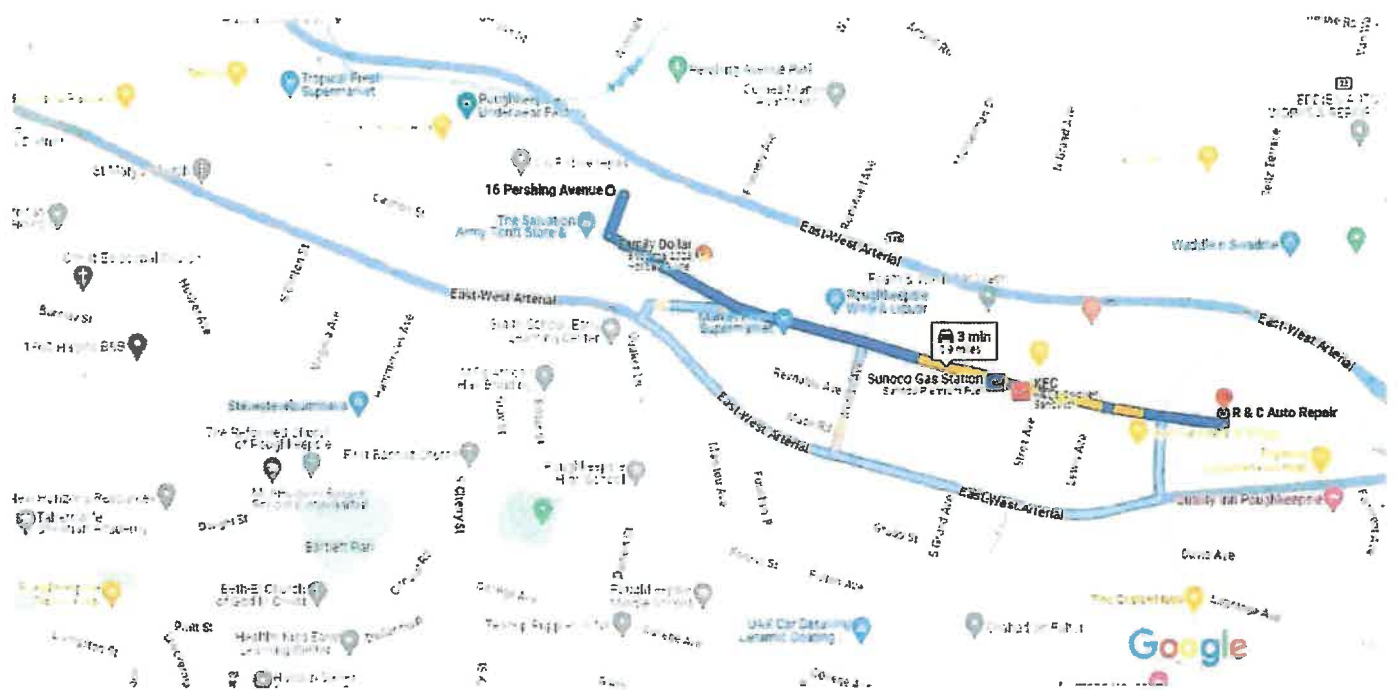


Mike's Auto Center Inc





16 Pershing Ave, Poughkeepsie, NY 12601 to R & C Auto Repair, 801 Main St, Poughkeepsie, NY 12603 Drive 0.9 mile, 3 min



Map data ©2023 500 ft



**via Main St**

**3 min**

Fastest route now due to traffic conditions

0.9 mile



**via East-West Arterial**

**4 min**

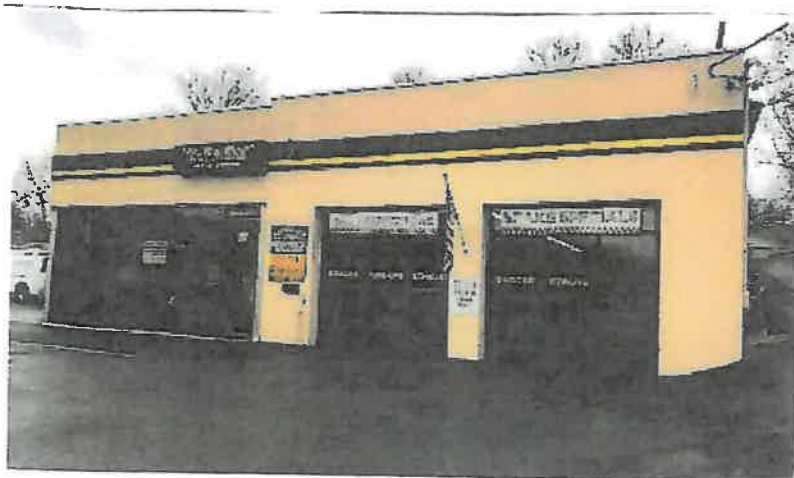
1.3 miles



**via East-West Arterial and Main St**

**4 min**

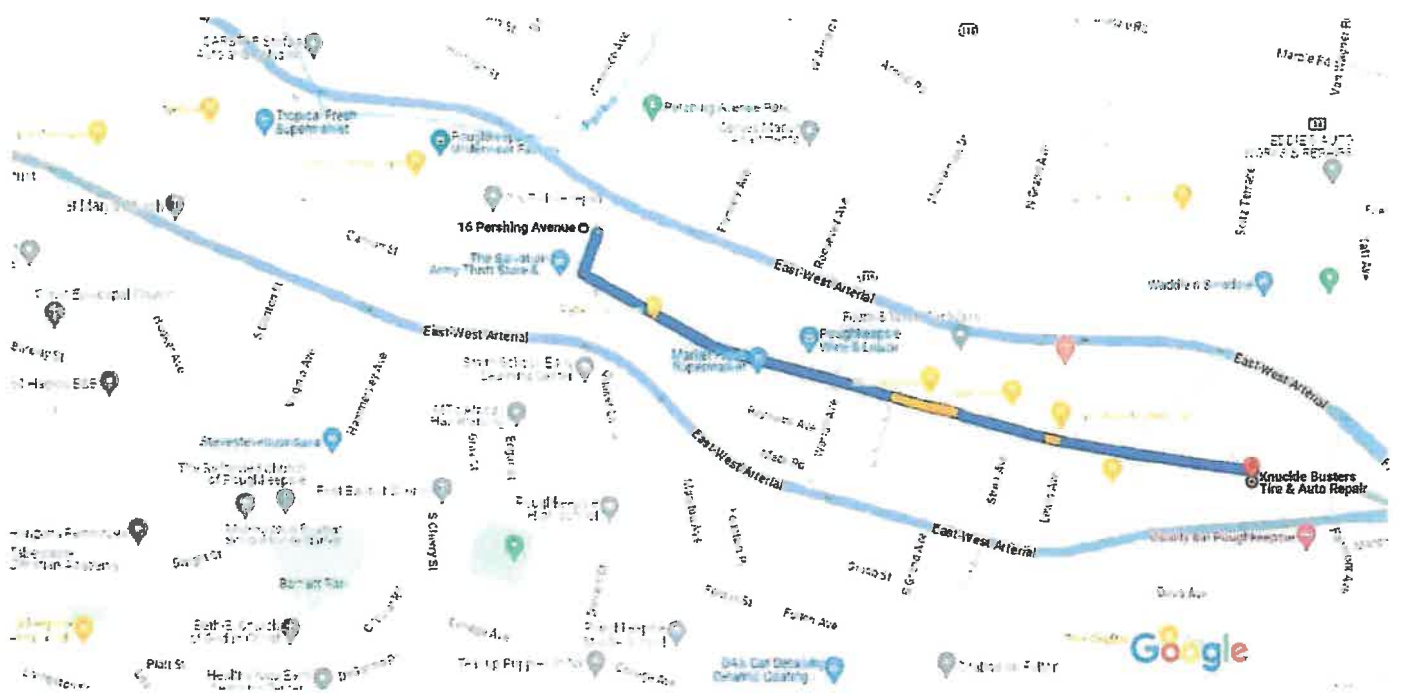
1.1 miles



**R & C Auto Repair**

Google Maps

16 Pershing Ave, Poughkeepsie, NY 12601 to Knuckle Busters Tire & Auto Repair, 816 Main St, Poughkeepsie, NY 12603 Drive 0.9 mile, 3 min



Map data ©2023 500 ft



via Main St

3 min

Fastest route now due to traffic conditions

0.9 mile





# BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601

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

Eric Philipp  
Building Inspector

August 7<sup>th</sup>, 2023

Devanand Jaikarran

Re: 16 Pershing Avenue

ID: 382100

Zoning Review Request PD-2023-069

Dear Applicant,

The Development Department is in receipt of your zoning review request relative to the property at 16 Pershing Avenue and the proposed conversion of the existing Emergency Mobile Service Station to an Auto Body Repair Shop. This property is located within the Main Street Commercial District (C-2A) which does allow Motor Vehicle Service Stations per code Section 19-3.23.1(2)(b)3 of the Zoning Ordinance but are subject to the issuance of a Special Permit from the Planning Board provided that all of the following criteria are met;

- (i) No traffic hazard affecting the public safety will be present.
- (ii) No sale of gasoline shall be permitted to be established on any lot within a distance of 500 feet of an existing gasoline or filling station or of any lot for which a building permit has been issued for the erection of such a station or any use which includes gasoline pumps.
- (iii) No such establishment shall be within a distance of 200 feet of any school, public or private; religious institution, hospital, library, park, nursing home, extended care facility or any similar institution or other place of public assembly; said distance to be measured in a straight line along or across a street between the nearest points of each of the lots or premises, regardless of the district where either premises is located.
- (iv) No such establishment shall be within a distance of 30 feet of any R-1 through R-6, O-R or PRD District or a property on or eligible for a federal, state or local historic register.
- (v) Entrance and exit driveways shall have an unrestricted width of not less than 12 feet (one-way), nor more than 24 feet (two-ways); shall not be located nearer than 10 feet to any lot line; and shall be so laid out as to avoid the necessity of any vehicle backing into any public right-of-way.
- (vi) Vehicle lifts or pits, dismantled automobiles, all parts or supplies, goods, equipment, materials, refuse, garbage or debris shall be located within a building enclosed on all sides.





# BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR

POUGHKEEPSIE, NY 12601

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

Eric Philipp  
Building Inspector

- (vii) All service or repair of motor vehicles shall be conducted in a building enclosed on all sides. The requirement shall not be construed to mean that the doors to any repair shop must be kept closed at all times.
- (viii) Gasoline or flammable oils in bulk shall be stored fully underground, not nearer than 10 feet to any other lot line and the top of the tank shall be not less than two feet below the surface of the ground.
- (ix) Gasoline pumps or lubricating or other devices shall be located not nearer than 20 feet from any street or other lot line.

At this time without any proposed plans, this project will require an Area Variance from the Zoning Board of Appeals for Section 19-3.23.1(2)(b)3(iv) listed above and possibly for Section 19-4.3(11)(c) which requires 3 spaces for each work bay or 1 space per 300 square feet of gross floor area, whichever is greater, and 1 space for every 2 employees.

After a Special Permit is approved by the Planning Board along with all required Area Variances from 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

[johnen@cityofpoughkeepsie.com](mailto:johnen@cityofpoughkeepsie.com)

Bargain & sale deed, with covenant against grantor's acts

**THIS INDENTURE**, made the 28<sup>th</sup> day of September, two thousand twenty-three  
**BETWEEN**

**PANDEMONIUM REALTY LLC**, a domestic limited liability company having an address at  
278 Hill Avenue, Montgomery, New York 12549  
party of the first part, and

**AJ AUTOBODY LLC**, a domestic limited liability company having an address at 6 Spy Glass  
Road, Hopewell Junction, New York 12533  
party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of TEN AND 00/100 (\$10.00)  
DOLLARS, lawful money of the United States and other good and valuable consideration paid  
by the party of the second part, does hereby grant and release unto the party of the second part,  
the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon  
erected, situate, lying and being in the City of Poughkeepsie, County of Dutchess, and State of  
New York, being further bounded and described in Schedule A attached hereto and made a part  
hereof.

**SUBJECT TO** any and all covenants, grants and restrictions of record.

**BEING AND INTENDED TO BE** the same premises conveyed in a certain deed dated August  
2, 2011 by the City of Poughkeepsie to Pandemonium Realty LLC, the Grantor herein, and  
recorded in the office of the Dutchess County Clerk in Document No. 02 2011-3475 on August  
3, 2011.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any  
streets and roads abutting the above-described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in  
and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the  
heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered  
anything whereby the said premises have been encumbered in any way whatever, except as  
aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that  
the party of the first part will receive the consideration for this conveyance and will hold the  
right to receive such consideration as a trust fund to be applied first for the purpose of paying the

**Title No. PRO-10831-DF**

**SCHEDULE "A"**

ALL that certain plot, piece or parcel of land, situate, lying and being in the City of Poughkeepsie, County of Dutchess, State of New York,

BEGINNING at a point on the northerly line of Main Street at its intersection with the division line between lands now or formerly of Dill on the west and lands now or formerly of F. Piney on the east, said point being distant northwesterly approximately 50 feet from the intersection of the northerly line of Main Street and the westerly line of Pershing Avenue, thence along the northerly line of Main Street.

North 53° 16' 20" West 124.50 feet to the southeast corner of lands now or formerly of C. Smith and E.D. Dixon as described in Liber 1652 at Page 863, thence along the easterly line of the aforesaid lands of Smith and Dixon, and through the lands now or formerly of Dill,

North 24° 31' 20" East 185.17 feet to the southeast corner of lands now or formerly of O.S. and B. Vale as described in Liber 1423 at Page 167, thence running on the easterly line of the aforementioned lands of Vale,

North 24° 09' 40" East 44.05 feet, thence along a portion of the easterly line of lands now or formerly of J. and W. Andersen as described in Liber 1234 at Page 221,

North 22° 38' 50" East 27.76 feet, to a point being the southwest corner of lands now or formerly L., P. and R. Lutz being Parcel No. II as described in Liber 1363 at Page 935, thence along the southerly line of the aforementioned lands of Luts,

South 62° 34' 15" East 106.05 feet, to the northwest corner of Parcel No. I of lands of Luts as described in Liber 1363 at Page 935, said point being on the east face of an 8 inch brick party wall, thence along said east face of said party wall,

South 28° 12' 45" West 19.43 feet, thence along the southerly, easterly and southerly lines of aforementioned Parcel No I the following three (3) courses and distances,

South 61° 47' 15" East 3.35 feet,

South 28° 12' 45" West 10.85 feet,



**Title No. PRO-10831-DF**

**SCHEDULE "A" (continued)**

South 62° 34' 15" East 86.15 feet to a point on the westerly line of Pershing Avenue (formerly East Mansion Street) (course no. 10 being 0.25 feet south of an existing two story cement block building),

thence along said westerly line of Pershing Avenue, South 27° 38' 00" West 207.02 feet to a point being the northeast corner of lands now or formerly of J. Effron as described in Liber 934 at Page 456,

thence along the northerly and westerly line of lands of Effron and the westerly line of lands now or formerly of Piney as described in Liber 1690 at page 41 the following two (2) courses and distances,

North 62° 18' 20" West 50.00 feet and

South 27° 20' 20" West 133.00 feet to the point of beginning.

Together with a perpetual right-of-way over a 10 foot strip of land referred to in Liber 1528 at Page 433.

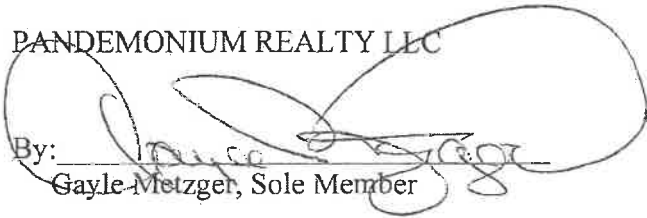
cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

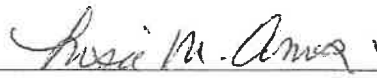
PANDEMONIUM REALTY LLC

By: 

Gayle Metzger, Sole Member

STATE OF NEW YORK     )  
                                          ).ss:  
COUNTY OF ORANGE     )

On the 6<sup>th</sup> day of September, in the year 2023, before me, the undersigned, a Notary Public in and for the State, personally appeared, GAYLE METZGER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

LISA M. AMANTI  
Notary Public, State of N.Y.  
No. 01AM3055364  
Resident of Orange County  
Commission Expires 12/23/20

BARGAIN AND SALE DEED  
WITH COVENANT AGAINST GRANTOR'S ACTS  
\*\*\*\*\*

PANDEMONIUM REALTY LLC  
to  
AJ AUTOBODY LLC

\*\*\*\*\*

GRID # 131300-6161-24-427963  
DUTCHESS COUNTY  
CITY OF POUGHKEEPSIE

Record and Return to:

~~Zena Dubas, Esq.~~

~~Sayegh Law~~

~~65 Gleneida Avenue~~

~~Carmel, NY 10512~~

AJ Autobody LLC  
6 Spy Glass Hill Rd  
Hopewell Jct, NY 12533



## CLOSING STATEMENT

Purchasers: AJ Autobody LLC  
Matter Number: 7265.07  
Seller(s): Pandemonium Realty LLC  
Premises: 16 Pershing Avenue, Poughkeepsie, NY  
Closing Date: 9.28.23

|                                                                      |               |                 |
|----------------------------------------------------------------------|---------------|-----------------|
| Contract Price                                                       |               | \$ 1,200,000.00 |
| Town/County Tax 2023 \$21,975.53 per year at \$60.21 x 95 days       |               | \$ 5,719.95     |
| Total adjustments to the Seller                                      |               | \$ 1,205,719.95 |
| Downpayment paid at time of contract                                 | \$ 120,000.00 |                 |
| School Tax 2023-24 \$19,027.14 per year at \$51.99 per day x 89 days | \$ 4,627.11   |                 |
| Total adjustments to the Purchaser                                   | minus         | \$ 124,627.11   |
| ADJUSTED SALES PRICE DUE TO SELLER                                   |               | \$ 1,081,092.84 |

The Adjusted Sales Price was paid to the Seller as follows:

|                                                                  |                 |
|------------------------------------------------------------------|-----------------|
| Purchaser's certified checks given to Seller (or Seller behalf)  | \$ 1,081,092.84 |
| Purchaser's mortgage proceeds given to Seller (or Seller behalf) | \$ -            |
| BALANCE DUE TO SELLER AT CLOSING                                 | \$ -            |

PURCHASER's CLOSING COSTS (see supporting invoices):

|                                                    |              |
|----------------------------------------------------|--------------|
| Title Recording, search fees, Title Policy         | \$ 25,776.98 |
| Purchaser's attorney fees with costs/disbursements | \$ 10,484.00 |
| Survey Fee                                         | \$ 1,400.00  |

**MORTGAGE INFORMATION:**

Gross Mortgage Proceeds

\$ -

Lender related closing costs and/or credits. See HUD-1  
Settlement Statement for breakdown of the closing  
costs charged by the lender at closing.

minus \$ -

Net Mortgage Proceeds available to Borrowers for use at the closing

\$ -

Disbursed as follows:

Check(s) to Seller (or Seller behalf)

\$ -

Check(s) to Purchaser (or Purchaser's expenses)

\$ -

minus \$ -

Balance of mortgage proceeds remaining

\$ -

Seller \$ 1,081,092.84

Title company \$ 25,776.98

Personal \$ 11,884.00  
checkbook**Client Check List:**

1. Sayegh Law \$6,311.73- Personal Check
2. Sayegh Law \$2,607.01- Personal Check
3. Sayegh Law \$1,565.26- Personal Check
4. Steven J. Green PLS \$1,400.00- Personal Check
5. ProTitle \$25,776.98- BANK CHECK
6. Sayegh Law \$571,478.54- BANK CHECK
7. Century 21 Alliance \$72,000.00- BANK CHECK
8. Pandemonium Realty LLC \$57,614.30- BANK CHECK

**Business Banking Statement**

October 31, 2023

page 3 of 5



|      |                           |                     |
|------|---------------------------|---------------------|
| 10-4 | Commercial Loan Payment   | \$7,027.39          |
|      | <b>Total subtractions</b> | <b>\$177,616.18</b> |

**Fees and charges**

| Date     |                                              | Quantity | Unit Charge |                 |
|----------|----------------------------------------------|----------|-------------|-----------------|
| 10-10-23 | Sep Keycapture Small Bus Package             | 1        | 0.00        | \$0.00          |
| 10-10-23 | Sep Access To Keynav                         | 1        | 0.00        | 0.00            |
| 10-10-23 | Sep Cashflow Lite User(s)                    | 1        | 5.00        | -5.00           |
| 10-10-23 | Sep Rdc Monthly Fee                          | 1        | 30.00       | -30.00          |
| 10-10-23 | Sep Rdc Scanned Item                         | 22       | 0.00        | 0.00            |
| 10-10-23 | Sep Keynav Analysis Statement                | 1        | 0.00        | 0.00            |
| 10-10-23 | Sep Keynav Corp Banking Statement            | 1        | 0.00        | 0.00            |
|          | <b>Fees and charges assessed this period</b> |          |             | <b>-\$35.00</b> |

**Account messages**

*Important updates to your Deposit Account Fees and Disclosures have been made. Wire Transfer Services: We've updated the description in the disclosure for three of our wire transfers. 1) Standing wire transfer orders are automated and recurring wire transfers to a specified recipient for a fixed amount of money that occur at fixed intervals. You will be charged \$10.00 for each wire transfer initiated under the standing wire transfer order. 2) Book to Book Wire Transfers are domestic outgoing wire transfers to a KeyBank account and are \$4.50 per transfer. There are no fees for domestic incoming wires to KeyBank accounts. 3) Repetitive Outgoing Wire Transfers are those in which debit and credit transfer parties remain the same (date and dollar amount may be different) and will be discounted \$10.00 from the standard Fedwire Service Charge prices.*



APPLICATION TO THE PLANNING BOARD  
CITY OF POUGHKEEPSIE, NEW YORK

Application for Site Plan, Special Permit & Facade Approval

I. PROPERTY ADDRESS: 16 Pershing Ave

II. PROPERTY OWNER: Devanand Jaikarran  
ADDRESS: 6 Spy Glass Hill Road

Hempwell Junction  
NY 12533 (state and zip code)

PHONE NUMBER: 917-416-7591 (include area code)

III. NAME OF APPLICANT: Devanand Jaikarran

ADDRESS: 16 Pershing Ave.  
Poughkeepsie  
NY 12533 (state and zip code)

PHONE NUMBER: 917-416-7591 (include area code)

EMAIL ADDRESS: viridynjaikarran1@gmail.com

(If applicant is NOT the owner, proof of owner's consent to the application MUST be submitted.)  
IV. CONSULTANT:

ADDRESS:  
  
(state and zip code)

PHONE NUMBER:  
(include area code)

V. PROPOSED USE or FAÇADE CHANGE (Summarize proposed use or uses).  
Motor Vehicle Repair Shop

VI. ZONING DISTRICT: C-2A

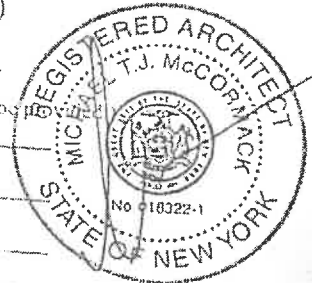
OFFICE USE ONLY

CODE: PLSF

RP  
ID # 002304

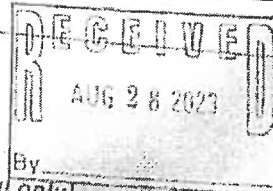
FEE: 317

Total, from  
\$500 plus:  
\$1135  
(\$150 per 1000  
square feet of floor  
area), plus  
\$1616  
(\$35 per number of  
required parking  
spaces), plus  
\$500  
(\$500 for special  
permit, if applicable)



PAID

AUG 28 2023



By

(Proceed to XVII for special permit & facade approval only)

Revised January 2018: Previous Editions Obsolete

# SERVICE BUSINESS PROPOSALS

- A) Specify Business: \_\_\_\_\_
- B) Number of Employees: \_\_\_\_\_
- C) Number of Working Months: \_\_\_\_\_
- D) Days/Hours of Operation: \_\_\_\_\_

## XII. MERCANTILE PROPOSALS (Retail)

- A) Type of Merchandise (specify): \_\_\_\_\_
- B) Number of Employees: \_\_\_\_\_
- C) Days/Hours of Operation: \_\_\_\_\_

## XIII. STANDARD RESTAURANT/FAST FOOD RESTAURANT/ICE CREAM PARLOR/SHOP/NIGHT CLUB/DISCO/BOULEVARD/PROPOSALS

- A) Specify Use: \_\_\_\_\_
- B) Number of seats (excluding bar stools and outdoor seating): \_\_\_\_\_
- C) Meals served (e.g., breakfast, lunch, dinner): \_\_\_\_\_
- D) Type of Menu: \_\_\_\_\_
- E) Days/Hours of Operation: \_\_\_\_\_
- F) Entertainer (live and/or recorded): \_\_\_\_\_
- G) Will the restaurant contain a bar/lounge? ☐ Yes ☐ No
- H) If yes, how many seats at the bar? \_\_\_\_\_
- I) Is a drive-through window proposed? \_\_\_\_\_
- J) Is a walk-up window proposed? \_\_\_\_\_
- K) Is an outdoor seating area proposed? \_\_\_\_\_
- L) If yes, how many seats are proposed? \_\_\_\_\_
- M) If yes, is outdoor cooking proposed? \_\_\_\_\_

## XIV. INDUSTRIAL/COMMERCIAL PROPOSALS (Automobile repair, taxi, motor vehicle sales, warehouse, manufacturing, animal hospital, research facilities, etc.)

- A) Specify Use: Repair Shop
- B) Number of shifts (if any): One
- C) Number of employees: 6
- D) Number of work days (if automobile repair): Every 8 Days
- E) Days/Hours of operation: \_\_\_\_\_

Revised January 2015 Previous Editions Obsolete





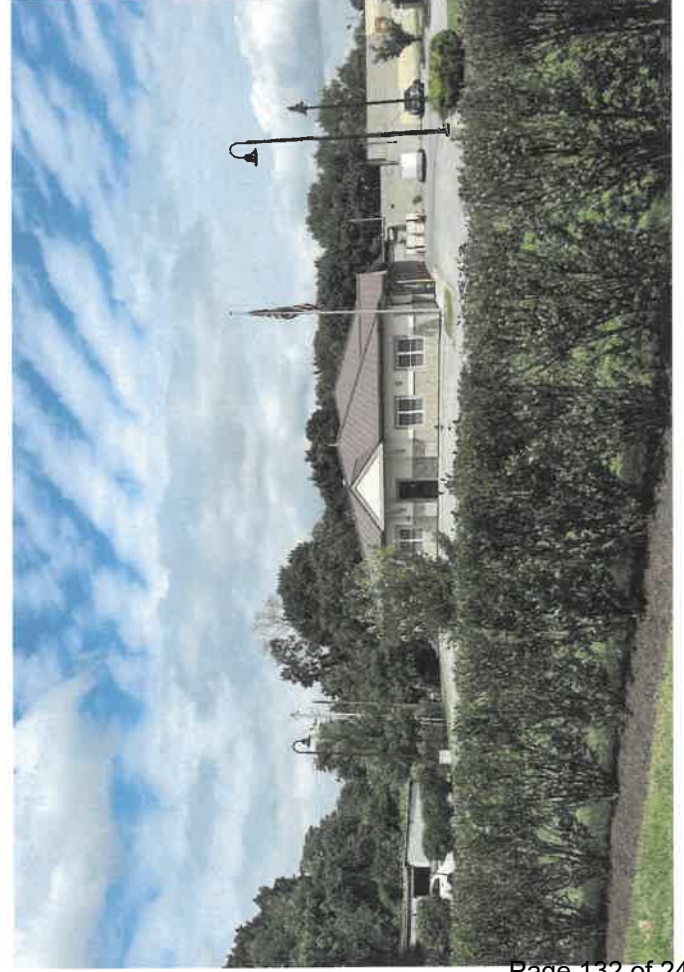
VIEW SOUTH FROM BEHIND THE BUILDING



VIEW EAST FROM PERSHING AVENUE

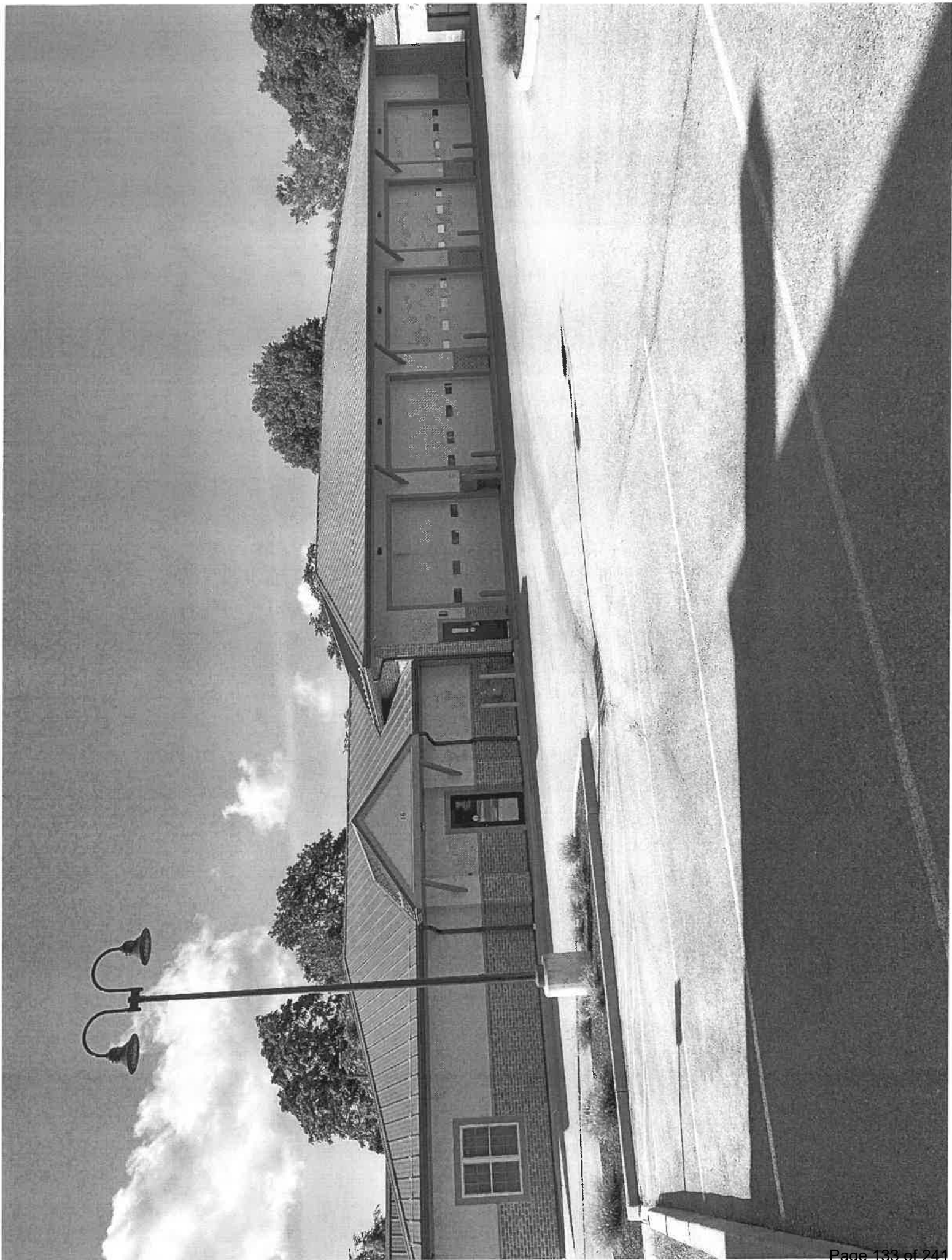


VIEW NORTH FROM BEHIND THE BUILDING



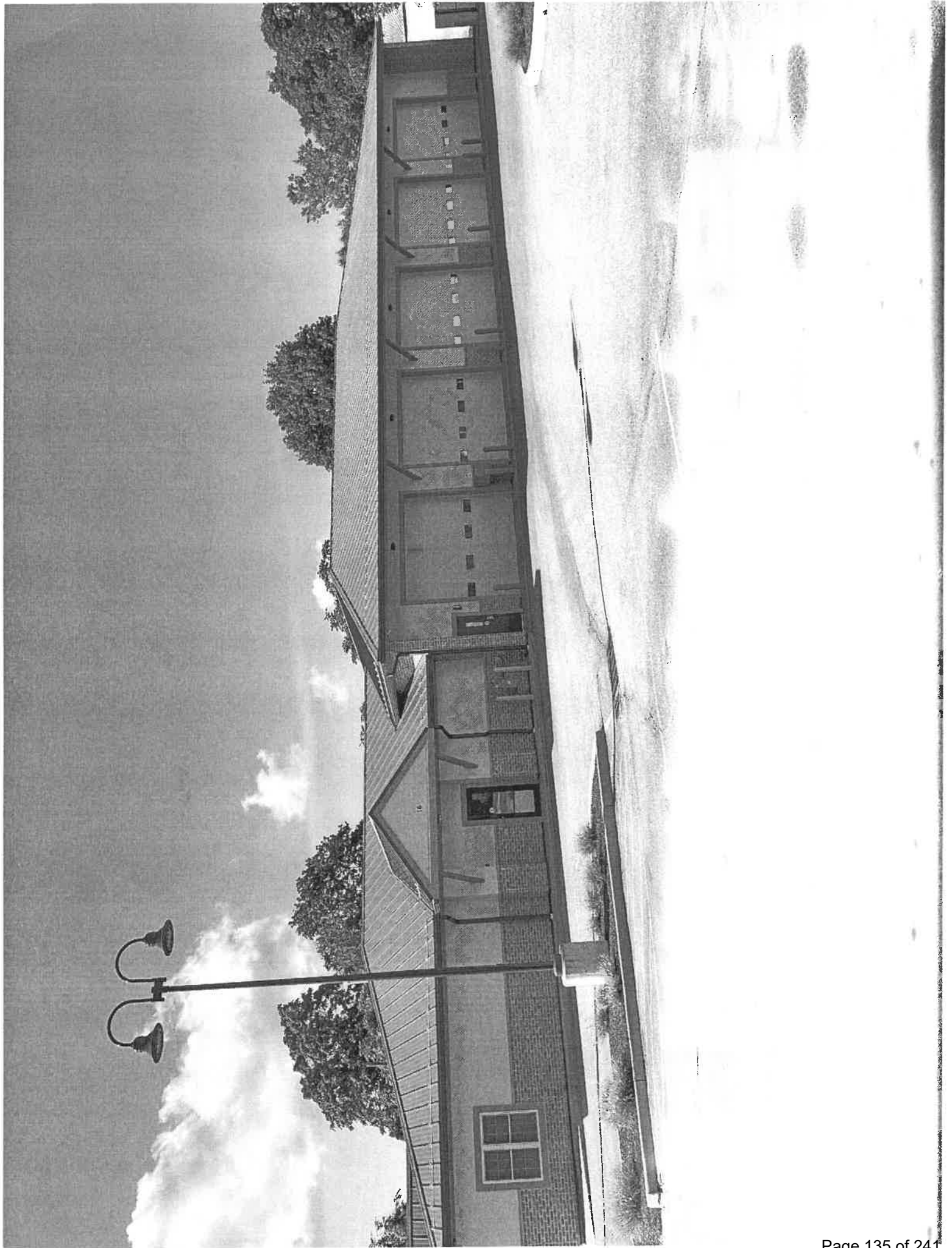
VIEW NORTH FROM MAIN STREET















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

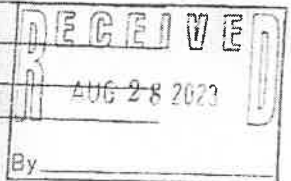
FEE: \$350.00  
CODE: A2112  
ID# \_\_\_\_\_  
IPS# \_\_\_\_\_

### ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 18 Pershing Ave.  
ZONING DISTRICT: C-2A Main Street Commercial

#### OWNER INFORMATION:

Name: Devanand Jalkarran  
Address: 16 Spyglass Hill Rd.  
Hopewell Junction NY 12533  
Phone: 917-416-7591  
Email: vidyajalkarran1@gmail.com



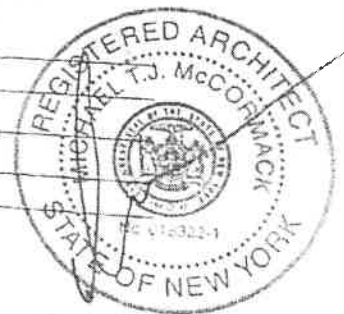
#### APPLICANT INFORMATION:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

**PAID**  
AUG 28 2023

#### CONSULTANT INFORMATION:

Name: Liscum McCormack VanVoorhis  
Address: 181 Church Street  
Poughkeepsie NY, 12601  
Phone: 845-452-2268  
Email: mmccormack@lmvatchitects.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.*

Revised June 2020: Previous Editions Obsolete

10/16/23, 12:10 PM

16 Pershing Ave - vidyajaikarran1@gmail.com - Gmail

**Lori Garcia**

to Kevin, me, Matthew, Kelly

I did speak to Vidya. We will adjourn the public hearing at the meeting then until the November meeting -- it is more a fix now on our end.

Thank you.

*Lori Garcia*

Board Administrative Assistant

Development Department

City of Poughkeepsie

(845) 451-4263

From: Kevin Yereance <[kyereance@lmvarchitects.com](mailto:kyereance@lmvarchitects.com)>

Sent: Thursday, October 5, 2023 1:17 PM

To: Lori Garcia <[L.Garcia@cityofpoughkeepsie.com](mailto:L.Garcia@cityofpoughkeepsie.com)>; vidya jaikarran <[vidyajaikarran1@gmail.com](mailto:vidyajaikarran1@gmail.com)>

Cc: Matthew Tether <[mtether@lmvarchitects.com](mailto:mtether@lmvarchitects.com)>; Kelly <[kelly@karcpc.com](mailto:kelly@karcpc.com)>

Subject: RE: 16 Pershing Ave

Good afternoon,

Attached is the determination letter for 16 Pershing Avenue along with an application for Use Variance. Please submit this application as soon as possible so that we can forward it to the County Planning Department and try to keep you on the agenda for November 14<sup>th</sup>. Please email us the application when prepared so that we may forward it asap. I apologize for the mistake and inconvenience this may have caused, if you have any questions or concerns, 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](mailto:jobrien@cityofpoughkeepsie.com)





# BUILDING DEPARTMENT

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

Eric Philipp  
Building Inspector

November 1<sup>st</sup>, 2023

Devanand Jaikarran  
16 Spyglass Hill Road  
Hopewell Junction NY 12533

Re: 16 Pershing Avenue  
ID # 382100  
Area Variance Application # ZBA-2023-040

To whom it may concern,

Upon further review of your Zoning Board of Appeals application for Area Variances, it has been determined that the proposed use is not permitted within the Main Street Commercial District (C-2A) and thus will require a Use Variance be granted by the Zoning Board of Appeals along with the previously identified Area Variances.

Although the previous determination from your zoning review request PD-2023-069 on 8/7/23 listed that the use as an Auto Body Repair Shop is permitted per Section 19-3.23.1(2)(b)3. subject to the issuance of a Special Permit by the Planning Board, based on the following definitions, this would not be the case.

- Automobile Service Stations are defined in Section 19-2.2 as any building, land area or other premises used or intended to be used for the retail dispensing or sales of automobile fuels, which activity may be accompanied by accessory uses such as sales of lubricants, tires, accessories or supplies, minor repairing of automobiles or a single-bay auto wash; provided, however, that automobile wrecking, major repairing of automobiles, parking or storing of automobiles for hire and the operation of more than one towing vehicle shall not be deemed permissible accessory uses of an "automobile service station."]
- Major Automobile Repair is defined in Section 19-2.2 as general repair, rebuilding or reconditioning of engines, motor vehicles or trailers, such as collision service, body repair and frame straightening; painting and upholstering; vehicle steam cleaning; and undercoating, or any activities defined as minor repairs, below, affecting trucks exceeding 1 1/2 tons' capacity.

Therefore, both Use and Area Variances will be required, after which Site Plan approval from the Planning Board will be required, not the issuance of a Special Permit by the Planning Board.



# BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR

POUGHKEEPSIE, NY 12601

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

**Eric Philipp**  
**Building Inspector**

If you have any questions, you may contact me at 845-451-4273 or at  
[jobrien@cityofpoughkeepsie.com](mailto:jobrien@cityofpoughkeepsie.com).

Sincerely,

Joseph O'Brien  
Deputy Zoning Administrator



# Info-Tax Online

## Poughkeepsie City School District Dutchess County

**PAY TO:** Poughkeepsie City School Distr, PO Box 7107, Buffalo, NY 14240 845-891-6779

Property and summary tax balance information for the selected parcel is shown to the right. Exemptions are displayed as well if they exist for the property.

You can view or hide tax bill detail and any payments by clicking the bar near the bottom of the page.

If the property appears in other tax years, you can quickly view the tax history for the property. Just select a tax year from the drop-down list at the top of the page.

To request a signed Tax Certification, click the "Request Signed Certificate" button at the bottom of the page.

[Re-enter search conditions](#)

**For Tax Year:** 2023 School Tax (2023-2024) ▼

Last Updated: 11/17/23 03:48 pm

|                                  |                                               |
|----------------------------------|-----------------------------------------------|
| <b>Owner:</b>                    | <b>Tax Map #</b> 6161-24-427963-0000          |
| Pandemonium Realty LLC           | <b>Tax Bill #</b> 382100                      |
| 31188 Route 9W                   | <b>Bank Code:</b>                             |
| New Windsor, NY 12553            | <b>School Code:</b> 131300                    |
|                                  | <b>Property Class:</b> 470 <b>Tax Roll:</b> 1 |
| <b>Location:</b> 16 Pershing Ave | <b>Acreage:</b> 1.31                          |
| <b>SWIS:</b> 131300 Poughkeepsie | <b>Frontage:</b> <b>Liber:</b> 22011          |
|                                  | <b>Depth:</b> <b>Page:</b> 3475               |
|                                  | <b>Full Value:</b> 1,232,400                  |
|                                  | <b>Assessment:</b> 1,232,400                  |
|                                  | <b>STAR Savings:</b> 0.00                     |
|                                  | <b>Tax Amount:</b> <b>19,027.14</b>           |
|                                  | <b>Tax Paid:</b> 19,027.14                    |
|                                  | <b>Balance:</b> <b>0.00</b>                   |

☒ [Show Bill and Payment Details](#)

**Tax Balance does not include any accrued Late Fees**

**Payments shown may not include  
payments made directly to the County**

[Payment Schedule](#)

[Tax Certification](#)



Range of Accounts: 382100 to 382100

Range of Years: First to Last

Range of Cycles: First to Last

Range of Pay Codes: First to Last

Range of Bill Codes: First to Last

Range of System Dates: First to Last

Range of Prds: 1 to 12

Range of Deduct Codes: First to Last

Range of Bal Adjust Codes: First to Last

App'l Overpay: N Rev Appl Overpay: N Refund Overpay: N

Add: N

Change: N

Billing: Y Bal Adjustment: N

Deduct: Y Penalty: N

Cancel Overpay: N

Payment: N

Reversal: N

Adjustment: N

Penalty: N

Cancel Overpay: N

Swis/Map/Block/LoProperty Location

Date

Sys Date

Trans Type

Bill Type

Account Id

Yr Prd Code

Owner Name

Principal

Total

Ref Num

Seq

131300-6161-24-4216 PERSHING AVE

01/13/23 01/18/23 Property Billing

01/13/23 01/18/23 Property Billing

01/13/23 01/18/23 Property Billing

382100

Calculated

Calculated

Calculated

PANDEMONIUM REALTY LLC

2023 1 TX2

2023 1 TX1

2023 1 TX3

2,794.70

16,926.24

2,254.59

2,794.70

16,926.24

2,254.59

21,975.53

21,975.53

Number of Billing Transactions: 3

| Type                       | Code | Description          | Count    | Principal        | Total            |
|----------------------------|------|----------------------|----------|------------------|------------------|
| <u>Total for Year 2023</u> |      |                      |          |                  |                  |
| Billing                    | TX1  | CITY TAX             | 1        | 16,926.24        | 16,926.24        |
| Billing                    | TX2  | COUNTY TAX           | 1        | 2,794.70         | 2,794.70         |
| Billing                    | TX3  | GREATER POK LIB DIST | 1        | 2,254.59         | 2,254.59         |
|                            |      |                      | <u>3</u> | <u>21,975.53</u> | <u>21,975.53</u> |
| <u>Total for All</u>       |      |                      |          |                  |                  |
| Billing                    | TX1  | CITY TAX             | 1        | 16,926.24        | 16,926.24        |
| Billing                    | TX2  | COUNTY TAX           | 1        | 2,794.70         | 2,794.70         |
| Billing                    | TX3  | GREATER POK LIB DIST | 1        | 2,254.59         | 2,254.59         |
|                            |      |                      | <u>3</u> | <u>21,975.53</u> | <u>21,975.53</u> |

New York State Department of Motor Vehicles

# OFFICIAL BUSINESS CERTIFICATE

THIS CERTIFICATE EXPIRES 08/31/25

FACILITY IDENTIFICATION NO. 7131686 RS

Validation Date and Number: 09/15/23

13612

This person is REGISTERED AS A  
REPAIR SHOP

pursuant to the provisions of the Vehicle and Traffic Law.



DUTCHESS AUTO COLLISION LLC  
16 PERSHING AVE  
POUGHKEEPSIE NY 12601

This document does not certify that this business complies with zoning and other local laws  
**POST IN A CONSPICUOUS PLACE**

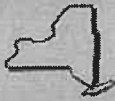
MV-81P (11/95)



**REGISTERED**

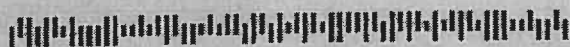
**NO. 7131686**

**STATE OF NEW YORK  
MOTOR VEHICLE  
REPAIR SHOP**



New York State Department of  
**Taxation and Finance**  
Sales Tax Registration  
W A Hamman Campus  
Albany NY 12227-0665

2308888213600-A P00



DUTCHESS AUTO COLLISION LLC  
DEVANAND JAIKARRAN  
6 SPY GLASS HL RD  
HOPEWELL JUNCTION NY 12533-6274

New York State Department of Taxation and Finance  
**Certificate of Authority**

Identification number

**93-2732624**

*(Use this number on all returns and correspondence)*



**VALIDATED**

**8/17/2023**

Dept of Tax  
and Finance

DUTCHESS AUTO COLLISION LLC  
16 PERSHING AVE  
POUGHKEEPSIE NY 12601-3405

is authorized to collect sales and use taxes under Articles 28 and 29 of the New York State Tax Law.

**Nontransferable**

This certificate must be prominently displayed at your place of business.  
Fraudulent or other improper use of this certificate will cause it to be revoked.  
The certificate may not be photocopied or reproduced.

4020109100098

1DB8 - 2300635 P0000298 - 01

DTF-17-A (11/14)

New York State Department of Taxation and Finance  
Important Notice Regarding Liability for Sales and Use Taxes

**Did you know?**

- The attached *Certificate of Authority* is evidence that you are authorized to collect sales and use tax. You must prominently display it at your place of business. If you do not have a regular place of business, you must attach the certificate to your cart, stand, truck, etc. Failure to properly display a validated *Certificate of Authority* can result in a \$50 penalty.
- As a registered vendor, you must file timely sales tax returns and remit any sales and use taxes collected or owed. You must file a sales tax return even if you are not conducting business and do not owe any sales or use tax.
- You must file returns until you advise us that your business is sold or discontinued, and you return your *Certificate of Authority*. (See Step 1, Step 2, and Step 3 below for important information regarding the sale or discontinuance of your business.)
- Certain registered vendors can Web File returns at [www.tax.ny.gov](http://www.tax.ny.gov). You may also download forms from this Web site.
- All sales and use taxes collected or required to be collected must be reported and remitted for the period in which the transaction takes place. Failure to file returns and remit taxes when due will result in the assessment of penalty and interest. The minimum penalty for failure to file a return on time is \$50, even if no tax is due. If tax is due, additional penalty and interest charges will accrue.
- Change of business address – Use Form DTF-96, *Report of Address Change for Business Tax Accounts*, if you only want to report a change in the physical address or mailing address of your business. You may also change your address on our Web site.
- Change of other business information – Use Form DTF-95, *Business Tax Account Update*, to report a change of legal name or trade (DBA) name, officers' information, a Tax Department assigned ID number to a federal employer identification number (FEIN), or to report a change in business activity.
- See Publication 750, *A Guide to Sales Tax in New York State*, and Publication 900, *Important Information for Business Owners*, for more information on filing requirements.

**Need help?**

Internet access: [www.tax.ny.gov](http://www.tax.ny.gov)  
Sales tax information: (518) 485-2889  
Forms and publications: (518) 457-5431

Text telephone (TTY) hotline : (518) 485-5082  
(for persons with hearing and speech disabilities using a TTY)

**Notice:** If you sell or discontinue your business, or change the form of your business, you are required to return this *Certificate of Authority* with the following information completed. Please follow the steps below:

**Step 1 -** Check the appropriate box below (box A, B, or C) and follow the instructions corresponding to the box checked.

- A** ☐ **Business sold** - You must give each prospective purchaser a copy of Form TP-153, *Notice to Prospective Purchasers of a Business or Business Assets*. If you intend to sell your business or any of your business assets including tangible, intangible, or real property other than in the ordinary course of business. You must also provide the following information:

|                                                                                                     |   |   |   |               |   |   |   |                                                          |
|-----------------------------------------------------------------------------------------------------|---|---|---|---------------|---|---|---|----------------------------------------------------------|
| Last day of business (if applicable):                                                               | / | / | / | Date of sale: | / | / | / | Sale price:                                              |
| Name and address of purchaser:                                                                      |   |   |   |               |   |   |   |                                                          |
| Name and address of business:                                                                       |   |   |   |               |   |   |   |                                                          |
| Location of property:                                                                               |   |   |   |               |   |   |   |                                                          |
| Was sales tax collected on any taxable items (furniture, fixtures, etc.) included in the bulk sale? |   |   |   |               |   |   |   | <input type="checkbox"/> Yes <input type="checkbox"/> No |

- B** ☐ **Business discontinued** - Give the reason for discontinuing business (insolvent, deceased, dissolution, etc.): \_\_\_\_\_  
If any business assets are sold as a result of the business being discontinued, you must follow the instructions and provide the information requested in box A concerning the sale.
- C** ☐ **Business form changed** (sole proprietor to partnership, partnership to corporation, etc.) - You must apply for a new *Certificate of Authority*. You may apply online or by filling out a new Form DTF-17, *Application to Register for a Sales Tax Certificate of Authority*, and mailing it to: NYS Tax Department, Sales Tax Registration Unit, W A Harriman Campus, Albany NY 12227-0885.

**Step 2 -** You must file a final return within 20 days of the last day of business or change in status. Be sure to check the final return box on the front of the return. The return should include the tax due from business operations to the last day of business as well as any tax collected on assets that you sell. Attach statements indicating tax received and remitted for each category and, for a bulk sale, items on which tax was not collected. Attach your *Certificate of Authority* to your final return, and mail both to the appropriate address listed. Any person who fails to surrender a *Certificate of Authority*, or a *Temporary Certificate of Authority*, as required by the Tax Law, may be subject to the criminal penalties prescribed by section 1817 of the Tax Law.

**Step 3 -** I certify that the above statements are true and correct. I make these statements with the knowledge that knowingly making a false or fraudulent statement on this document is a misdemeanor under section 1817 of the Tax Law and section 210.45 of the Penal Law, punishable by imprisonment for up to a year and a fine of up to \$10,000 for an individual or \$20,000 for a corporation. I understand that the Tax Department is authorized to investigate the accuracy of any information entered on this form.

|                                                          |      |
|----------------------------------------------------------|------|
| Signature (provide title and relationship)               | Date |
| Type or print the name that appears in the signature box |      |

4020209100098

DTF-17-A (11/14) (back)















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

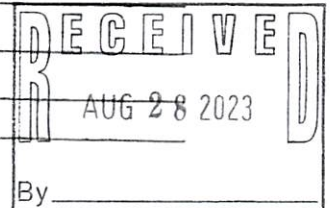
FEE: \$350.00  
CODE: A2112  
ID# \_\_\_\_\_  
IPS# \_\_\_\_\_

## ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 16 Pershing Ave.  
ZONING DISTRICT: C-2A Main Street Commercial

### OWNER INFORMATION:

Name: Devanand Jaikarran  
Address: 16 Spyglass Hill Rd.  
Hopewell Junction NY 12533  
Phone: 917-416-7591  
Email: vidyajaikarran1@gmail.com



### APPLICANT INFORMATION:

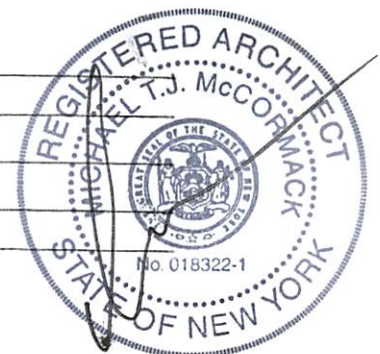
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

PAID

AUG 28 2023

### CONSULTANT INFORMATION:

Name: Liscum McCormack VanVoorhis  
Address: 181 Church Street  
Poughkeepsie NY, 12601  
Phone: 845-452-2268  
Email: mmccormack@lmvatchitects.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:** 16 Pershing Ave.

## 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>19-3.23.1(2)(b)3(iv)</u> | Property within 30' of<br>an R-4 Property          | Existing Building<br>within 30'                                 |
| <u>19-4.3(11)(c)</u>        | Requiring 25 Parking<br>Spaces + 1 per 2 Employees | Existing 25 Spaces -<br>no additional spaces -<br>for employees |
| <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:** 16 Pershing Ave.

**LIST OF REQUIRED ATTACHMENTS**

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

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**SIGNATURE AND VERIFICATION**

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

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

Devanand Jaikarran  
SIGNATURE OF APPLICANT

8/24/23  
DATE

Devanand Jaikarran  
Print Name



181 Church Street  
Poughkeepsie, New York 12601-4114  
Tel: (845) 452-2268 Fax: (845) 452-3752

Date: 08-28-23 Job # : 23102

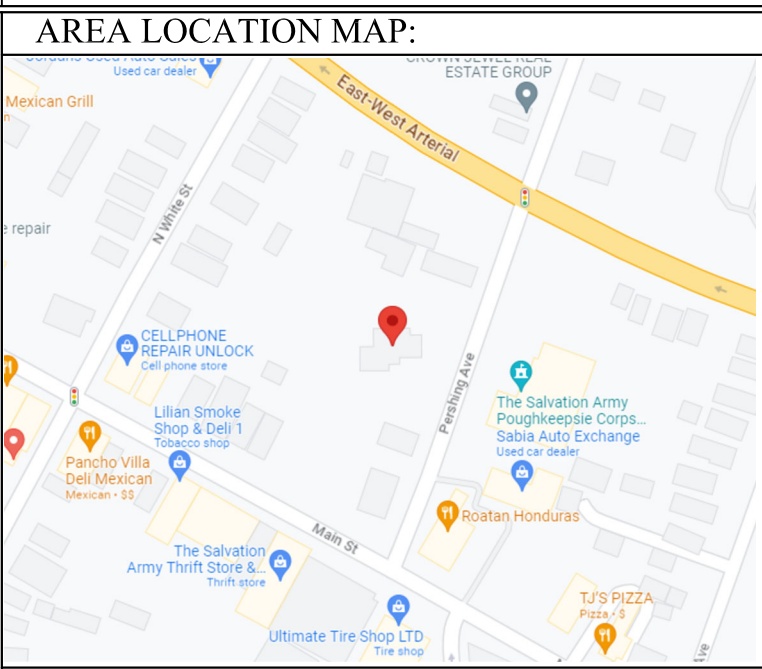
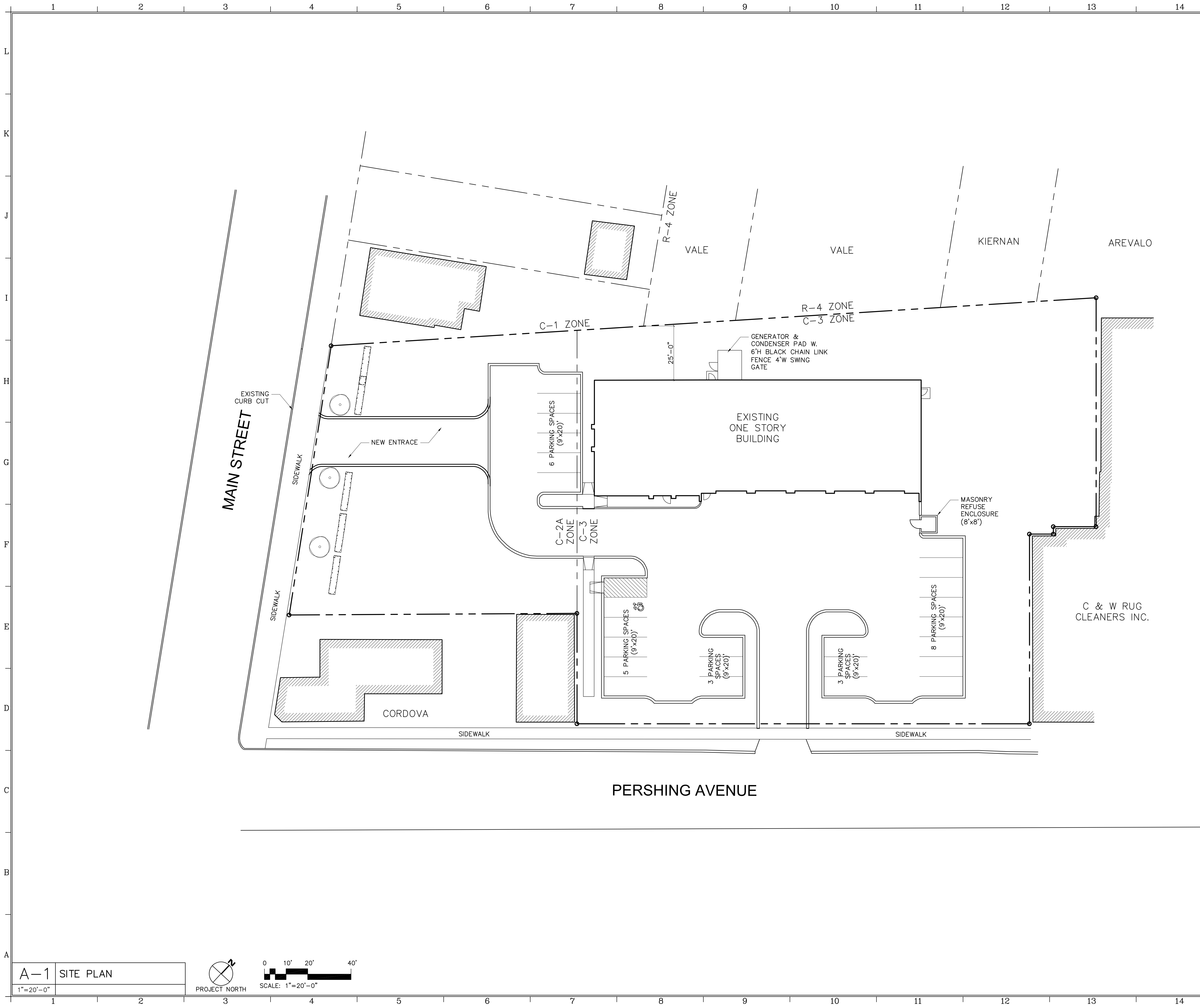
Attention: Joe O'Brien

Re: 16 Pershing Ave. ID. 382100

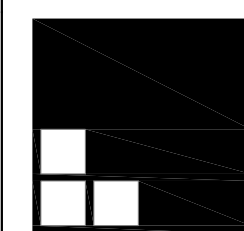
TO: Zoning Board

Variance request Justification.

1. Granting of this variance will not produce or have an undesirable change in the character of the neighborhood or be a detriment to nearby properties because the existing building and parking area will remain unchanged and will be repurposed for a new business similar to the previous business / occupancy.
2. This variance is necessary because the existing building and parking area are to remain as is. The rear yard is within 30' of an R-4 property (25') and there are 25 existing parking spaces which will work with the new motor vehicle body repair shop. The existing building and parking area are only 6 to 7 years old and are in great condition and can be reused and provide sufficient parking in its current configuration.
3. The requested area variances are not substantial; the rear yard of the exiting building is 25' from the R-4 Zone rear property line instead of the required 30'. The existing building footprint requires 25 spaces plus 1 per every 2 employees which equals 28, the current property has 25 spaces. The planned usage of the site should not exceed the need for 25 spaces.
4. The variances will not have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district because the property and existing building will remain the same, and the planned usage of the property is similar to the previous occupancy.
5. The need for the variances are related to the existing building and property and are not the result of self-created difficulties on my part, or unique to the property.



| No. | REVISION/SUBMISSION | DATE |
|-----|---------------------|------|
|     |                     |      |
|     |                     |      |
|     |                     |      |



Liscum  
McCormack  
VanVoorhis LLP

181 CHURCH STREET  
POUGHKEEPSIE, NEW YORK 12601  
ARCHITECTURE PLANNING INTERIORS PHONE 845-452-2268 FAX 845-452-3752

PROJECT  
JAIKARRAN  
16 PERSHING AVENUE  
POUGHKEEPSIE, NY

DRAWING  
EXISTING SITE PLAN



DRAWN BY  
KY

CHECKED BY  
MM

PROJECT NUMBER  
23102

DATE  
08-24-23

DRAWING NUMBER  
**C100**

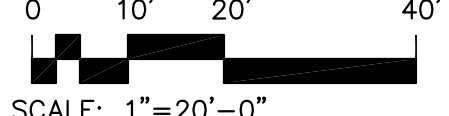
A-1

SITE PLAN

1"=20'-0"



PROJECT NORTH



SCALE: 1"=20'-0"



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.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                          |                                          |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-------------------------------------|--------------------------|
| <b>Part 1 - Project and Sponsor Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                          |                                          |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| Name of Action or Project:<br><b>Motor Vehicle Body Repair Shop</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                          |                                          |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| Project Location (describe, and attach a location map):<br><b>16 Pershing Avenue</b>                                                                                                                                                                                                                                                                                                                                                                                                                                    |                          |                                          |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| Brief Description of Proposed Action:<br><br><b>One side of the property borders the Main Street Commercial District (C-2A) which does allow Motor Vehicle Service Stations per code Section 19-3.23.1(2)(b)3 of the Zoning Ordinance but are subject to the issuance of a Special Permit from the Planning Board.</b>                                                                                                                                                                                                  |                          |                                          |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| Name of Applicant or Sponsor:<br><b>Devanand Jaikarran</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                          | Telephone: <b>917-416-7591</b>           |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                          | E-Mail: <b>vidyajaikarran1@gmail.com</b> |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| Address: <b>16 Spyglass Hill Rd.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                          |                                          |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| City/PO: <b>Hopewell Junction</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                          | State: <b>NY</b>                         | Zip Code: <b>12533</b>                                                                                                                                                                                                                                                                                                    |    |     |                                     |                          |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| NO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | YES                      |                                          |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/> |                                          |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:                                                                                                                                                                                                                                                                                                                                                            |                          |                                          | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| NO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | YES                      |                                          |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/> |                                          |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| 3.a. Total acreage of the site of the proposed action?                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                          | <b>1.31</b> acres                        |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| b. Total acreage to be physically disturbed?                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                          | <b>0</b> acres                           |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?                                                                                                                                                                                                                                                                                                                                                                                                  |                          | <b>1.31</b> acres                        |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |
| 4. Check all land uses that occur on, adjoining and near the proposed action.<br><input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)<br><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____<br><input type="checkbox"/> Parkland |                          |                                          |                                                                                                                                                                                                                                                                                                                           |    |     |                                     |                          |

|                                                                                                                                                                                                                                                                                                                                                                                                                                              | NO                                  | YES                                 | N/A                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations?                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?<br>If Yes, identify: _____                                                                                                                                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?                                                                                                                                                                                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| b. Are public transportation service(s) available at or near the site of the proposed action?                                                                                                                                                                                                                                                                                                                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 9. Does the proposed action meet or exceed the state energy code requirements?<br>If the proposed action will exceed requirements, describe design features and technologies:<br>_____                                                                                                                                                                                                                                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 10. Will the proposed action connect to an existing public/private water supply?<br>If No, describe method for providing potable water: _____                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 11. Will the proposed action connect to existing wastewater utilities?<br>If No, describe method for providing wastewater treatment: _____                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?                                                                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| b. Is the proposed action located in an archeological sensitive area?                                                                                                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?<br>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:<br><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> 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?                                                                                                                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 16. Is the project site located in the 100 year flood plain?                                                                                                                                                                                                                                                                                                                                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,<br>a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES<br>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? <input type="checkbox"/> NO <input type="checkbox"/> YES<br>If Yes, briefly describe: _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |

|                                                                                                                                                                                                                       |                                                  |                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|---------------------------------|
| 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)?<br>If Yes, explain purpose and size: _____   | NO<br><input checked="checked" type="checkbox"/> | YES<br><input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____                                                 | NO<br><input checked="checked" type="checkbox"/> | YES<br><input type="checkbox"/> |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: _____                                               | NO<br><input checked="checked" type="checkbox"/> | YES<br><input type="checkbox"/> |
| <b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b><br>Applicant/sponsor name: <u>Devanand Jaikaran</u> Date: <u>8/28/23</u><br>Signature: <u>Devanand Jaikarran</u> |                                                  |                                 |





**THE CITY OF POUGHKEEPSIE  
NEW YORK**

**DEVELOPMENT DEPARTMENT**

62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR

POUGHKEEPSIE, NY 12601

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

**MEMORANDUM**

To: Devanand Jaikarran

From: Tyler Maegerle, Junior Planner

Date: 9/6/23

Re: 16 Pershing Avenue

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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 proposed change of use to an auto repair shop.

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).

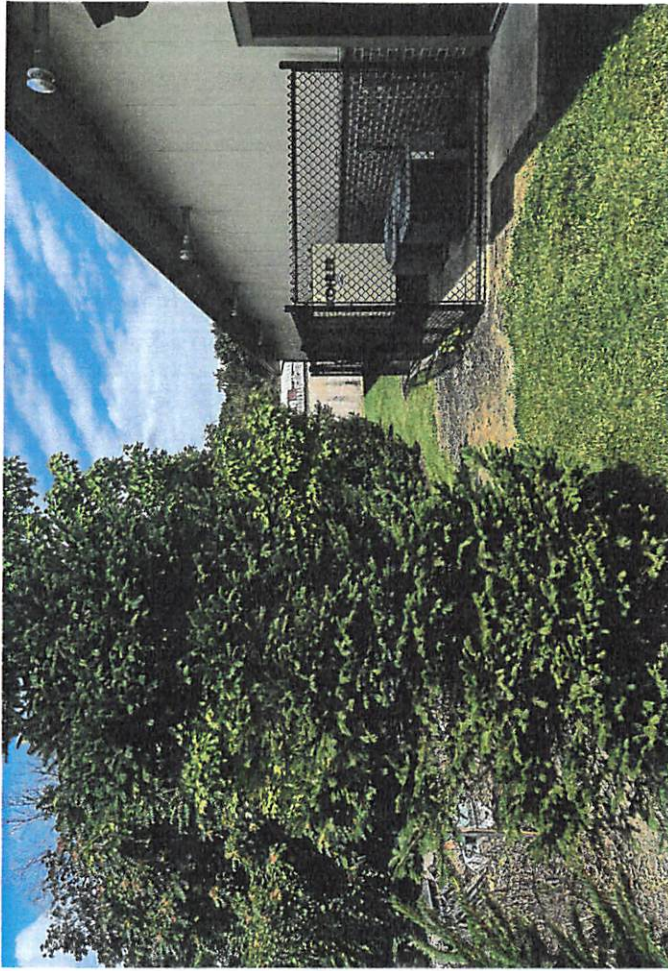


RECEIVED  
AUG 28 2023  
By \_\_\_\_\_

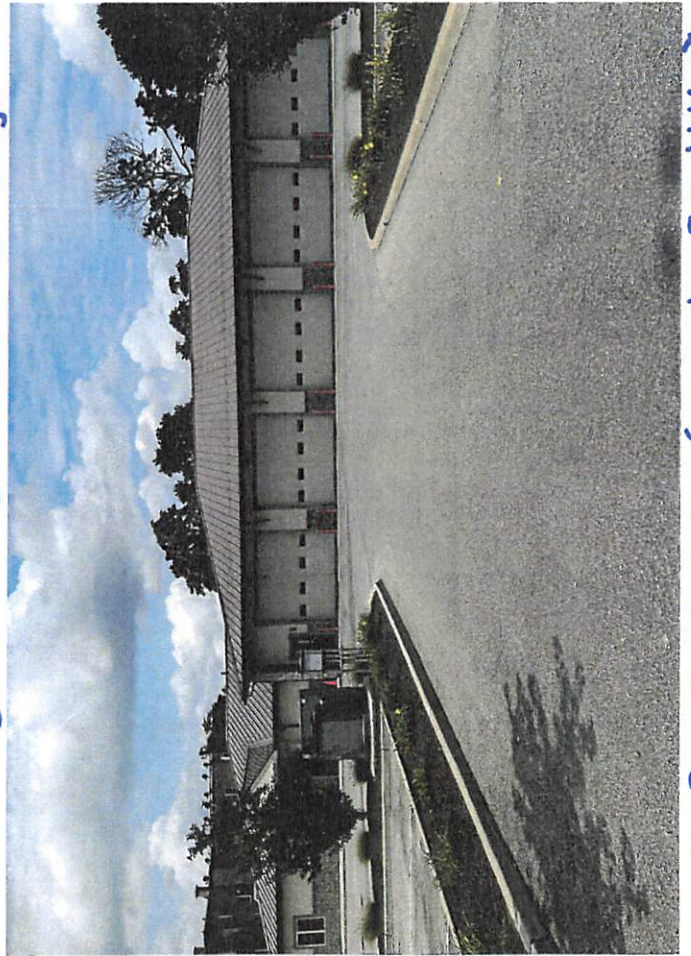
↓ Repair shop



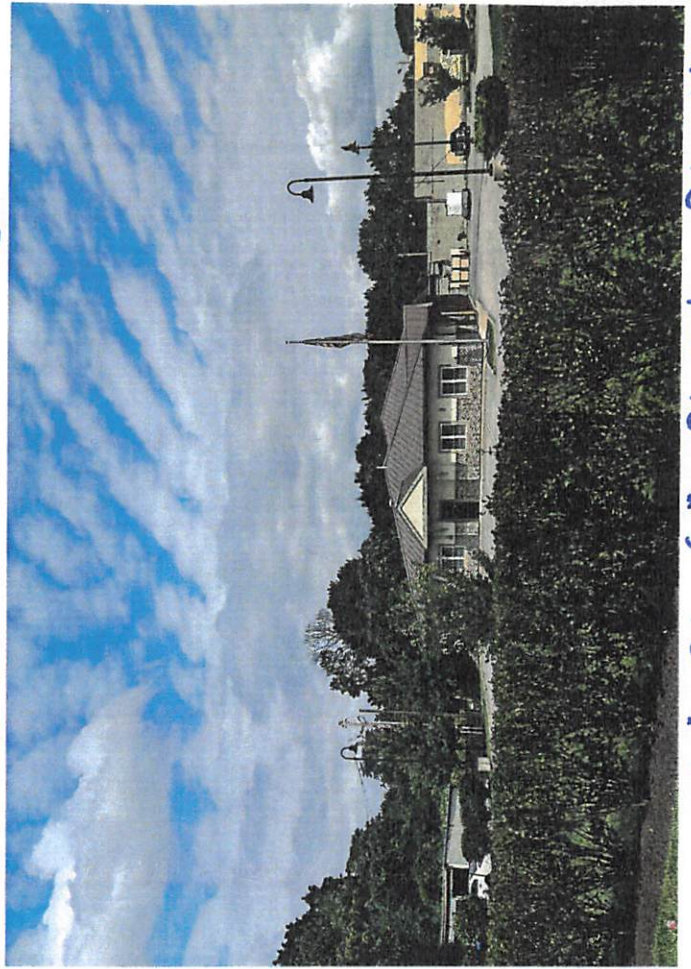
Pershing AVE Right side of building



back side of building



16 Pershing AVE (Front of building)



Main St (Left side of building)





# BUILDING DEPARTMENT

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

Eric Philipp  
Building Inspector

August 7<sup>th</sup>, 2023

Devanand Jaikarran

Re: 16 Pershing Avenue  
ID: 382100  
Zoning Review Request PD-2023-069



Dear Applicant,

The Development Department is in receipt of your zoning review request relative to the property at 16 Pershing Avenue and the proposed conversion of the existing Emergency Mobile Service Station to an Auto Body Repair Shop. This property is located within the Main Street Commercial District (C-2A) which does allow Motor Vehicle Service Stations per code Section 19-3.23.1(2)(b)3 of the Zoning Ordinance but are subject to the issuance of a Special Permit from the Planning Board provided that all of the following criteria are met;

- (i) No traffic hazard affecting the public safety will be present.
- (ii) No sale of gasoline shall be permitted to be established on any lot within a distance of 500 feet of an existing gasoline or filling station or of any lot for which a building permit has been issued for the erection of such a station or any use which includes gasoline pumps.
- (iii) No such establishment shall be within a distance of 200 feet of any school, public or private; religious institution, hospital, library, park, nursing home, extended care facility or any similar institution or other place of public assembly; said distance to be measured in a straight line along or across a street between the nearest points of each of the lots or premises, regardless of the district where either premises is located.
- (iv) No such establishment shall be within a distance of 30 feet of any R-1 through R-6, O-R or PRD District or a property on or eligible for a federal, state or local historic register.
- (v) Entrance and exit driveways shall have an unrestricted width of not less than 12 feet (one-way), nor more than 24 feet (two-ways); shall not be located nearer than 10 feet to any lot line; and shall be so laid out as to avoid the necessity of any vehicle backing into any public right-of-way.
- (vi) Vehicle lifts or pits, dismantled automobiles, all parts or supplies, goods, equipment, materials, refuse, garbage or debris shall be located within a building enclosed on all sides.



# BUILDING DEPARTMENT

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

Eric Philipp  
Building Inspector

- (vii) All service or repair of motor vehicles shall be conducted in a building enclosed on all sides. The requirement shall not be construed to mean that the doors to any repair shop must be kept closed at all times.
- (viii) Gasoline or flammable oils in bulk shall be stored fully underground, not nearer than 10 feet to any other lot line and the top of the tank shall be not less than two feet below the surface of the ground.
- (ix) Gasoline pumps or lubricating or other devices shall be located not nearer than 20 feet from any street or other lot line.

At this time without any proposed plans, this project will require an Area Variance from the Zoning Board of Appeals for Section 19-3.23.1(2)(b)3(iv) listed above and possibly for Section 19-4.3(11)(c) which requires 3 spaces for each work bay or 1 space per 300 square feet of gross floor area, whichever is greater, and 1 space for every 2 employees.

After a Special Permit is approved by the Planning Board along with all required Area Variances from 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  
[joebrien@cityofpoughkeepsie.com](mailto:joebrien@cityofpoughkeepsie.com)





# BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR

POUGHKEEPSIE, NY 12601

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

Eric Philipp  
Building Inspector

November 1<sup>st</sup>, 2023

Devanand Jaikarran  
16 Spyglass Hill Road  
Hopewell Junction NY 12533

Re: 16 Pershing Avenue  
ID # 382100  
Area Variance Application # ZBA-2023-040

To whom it may concern,

Upon further review of your Zoning Board of Appeals application for Area Variances, it has been determined that the proposed use is not permitted within the Main Street Commercial District (C-2A) and thus will require a Use Variance be granted by the Zoning Board of Appeals along with the previously identified Area Variances.

Although the previous determination from your zoning review request PD-2023-069 on 8/7/23 listed that the use as an Auto Body Repair Shop is permitted per Section 19-3.23.1(2)(b)3. subject to the issuance of a Special Permit by the Planning Board, based on the following definitions, this would not be the case.

- Automobile Service Stations are defined in Section 19-2.2 as any building, land area or other premises used or intended to be used for the retail dispensing or sales of automobile fuels, which activity may be accompanied by accessory uses such as sales of lubricants, tires, accessories or supplies, minor repairing of automobiles or a single-bay auto wash; provided, however, that automobile wrecking, major repairing of automobiles, parking or storing of automobiles for hire and the operation of more than one towing vehicle shall not be deemed permissible accessory uses of an "automobile service station."]
- Major Automobile Repair is defined in Section 19-2.2 as general repair, rebuilding or reconditioning of engines, motor vehicles or trailers, such as collision service, body repair and frame straightening; painting and upholstery; vehicle steam cleaning; and undercoating, or any activities defined as minor repairs, below, affecting trucks exceeding 1 1/2 tons' capacity.

Therefore, both Use and Area Variances will be required, after which Site Plan approval from the Planning Board will be required, not the issuance of a Special Permit by the Planning Board.



# BUILDING DEPARTMENT

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

**Eric Philipp**  
**Building Inspector**

If you have any questions, you may contact me at 845-451-4273 or at [jobrien@cityofpoughkeepsie.com](mailto:jobrien@cityofpoughkeepsie.com).

Sincerely,

Joseph O'Brien  
Deputy Zoning Administrator

44 Beechwood Ave. Poughkeepsie, NY  
12603\_1\_Application Form\_11/16/2023



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

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

**ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION**

PROPERTY ADDRESS: 44 Beechwood Ave Poughkeepsie, NY 12603  
ZONING DISTRICT: B-1

**OWNER INFORMATION:**

Name: Digna M. Ayala  
Address: 44 Beechwood Ave  
Poughkeepsie, NY 12603  
Phone: (917) 498-4982  
Email: DignaAyala@aol.com

**APPLICANT INFORMATION:**

Name: Digna M. Ayala  
Address: 44 Beechwood Ave  
Poughkeepsie, NY 12603  
Phone: (917) 498-4982  
Email: DignaAyala@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 - Deputy Zoning Administrator  
Date of decision/determination/violation: November 1<sup>st</sup> 2023 / Denial of application  
to replace of existing fence.  
Please note that a copy of the communication must be attached with this application.



**ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION**  
**PROPERTY ADDRESS:** 44 Beechwood Ave Poughkeepsie, NY 12603

**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                                                                                 |
|---------------|-----------------------|----------------------------------------------------------------------------------------------------|
| 19-4.14(3)(a) | Requiring 10 ft       | Requesting a variance of 3.2 ft to 2.5 ft along Northern lot line between 42 and 44 Beechwood Ave. |
| _____         | _____                 | _____                                                                                              |
| _____         | _____                 | _____                                                                                              |
| _____         | _____                 | _____                                                                                              |
| _____         | _____                 | _____                                                                                              |

**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. Attached Responses
- 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.

Owner Information:

Digna Ayala

44 Beechwood Ave

Poughkeepsie, NY 12603

Cell: (917) 498-4982

Email: DignaAyala@aol.com

Please see questions and answers to Variance Request Justification for Property Address:

**44 BEECHWOOD AVE POUGHKEEPSIE, NY 12603**

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

**Granting of variance will NOT produce an undesirable change or detriment to the neighborhood as there are numerous properties that have fencing on their lot lines to separate them from other properties.**

- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternative to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.) Why is the variance necessary?

**Due to the small area lots in the neighborhood, replacing the fence is the only option I have with no other methods feasibly to pursue. Variance would be necessary to keep my lot space separated from Mr. Strand, located at 42 Beechwood Ave. Poughkeepsie NY.**

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

**No- the area variance sort is between 2.5 and 3.2ft and the small lot size makes it impractical and impossible to relocate the fence anywhere else but at the present location.**

- 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 - It will NOT have an impact or affect on the physical or environmental conditions. It is a replacement fence for an existing 6x6 ft fence in the same location as the present fence.**

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

**NO- I bought the property in 2019 and the fence was constructed by a prior owner in the chain of title. It was already in place when I purchased the property.**

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION  
PROPERTY ADDRESS: 41 Beechwood Ave. Rye, NY 12603

LIST OF REQUIRED ATTACHMENTS

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

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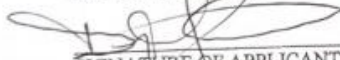
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SIGNATURE AND VERIFICATION

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

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

  
SIGNATURE OF APPLICANT

11/13/2023  
DATE

Diana M. Ajala  
Print Name



# **44 Beechwood Ave. Poughkeepsie, NY**

## **12603\_2\_Cover Letter\_11/16/2023**

Letter of Intent

In support of Request for Area Variance

44 Beechwood Ave. Poughkeepsie, NY 12603

This letter of intent is in support of my request for an area variance to replace the existing fence within the same footprint of prior fencing along the northern lot line between 42 and 44 Beechwood Ave. I purchased the property in 2019 and the fence currently in place was constructed by a prior owner in the chain of title. It was already in place when I purchased the property in which now the existing fence is beginning to rot at the posting and beginning to fall over onto Mr. Strands property. I have a contractor from Fence Builders USA who provided an estimated cost of \$5,454 to replace the existing fence with a new Standard Vinyl Privacy 6 Ft in Height with 1 taper panel and 1 wide gate.

Due to the small area lot in the neighborhood, replacing the fence is the only option I have therefore I am requesting a variance of 3.2ft to 2.5ft along the northern lot line between 42 and 44 Beechwood Ave. and hope to be granted a fence permit by the Board Of Appeals and Building Department of The City of Poughkeepsie to replace the existing fence and add fencing addressed on the plot plan.

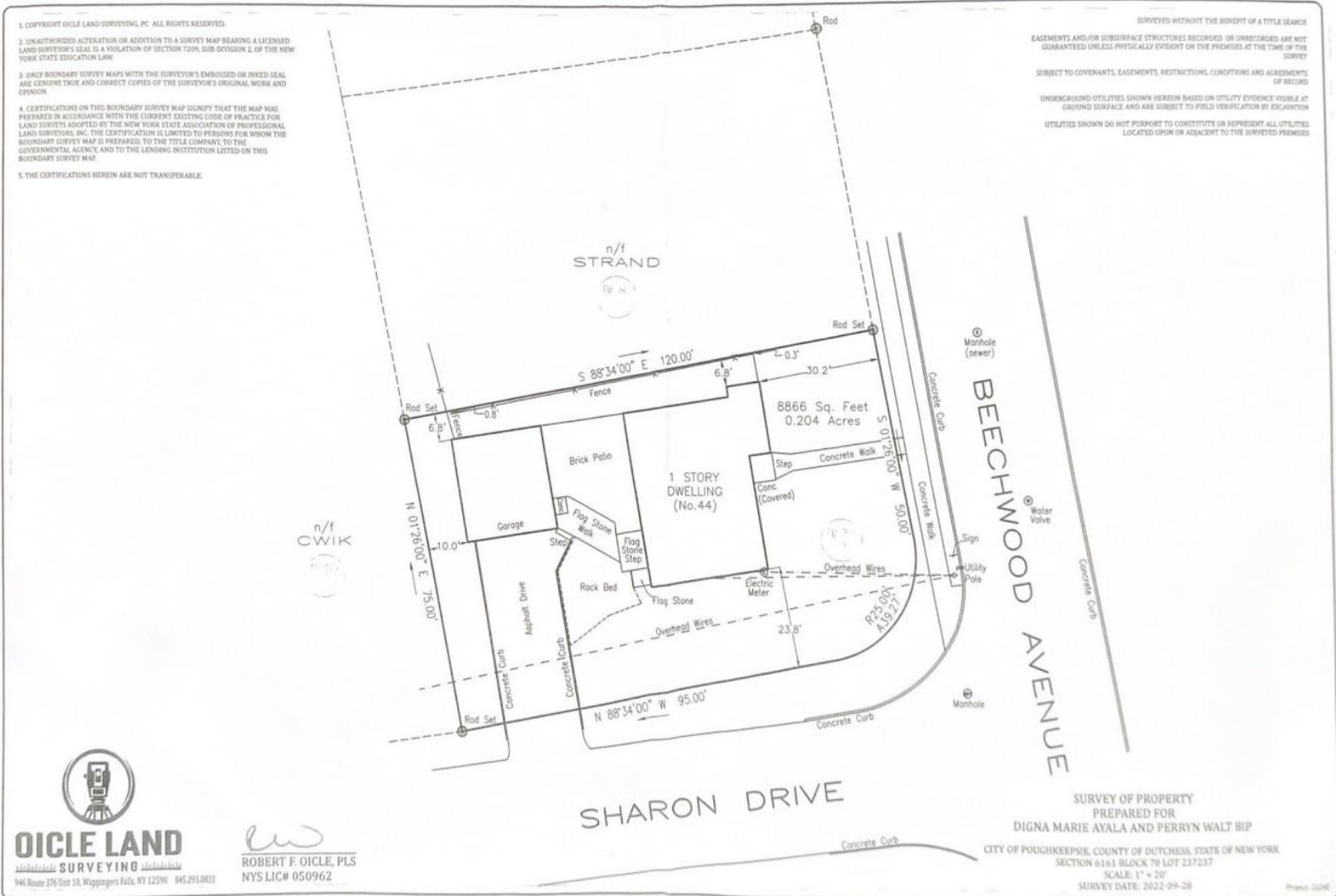
I would ask for the Board to consider that I am replacing the existing fence within the same footprint, there will be no undesirable change in the character of the neighborhood in fact the new fence would make the property look much improved within the neighborhood and could potentially result in an overall increase in property value and tax base created by improvements.

Thank You for your consideration.

Respectfully Submitted,

*Digna Ayala*

# 12603\_3\_Site Plan Set\_11/16/2023







Home Depot License #'s - For the most current listing visit [www.Homedepot.com/LicenseNumbers](http://www.Homedepot.com/LicenseNumbers)

Registration # (Req. in CA,CT,ME,MD,MI,NJ,DC)

Cross Street 2

A full-page view of a blank sheet of white graph paper. The grid consists of light gray horizontal and vertical lines forming small squares. A thicker black border runs along the left edge of the page.





## Fencing Quote/Specification

Home Depot License #'s - For the most current listing visit [www.Homedepot.com/LicenseNumbers](http://www.Homedepot.com/LicenseNumbers)

|                                                  |                                           |                                   |                                        |
|--------------------------------------------------|-------------------------------------------|-----------------------------------|----------------------------------------|
| <input type="text" value="Bip"/>                 | <input type="text" value="Perryn"/>       | <input type="text" value="1266"/> | <input type="text" value="F37650110"/> |
| Customer Last Name                               | Customer First Name                       | Store #/Branch Name               | Customer Lead/PO#                      |
| <input type="text" value="44 Beechwood Avenue"/> | <input type="text" value="Poughkeepsie"/> | <input type="text" value="NY"/>   | <input type="text" value="12603"/>     |
| Customer Address                                 | City                                      | State                             | Zip                                    |
| <input type="text" value="6466758280"/>          | <input type="text" value="6466758280"/>   | <input type="text"/>              | <input type="text"/>                   |
| Home Phone#                                      | Work Phone#                               | Cell Phone#                       | Cross Street 1                         |
|                                                  |                                           |                                   | Cross Street 2                         |

### Take Down and/or Haul Away

Includes posts being cut at grade; terminals and footings will not be pulled unless causing interference. Terminals and footings may be pulled if preferred for an additional charge.

|                                               |                                 |                                                                     |                                |            |
|-----------------------------------------------|---------------------------------|---------------------------------------------------------------------|--------------------------------|------------|
| <input checked="" type="checkbox"/> Take down | <input type="text" value="50"/> | lin/ft of                                                           | <input type="text" value="6"/> | high fence |
| <input checked="" type="checkbox"/> Haul Away | <input type="text" value="50"/> | lin/ft of                                                           | <input type="text" value="6"/> | high fence |
| Pulling of Existing Footing Included?         |                                 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                |            |

**\*\*ALL ADDITIONAL CHARGES INCLUDED IN SUBTOTALS ON PAGE 4\*\***

NOTES:

### Installation

Includes construction and installation of custom fencing in a variety of materials, including but not limited to: wood, vinyl, chain link, composite and ornamental metal.

Customer is responsible for removing landscaping, dirt, and adjusting grade before Installation begins. If not complete before installation begins, there may be an additional charge.

Additional charge for Landscaping and/or Grading

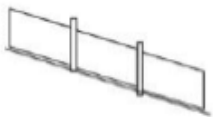
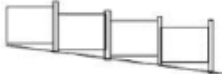
☒ Yes ☐ No

Additional charge for Dirt Removal

☐ Yes ☒ No

**\*\*ALL ADDITIONAL CHARGES INCLUDED IN SUBTOTALS ON PAGE 4\*\***

### FENCE INSTALLATION RELATED TO GRADE:

|                                                                                                                                                                         |                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>LEVEL</p>  <p>FENCE TO BE LEVEL WITH HIGHEST GRADE (CUSTOMER TO FILL IN GAPS)</p> | <p>FOLLOWING FLOW</p>  <p>SLIGHTLY UNEVEN GRADE WITH FENCE FOLLOWING FLOW OF GROUND FENCE WILL BE UNEVEN AT TOP</p> | <p>STEPPED INSTALLATION</p>  <p>STEEP SLOPE WHERE FENCE CANNOT "RACK" ENOUGH TO FOLLOW GRADE AND MUST BE STEPPED, RESULTING IN LARGE GAPS UNDER FENCE. (CUSTOMER TO FILL IN GAPS)</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

NOTES:

Additional charges may occur if the PROPERTY OWNER fails to clear a path 2 ft. wide on either side of the approved fence line



## Fencing Quote/Specification

|                                                  |                                           |                                   |                                        |                |
|--------------------------------------------------|-------------------------------------------|-----------------------------------|----------------------------------------|----------------|
| <input type="text" value="Bip"/>                 | <input type="text" value="Perryn"/>       | <input type="text" value="1266"/> | <input type="text" value="F37650110"/> |                |
| Customer Last Name                               | Customer First Name                       | Store #/Branch Name               | Customer Lead/PO#                      |                |
| <input type="text" value="44 Beechwood Avenue"/> | <input type="text" value="Poughkeepsie"/> | <input type="text" value="NY"/>   | <input type="text" value="12603"/>     |                |
| Customer Address                                 | City                                      | State                             | Zip                                    |                |
| <input type="text" value="6466758280"/>          | <input type="text" value="6466758280"/>   | <input type="text"/>              | <input type="text"/>                   |                |
| Home Phone#                                      | Work Phone#                               | Cell Phone#                       | Cross Street 1                         | Cross Street 2 |

|                                                                            |                             |                                                                                     |            |                                            |                      |                                    |
|----------------------------------------------------------------------------|-----------------------------|-------------------------------------------------------------------------------------|------------|--------------------------------------------|----------------------|------------------------------------|
| OPTION 1                                                                   | <input type="radio"/> LEVEL | <input checked="" type="radio"/> FOLLOWING FLOW                                     |            | <input type="radio"/> STEPPED INSTALLATION |                      |                                    |
|                                                                            | Material:                   | <input type="text" value="Standard Vinyl Privacy (V300) 1 Taper Panel 6FT to 4FT"/> |            | Style:                                     | <input type="text"/> |                                    |
|                                                                            | Height:                     | <input type="text" value="6 Foot"/>                                                 | Footage:   | <input type="text" value="128 Feet"/>      | Color:               | <input type="text" value="White"/> |
|                                                                            | Post Cap:                   | <input type="text" value="New England"/>                                            | Rail Type: | <input type="text"/>                       | Picket Type:         | <input type="text"/>               |
|                                                                            | Post Type:                  | <input type="text"/>                                                                | Estimate:  | <input type="text" value="\$"/>            | # of Gates:          | <input type="text"/>               |
| Description of Gates (including # and type of latches) & Additional Notes: |                             |                                                                                     |            |                                            |                      |                                    |
| <input type="text" value="1-Single-6FTx4FT"/>                              |                             |                                                                                     |            |                                            |                      |                                    |
| OPTION 2                                                                   | <input type="radio"/> LEVEL | <input type="radio"/> FOLLOWING FLOW                                                |            | <input type="radio"/> STEPPED INSTALLATION |                      |                                    |
|                                                                            | Material:                   | <input type="text"/>                                                                |            | Style:                                     | <input type="text"/> |                                    |
|                                                                            | Height:                     | <input type="text"/>                                                                | Footage:   | <input type="text"/>                       | Color:               | <input type="text"/>               |
|                                                                            | Post Cap:                   | <input type="text"/>                                                                | Rail Type: | <input type="text"/>                       | Picket Type:         | <input type="text"/>               |
|                                                                            | Post Type:                  | <input type="text"/>                                                                | Estimate:  | <input type="text" value="\$"/>            | # of Gates:          | <input type="text"/>               |
| Description of Gates (including # and type of latches) & Additional Notes: |                             |                                                                                     |            |                                            |                      |                                    |
| <input type="text"/>                                                       |                             |                                                                                     |            |                                            |                      |                                    |
| OPTION 3                                                                   | <input type="radio"/> LEVEL | <input type="radio"/> FOLLOWING FLOW                                                |            | <input type="radio"/> STEPPED INSTALLATION |                      |                                    |
|                                                                            | Material:                   | <input type="text"/>                                                                |            | Style:                                     | <input type="text"/> |                                    |
|                                                                            | Height:                     | <input type="text"/>                                                                | Footage:   | <input type="text"/>                       | Color:               | <input type="text"/>               |
|                                                                            | Post Cap:                   | <input type="text"/>                                                                | Rail Type: | <input type="text"/>                       | Picket Type:         | <input type="text"/>               |
|                                                                            | Post Type:                  | <input type="text"/>                                                                | Estimate:  | <input type="text" value="\$"/>            | # of Gates:          | <input type="text"/>               |
| Description of Gates (including # and type of latches) & Additional Notes: |                             |                                                                                     |            |                                            |                      |                                    |
| <input type="text"/>                                                       |                             |                                                                                     |            |                                            |                      |                                    |

This quote is valid for 10 days

NOTES:



### Fencing Quote/Specification

|                                                  |                                           |                                   |                                        |
|--------------------------------------------------|-------------------------------------------|-----------------------------------|----------------------------------------|
| <input type="text" value="Bip"/>                 | <input type="text" value="Perryn"/>       | <input type="text" value="1266"/> | <input type="text" value="F37650110"/> |
| Customer Last Name                               | Customer First Name                       | Store #/Branch Name               | Customer Lead/PO#                      |
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| Customer Address                                 | City                                      | State                             | Zip                                    |
| <input type="text" value="6466758280"/>          | <input type="text" value="6466758280"/>   | <input type="text" value=""/>     | <input type="text" value=""/>          |
| Home Phone#                                      | Work Phone#                               | Cell Phone#                       | Cross Street 1                         |
|                                                  |                                           |                                   | Cross Street 2                         |

**CUSTOMER AGREES TO:**☒ **OPTION 1**☐ **OPTION 2**☐ **OPTION 3****CUSTOMER RESPONSIBILITIES**☒ Confirm fence location / approve fence line and grading☒ Secure permits and other approvals☒ Clear landscaping and other above-ground obstacles☒ Be present and available before / during / after the build☒ Understand and identify underground obstacles**PERMIT/INSPECTION INFORMATION:**Permit Required? ☒ Yes ☐ No**Who will obtain it?**☒ Homeowner to obtain a permit (Service Provider requires a copy of permit before installation)☐ Service Provider to obtain permit

|                   |                                         |                                                                              |
|-------------------|-----------------------------------------|------------------------------------------------------------------------------|
| Selection Amount  | <input type="text" value="\$5,454.00"/> | Additional cost options and the prices in this column to the selection       |
| Demolition Amount | <input type="text" value="\$"/>         | Take Down and/or Haul Away                                                   |
| Permit Cost       | <input type="text" value="\$"/>         |                                                                              |
| Misc. Amount      | <input type="text" value="\$"/>         | Includes landscaping, grading, dirt removal (Explain in NOTES section below) |
| Subtotal          | <input type="text" value="\$5,454.00"/> |                                                                              |
| Sales Tax         | <input type="text" value="\$0"/>        |                                                                              |
| Total Amount      | <input type="text" value="\$5,454.00"/> |                                                                              |

☐ Stock Product ☒ Special Order Product**PLEASE SIGN YOUR NAME TO VALIDATE THAT YOU AGREE WITH THE OPTION(S) ABOVE.**

X *[Signature]*  
(Customer Signature)

(Date)

**NOTES:**

# 44 Beechwood Ave. Poughkeepsie, NY

## 12603\_5\_SEQRA\_11/16/2023

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

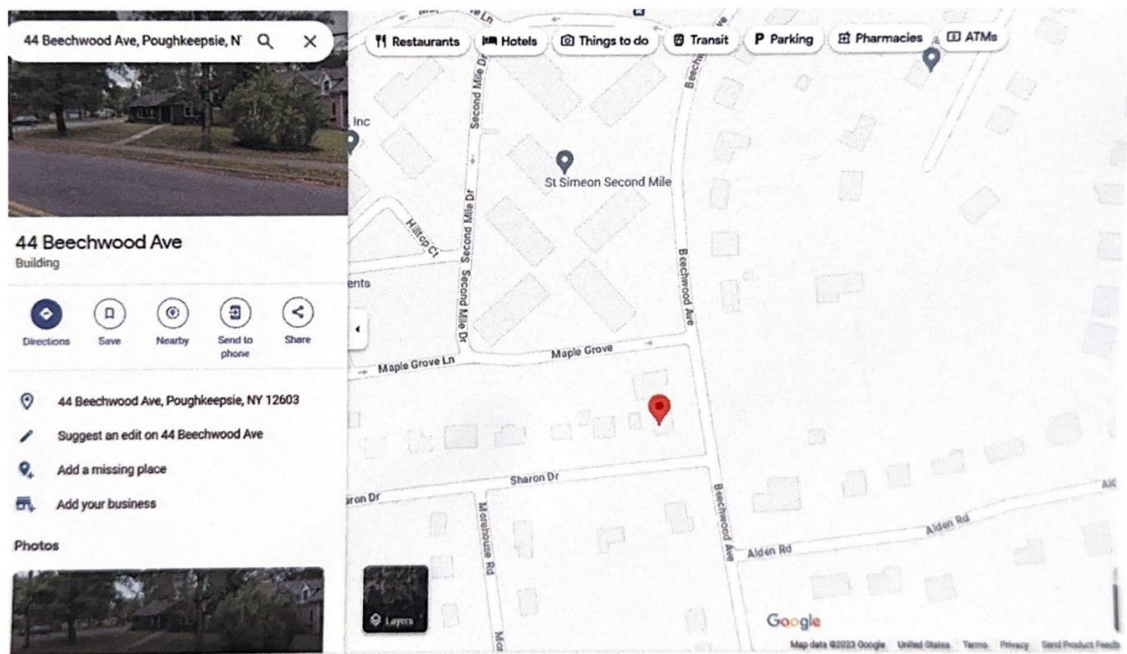
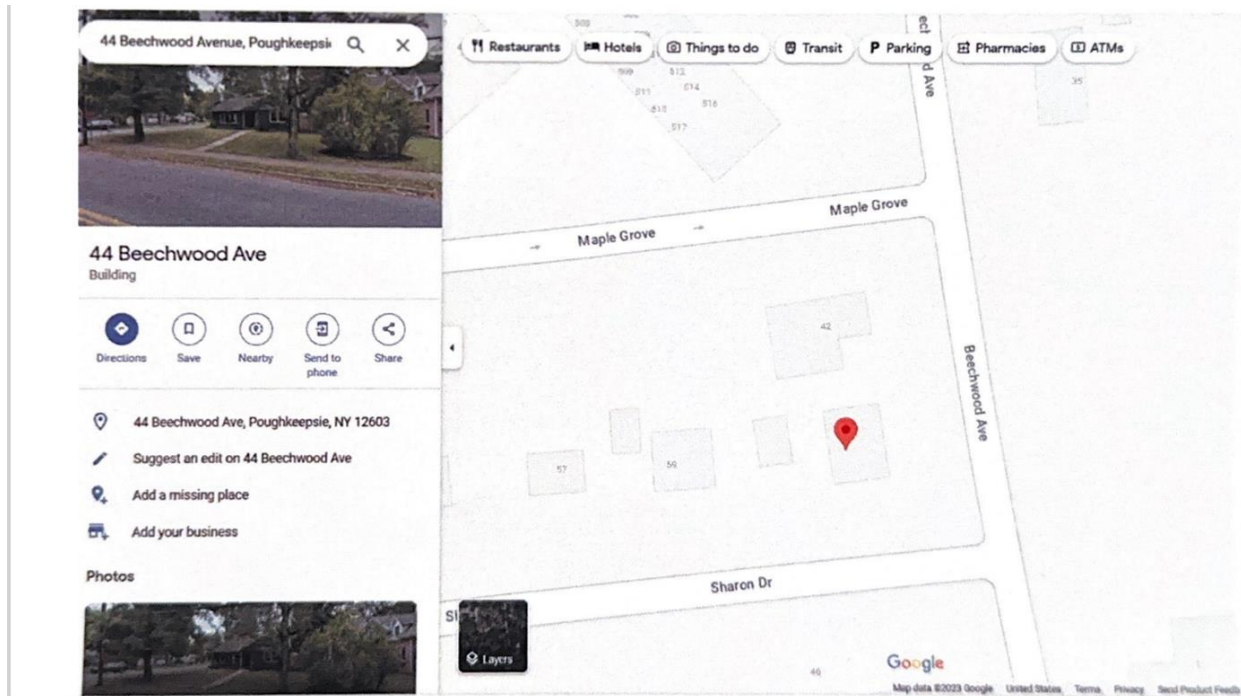
| <b>Part 1 – Project and Sponsor Information</b>                                                                                                                                                                    |  |                                                       |                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------|-------------------------------------|
| Name of Action or Project:<br>Replacing existing Fence between 42 and 44 Beechwood Ave                                                                                                                             |  |                                                       |                                     |
| Project Location (describe, and attach a location map):<br>44 Beechwood Ave Poughkeepsie, NY 12603                                                                                                                 |  |                                                       |                                     |
| Brief Description of Proposed Action:<br>Replacing the existing fence within same footprint of prior fence along the northern lot line between 42 and 44 Beechwood Ave.                                            |  |                                                       |                                     |
| Name of Applicant or Sponsor:<br>Digna M. Ayala                                                                                                                                                                    |  | Telephone: 917-498-4982<br>E-Mail: DignaAyala@aol.com |                                     |
| Address:<br>44 Beechwood Ave.                                                                                                                                                                                      |  |                                                       |                                     |
| City/PO:<br>Poughkeepsie                                                                                                                                                                                           |  | State:<br>NY                                          | Zip Code:<br>12603                  |
| 1. <u>Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</u>                                                                      |  | 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.         |  | <input checked="" type="checkbox"/>                   | <input type="checkbox"/>            |
| 2. <u>Does the proposed action require a permit, approval or funding from any other government Agency?</u>                                                                                                         |  | NO                                                    | YES                                 |
| If Yes, list agency(s) name and permit or approval: Fence Permit approval from the City of Poughkeepsie Building Department and Zoning Board of Appeals                                                            |  | <input type="checkbox"/>                              | <input checked="" type="checkbox"/> |
| 3. a. <u>Total acreage of the site of the proposed action?</u>                                                                                                                                                     |  | 0.00220386 acres                                      |                                     |
| b. <u>Total acreage to be physically disturbed?</u>                                                                                                                                                                |  | 0 acres                                               |                                     |
| c. <u>Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</u>                                                                                      |  | 0 acres                                               |                                     |
| 4. <u>Check all land uses that occur on, are adjoining or near the proposed action:</u>                                                                                                                            |  |                                                       |                                     |
| <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) |  |                                                       |                                     |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):                                                                     |  |                                                       |                                     |
| <input type="checkbox"/> Parkland                                                                                                                                                                                  |  |                                                       |                                     |



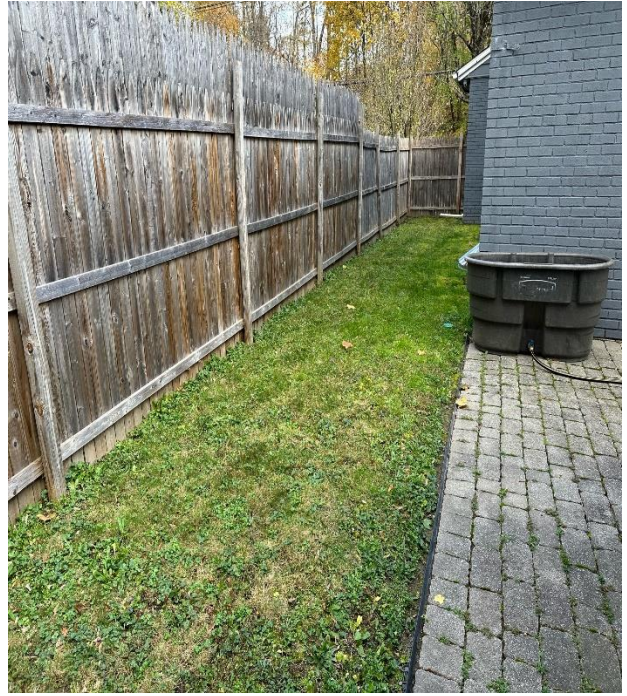
|                                                                                                                                                                                                                                                                                                                                                                                      |                                     |                                     |                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 5. Is the proposed action,                                                                                                                                                                                                                                                                                                                                                           | NO                                  | YES                                 | N/A                                 |
| a. <u>[A permitted use under the zoning regulations?]</u>                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. <u>[Consistent with the adopted comprehensive plan?]</u>                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 6. <u>[Is the proposed action consistent with the predominant character of the existing built or natural landscape?]</u>                                                                                                                                                                                                                                                             | NO                                  | YES                                 |                                     |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                                     |
| 7. <u>[Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?]</u>                                                                                                                                                                                                                                                            | NO                                  | YES                                 |                                     |
| If Yes, identify: _____                                                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 8. a. <u>[Will the proposed action result in a substantial increase in traffic above present levels?]</u>                                                                                                                                                                                                                                                                            | NO                                  | YES                                 |                                     |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| b. Are public transportation services available at or near the site of the proposed action?                                                                                                                                                                                                                                                                                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 9. <u>[Does the proposed action meet or exceed the state energy code requirements?]</u>                                                                                                                                                                                                                                                                                              | NO                                  | YES                                 |                                     |
| If the proposed action will exceed requirements, describe design features and technologies:<br>_____<br>_____                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 10. <u>[Will the proposed action connect to an existing public/private water supply?]</u>                                                                                                                                                                                                                                                                                            | NO                                  | YES                                 |                                     |
| If No, describe method for providing potable water: _____<br>The proposed action does not require a public/private water supply                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 11. <u>[Will the proposed action connect to existing wastewater utilities?]</u>                                                                                                                                                                                                                                                                                                      | NO                                  | YES                                 |                                     |
| If No, describe method for providing wastewater treatment: _____<br>The proposed action will not require to connect to wastewater utility or facility                                                                                                                                                                                                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? | NO                                  | YES                                 |                                     |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 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?                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| 13. a. <u>[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?]</u>                                                                                                                                                                                    | NO                                  | YES                                 |                                     |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?                                                                                                                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                                     |
| If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____<br>_____<br>_____                                                                                                                                                                                                                                                                 |                                     |                                     |                                     |

|                                                                                                                                                                                                                                                                                     |                                     |                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:                                                                                                                                                          |                                     |                               |
| <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban |                                     |                               |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?                                                                                                              | NO                                  | YES                           |
|                                                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>      |
| 16. Is the project site located in the 100-year flood plan?                                                                                                                                                                                                                         | NO                                  | YES                           |
|                                                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>      |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?                                                                                                                                                                                  | NO                                  | YES                           |
| If Yes,                                                                                                                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>      |
| a. Will storm water discharges flow to adjacent properties?                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>      |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>      |
| If Yes, briefly describe:                                                                                                                                                                                                                                                           |                                     |                               |
| <hr/> <hr/>                                                                                                                                                                                                                                                                         |                                     |                               |
| 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)?                                                                                                    | NO                                  | YES                           |
| If Yes, explain the purpose and size of the impoundment:                                                                                                                                                                                                                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>      |
| <hr/> <hr/>                                                                                                                                                                                                                                                                         |                                     |                               |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?                                                                                                                                          | NO                                  | YES                           |
| If Yes, describe:                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>      |
| <hr/> <hr/>                                                                                                                                                                                                                                                                         |                                     |                               |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?                                                                                                                                        | NO                                  | YES                           |
| If Yes, describe:                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>      |
| <hr/> <hr/>                                                                                                                                                                                                                                                                         |                                     |                               |
| <b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>                                                                                                                                                                               |                                     |                               |
| Applicant/sponsor name: <u>Digna M. Ayala</u>                                                                                                                                                                                                                                       |                                     | Date: <u>11/13/2023</u>       |
| Signature:                                                                                                                                                                                       |                                     | Title: <u>Applicant/owner</u> |

PRINT FORM









**44 Beechwood Ave. Poughkeepsie, NY**  
**12603\_6\_Supplemental\_11/16/2023**

Required Letter or communication which resulted in application to the ZBA

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**BUILDING DEPARTMENT**

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

Eric Philipp  
Building Inspector

November 1<sup>st</sup>, 2023

Digna Ayala  
44 Beechwood Avenue  
Poughkeepsie NY 12603

RE: 44 Beechwood Avenue  
ID: 028130  
Application # BP-23-1696

To whom it may concern,

The Building Department has received your application # BP-23-1696 to install a 6' high fence located at 44 Beechwood Avenue. Please be advised that the property at 44 Beechwood Avenue is located in an area of the City zoned Low-Density Residence District (R-1). Please note that the proposed location of the fence will require an Area Variance be granted by the Zoning Board of Appeals as per Section 19-4.14(3)(a) requires that no fence shall be permitted nearer than 10 feet to any wall or an adjoining building that contains legal windows. The proposed northern fence ranges from 6.8' in the front to 7.5' in the rear from the northern wall of the building located at 44 Beechwood Avenue.

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





**THE CITY OF POUGHKEEPSIE  
NEW YORK**

**PLANNING & ZONING**  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601

Phone: (845) 451-4055 Fax: (845) 451-4006

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

**ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION**

**PROPERTY ADDRESS:** 29 Gifford St

**ZONING DISTRICT:** R4

**OWNER INFORMATION:**

**Name:** Shauna Powell

**Address:** 26-51 95 st., East Elmhurst, NY, 11369

**Phone:** 646 288-1714

**Email:** powell4shauna@yahoo.com

**APPLICANT INFORMATION:**

**Name:** Jon Moss

**Address:** Berg Moss Architects  
473 Main St, Beacon, NY 12508

**Phone:** (845) 831-1318

**Email:** jon@bergmoss.com

**CONSULTANT INFORMATION:**

**Name:** Jon Moss

**Address:** Berg Moss Architects  
473 Main St, Beacon, NY 12508

**Phone:** (845) 831-1318

**Email:** jon@bergmoss.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:** Jonathan Moss, Architect

**Date of decision/determination/violation:** October 27th, 2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION  
**PROPERTY ADDRESS:** 29 Giford Ave

**AREA VARIANCE REQUESTS**

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

| <b>SECTION</b>                   | <b>REQUIRING/PROHIBITING</b> | <b>REQUESTED VARIANCE</b>                                                                                                                |
|----------------------------------|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| 1. <u>Section 19-3.15(4)(c)1</u> | <u>6,600sf of lot area</u>   | <u>2820sf (3780 provided)</u>                                                                                                            |
| 2. <u>Section 19-3.15(4)(e)2</u> | <u>½ height =17.125</u>      | <u>14.32', 7.66' (2.8, 9.48 provided)</u>                                                                                                |
| 3. <u>Section 19-3.15(4)(i)</u>  | <u>40' min dimensions</u>    | <u>31.18' dimensions</u><br><u>(956 s.f., 8.92 min dim provided</u><br><u>2 (3 provided)</u>                                             |
| 4. <u>Section 19-4.3(11)(a)</u>  | <u>5 parking spaces.</u>     | <u>2 (3 provided)</u>                                                                                                                    |
| 5. <u>Section 19-4.3(5)(a)</u>   | <u>15' access</u>            | <u>6.00' (9.00 provided on site)</u>                                                                                                     |
| 6. <u>Section 19-4.11</u>        | <u>Screening</u>             | <u>Portions of the site have adjacent</u><br><u>buildings right next to the property line,</u><br><u>a fence would limit maintenance</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.

- 1) *Will the granting of the variance produce an undesirable change in the character of the neighborhood be a detriment to nearby properties? If not, please explain why.*

No. The building has been used as a three family. Proposal will establish more off-street parking, reducing the burden on the neighborhood. There is no change to the appearance or bulk 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?*

No, the building is already fit out as a 3 family. The building is existing and there is no way to avoid the variances without demolishing the building.

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

The building is existing, with no proposed change to bulk. Use has been as a non-legalized 3 family, this will legalize it and increase the off-street parking. The 2<sup>nd</sup> and 3<sup>rd</sup> floor units are small and would function more like Studio apartments, which would mean that the actual parking requirement could be considered to be 3.5 spaces with only 700 s.f. of open area which are basically achieved on site.

The access variance is reasonable because 2 of the 3 spaces have over 24', and the third has only the portion of the turnabout reduced to 9'. While we could pave more of the lot to avoid this variance, it would increase the impenetrable surface area and remove an existing tree without increasing the functionality in any substantial way.

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

The building is existing, with no proposed change to bulk. Use has been as a non-legalized 3 family, this will legalize it and increase the off-street parking improving the conditions for the neighborhood.

- 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 building is existing, with no proposed change to bulk. This is a legalization of an existing use that occurred prior to purchase by the current owner.



ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION  
PROPERTY ADDRESS: 29 Gifford 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):

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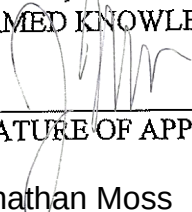
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SIGNATURE AND VERIFICATION

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

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

  
\_\_\_\_\_  
SIGNATURE OF APPLICANT

11/6/23  
\_\_\_\_\_  
DATE

Jonathan Moss  
\_\_\_\_\_  
Print Name



# BUILDING DEPARTMENT

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

Eric Philipp  
Building Inspector

October 27<sup>th</sup>, 2023

Jonathan Moss/Berg Moss Architects

Re: 29 Gifford Avenue  
ID: 182100  
Zoning Review Request PD-2023-091

Dear Applicant,

The Development Department is in receipt of your zoning review request relative to the property at 29 Gifford Avenue and the proposed conversion of the existing building from a Single-family dwelling into a Three family dwelling containing all 1-bedroom 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. Although a plot plan was provided, it was not provided to scale or with all required dimensions to conduct a comprehensive review of the project. Some possible deficiencies have been identified which would require Area Variances from the Zoning Board of Appeals which are as follows.

1. Section 19-3.15(4)(c)1 will require 6,600sf of lot area for the proposed use. The existing lot area contains only 3,780sf.
2. Section 19-3.15(4)(e)2 requires the side yard to be half the height of the structure closest to the property line or 15 feet, whichever is greater. A height was not provided of the building to determine the required side yards, but the western side yard dimension is provided which is only 2'9.5" wide.
3. Section 19-3.15(4)(i) requires 900sf of usable open space with a minimum dimension of 40'x 30'. Although a plot plan was provided, the plan is not to scale and does not provide the required dimensions to check for compliance. Also please note the portion of open space between the building and proposed parking cannot count towards the required square footage as it would not meet the dimensional requirement.
4. Section 19-4.3(11)(a) will require 5 parking spaces. The plot plan shows only 3 parking spaces provided.
5. Section 19-4.3(5)(a) requires that access shall consist of at least one fifteen-foot wide lane for parking areas with fewer than 20 spaces. The provided plans are not to scale nor do they provide the required dimensions to check for compliance with this section.
6. Section 19-4.3(5)(b) requires that parking spaces shall be not less than 20 feet long nor less than nine feet wide. The provided plans are not to scale nor do they provide the required dimensions to check for compliance with this section.



# BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR

POUGHKEEPSIE, NY 12601

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

**Eric Philipp**  
**Building Inspector**

7. **Section 19-4.3(5)(c)** requires that off-street parking areas shall be adequately illuminated for convenience and safety, but no lighting for parking areas shall cause glare on adjoining property. No proposed lighting was shown on the provided plans.
8. **Section 19-4.11** requires landscaping and screening for improved multifamily properties as detailed further in this section. The provided plot plan does not show any proposed landscaping or screening as required by this section. Please note that either landscaping or an opaque wall/fence can be used for screening purposes.

After all Area Variances are granted by the Zoning Board of Appeals, you would then need to file all required Building permits and obtain an issued Certificate of Occupancy from the Building Department.

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

***Joseph D. O'Brien***

Deputy Zoning Administrator

Office - 845-451-4273

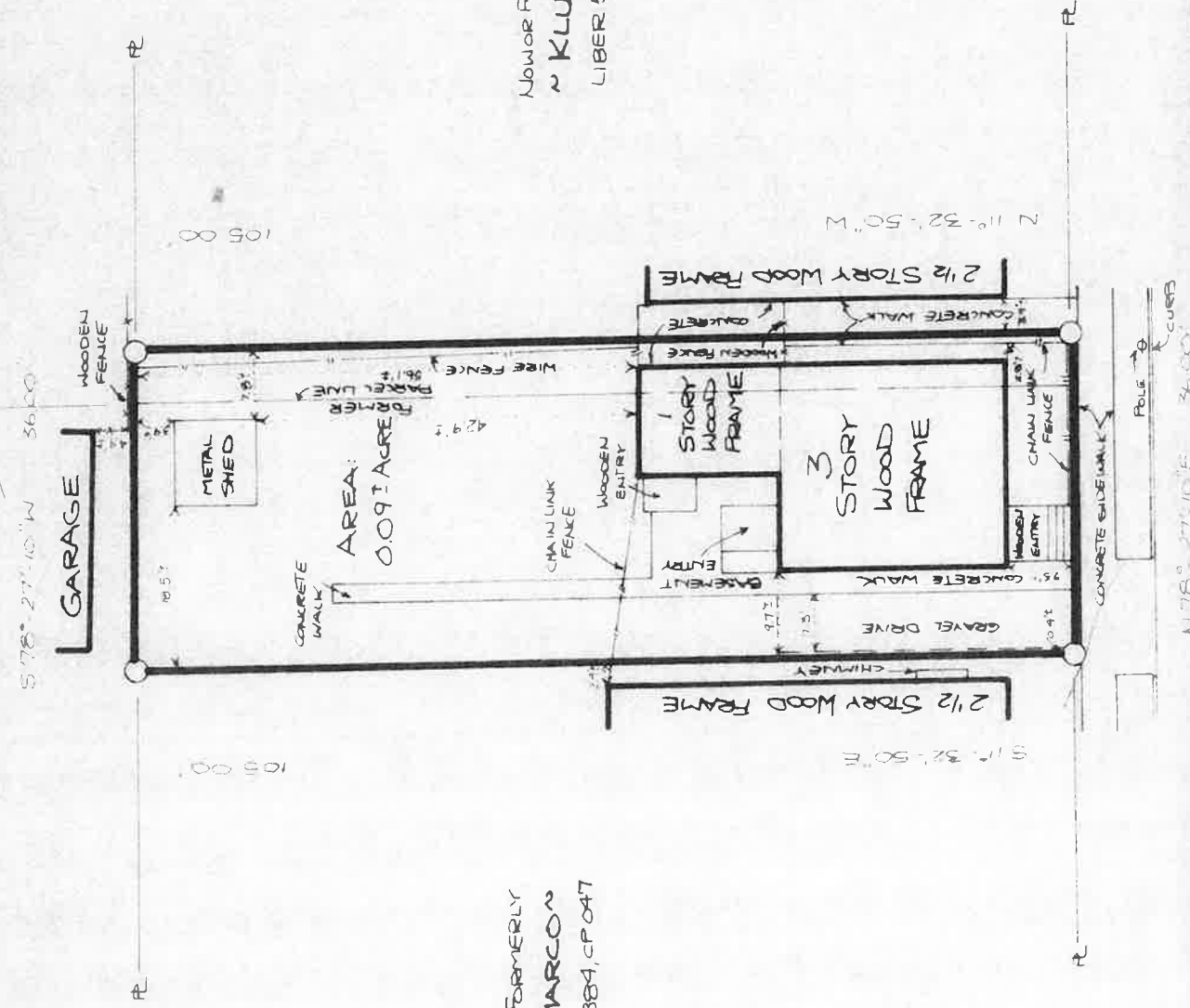
[jobrien@cityofpoughkeepsie.com](mailto:jobrien@cityofpoughkeepsie.com)

NOW OR FORMERLY  
"TREMARCON"  
LIBER 884, CP 047

NOW OR FORMERLY  
"LOPANJE"  
LIBER 1527, CP 560

NOW OR FORMERLY  
"TREMARCON"  
LIBER 884, CP 047

NOW OR FORMERLY  
"KLUMP"  
LIBER 582, CP 064



GIFFORD AVENUE

MAP OF SURVEY  
PREPARED FOR

**LNA REAL ESTATE DEVELOPMENT CORP.**

CITY OF ROUGHKEEPSIE  
SCALE 1" = 20 FEET

DUTCHESS COUNTY, NY  
AUGUST 4, 1988  
REDATED: AUGUST 16, 1988

IT IS HEREBY CERTIFIED THAT THIS SURVEY  
HAS BEEN PREPARED FOLLOWING ACCEPTED  
PROFESSIONAL STANDARDS FOR TITLE SURVEYS.

CERTIFIED TO:

LNA REAL ESTATE DEVELOPMENT CORP.  
COMMONWEALTH LAND TITLE INSURANCE COMPANY

PREPARED BY:

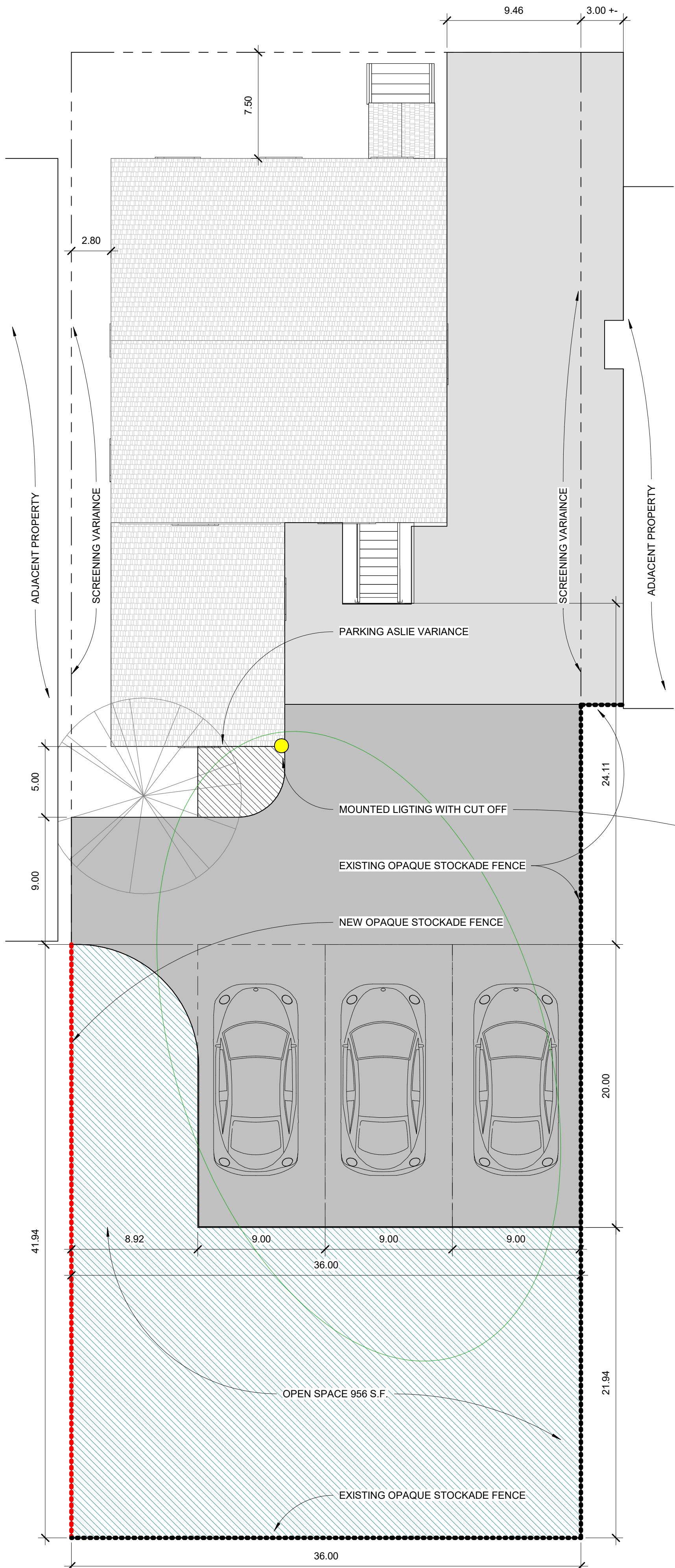
J. WILLIAM KOMISAR,  
2 1/2 SO. CLINTON STREET  
ROUGHKEEPSIE, N.Y. 12601  
(914) 485-2626



73088

NOTE: SURVEYED AS IN POSSESSION  
AND AS PER RECORDED DEEDS





# 29 GIFFORD AVENUE

## CONVERSION OF 1 FAMILY TO 3 FAMILY

| Sheet List   |               |                       |
|--------------|---------------|-----------------------|
| Sheet Number | Sheet Name    | Current Revision Date |
| T-000.00     | TITLE SHEET   | 11/6/23               |
| G-000.01     | PHOTO         | 11/6/23               |
| G001.00      | GENERAL NOTES | 11/6/23               |
| A101.00      | FLOOR PLANS   | 11/6/23               |

| R-4 LOT AND BULK REQUIREMENTS |                                 | VARIANCE REQ                                                     |
|-------------------------------|---------------------------------|------------------------------------------------------------------|
| 1. Section 19-3.15(4)(c)1     | 6,600sf of lot area             | 2820sf (3780 provided)                                           |
| 2. Section 19-3.15(4)(e)2     | 1/2 height = 17.125             | 14.32', 7.66' (2.8, 9.48 provided)                               |
| 3. Section 19-3.15(4)(i)      | 900sf Open<br>40' min dimension | 31.18' dimensions<br>(956 s.f., provided, least dimension 8.92') |
| 4. Section 19-4.3(11)(a)      | 5 parking spaces.               | 2 (3 provided)                                                   |
| 5. Section 19-4.3(5)(a)       | 15' access                      | 6' (9.00 provided on site)                                       |
| 6. Section 19-4.11            | Screening                       | No screening. Portion of property                                |



### Product Overview

Series GK0FDG11 Flood Lights are designed to provide superior performance and efficiency for exterior lighting applications. Power & CCT Adjustment Controls are standard on all models, enabling the lighting professional to adjust light output to meet varied project requirements.

### Key Features

- CONSTRUCTION:**
  - Rugged design with die-cast aluminum housing with integrated heat sink fan.
  - Housing has direct contact with the drive to help maintain low temperature and long lifespan.
  - Internally mounted LED chips maximize efficiency and performance.
- FINISH:**
  - The exterior is protected by a rust-resistant powder coat finish that provides superior resistance to weathering and corrosion.
- WARRANTY:**
  - 5 Year Limited Warranty.
- CONTROL:**
  - 100% dimmable light distribution created by the integrated white reflector.
  - 100% dimmable light distribution created by the integrated white reflector.
  - 100% dimmable light distribution created by the integrated white reflector.
- INSTALLATION:**
  - 100% dimmable light distribution created by the integrated white reflector.
  - 100% dimmable light distribution created by the integrated white reflector.
  - 100% dimmable light distribution created by the integrated white reflector.

### Performance Data

| Lumen Output |          | 3000K(70CRI) |          | 4000K(70CRI) |          | 5000K(70CRI) |          |
|--------------|----------|--------------|----------|--------------|----------|--------------|----------|
| System Watts | Voltage  | Lumens       | Efficacy | Lumens       | Efficacy | Lumens       | Efficacy |
| 15W          | 120-277V | 2500lm       | 157 lm/W | 2500lm       | 157 lm/W | 2500lm       | 157 lm/W |
| 27W          | 120-277V | 3500lm       | 129 lm/W | 3500lm       | 129 lm/W | 3500lm       | 129 lm/W |
| 40W          | 120-277V | 5000lm       | 125 lm/W | 5000lm       | 125 lm/W | 5000lm       | 125 lm/W |
| 60W          | 120-277V | 7500lm       | 125 lm/W | 7500lm       | 125 lm/W | 7500lm       | 125 lm/W |
| 90W          | 120-277V | 11000lm      | 122 lm/W | 11000lm      | 122 lm/W | 11000lm      | 122 lm/W |
| 120W         | 120-277V | 15000lm      | 125 lm/W | 15000lm      | 125 lm/W | 15000lm      | 125 lm/W |

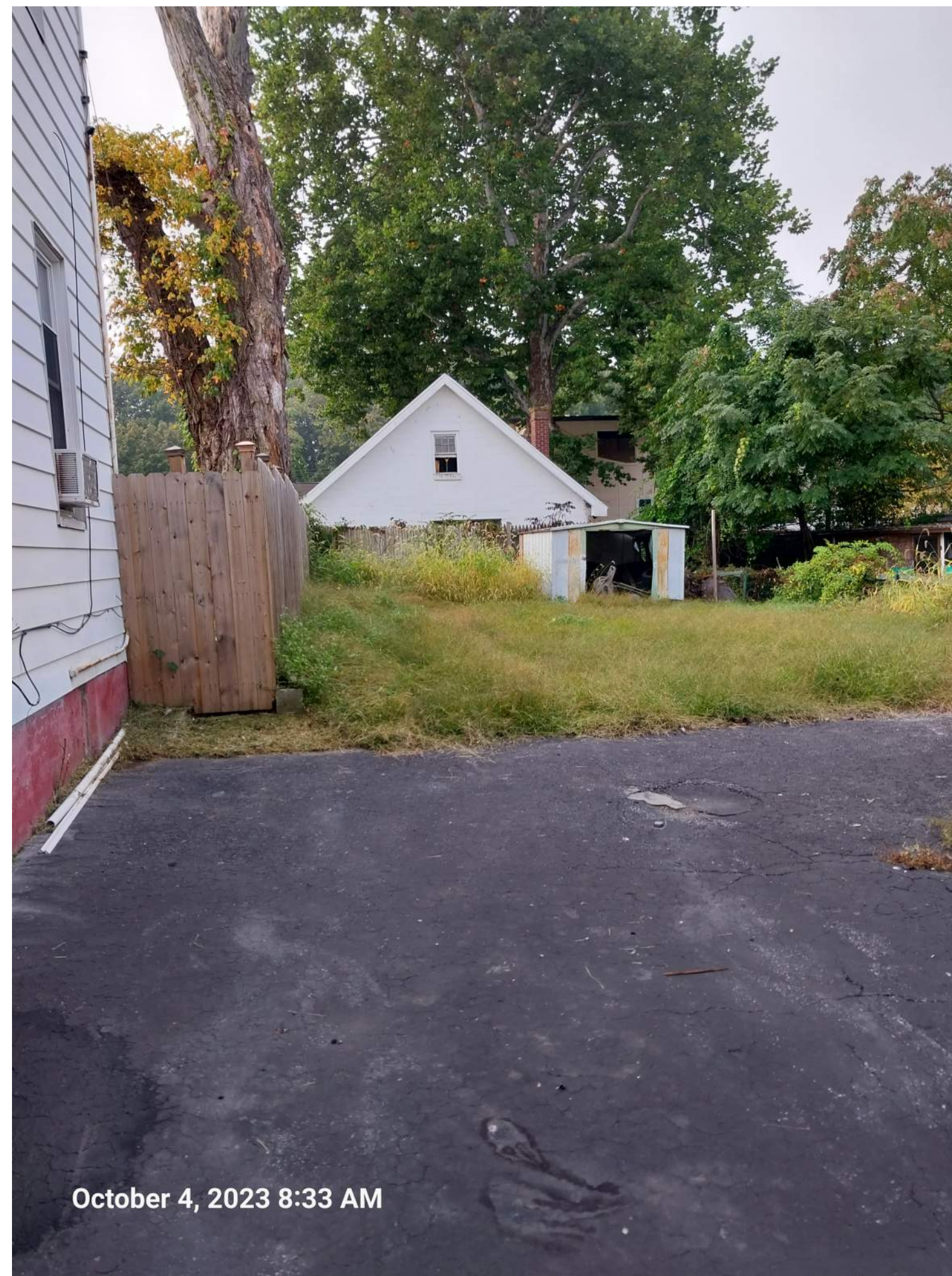
### Adjustable Lumen Output Table

| Setting |       | 15W  | 27W  | 40W  | 60W  | 90W  | 120W |
|---------|-------|------|------|------|------|------|------|
| 100%    | 10.3  | 2088 | 2723 | 3572 | 5046 | 6535 | 8436 |
| 80%     | 12.63 | 1790 | 2334 | 3086 | 4242 | 5424 | 7144 |
| 60%     | 15.03 | 1485 | 1932 | 2534 | 3396 | 4242 | 5424 |
| 40%     | 17.15 | 1245 | 1614 | 2088 | 2832 | 3572 | 4536 |

### Electrical Data

| Number of Drivers<br>in Process | Driver Current<br>(mA) | Maximal Power<br>(W) | Input Voltage<br>(V) | Current<br>Efficiency (%) |
|---------------------------------|------------------------|----------------------|----------------------|---------------------------|
| 1                               | 230                    | 15                   | 268                  | 0.13                      |
|                                 | 400                    | 27                   | 268                  | 0.23                      |
|                                 | 600                    | 40                   | 268                  | 0.33                      |
|                                 | 800                    | 53                   | 268                  | 0.43                      |
|                                 | 1000                   | 66                   | 268                  | 0.53                      |
| 2                               | 230                    | 15                   | 268                  | 0.26                      |
|                                 | 400                    | 27                   | 268                  | 0.46                      |
|                                 | 600                    | 40                   | 268                  | 0.66                      |
|                                 | 800                    | 53                   | 268                  | 0.86                      |
|                                 | 1000                   | 66                   | 268                  | 1.06                      |
| 3                               | 230                    | 15                   | 268                  | 0.39                      |
|                                 | 400                    | 27                   | 268                  | 0.69                      |
|                                 | 600                    | 40                   | 268                  | 0.89                      |
|                                 | 800                    | 53                   | 268                  | 1.09                      |
|                                 | 1000                   | 66                   | 268                  | 1.29                      |
| 4                               | 230                    | 15                   | 268                  | 0.52                      |
|                                 | 400                    | 27                   | 268                  | 0.92                      |
|                                 | 600                    | 40                   | 268                  | 1.12                      |
|                                 | 800                    | 53                   | 268                  | 1.32                      |
|                                 | 1000                   | 66                   | 268                  | 1.52                      |
| 5                               | 230                    | 15                   | 268                  | 0.65                      |
|                                 | 400                    | 27                   | 268                  | 1.25                      |
|                                 | 600                    | 40                   | 268                  | 1.65                      |
|                                 | 800                    | 53                   | 268                  | 2.05                      |
|                                 | 1000                   | 66                   | 268                  | 2.45                      |
| 6                               | 230                    | 15                   | 268                  | 0.78                      |
|                                 | 400                    | 27                   | 268                  | 1.58                      |
|                                 | 600                    | 40                   | 268                  | 2.18                      |
|                                 | 800                    | 53                   | 268                  | 2.78                      |
|                                 | 1000                   | 66                   | 268                  | 3.18                      |
| 7                               | 230                    | 15                   | 268                  | 0.91                      |
|                                 | 400                    | 27                   | 268                  | 1.91                      |
|                                 | 600                    | 40                   | 268                  | 2.51                      |
|                                 | 800                    | 53                   | 268                  | 3.11                      |
|                                 | 1000                   | 66                   | 268                  | 3.71                      |
| 8                               | 230                    | 15                   | 268                  | 1.04                      |
|                                 | 400                    | 27                   | 268                  | 2.24                      |
|                                 | 600                    | 40                   | 268                  | 3.04                      |
|                                 | 800                    | 53                   | 268                  | 3.84                      |
|                                 | 1000                   | 66                   | 268                  | 4.64                      |
| 9                               | 230                    | 15                   | 268                  | 1.17                      |
|                                 | 400                    | 27                   | 268                  | 2.67                      |
|                                 | 600                    | 40                   | 268                  | 3.67                      |
|                                 | 800                    | 53                   | 268                  | 4.67                      |
|                                 | 1000                   | 66                   | 268                  | 5.67                      |
| 10                              | 230                    | 15                   | 268                  | 1.30                      |
|                                 | 400                    | 27                   | 268                  | 3.17                      |
|                                 | 600                    | 40                   | 268                  | 4.37                      |
|                                 | 800                    | 53                   | 268                  | 5.57                      |
|                                 | 1000                   | 66                   | 268                  | 6.77                      |
| 11                              | 230                    | 15                   | 268                  | 1.43                      |
|                                 | 400                    | 27                   | 268                  | 3.63                      |
|                                 | 600                    | 40                   | 268                  | 5.03                      |
|                                 | 800                    | 53                   | 268                  | 6.43                      |
|                                 | 1000                   | 66                   | 268                  | 7.83                      |
| 12                              | 230                    | 15                   | 268                  | 1.56                      |
|                                 | 400                    | 27                   | 268                  | 4.13                      |
|                                 | 600                    | 40                   | 268                  | 5.73                      |
|                                 | 800                    | 53                   | 268                  | 7.33                      |
|                                 | 1000                   | 66                   | 268                  | 8.93                      |
| 13                              | 230                    | 15                   | 268                  | 1.69                      |
|                                 | 400                    | 27                   | 268                  | 4.53                      |
|                                 | 600                    | 40                   | 268                  | 6.33                      |
|                                 | 800                    | 53                   | 268                  | 8.13                      |
|                                 | 1000                   | 66                   | 268                  | 9.93                      |
| 14                              | 230                    | 15                   | 268                  | 1.82                      |
|                                 | 400                    | 27                   | 268                  | 4.93                      |
|                                 | 600                    | 40                   | 268                  | 6.93                      |
|                                 | 800                    | 53                   | 268                  | 8.93                      |
|                                 | 1000                   | 66                   | 268                  | 10.93                     |
| 15                              | 230                    | 15                   | 268                  | 1.95                      |
|                                 | 400                    | 27                   | 268                  | 5.43                      |
|                                 | 600                    | 40                   | 268                  | 7.63                      |
|                                 | 800                    | 53                   | 268                  | 9.83                      |
|                                 | 1000                   | 66                   | 268                  | 12.03                     |
| 16                              | 230                    | 15                   | 268                  | 2.08                      |
|                                 | 400                    | 27                   | 268                  | 5.93                      |
|                                 | 600                    | 40                   | 268                  | 8.33                      |
|                                 | 800                    | 53                   | 268                  | 10.73                     |
|                                 | 1000                   | 66                   | 268                  | 13.13                     |
| 17                              | 230                    | 15                   | 268                  | 2.21                      |
|                                 | 400                    | 27                   | 268                  | 6.43                      |
|                                 | 600                    | 40                   | 268                  | 9.03                      |
|                                 | 800                    | 53                   | 268                  | 11.63                     |
|                                 | 1000                   | 66                   | 268                  | 14.23                     |
| 18                              | 230                    | 15                   | 268                  | 2.34                      |
|                                 | 400                    | 27                   | 268                  | 6.93                      |
|                                 | 600                    | 40                   | 268                  | 9.73                      |
|                                 | 800                    | 53                   | 268                  | 12.53                     |
|                                 | 1000                   | 66                   | 268                  | 15.33                     |
| 19                              | 230                    | 15                   | 268                  | 2.47                      |
|                                 | 400                    | 27                   | 268                  | 7.43                      |
|                                 | 600                    | 40                   | 268                  | 10.43                     |
|                                 | 800                    | 53                   | 268                  | 13.43                     |
|                                 | 1000                   | 66                   | 268                  | 16.43                     |
| 20                              | 230                    | 15                   | 268                  | 2.60                      |
|                                 | 400                    | 27                   | 268                  | 7.93                      |
|                                 | 600                    | 40                   | 268                  | 11.03                     |
|                                 | 800                    | 53                   | 268                  | 14.13                     |
|                                 | 1000                   | 66                   | 268                  | 17.23                     |
| 21                              | 230                    | 15                   | 268                  | 2.73                      |
|                                 | 400                    | 27                   | 268                  | 8.43                      |
|                                 | 600                    | 40                   | 268                  | 11.73                     |
|                                 | 800                    | 53                   | 268                  | 15.03                     |
|                                 | 1000                   | 66                   | 268                  | 18.33                     |
| 22                              | 230                    | 15                   | 268                  | 2.86                      |
|                                 | 400                    | 27                   | 268                  | 8.93                      |
|                                 | 600                    | 40                   | 268                  | 12.43                     |
|                                 | 800                    | 53                   | 268                  | 15.93                     |
|                                 | 1000                   | 66                   | 268                  | 19.43                     |
| 23                              | 230                    | 15                   | 268                  | 2.99                      |
|                                 | 400                    | 27                   | 268                  | 9.43                      |
|                                 | 600                    | 40                   | 268                  | 13.03                     |
|                                 | 800                    | 53                   | 268                  | 16.53                     |
|                                 | 1000                   | 66                   | 268                  | 20.03                     |
| 24                              | 230                    | 15                   | 268                  | 3.12                      |
|                                 | 400                    | 27                   | 268                  | 9.93                      |
|                                 | 600                    | 40                   | 268                  | 13.63                     |
|                                 | 800                    | 53                   | 268                  | 17.13                     |
|                                 | 1000                   | 66                   | 268                  | 20.63                     |
| 25                              | 230                    | 15                   | 268                  | 3.25                      |
|                                 | 400                    | 27                   | 268                  | 10.43                     |
|                                 | 600                    | 40                   | 268                  | 14.23                     |
|                                 | 800                    | 53                   | 268                  | 18.03                     |
|                                 | 1000                   | 66                   | 268                  | 21.83                     |
| 26                              | 230                    | 15                   | 268                  | 3.38                      |
|                                 | 400                    | 27                   | 268                  | 10.93                     |
|                                 | 600                    | 40                   | 268                  | 14.83                     |
|                                 | 800                    | 53                   | 268                  | 18.63                     |
|                                 | 1000                   | 66                   | 268                  | 22.43                     |
| 27                              | 230                    | 15                   | 268                  | 3.51                      |
|                                 | 400                    | 27                   | 268                  | 11.43                     |
|                                 | 600                    | 40                   | 268                  | 15.43                     |
|                                 | 800                    | 53                   | 268                  | 19.43                     |
|                                 | 1000                   | 66                   | 268                  | 23.43                     |
| 28                              | 230                    | 15                   | 268                  | 3.64                      |
|                                 | 400                    | 27                   | 268                  | 11.93                     |
|                                 | 600                    | 40                   | 268                  | 16.03                     |
|                                 | 800                    | 53                   | 268                  | 20.03                     |
|                                 | 1000                   | 66                   | 268                  | 24.43                     |
| 29                              | 230                    | 15                   | 268                  | 3.77                      |
|                                 | 400                    | 27                   | 268                  | 12.43                     |
|                                 | 600                    | 40                   | 268                  | 16.63                     |
|                                 | 800                    | 53                   | 268                  | 21.03                     |
|                                 | 1000                   | 66                   | 268                  | 25.43                     |
| 30                              | 230                    | 15                   | 268                  | 3.90                      |
|                                 | 400                    | 27                   | 268                  | 12.93                     |
|                                 | 600                    | 40                   | 268                  | 17.23                     |
|                                 | 800                    | 53                   | 268                  | 22.03                     |
|                                 | 1000                   | 66                   | 268                  | 26.43                     |
| 31                              | 230                    | 15                   | 268                  | 4.03                      |
|                                 | 400                    | 27                   | 268                  | 13.43                     |
|                                 | 600                    | 40                   | 268                  | 17.83                     |
|                                 | 800                    | 53                   | 268                  | 23.03                     |
|                                 | 1000                   | 66                   | 268                  | 27.83                     |
| 32                              | 230                    | 15                   | 268                  | 4.16                      |
|                                 | 400                    | 27                   | 268                  | 13.93                     |
|                                 | 600                    | 40                   | 268                  | 18.43                     |
|                                 | 800                    | 53                   | 268                  | 24.03                     |
|                                 | 1000                   | 66                   | 268                  | 29.43                     |
| 33                              | 230                    | 15                   | 268                  | 4.29                      |
|                                 | 400                    | 27                   | 268                  | 14.43                     |
|                                 | 600                    | 40                   | 268                  | 19.03                     |
|                                 | 800                    | 53                   | 268                  | 25.03                     |
|                                 | 1000                   | 66                   | 268                  | 30.43                     |
| 34                              | 230                    | 15                   | 268                  | 4.42                      |
|                                 | 400                    | 27                   | 268                  | 14.93                     |
|                                 | 600                    | 40                   | 268                  | 19.63                     |
|                                 | 800                    | 53                   | 268                  | 26.03                     |
|                                 | 1000                   | 66                   | 268                  | 31.43                     |
| 35                              | 230                    | 15                   | 268                  | 4.55                      |
|                                 | 400                    | 27                   | 268                  | 15.43                     |
|                                 | 600                    | 40                   | 268                  | 20.23                     |
|                                 | 800                    | 53                   | 268                  | 27.03                     |
|                                 | 1000                   | 66                   | 268                  | 32.43                     |
| 36                              | 230                    | 15                   | 268                  | 4.68                      |
|                                 | 400                    | 27                   | 268                  | 15.93                     |
|                                 | 600                    | 40                   | 268                  | 20.83                     |
|                                 | 800                    | 53                   | 268                  | 28.03                     |
|                                 | 1000                   | 66                   | 268                  | 33.43                     |
| 37                              | 230                    | 15                   | 268                  | 4.81                      |
|                                 | 400                    | 27                   | 268                  | 16.43                     |
|                                 | 600                    | 40                   | 268                  | 21.43                     |
|                                 | 800                    | 53                   | 268                  | 29.03                     |
|                                 | 1000                   | 66                   | 268                  | 34.43                     |
| 38                              | 230                    | 15                   | 268                  | 4.94                      |
|                                 | 400                    | 27                   | 268                  | 16.93                     |
|                                 | 600                    | 40                   | 268                  | 22.03                     |
|                                 | 800                    | 53                   | 268                  | 30.03                     |
|                                 | 1000                   | 66                   | 268                  | 35.43                     |
| 39                              | 230                    | 15                   | 268                  | 5.07                      |
|                                 | 400                    | 27                   | 268                  | 17.43                     |
|                                 | 600                    | 40                   | 268                  | 22.63                     |
|                                 | 800                    | 53                   | 268                  | 31.03                     |
|                                 | 1000                   | 66                   | 268                  | 36.43                     |
| 40                              | 230                    | 15                   | 268                  | 5.20                      |
|                                 | 400                    | 27                   | 268                  | 17.93                     |
|                                 | 600                    | 40                   | 268                  | 23.23                     |
|                                 | 800                    | 53                   | 268                  | 32.03                     |
|                                 | 1000                   | 66                   | 268                  | 37.43                     |
| 41                              | 230                    | 15                   | 268                  | 5.33                      |
|                                 | 400                    | 27                   | 268                  | 18.43                     |
|                                 | 600                    | 40                   | 268                  | 23.83                     |
|                                 | 800                    | 53                   | 268                  | 33.03                     |
|                                 | 1000                   | 66                   | 268                  | 38.43                     |
| 42                              | 230                    | 15                   | 268                  | 5.46                      |
|                                 | 400                    | 27                   | 268                  | 18.93                     |
|                                 | 600                    | 40                   | 268                  | 24.43                     |
|                                 | 800                    | 53                   | 268                  | 34.03                     |
|                                 | 1000                   | 66                   | 268                  | 39.43                     |
| 43                              | 230                    | 15                   | 268                  | 5.59                      |
|                                 | 400                    | 27                   | 268                  | 19.43                     |
|                                 | 600                    | 40                   | 268                  | 25.03                     |
|                                 | 800                    | 53                   | 268                  | 35.03                     |
|                                 | 1000                   | 66                   | 268                  | 40.43                     |
| 44                              | 230                    | 15                   | 268                  | 5.72                      |
|                                 | 400                    | 27                   | 268                  | 19.93                     |
|                                 | 600                    | 40                   | 268                  | 25.63                     |
|                                 | 800                    | 53                   | 268                  | 36.03                     |
|                                 | 1000                   | 66                   | 268                  | 41.43                     |
| 45                              | 230                    | 15                   | 268                  | 5.85                      |
|                                 | 400                    | 27                   | 268                  | 20.43                     |
|                                 | 600                    | 40                   | 268                  | 26.23                     |
|                                 | 800                    | 53                   | 268                  | 37.03                     |
|                                 | 1000                   | 66                   | 268                  | 42.43                     |
| 46                              | 230                    | 15                   | 268                  | 5.98                      |
|                                 | 400                    | 27                   | 268                  | 20.93                     |
|                                 | 600                    | 40                   | 268                  | 26.83                     |
|                                 | 800                    | 53                   | 268                  | 38.03                     |
|                                 | 1000                   | 66                   | 268                  | 43.43                     |
| 47                              | 230                    | 15                   | 268                  | 6.11                      |
|                                 | 400                    | 27                   | 268                  | 21.43                     |
|                                 | 600                    | 40                   | 268                  | 27.43                     |
|                                 | 800                    | 53                   | 268                  | 39.03                     |
|                                 | 1000                   | 66                   | 268                  | 44.43                     |
| 48                              | 230                    | 15                   | 268                  | 6.24                      |
|                                 | 400                    | 27                   | 268                  | 21.93                     |
|                                 | 600                    | 40                   | 268                  | 28.03                     |
|                                 | 800                    | 53                   | 268                  | 40.03                     |
|                                 | 1000                   | 66                   | 268                  | 45.43                     |
| 49                              | 230                    | 15                   | 268                  | 6.37                      |
|                                 | 400                    | 27                   | 268                  | 22.43                     |
|                                 | 600                    | 40                   | 268                  | 29.03                     |
|                                 | 800                    | 53                   | 268                  | 41.03                     |
|                                 | 1000                   | 66                   | 268                  | 46.43                     |
| 50                              | 230                    | 15                   | 268                  | 6.50                      |
|                                 | 400                    | 27                   | 268                  | 22.93                     |
|                                 | 600                    | 40                   | 268                  | 30.03                     |
|                                 | 800                    | 53                   | 268                  | 42.03                     |
|                                 | 1000                   | 66                   | 268                  | 47.43                     |
| 51                              | 230                    | 15                   | 268                  | 6.63                      |
|                                 | 400                    | 27                   | 268                  | 23.43                     |
|                                 | 600                    | 40                   | 268                  | 30.63                     |
|                                 | 800                    | 53                   | 268                  | 43.03                     |
|                                 | 1000                   | 66                   | 268                  | 48.43                     |
| 52                              | 230                    | 15                   | 268                  | 6.76                      |
|                                 | 400                    | 27                   | 268                  | 23.93                     |
|                                 | 600                    | 40                   | 268                  | 31.23                     |
|                                 | 800                    | 53                   | 268                  | 44.03                     |
|                                 | 1000                   | 66                   | 268                  | 49.43                     |
| 53                              | 230                    | 15                   | 268                  | 6.89                      |
|                                 | 400                    | 27                   | 268                  | 24.43                     |
|                                 | 600                    | 40                   | 268                  | 31.83                     |
|                                 | 800                    | 53                   | 268                  | 45.03                     |
|                                 | 1000                   | 66                   | 268                  | 50.43                     |
| 54                              | 230                    | 15                   | 268                  | 7.02                      |
|                                 | 400                    | 27                   | 268                  | 24.93                     |
|                                 | 600                    | 40                   | 268                  | 32.43                     |
|                                 | 800                    | 53                   | 268                  | 46.03                     |
|                                 | 1000                   | 66                   | 268                  | 51.43                     |
| 55                              | 230                    | 15                   | 268                  | 7.15                      |
|                                 | 400                    | 27                   | 268                  | 25.43                     |
|                                 | 600                    | 40                   | 268                  | 33.03                     |
|                                 | 800                    | 53                   | 268                  | 47.03                     |
|                                 | 1000                   | 66                   | 268                  | 52.43                     |
| 56                              | 230                    | 15                   | 268                  | 7.28                      |
|                                 | 400                    | 27                   | 268                  | 25.93                     |
|                                 | 600                    | 40                   | 268                  | 33.63                     |
|                                 | 800                    | 53                   | 268                  | 48.03                     |
|                                 | 1000                   | 66                   | 268                  | 53.43                     |
| 57                              | 230                    | 15                   | 268                  | 7.41                      |
|                                 | 400                    | 27                   | 268                  | 26.43                     |
|                                 | 600                    | 40                   | 268                  | 34.23                     |
|                                 | 800                    | 53                   | 268                  | 49.03                     |
|                                 | 1000                   | 66                   | 268                  | 54.43                     |
| 58                              | 230                    | 15                   | 268                  | 7.54                      |
|                                 | 400                    | 27                   | 268                  | 26.93                     |
|                                 | 600                    | 40                   | 268                  | 34.83                     |
|                                 | 800                    | 53                   | 268                  | 50.03                     |
|                                 | 1000                   | 66                   | 268                  | 55.43                     |
| 59                              | 230                    | 15                   | 268                  | 7.67                      |
|                                 | 400                    | 27                   | 268                  | 27.43                     |
|                                 | 600                    | 40                   | 268                  | 35.43                     |
|                                 | 800                    | 53                   | 268                  | 51.03                     |
|                                 | 1000                   | 66                   | 268                  | 56.43                     |
| 60                              | 230                    | 15                   | 268                  | 7.80                      |
|                                 | 400                    | 27                   | 268                  | 27.93                     |
|                                 | 600                    | 40                   | 268                  | 36.03                     |
|                                 | 800                    | 53                   | 268                  | 52.03                     |
|                                 | 1000                   | 66                   | 268                  | 57.43                     |
| 61                              | 230                    | 15                   | 268                  | 7.93                      |
|                                 | 400                    | 27                   | 268                  | 28.43                     |
|                                 | 600                    | 40                   | 268                  | 36.63                     |
|                                 | 800                    | 53                   | 268                  | 53.03                     |
|                                 | 1000                   | 66                   | 268                  | 58.43                     |
| 62                              | 230                    | 15                   | 268                  | 8.06                      |
|                                 | 400                    | 27                   | 268                  | 28.93                     |
|                                 | 600                    | 40                   | 268                  | 37.23                     |
|                                 | 800                    | 53                   | 268                  | 54.03                     |
|                                 | 1000                   | 66                   | 268                  | 59.43                     |
| 63                              | 230                    | 15                   | 268                  | 8.19                      |
|                                 | 400                    | 27                   | 268                  | 29.43                     |
|                                 | 600                    | 40                   | 268                  | 37.83                     |
|                                 | 800                    | 53                   | 268                  | 55.03                     |
|                                 | 1000                   | 66                   | 268                  | 60.43                     |
| 64                              | 230                    | 15                   | 268                  | 8.32                      |
|                                 | 400                    | 27                   | 268                  | 29.93                     |
|                                 | 600                    | 40                   | 268                  | 38.43                     |



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29 GIFFORD AVE

POUGHKEEPSIE, NEW YORK

DRAWING TITLE

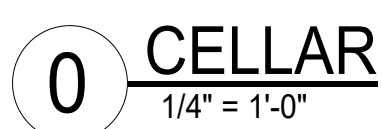
PHOTO

DRAWING NO.

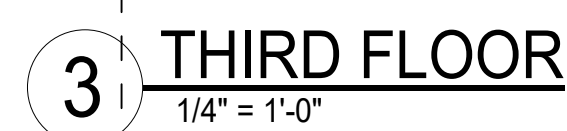
**G-000.01**

|                                                                                                                          |                                                           |
|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| <p><b>SEAL &amp; SIGNATURE</b></p>  | <p><b>DATE:</b> _____</p> <p><b>Issue Date:</b> _____</p> |
| <p><b>SCALE:</b> _____</p>                                                                                               | <p><b>1</b></p>                                           |
| <p><b>DWG BY:</b> _____</p>                                                                                              | <p><b>Checker:</b> _____</p>                              |
| <p><b>CHK BY:</b> _____</p>                                                                                              | <p>_____</p>                                              |





SPRINKLERS COMPLIANT WITH NFPA 13 SHALL BE FILED UNDER SEPARATE APPLICATION





PROJECT DESCRIPTION: CONVERSION OF SINGLE FAMILY RESIDENCE TO THREE FAMILY RESIDENCE

| BUILDING ELEMENT                                      | FIRE RATING (HOURS) TYPE III-B | COMPLIANCE |
|-------------------------------------------------------|--------------------------------|------------|
| STRUCTURAL FRAME                                      | 0 HRS                          | COMPLIES   |
| EXTERIOR BEARING WALLS>30' SEPARATION (PER TABLE 602) | 0 HRS                          | COMPLIES   |
| INTERIOR BEARING WALLS                                | 0 HRS                          | COMPLIES   |
| EXTERIOR NON-BEARING WALLS > 30 FEET                  | 0 HRS                          | COMPLIES   |
| INTERIOR NON-BEARING WALLS & PARTITIONS               | 0 HRS                          | COMPLIES   |
| FLOOR CONSTRUCTION INCLUDING BEAMS & JOISTS           | 0 HRS                          | COMPLIES   |
| ROOF CONSTRUCTION                                     | 0 HRS                          | COMPLIES   |

|           |             |              |
|-----------|-------------|--------------|
| OCCUPANCY | USE         | SECT. BC 302 |
| PRIMARY   | RESIDENTIAL | R-2          |

|                       |                                |
|-----------------------|--------------------------------|
| OCCUPANCY / USE       | TYPE OF CONSTRUCTION           |
| GROUP: R3             | TYPE V-B COMBUSTIBLE           |
| ALLOWABLE 21,000 S.F. | PROPOSED: 2,636 S.F., COMPLIES |

1. SMOKE DETECTOR OR DEVICES SHALL BE INSTALLED IN ORDINANCE WITH THE 2015 NEW YORK STATE FIRE CODE . THE NEW YORK STATE BUILDING CODE AND THE NEW YORK STATE ELECTRICAL CODE AND NFPA 72.
2. SMOKE DETECTORS AND CARBON MONOXIDE DETECTORS MAY BE COMBINED PROVIDING THE DEVICES COMPLY WITH THE PROVISIONS OF THE ADMINISTRATIVE CODE OF THE STATE OF NY AND ANY APPLICABLE RULES PROMULGATED THEREUNDER.
3. EACH SMOKE DETECTOR SHALL BE INSTALLED IN ACCORDANCE WITH REFERENCE STANDARD UL2034 AND UL 2075 OF THE NEW YORK STATE BUILDING CODE.
4. EACH SMOKE/CARBON MONOXIDE DETECTOR SHALL BE OF A TYPE THAT ALLOWS FOR READILY TESTING OF SUCH DEVICE.
5. DUPLEX UNITS SHALL HAVE A DEVICE LOCATED ON EACH LEVEL IF ONLY ONE MEANS OF EGRESS IS PROVIDED FROM EACH LEVEL.
6. CEILING MOUNTED DEVICES SHALL BE A MINIMUM DISTANCE OF 4" FROM ANY WALL.
7. WALL MOUNTED DEVICES SHALL BE A MINIMUM OF 4" TO A MAXIMUM OF 12" FROM THE CEILING.
8. EXISTING BUILDINGS THAT ARE NOT EQUIPPED WITH HARDWIRED CONNECTIONS SHALL BE SUPPLIED WITH BATTERY OPERATED DEVICES.
9. SUCH SMOKE/CARBON MONOXIDE DETECTOR MUST BE EITHER THE IONIZATION CHAMBER TYPE OR THE PHOTOELECTRIC DETECTOR TYPE.
10. A "CERTIFICATE OF SATISFACTORY INSTALLATION FOR SMOKE/CARBON MONOXIDE DETECTORS" MUST BE FILED WITH THE DIVISION OF CODE ENFORCEMENT, 10 DAYS AFTER INSTALLATION.
11. WRITTEN INFORMATION OF TESTING AND MAINTENANCE OF THE DEVICES SHALL BE PROVIDED TO THE DWELLING UNIT OWNER.

CONTRACTORS FOR ALL TRADES SHALL HAVE APPROPRIATE PROOFS OF INSURANCE REGISTERED WITH THE CITY OF POUGHKEEPSIE.

SEPARATE PERMITS ARE NEEDED FOR

- **SPRINKLER**

ALL DRAWINGS INCLUDED HEREIN, NOTES MENTIONED ON THIS DRAWING AS WELL AS ON THE VARIOUS DRAWINGS, INCLUDING THE WRITTEN SPECIFICATIONS SHALL FORM PART OF THE CONTRACT. THE ARCHITECT SHALL BE PROMPTLY NOTIFIED OF ANY DISCREPANCIES WITHIN THE DOCUMENTS, FOR CLARIFICATION.

- NOTE: UNLESS OTHERWISE NOTED, SECTION NUMBERS REFER TO APPLICABLE SECTIONS OF THE BUILDING CODE OF NEW YORK. THE CONSTRUCTION MANAGER AND/OR CONTRACTOR SHALL REFER TO ALL REFERENCED CODE SECTIONS.
2. DO NOT SCALE MEASURE ANY DRAWING. VERIFY THE FIGURES, DIMENSIONS, AND DESIGN INTENTION SHOWN ON THE DRAWINGS BEFORE BEGINNING LAYOUT OF THE WORK AND REPORT ANY ERRORS, INACCURACIES, MISSING DIMENSIONAL REQUIREMENTS, OR CONFLICTS TO THE ARCHITECT IN WRITING BEFORE BEGINNING ANY WORK. VERIFY THE PARTITION LAYOUT SHOWN IN THE FIELD WITH THE ARCHITECT BEFORE BEGINNING NEW PARTITION WORK.
3. ALL ERRORS AND DISCREPANCIES SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION IN WRITING BEFORE PROCEEDING WITH THE WORK.
4. ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, LAWS, AND STATUTES AS REQUIRED. STRICTLY ADHERE TO MANUFACTURER'S PRINTED INSTRUCTIONS
5. VERIFY ALL CHANGES TO THE WORK IN WRITING WITH THE ARCHITECT AND OWNER BEFORE BEGINNING RELATED WORK.
6. VERIFY EXACT LAYOUT COMPATIBILITY WITH ALL EXISTING CONDITIONS BEFORE BEGINNING FORM WORK. NOTIFY THE ARCHITECT IN WRITING BEFORE BEGINNING WORK IF ANY DISCREPANCIES ARE FOUND.
7. DIMENSIONS NOTED AS "EQUAL" OR "EQ" WITHIN A ROOM REFER TO A DISTANCE RELATIONSHIP CONTAINED ONLY IN THAT ROOM AT AN OPPOSING OR PARALLEL WALL UNLESS NOTED OTHERWISE.
8. VERIFY EXACT LAYOUT COMPATIBILITY WITH ALL EXISTING CONDITIONS BEFORE BEGINNING FORM WORK. NOTIFY THE ARCHITECT IN WRITING BEFORE BEGINNING WORK IF ANY DISCREPANCIES ARE FOUND.
9. DIMENSIONS NOTED AS "EQUAL" OR "EQ" WITHIN A ROOM REFER TO A DISTANCE RELATIONSHIP CONTAINED ONLY IN THAT ROOM AT AN OPPOSING OR PARALLEL WALL UNLESS NOTED OTHERWISE.
10. ALL NOTES HEREIN MENTIONED WITH THOSE ON THE VARIOUS DRAWINGS, WRITTEN SPECIFICATIONS SHALL FORM PART OF THE CONTRACT.
11. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE NEW YORK CITY BUILDING CODE.
12. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND ARCHITECTS OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.
13. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PREFERENCE OVER SCALED DIMENSIONS. DRAWINGS ARE NOT TO BE SCALED. ALL WORK SHALL BE LAID OUT BY DIMENSIONS.
14. ALL CONSTRUCTION, DIMENSIONS, AND DETAILS SHALL CONCUR WITH AND BE DETERMINED FROM THESE DRAWINGS ONLY.
15. ALL MATERIALS, ASSEMBLIES, FORMS, AND METHODS OF CONSTRUCTION AND SERVICE EQUIPMENT TO BE INCORPORATED IN THE WORK SHALL BE IN STRICT ACCORDANCE WITH THE LATEST EDITION OF THE ASTM SPECIFICATION APPLICABLE, AND TO CONFORM TO THE STANDARDS AND RECOMMENDATIONS OF THE VARIOUS TRADE INSTITUTES (ACI, AISI, ETC.) WHERE APPLICABLE ALL MATERIALS INCORPORATED INTO THE WORK SHALL BE NEW AND SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 28-102.7 AND 28-113.1.
16. CONTRACTORS SHALL BE RESPONSIBLE FOR ADEQUATELY BRACING AND PROTECTING ALL WORK DURING CONSTRUCTION AGAINST DAMAGE, BREAKAGES, COLLAPSE, DISTORTIONS, AND OFF-ALIGNMENT ACCORDING TO APPLICABLE CODES, STANDARDS AND GOOD PRACTICE.
17. CONSTRUCTION SHALL COMPLY WITH ALL FEDERAL, STATE AND LOCAL CODES, ORDINANCES, RULES AND REGULATIONS PERTAINING TO LABOR AND MATERIALS.
18. EACH CONTRACTOR SHALL BE HELD STRICTLY RESPONSIBLE FOR HIS WORK. ANY DISCREPANCIES IN THE PLANS OR DETAILS SHALL BE CALLED TO THE ATTENTION OF THE ARCHITECT.
19. THE OWNER SHALL BE RESPONSIBLE FOR THE SAFE MAINTENANCE OF THE BUILDING AND ITS FACILITIES
20. ALL MATERIALS, ASSEMBLIES AND METHODS OF CONSTRUCTION REGULATED BY THE CODE AND NOT LISTED ABOVE SHALL BE SUBJECT TO SEMI-CONTROLLED INSPECTION BY THE PERSON SUPERINTENDING THE CONSTRUCTION. SIGNED COPIES OF ALL TEST AND INSPECTION REPORTS SHALL BE FILED WITH THE BUILDING DEPARTMENT.
21. DO NOT SCALE MEASURE ANY DRAWING. VERIFY THE FIGURES, DIMENSIONS, AND DESIGN INTENTION SHOWN ON THE DRAWINGS BEFORE BEGINNING LAYOUT OF THE WORK AND REPORT ANY ERRORS, INACCURACIES, MISSING DIMENSIONAL REQUIREMENTS, OR CONFLICTS TO THE ARCHITECT IN WRITING BEFORE BEGINNING ANY WORK.
22. ALL ERRORS AND DISCREPANCIES SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION IN WRITING BEFORE PROCEEDING WITH THE WORK.
23. ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, LAWS, AND STATUTES AS REQUIRED. STRICTLY ADHERE TO MANUFACTURER'S PRINTED INSTRUCTIONS.
24. MECHANICAL, ELECTRICAL AND PLUMBING SYSTEMS ARE NOT DETAILED IN THESE DOCUMENTS. THEREFORE, THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN, INSTALLATION OR PERFORMANCE OF THESE SYSTEMS. THE ARCHITECT RECOMMENDS THAT THESE SYSTEMS BE DESIGNED AND/OR INSTALLED BY QUALIFIED ENGINEERS.
25. VERIFY ALL CHANGES TO THE WORK IN WRITING WITH THE ARCHITECT AND OWNER BEFORE BEGINNING RELATED WORK.
26. VERIFY EXACT LAYOUT COMPATIBILITY WITH ALL EXISTING CONDITIONS BEFORE BEGINNING FORM WORK. NOTIFY THE ARCHITECT IN WRITING BEFORE BEGINNING WORK IF ANY DISCREPANCIES ARE FOUND.
27. DIMENSIONS NOTED AS "EQUAL" OR "EQ" WITHIN A ROOM REFER TO A DISTANCE RELATIONSHIP CONTAINED ONLY IN THAT ROOM AT AN OPPOSING OR PARALLEL WALL UNLESS NOTED OTHERWISE.
28. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE NYS BUILDING CODE, FIRE DEPT. RULES & REGULATIONS, UTILITY COMPANY REQUIREMENTS, AND THE BEST TRADE PRACTICES.
29. BEFORE COMMENCING WORK, THE CONTRACTOR SHALL FILE ALL REQUIRED INSURANCE CERTIFICATES WITH THE DEPT. OF BUILDINGS, OBTAIN ALL REQUIRED PERMITS, AND PAY ALL FEES REQUIRED BY THE GOVERNING AGENCIES.
30. THE CONTRACTOR SHALL COORDINATE ALL WORK PROCEDURES WITH THE STIPULATIONS OF LOCAL AUTHORITIES, BUILDINGS MANAGEMENT OR BOARD OF DIRECTORS.
31. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL CONDITIONS AND MATERIALS WITHIN THE PROPOSED CONSTRUCTION AREA. THE CONTRACTOR SHALL DESIGN AND INSTALL ADEQUATE SHORING AND BRACING FOR ALL STRUCTURAL OR REMOVAL TASKS. THE CONTRACTOR SHALL HAVE SOLE RESPONSIBILITY FOR ANY DAMAGE OR INJURIES CAUSED BY OR DURING THE EXECUTION OF THE WORK.
32. THE CONTRACTOR SHALL LAY OUT HIS OWN WORK, AND SHALL PROVIDE ALL DIMENSIONS REQUIRED FOR OTHER TRADES: PLUMBING, ELECTRICALS, ETC.
33. PLUMBING WORK SHALL BE PERFORMED BY PERSONS LICENSED IN THEIR TRADES, WHO SHALL ARRANGE FOR AND OBTAIN THROUGH THE DEPT. OF BUILDINGS ALL REQUIRED PERMITS, INSPECTIONS AND REQUIRED SIGN OFFS.
34. ELECTRICAL WORK SHALL BE PERFORMED BY PERSONS LICENSED IN THEIR TRADES, WHO SHALL ARRANGE FOR AND OBTAIN THROUGH THE BUREAU OF ELECTRICAL CONTROL ALL REQUIRED PERMITS, INSPECTIONS AND REQUIRED SIGN OFFS.
35. THE CONTRACTOR SHALL DO ALL CUTTING, PATCHING, REPAIRING AS REQUIRED TO PERFORM ALL OF THE WORK INDICATED ON THE DRAWINGS, AND ALL OTHER WORK THAT MAY BE REQUIRED TO COMPLETE THE JOB.
36. ALL PIPING AND WIRING SHALL BE REMOVED TO A POINT OF CONCEALMENT AND SHALL BE PROPERLY CAPPED OR PLUGGED.





# BUILDING DEPARTMENT

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

Eric Philipp  
Building Inspector

October 27<sup>th</sup>, 2023

Jonathan Moss/Berg Moss Architects

Re: 29 Gifford Avenue  
ID: 182100  
Zoning Review Request PD-2023-091

Dear Applicant,

The Development Department is in receipt of your zoning review request relative to the property at 29 Gifford Avenue and the proposed conversion of the existing building from a Single-family dwelling into a Three family dwelling containing all 1-bedroom 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. Although a plot plan was provided, it was not provided to scale or with all required dimensions to conduct a comprehensive review of the project. Some possible deficiencies have been identified which would require Area Variances from the Zoning Board of Appeals which are as follows.

1. Section 19-3.15(4)(c)1 will require 6,600sf of lot area for the proposed use. The existing lot area contains only 3,780sf.
2. Section 19-3.15(4)(e)2 requires the side yard to be half the height of the structure closest to the property line or 15 feet, whichever is greater. A height was not provided of the building to determine the required side yards, but the western side yard dimension is provided which is only 2'9.5" wide.
3. Section 19-3.15(4)(i) requires 900sf of usable open space with a minimum dimension of 40'x 30'. Although a plot plan was provided, the plan is not to scale and does not provide the required dimensions to check for compliance. Also please note the portion of open space between the building and proposed parking cannot count towards the required square footage as it would not meet the dimensional requirement.
4. Section 19-4.3(11)(a) will require 5 parking spaces. The plot plan shows only 3 parking spaces provided.
5. Section 19-4.3(5)(a) requires that access shall consist of at least one fifteen-foot wide lane for parking areas with fewer than 20 spaces. The provided plans are not to scale nor do they provide the required dimensions to check for compliance with this section.
6. Section 19-4.3(5)(b) requires that parking spaces shall be not less than 20 feet long nor less than nine feet wide. The provided plans are not to scale nor do they provide the required dimensions to check for compliance with this section.



# BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR

POUGHKEEPSIE, NY 12601

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

**Eric Philipp**  
**Building Inspector**

7. **Section 19-4.3(5)(c)** requires that off-street parking areas shall be adequately illuminated for convenience and safety, but no lighting for parking areas shall cause glare on adjoining property. No proposed lighting was shown on the provided plans.
8. **Section 19-4.11** requires landscaping and screening for improved multifamily properties as detailed further in this section. The provided plot plan does not show any proposed landscaping or screening as required by this section. Please note that either landscaping or an opaque wall/fence can be used for screening purposes.

After all Area Variances are granted by the Zoning Board of Appeals, you would then need to file all required Building permits and obtain an issued Certificate of Occupancy from the Building Department.

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

***Joseph D. O'Brien***

Deputy Zoning Administrator

Office - 845-451-4273

[jobrien@cityofpoughkeepsie.com](mailto:jobrien@cityofpoughkeepsie.com)

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

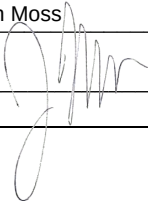
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

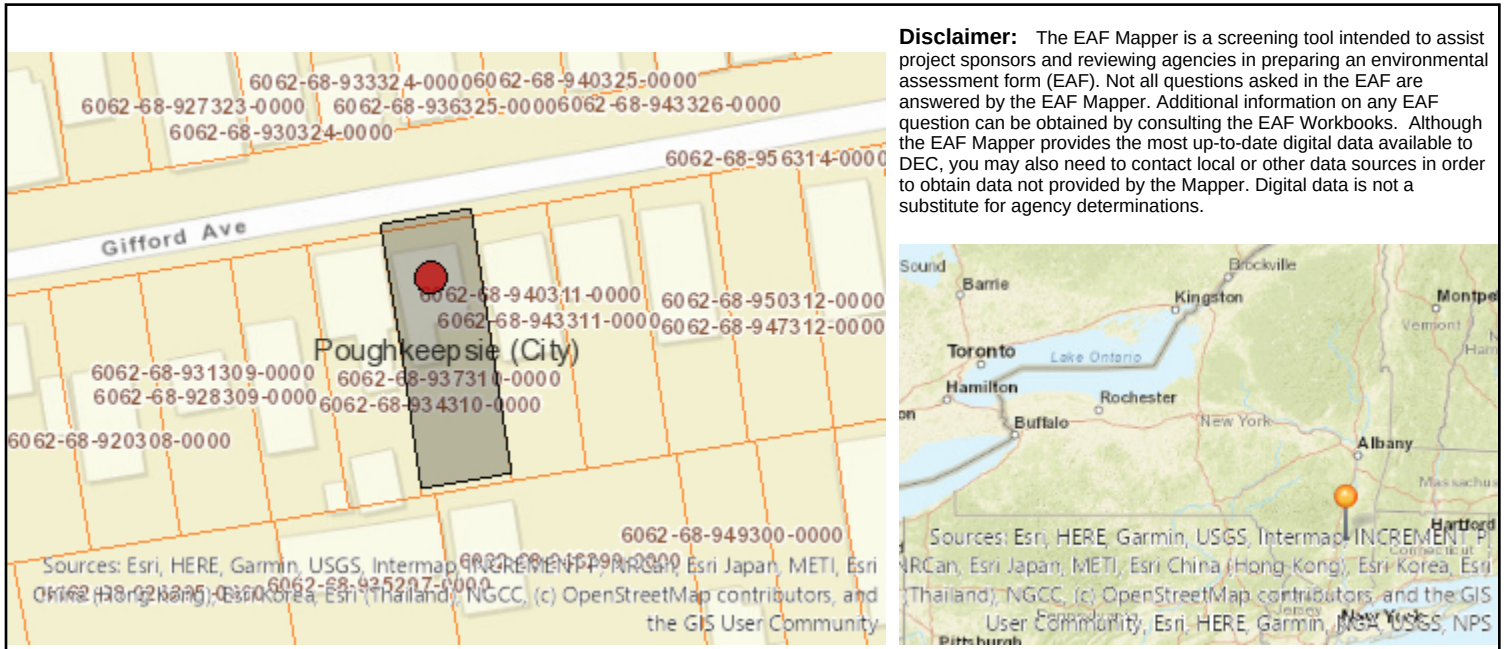
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| <b>Part 1 – Project and Sponsor Information</b>                                                                                                                                                                                                                                                                                                                                                              |  |                                           |                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------|---------------------------------|
| Name of Action or Project:<br>29 Goford Ave                                                                                                                                                                                                                                                                                                                                                                  |  |                                           |                                 |
| Project Location (describe, and attach a location map):<br>29 Giford Ave                                                                                                                                                                                                                                                                                                                                     |  |                                           |                                 |
| Brief Description of Proposed Action:<br>Legalise existing 3 family residence                                                                                                                                                                                                                                                                                                                                |  |                                           |                                 |
| Name of Applicant or Sponsor:<br>Jonathan Moss                                                                                                                                                                                                                                                                                                                                                               |  | Telephone: 845 831-1318                   |                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                              |  | E-Mail: jon2bergmoss.com                  |                                 |
| Address:<br>473 Main St                                                                                                                                                                                                                                                                                                                                                                                      |  |                                           |                                 |
| City/PO:<br>Beacon                                                                                                                                                                                                                                                                                                                                                                                           |  | State:<br>NY                              | Zip Code:<br>12508              |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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<br><input checked="" type="checkbox"/> | YES<br><input type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency?<br>If Yes, list agency(s) name and permit or approval:                                                                                                                                                                                                                                                   |  | NO<br><input checked="" type="checkbox"/> | YES<br><input type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? _____ acres<br>b. Total acreage to be physically disturbed? _____ acres<br>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:                                                                                                                                                                                                                                                                                                                             |  |                                           |                                 |
| 5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)<br><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):<br><input type="checkbox"/> Parkland |  |                                           |                                 |



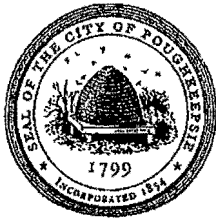
|                                                                                                                                                                                                                                                                                                                                                                                      |                                     |                                     |                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action,                                                                                                                                                                                                                                                                                                                                                           | NO                                  | YES                                 | N/A                      |
| a. A permitted use under the zoning regulations?                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?                                                                                                                                                                                                                                                                      | NO                                  | YES                                 |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?                                                                                                                                                                                                                                                                     | NO                                  | YES                                 |                          |
| If Yes, identify: _____                                                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?                                                                                                                                                                                                                                                                                     | NO                                  | YES                                 |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| b. Are public transportation services available at or near the site of the proposed action?                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 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:                                                                                                                                                                                                                                                                                          |                                     |                                     |                          |
| No applicable, this is just legalizing an existing use.                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 10. Will the proposed action connect to an existing public/private water supply?                                                                                                                                                                                                                                                                                                     | NO                                  | YES                                 |                          |
| If No, describe method for providing potable water: _____                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 11. Will the proposed action connect to existing wastewater utilities?                                                                                                                                                                                                                                                                                                               | NO                                  | YES                                 |                          |
| If No, describe method for providing wastewater treatment: _____                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? | NO                                  | YES                                 |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 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?                                                                                                                                                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?                                                                                                                                                                                             | NO                                  | YES                                 |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?                                                                                                                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 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:<br><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> 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?<br>Atlantic Sturgeon, Shortnos...                                                                                                                                                                                                          | NO                                  | YES                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan?                                                                                                                                                                                                                                                                                                                                                       | NO                                  | YES                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,                                                                                                                                                                                                                                                                                                     | NO                                  | YES                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| a. Will storm water discharges flow to adjacent properties?                                                                                                                                                                                                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?<br>If Yes, briefly describe:                                                                                                                                                                                                                                                                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| _____<br>Slight increase in paved area for parking<br>_____                                                                                                                                                                                                                                                                                                                                                       |                                     |                                     |
| 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)?<br>If Yes, explain the purpose and size of the impoundment:                                                                                                                                                                       | NO                                  | YES                                 |
| _____<br>_____                                                                                                                                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe:                                                                                                                                                                                                                                                   | NO                                  | YES                                 |
| _____<br>_____                                                                                                                                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe:                                                                                                                                                                                                                                                 | NO                                  | YES                                 |
| _____<br>_____                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b><br><br>Applicant/sponsor/name: <u>jonathan Moss</u> Date: <u>10/27/23</u><br><br>Signature: <u></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]                               | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| Part 1 / Question 15 [Threatened or Endangered Animal]                                        | Yes                                                                                                                               |
| Part 1 / Question 15 [Threatened or Endangered Animal - Name]                                 | Atlantic Sturgeon, Shortnose Sturgeon                                                                                             |
| Part 1 / Question 16 [100 Year Flood Plain]                                                   | No                                                                                                                                |
| Part 1 / Question 20 [Remediation Site]                                                       | Yes                                                                                                                               |





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

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

**ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION**

PROPERTY ADDRESS: 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.<sup>2</sup> 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.

**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 | REVISED<br>12/5/23 |
|------------------|------------------------|--------------------|--------------------|
| 19-3.13.1(4)(a)3 | 10,000 S.F. LOT        | 1,081 S.F.         | 1,081 SF           |
| 19-3.13.1(4)(d)1 | 20' FRONT YARD         | 12' & 2'           | 10' & 2'           |
| 19-3.13.1(4)(d)2 | 10' SIDE YARD          | 2'                 | 0'                 |
| 19-4.3(5)(a)     | 15' ACCESS LANE        | 3'                 | 0'                 |
| 19-4.3(5)(b)     | 20' PARKING SPACE      | 2'                 | 2'                 |
| 19-4.3(5)(b)     | 22' AISLE              | 7'                 | 3'                 |
| 19-4.3(11)(a)    | 12 PARKING SPACES      | PARKING SPACE      | 0'                 |
| 19-4.14(3)(a)    | 10' FROM FENCE TO WALL | 2.5'               | 0'                 |

**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.



**CIA**

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

**(845) 473-7572**

**December 5, 2023**

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

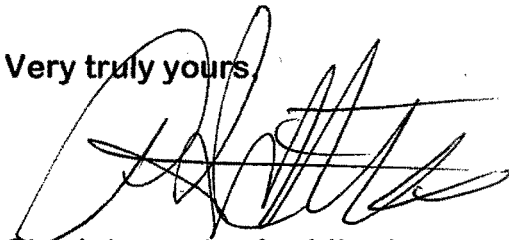
**RE: Cover Letter  
27 South Clinton Street  
Poughkeepsie, New York 12601**

**Dear Zoning Board:**

**Based on discussions at the last zoning board meeting, recommendations from the zoning board were taking under consideration and the site plan was revised and the project reduced in scope. The number of proposed apartments has been reduced from 6-2 bedroom apartments to 4-3 bedroom apartments. The data table and application have also been revised.**

**Please review the attached site plan (with a revisions date of 12-4-23) to see all the changes.**

**Very truly yours,**

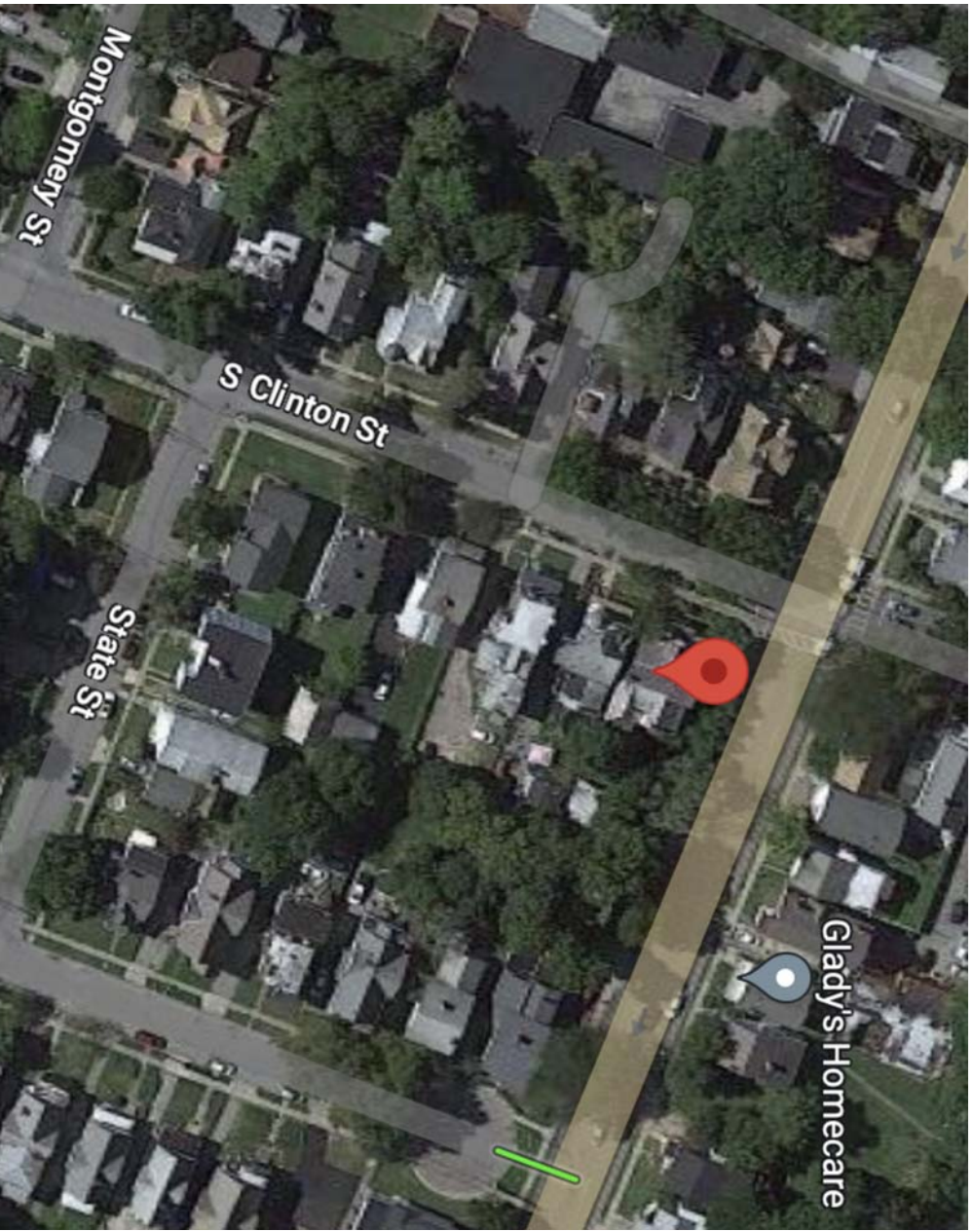
A handwritten signature in black ink, appearing to be 'C. Interrante', written over a horizontal line.

**Ciro Interrante, Architect**



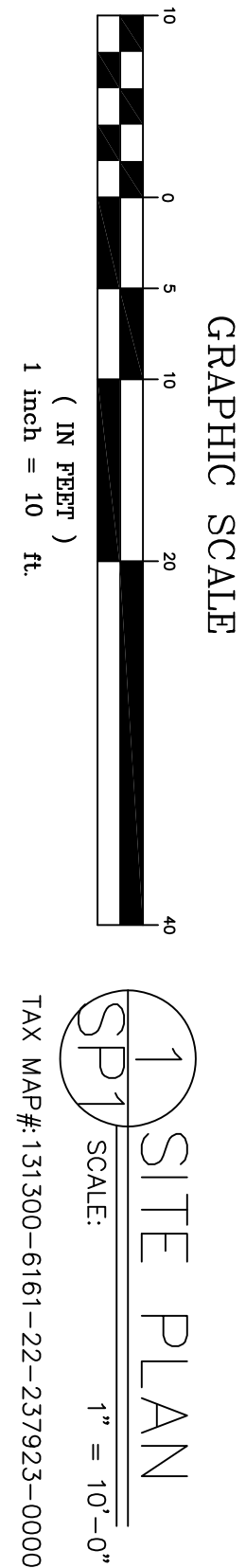
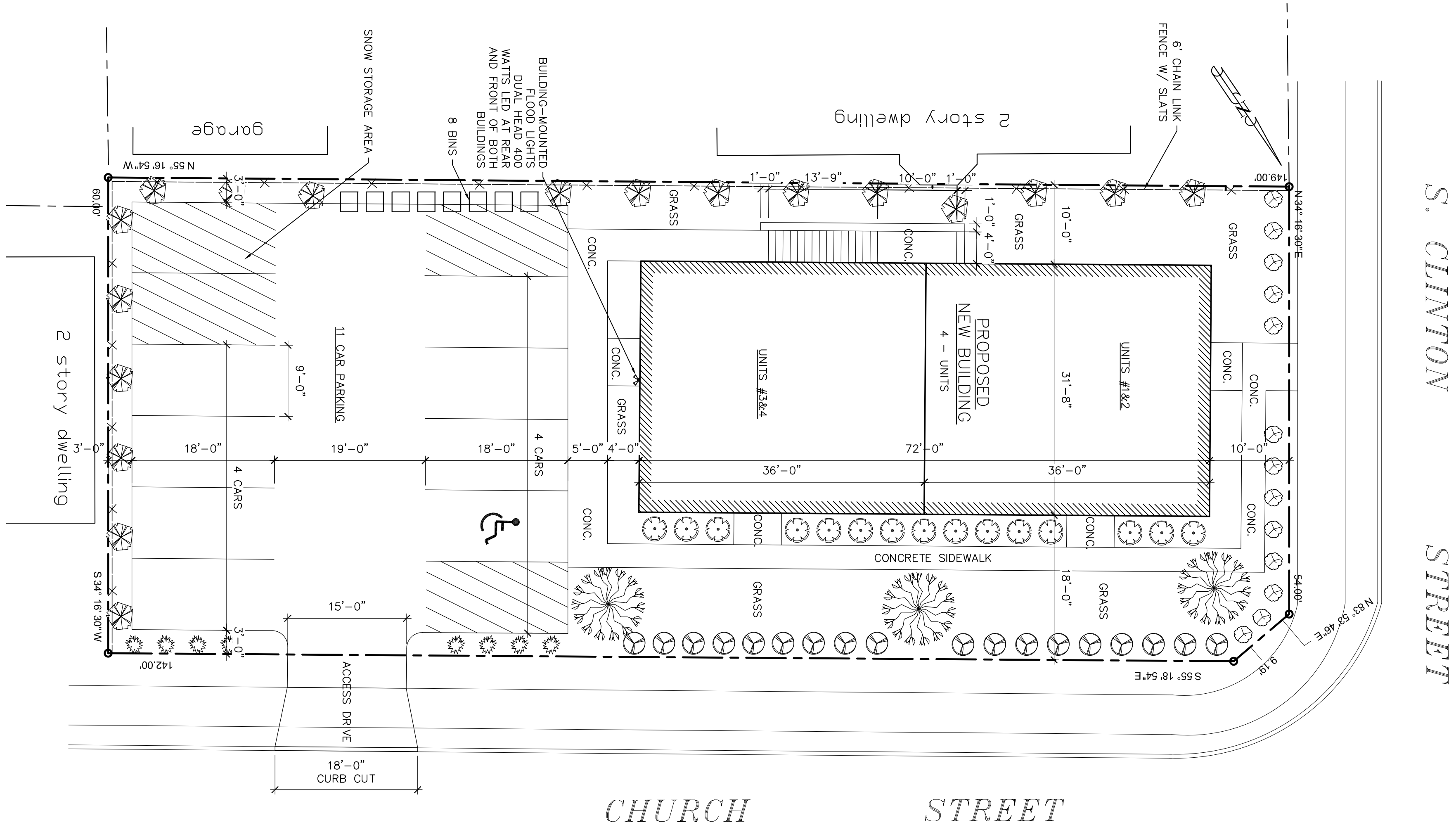


4 GOOGLE STREET VIEW  
SP1 SCALE: N.T.S.



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

| LANDSCAPING SCHEDULE |        |          |                                     |                                                 |
|----------------------|--------|----------|-------------------------------------|-------------------------------------------------|
| TYPE                 | SYMBOL | QUANTITY | COMMON NAME                         |                                                 |
| GRASS/<br>FLOWER     | DTG    | 8        | DWARF FOUNTAIN GRASS (HAMELN)       | MATURE WIDTH: 2' - 3'<br>MATURE HEIGHT: 2' - 3' |
| SHRUBS               | GFS    | 18       | COLD FLAME SPIREA                   | 3' - 4'<br>3'                                   |
|                      | FBB    | 15       | ROYAL BURQUINDY BARBERRY (JAPANESE) | 3'<br>2'                                        |
|                      | MCS    | 13       | MAGIC CARPET SPIREA                 | 2' - 4'<br>1'-6"                                |
|                      | LL     | 18       | LILAC                               | 2' - 3'<br>10'                                  |
| TREES                | SM     | 2        | SUGAR MAPLE                         | 6' - 0'                                         |



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

#### GENERAL NOTES:

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

| DATA TABLE                                        |                    |                     |
|---------------------------------------------------|--------------------|---------------------|
| ZONE R-4 MEDIUM HIGH DENSITY RESIDENTIAL DISTRICT |                    | PROPOSED            |
| REQUIRED                                          |                    |                     |
| 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     | 2,722 SF            |
| YARDS                                             |                    |                     |
| FRONT                                             | 20 FT.             | 10 FT.              |
| SIDE                                              | 15 FT.             | 18 FT./10 FT.       |
| REAR                                              | 15 FT.             | 67 FT.              |
| BUILDING HEIGHT                                   | 3 / 40 FT.         | 2/26 FT. +/-        |
| BUILDING AREA                                     |                    | 2,280 SF            |
| TOTAL PARKING                                     |                    |                     |
| 2 CARS / UNIT                                     | 8 CARS             | 8 CARS              |

|                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OWNER'S CONSENT                                                                                                                                                                                |
| THE UNDERSIGNED OWNER OF THIS PROPERTY HERON 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. 1     | 8/18/23 | GENERAL REVISIONS |
| No. 2     | 12/4/23 | ZONING COMMENTS   |
| No.       | Date:   | Description:      |



|                                                             |                  |                            |
|-------------------------------------------------------------|------------------|----------------------------|
| CIRO INTERRANTE ARCHITECT P.C.                              |                  |                            |
| 25 MARKET STREET, 3rd FLOOR<br>POUGHKEEPSIE, NEW YORK 12601 |                  |                            |
| (845) 473-7572 Office                                       |                  | (845) 473-7525 Fax         |
| DRAWN BY: A.K.S.                                            | CHECKED BY: C.I. | ISSUED DATE: 26 JULY, 2023 |



|                                                    |  |
|----------------------------------------------------|--|
| SITE PLAN                                          |  |
| PROPOSED SITE PLAN FOR:                            |  |
| 27 SOUTH CLINTON, LLC                              |  |
| 27 SOUTH CLINTON STREET<br>POUGHKEEPSIE, NY. 12601 |  |

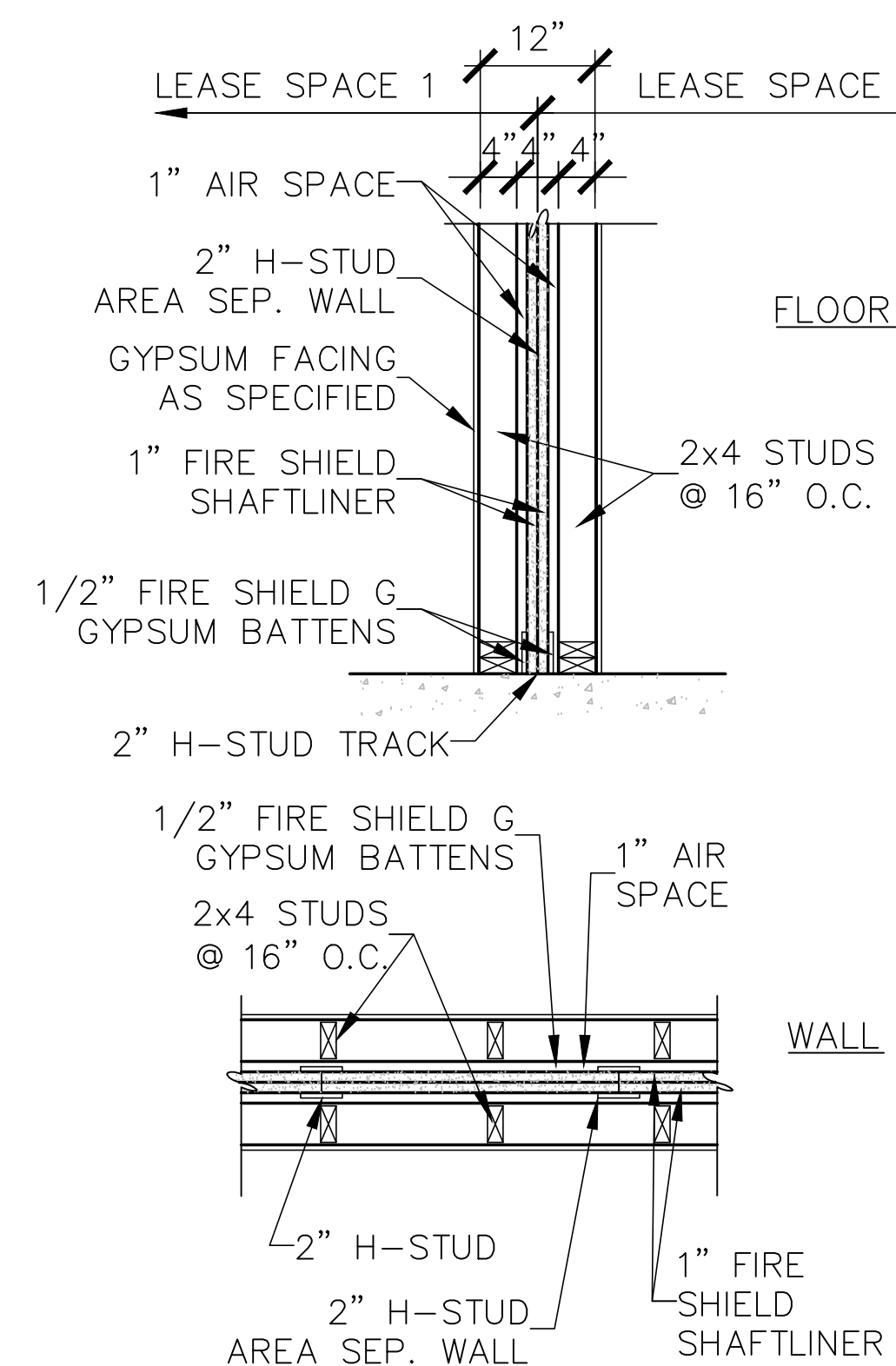
|                       |
|-----------------------|
| SHEET NO. 1           |
| Project Number: 23-31 |
| SP1 SITE PLAN         |



- 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 FASCI.
- 4 INSTALL SIMPSON #1010A 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.

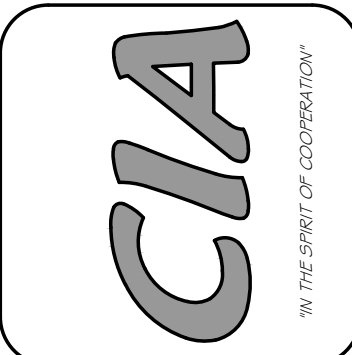
- 12) 1/2"x24" x12" LONG BENT ANCHOR BOLTS @ 6'-0" o.c. & @ 1'-0" FROM CORNERS & 7" MIN. EMBEDMENT WITH "SIMPSON" WASHERS #LB1/2. INSTALL ANCHOR BOLTS IN CENTER FIRE WALLS, SAME AS PERIMETER FOUNDATION WALL.
- 13) INSTALL 2-2x10 HEADER FOR WINDOWS & DOORS.
- 14) INSTALL BEAMS AND HEADERS WHERE SHOWN 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  $\pm 10$ " DEEP. INSTALL HANDRAIL 34" MIN. & 38" MAX. HEIGHT.
- 32 NOT USED.

[illegible]

Scale:  $\frac{1}{4}" = 1'-0"$

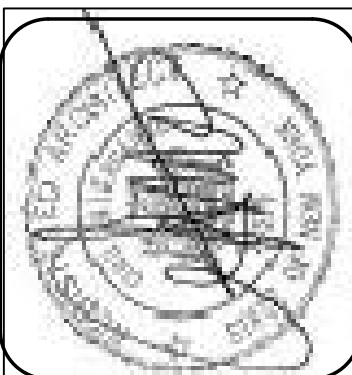
| Revisions |       |              |
|-----------|-------|--------------|
| No.       | Date: | Description: |
|           |       |              |



CIRO INTERRANTE ARCHITECT, P.C.

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

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



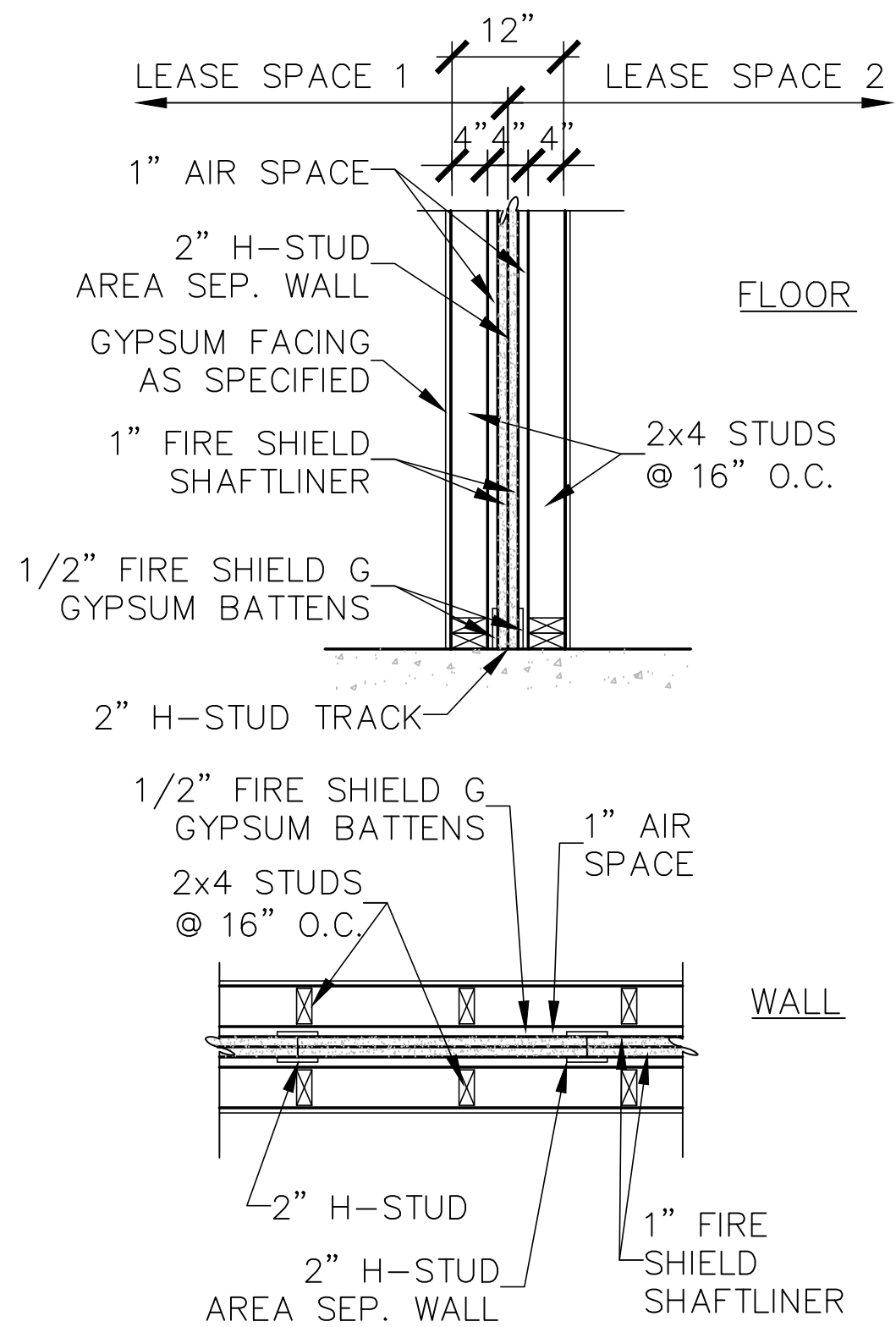
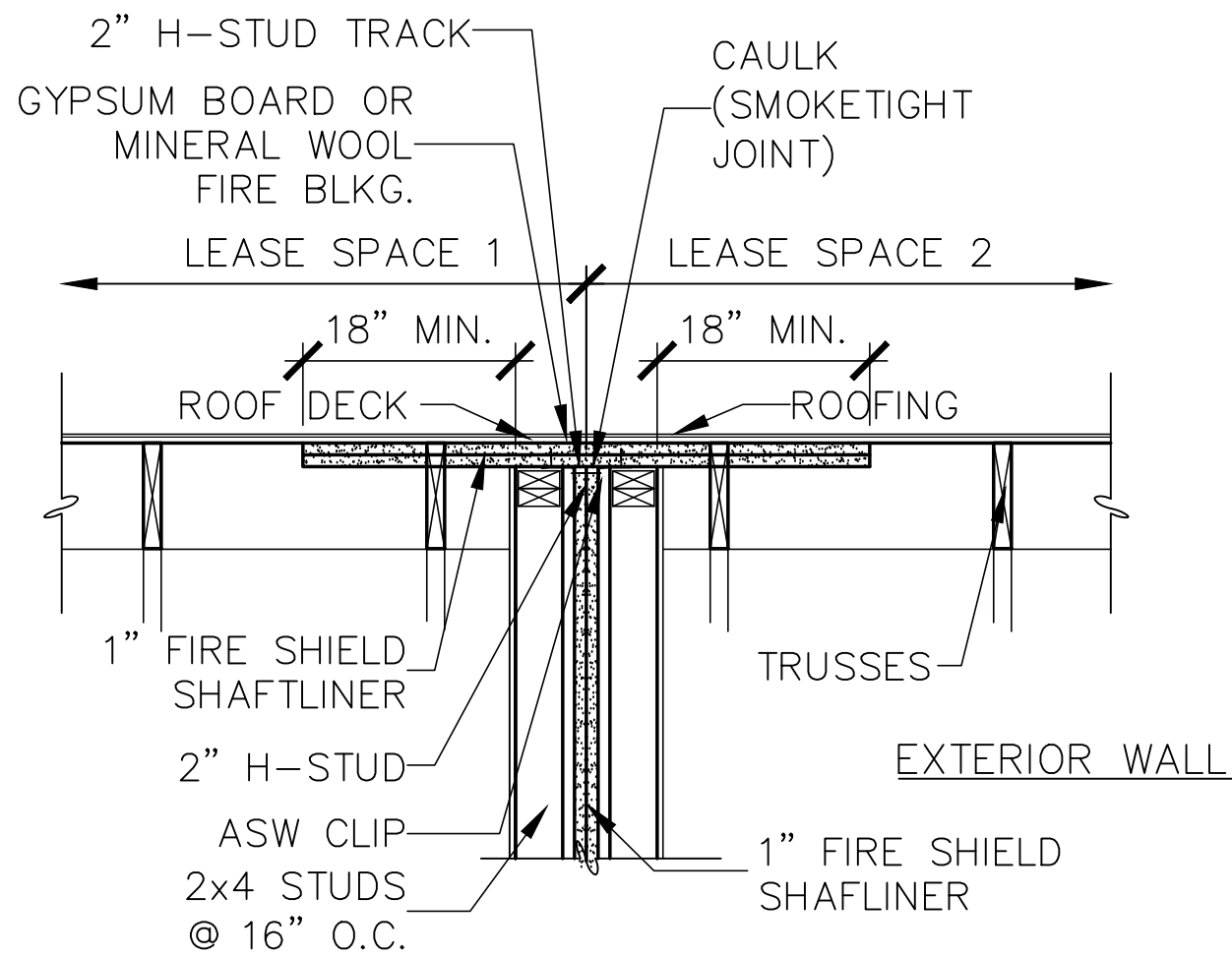
**FOUNDATION & ROOF PLANS,  
DETAILS & NOTES**

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

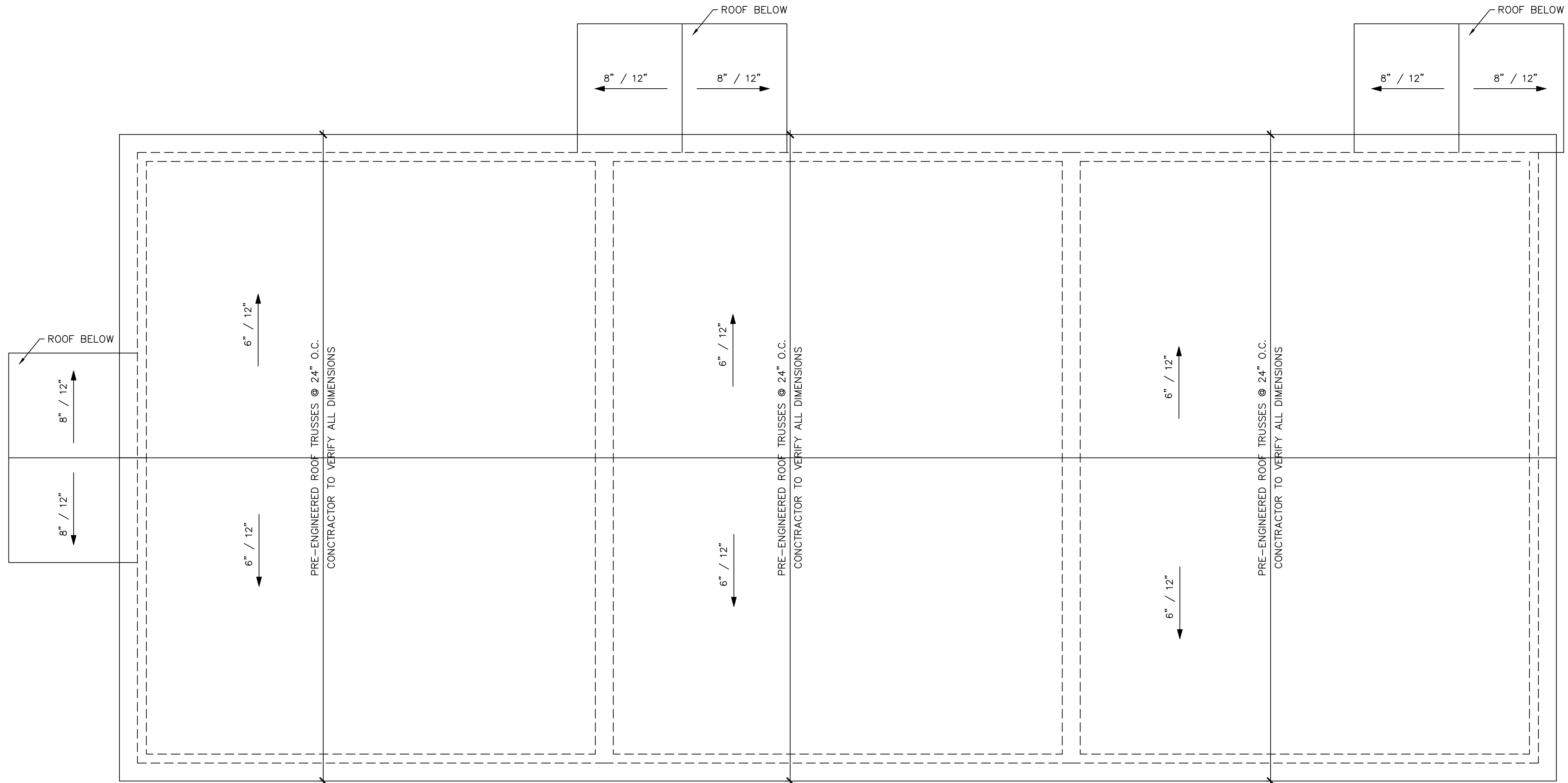
Project Number. 23-31

SHEET NO.  
**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.

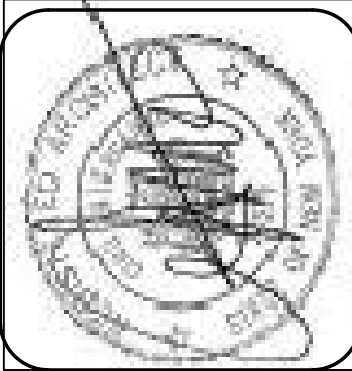
- 1/2"DIA x12"LONG BENT ANCHOR BOLTS @ 6'-0"o.c. & @ 1'-0" FROM CORNERS & 7" MIN. EMBEDMENT WITH "SIMPSON" WASHERS #LBP1/2. INSTALL ANCHOR BOLTS IN CENTER FIRE WALLS, SAME AS PERIMETER FOUNDATION WALL.
- INSTALL 2-2x10 HEADER FOR WINDOWS & DOORS.
- INSTALL BEAMS AND HEADERS WHERE SHOWN ON DRAWINGS.
- 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: |
|           |              |       |



|                                                                                              |                  |
|----------------------------------------------------------------------------------------------|------------------|
| CIRO INTERRANTE ARCHITECT, P.C.                                                              |                  |
| 85 MARKET STREET<br>POUGHKEEPSIE, NEW YORK 12601<br>(845) 473-7572 Office (845) 473-7525 Fax |                  |
| DRAWN BY: A.K.S.                                                                             | CHECKED BY: C.I. |
| ISSUED DATE: 26 JULY, 2023                                                                   |                  |



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

Project Number: 23-31





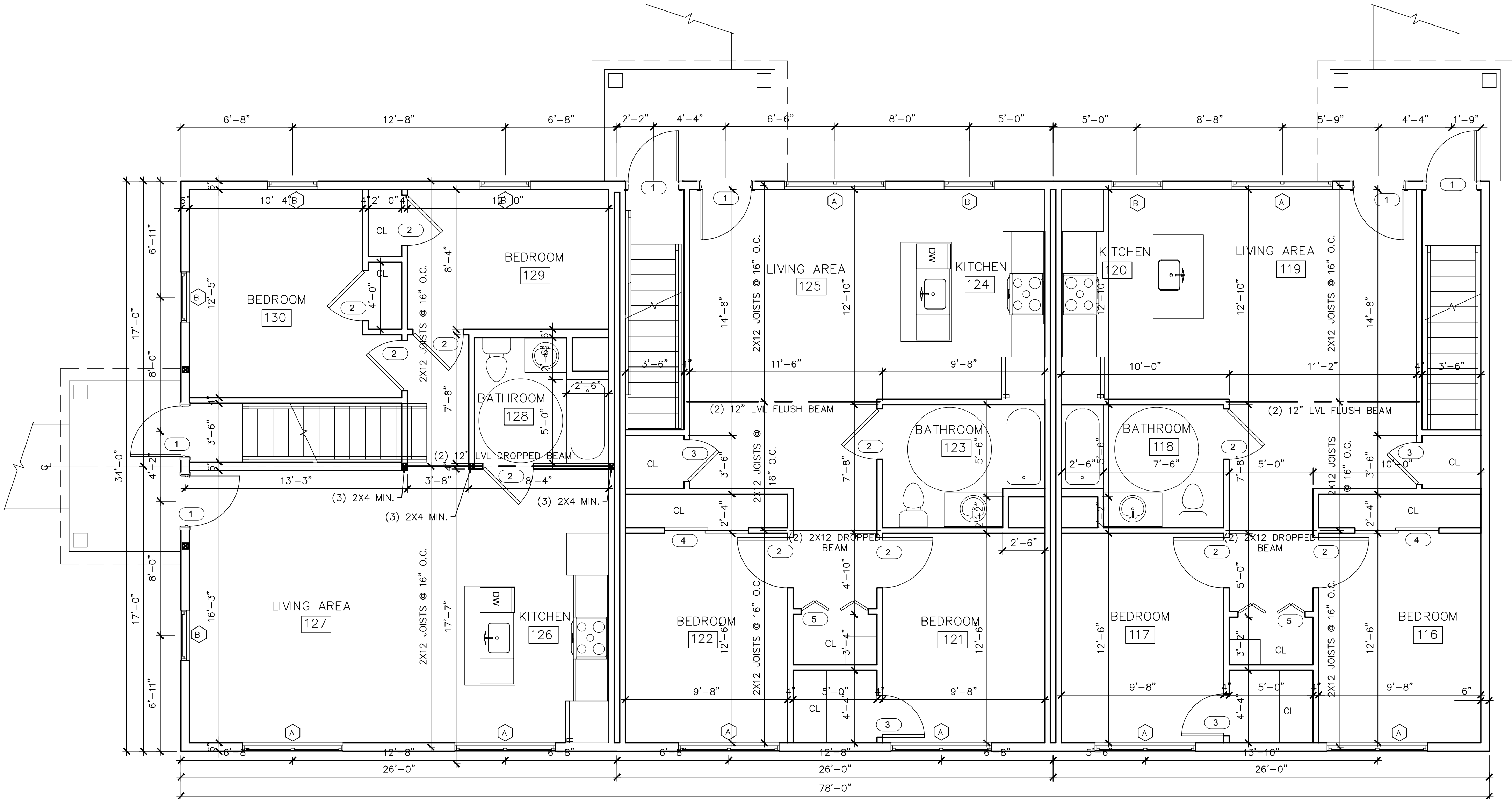
| LIGHT & VENTILATION SCHEDULE (PER UNIT) |                          |                     |                  |                     |                        |
|-----------------------------------------|--------------------------|---------------------|------------------|---------------------|------------------------|
| ROOM NAME                               | FLOOR AREA (SQUARE FEET) | LIGHT 8% (REQUIRED) | LIGHT % (ACTUAL) | VENT. 4% (REQUIRED) | VENTILATION % (ACTUAL) |
| APT. 1 & 3<br>1ST FL.                   | LIVING ROOM              | 200                 | 16               | 20.62               | 11.4                   |
|                                         | DINNING ROOM             | 92                  | 7.36             | 20.62               | 11.4                   |
|                                         |                          |                     |                  |                     |                        |
| APT. 2<br>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                   |
|                                         |                          |                     |                  |                     |                        |
|                                         | 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                                                                  |                              |
|-------------------------------------------------------------------------|------------------------------|
| <div><div></div></div>                                                  | = 4-2x6 STUDS GLUED & NAILED |
| NOTE:<br>ALL WINDOWS & DOOR HEADERS TO BE 2-2X10 UNLESS NOTED OTHERWISE |                              |

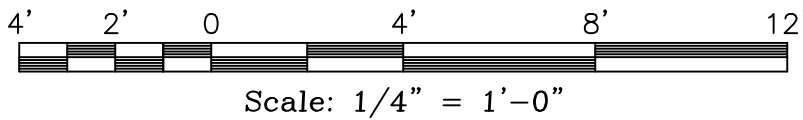
| WINDOW SCHEDULE (PER BUILDING) |                       |            |       |             |                       |                            |               | SYMBOL     |  |
|--------------------------------|-----------------------|------------|-------|-------------|-----------------------|----------------------------|---------------|------------|--|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

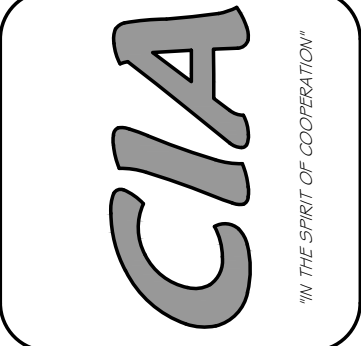
| DOOR SCHEDULE (PER BUILDING) |               |       |                       |  | SYMBOL |  |
|------------------------------|---------------|-------|-----------------------|--|--------|--|
| MARK                         | SIZE          | QUAN. | DESCRIPTION           |  |        |  |
| 1         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



1 FIRST FLOOR PLAN  
A3 SCALE: 1/4" = 1'-0"

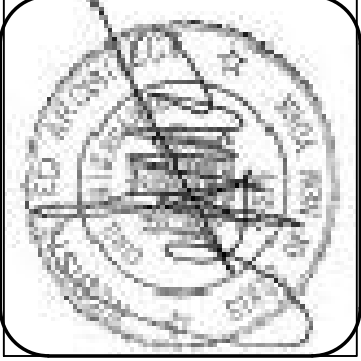


| Revisions |     |       |
|-----------|-----|-------|
|           | No. | Date: |
|           |     |       |



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

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



1st & 2nd FLOOR PLANS & SCHEDULES

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

Project Number: 23-31

SHEET NO.

A3

ARCHITECTURAL



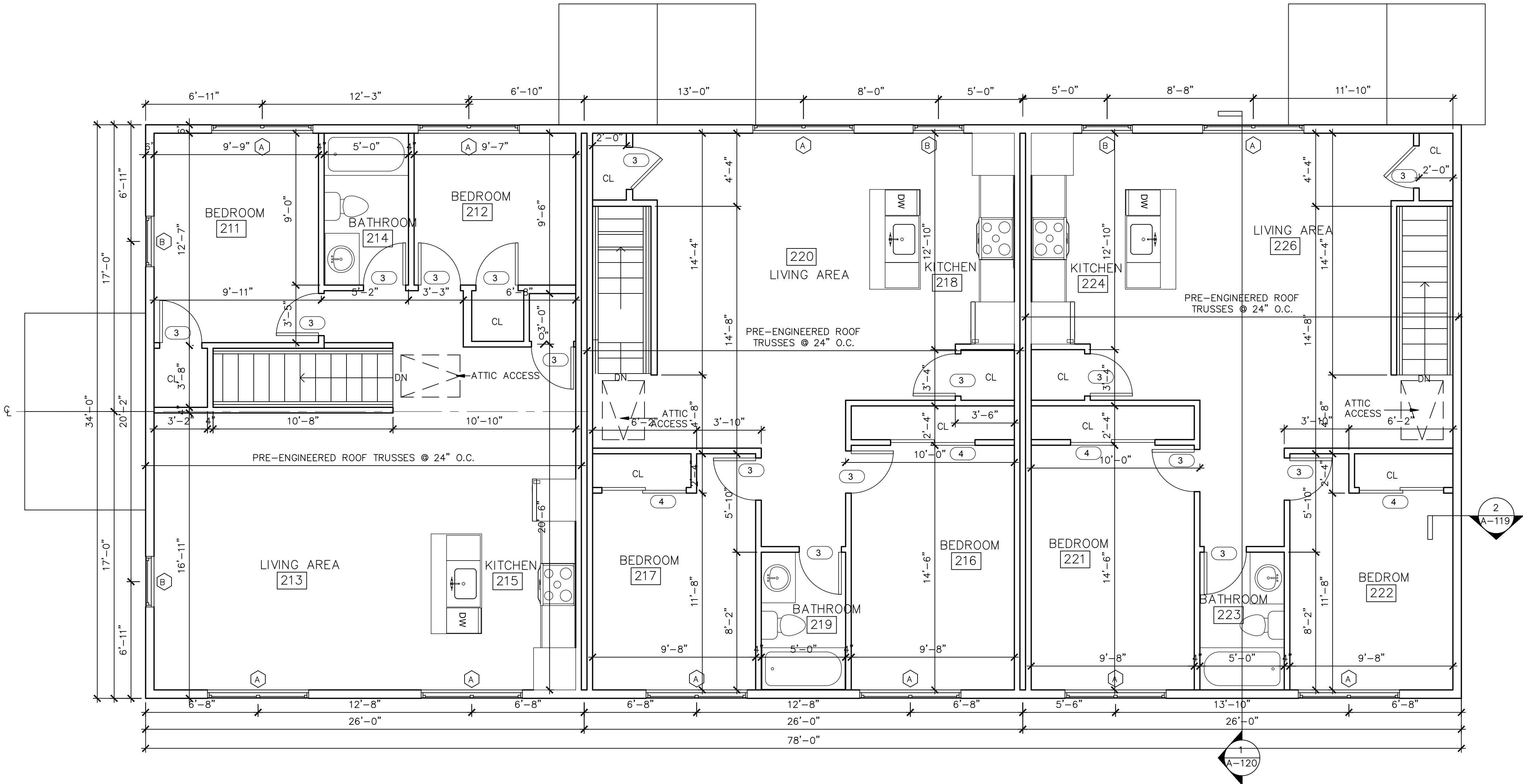
| LIGHT & VENTILATION SCHEDULE (PER UNIT) |                          |                     |                  |                     |                        |
|-----------------------------------------|--------------------------|---------------------|------------------|---------------------|------------------------|
| ROOM NAME                               | FLOOR AREA (SQUARE FEET) | LIGHT 8% (REQUIRED) | LIGHT % (ACTUAL) | VENT. 4% (REQUIRED) | VENTILATION % (ACTUAL) |
| APT. 1 & 3<br>1ST FL.                   | LIVING ROOM              | 200                 | 16               | 20.62               | 11.4                   |
|                                         | DINNING ROOM             | 92                  | 7.36             | 20.62               | 11.4                   |
|                                         |                          |                     |                  |                     |                        |
|                                         |                          |                     |                  |                     |                        |
| APT. 2<br>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<br>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                                                                  |                              |
|-------------------------------------------------------------------------|------------------------------|
| <div><div></div></div>                                                  | = 4-2x6 STUDS GLUED & NAILED |
| NOTE:<br>ALL WINDOWS & DOOR HEADERS TO BE 2-2X10 UNLESS NOTED OTHERWISE |                              |

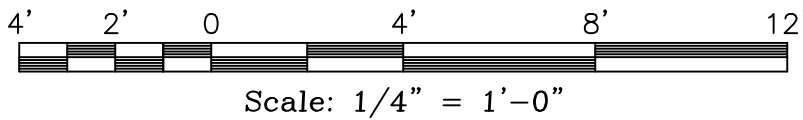
| WINDOW SCHEDULE (PER BUILDING) |                       |            |       |             |                       |                            |               | SYMBOL     | <div></div> |
|--------------------------------|-----------------------|------------|-------|-------------|-----------------------|----------------------------|---------------|------------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

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

| DOOR SCHEDULE (PER BUILDING) |               |       |                       |  | SYMBOL | <div></div> |
|------------------------------|---------------|-------|-----------------------|--|--------|-------------|
| 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 |     |              |
|-----------|-----|--------------|
|           | No. | Description: |
|           |     |              |



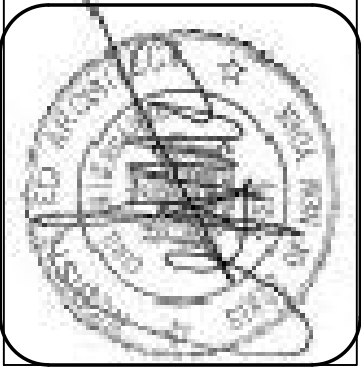
CIRO INTERRANTE ARCHITECT, P.C.

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

DRAWN BY: A.K.S.

CHECKED BY: C.I.

ISSUED DATE: 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.

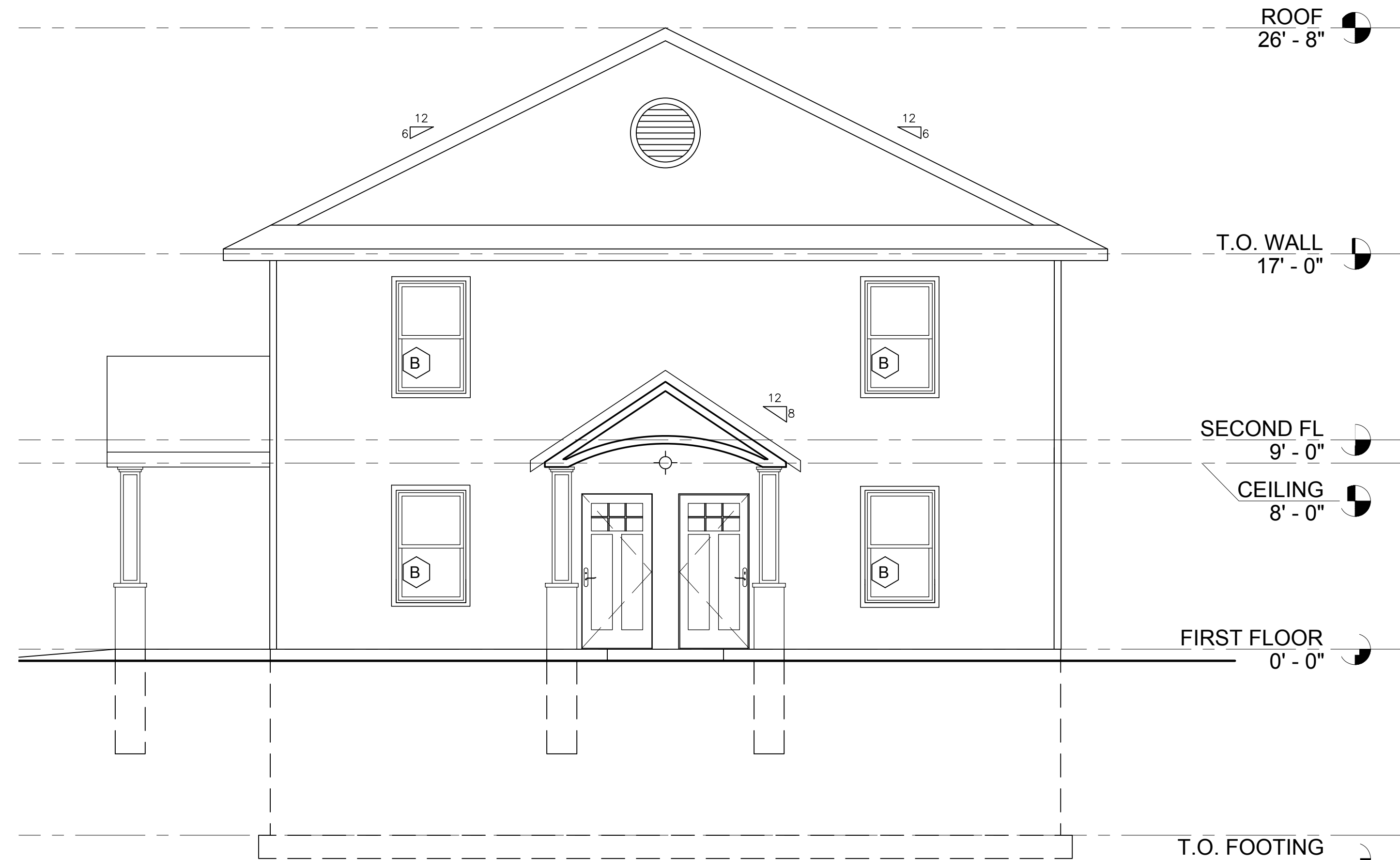
A4

ARCHITECTURAL





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



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

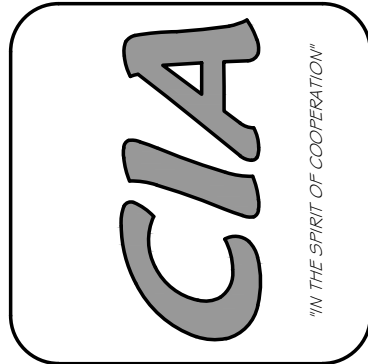
| WINDOW SCHEDULE (PER BUILDING) (ANDERSON SERIES 100) |                         |            |       |             |               |                            | SYMBOL <input type="checkbox"/> |            |
|------------------------------------------------------|-------------------------|------------|-------|-------------|---------------|----------------------------|---------------------------------|------------|
| 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

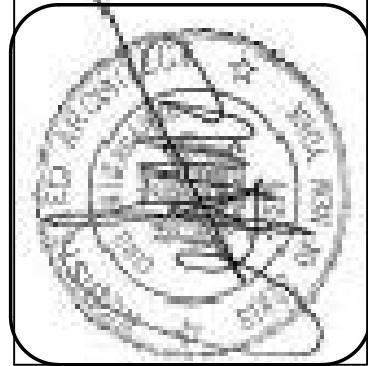
- CONTINUOUS WHITE ALUMINUM FASCIA & CONTINUOUS ALUMINUM DRIP EDGE
- CONTINUOUS FULLY VENTED WHITE VINYL SOFFIT.
- INSTALL 6" WHITE ALUMINUM GUTTERS & DOWN SPOUTS
- 36" ICE & WATER SHIELD IN VALLEYS & 24" IN FROM STUD WALLS ON RAKES & EAVES.
- CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF
- BEIGE COLORED 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 | Description |       |
|-----------|-------------|-------|
|           | No.         | Date: |
|           |             |       |



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

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



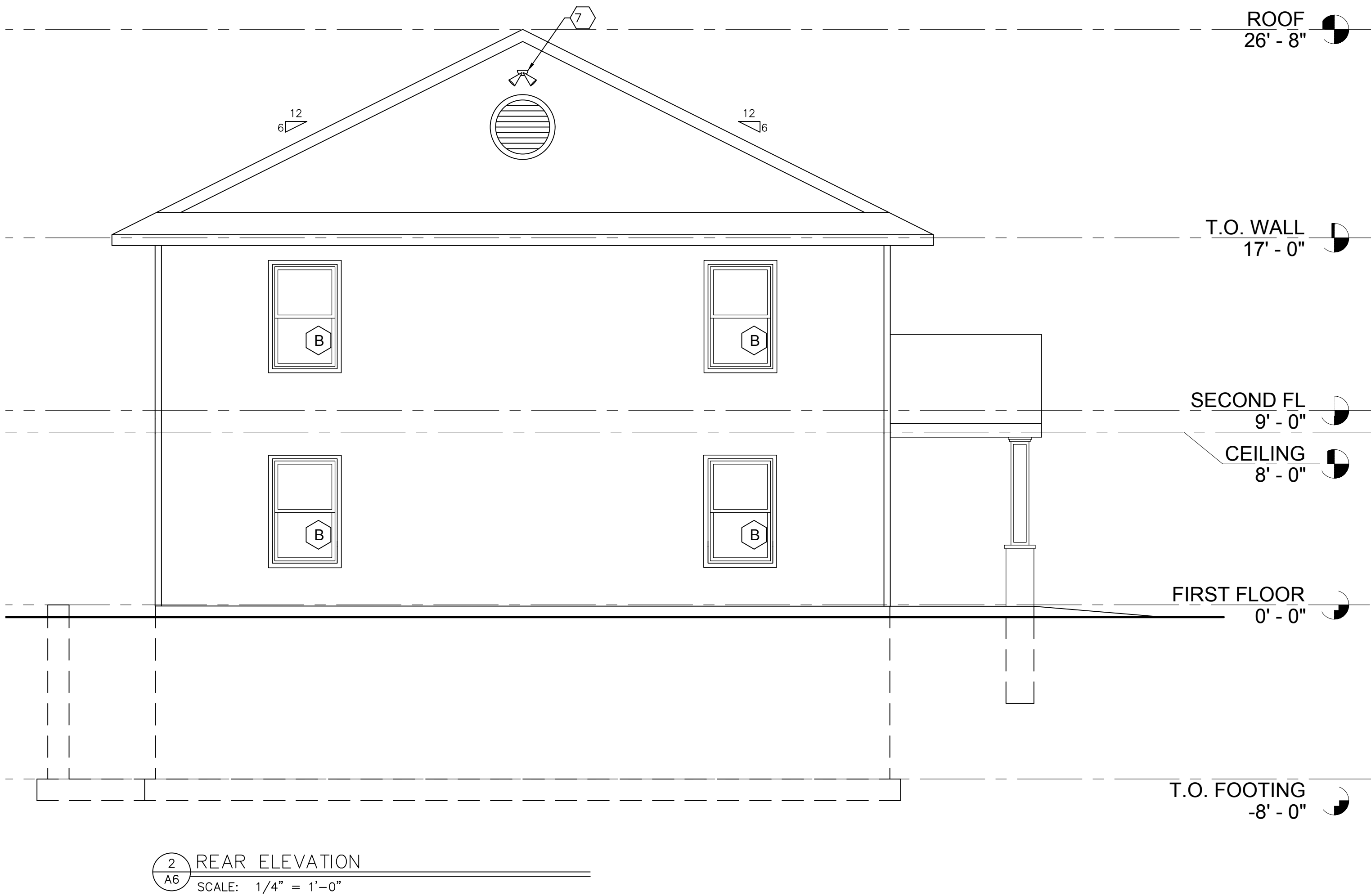
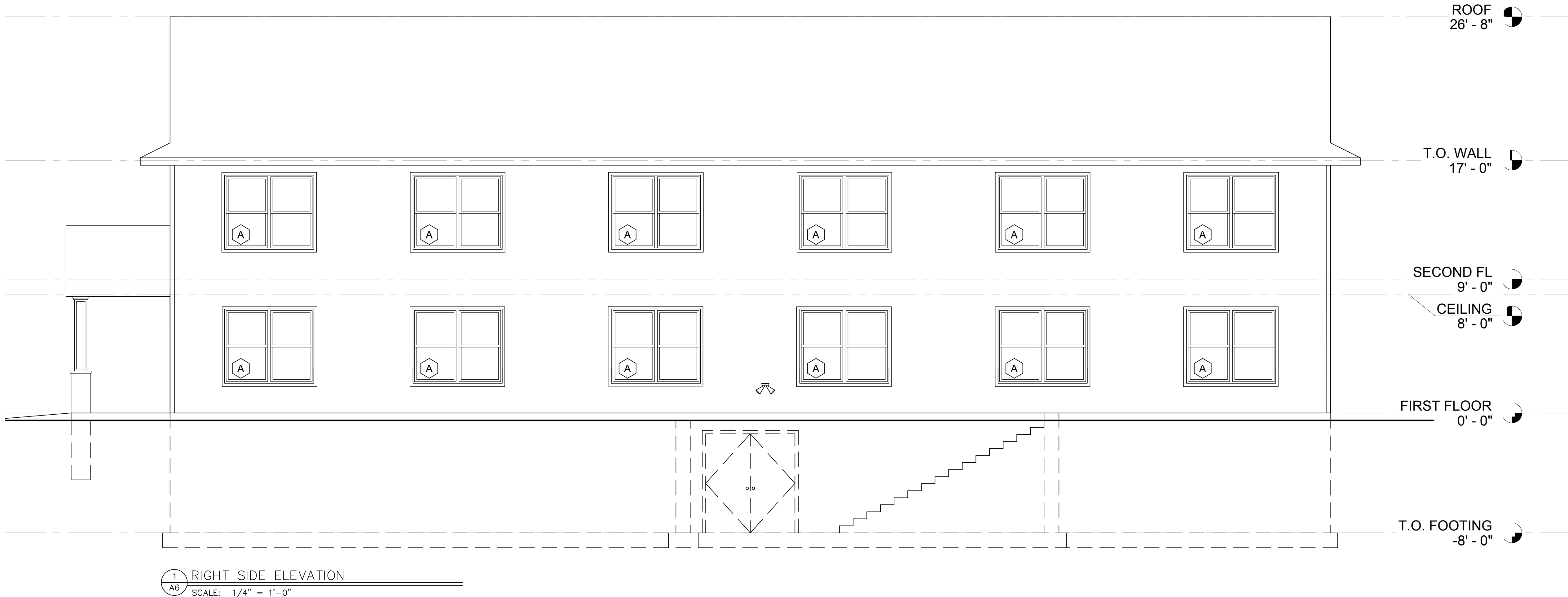
EXTERIOR ELEVATIONS

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

Project Number, 23-31







| 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

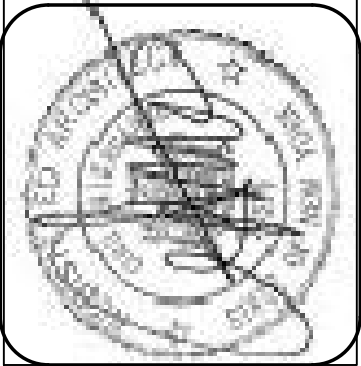
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| Revisions |       |              |  |
|-----------|-------|--------------|--|
|           |       |              |  |
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DRAWN BY: A.K.S. CHECKED BY: C.I. ISSUED DATE: 26 JULY, 2023



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 SECURE ALL NECESSARY PERMITS, INSPECTIONS AND FINAL CERTIFICATION OF OCCUPANCY.
- CONTRACTOR SHALL CHECK, ALL DIMENSIONS AND CONDITIONS, AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.
- CONTRACTOR SHALL PROTECT PREMISES AND OCCUPANTS FROM HARM ON THE BUILDING SITE. PROVIDE AND MAINTAIN NECESSARY COVERINGS AND PROTECTION FOR ALL MATERIALS AND EQUIPMENT STORED ON SITE FROM DAMAGE OR THEFT.
- REMOVE ALL DEBRIS AND KEEP SITE CLEAN AND NEAT AT ALL TIMES.

## 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

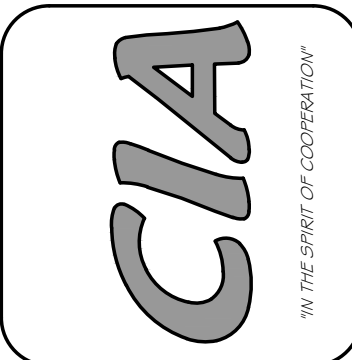
NEW DRYWALL PARTITION WOOD STUDS @ 16" O.C. WITH (1) LAYER OF 1/2" G.W.B. ON EACH SIDE (STANDARD CONSTRUCTION)

**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.

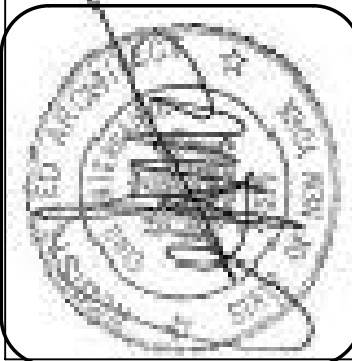
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| Revisions | Description: |       |
|-----------|--------------|-------|
|           | No.          | Date: |



|                                                                                                 |                  |                            |
|-------------------------------------------------------------------------------------------------|------------------|----------------------------|
| CIRO INTERANTE ARCHITECT, P.C.                                                                  |                  |                            |
| 85 MARKET STREET<br>POUGHKEEPSIE, NEW YORK 12601<br>(845) 473-7525 Office<br>(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<br>27 SOUTH CLINTON STREET<br>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.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                     |                                                     |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|-------------------------------------|-------------------------------------|
| <b>Part 1 - Project and Sponsor Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                     |                                                     |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |
| Name of Action or Project:<br>27 SOUTH CLINTON STREET                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                     |                                                     |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |
| Project Location (describe, and attach a location map):<br>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:<br>CONSTRUCT A NEW 6 UNIT APPARTMENT BUILDING ON A VACANT LOT.                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                                                     |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |
| Name of Applicant or Sponsor:<br>QUINCY WILLIAMS - 27 SOUTH CLINTON, LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                     | Telephone: 845-453-5223<br>E-Mail: 382KCC@GMAIL.COM |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |
| Address:<br>PO BOX 372                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                     |                                                     |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |
| City/PO:<br>LAGRANGEVILLE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                     | State:<br>NY                                        | Zip Code:<br>12540                                                                                                                                                                                                                                                                                                                                                              |           |            |                                     |                                     |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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;"><b>NO</b></td> <td style="width: 50%; padding: 2px;"><b>YES</b></td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table> | <b>NO</b> | <b>YES</b> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <b>NO</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>YES</b>                          |                                                     |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>            |                                                     |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:<br>SITE PLAN APPROVAL                                                                                                                                                                                                                                                                                                                                      |                                     |                                                     | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;"><b>NO</b></td> <td style="width: 50%; padding: 2px;"><b>YES</b></td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> </table> | <b>NO</b> | <b>YES</b> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>NO</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>YES</b>                          |                                                     |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |
| <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input checked="" type="checkbox"/> |                                                     |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |
| 3.a. Total acreage of the site of the proposed action? <span style="float: right;">0.205 acres</span><br>b. Total acreage to be physically disturbed? <span style="float: right;">0.205 acres</span><br>c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">0.205 acres</span>                                                                                                                                           |                                     |                                                     |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |
| 4. Check all land uses that occur on, adjoining and near the proposed action.<br><input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)<br><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____<br><input type="checkbox"/> Parkland |                                     |                                                     |                                                                                                                                                                                                                                                                                                                                                                                 |           |            |                                     |                                     |

|                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                     |                                            |                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|--------------------------------------------|---------------------------------|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations?                                                                                                                                                                                                                                                                                                                                    | NO<br><input type="checkbox"/>                                      | YES<br><input checked="" type="checkbox"/> | N/A<br><input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>                                            | <input checked="" type="checkbox"/>        | <input type="checkbox"/>        |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?                                                                                                                                                                                                                                                                                                   | NO<br><input type="checkbox"/>                                      | YES<br><input checked="" type="checkbox"/> |                                 |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?<br>If Yes, identify: _____                                                                                                                                                                                                                                                                       | NO<br><input checked="" type="checkbox"/>                           | YES<br><input type="checkbox"/>            |                                 |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?                                                                                                                                                                                                                                                                                                                  | NO<br><input checked="" type="checkbox"/>                           | YES<br><input type="checkbox"/>            |                                 |
| b. Are public transportation service(s) available at or near the site of the proposed action?                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>                                            | <input checked="" type="checkbox"/>        |                                 |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>                                            | <input checked="" type="checkbox"/>        |                                 |
| 9. Does the proposed action meet or exceed the state energy code requirements?<br>If the proposed action will exceed requirements, describe design features and technologies:<br>_____                                                                                                                                                                                                                            | NO<br><input type="checkbox"/>                                      | YES<br><input checked="" type="checkbox"/> |                                 |
| 10. Will the proposed action connect to an existing public/private water supply?<br><br>If No, describe method for providing potable water: _____                                                                                                                                                                                                                                                                 | NO<br><input type="checkbox"/>                                      | YES<br><input checked="" type="checkbox"/> |                                 |
| 11. Will the proposed action connect to existing wastewater utilities?<br><br>If No, describe method for providing wastewater treatment: _____                                                                                                                                                                                                                                                                    | NO<br><input type="checkbox"/>                                      | YES<br><input checked="" type="checkbox"/> |                                 |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?                                                                                                                                                                                                                                                                                              | NO<br><input checked="" type="checkbox"/>                           | YES<br><input type="checkbox"/>            |                                 |
| b. Is the proposed action located in an archeological sensitive area?                                                                                                                                                                                                                                                                                                                                             | <input checked="" type="checkbox"/>                                 | <input type="checkbox"/>                   |                                 |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?                                                                                                                                                                                                                          | NO<br><input checked="" type="checkbox"/>                           | YES<br><input type="checkbox"/>            |                                 |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?<br>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____                                                                                                                                                                                                         | <input checked="" type="checkbox"/>                                 | <input type="checkbox"/>                   |                                 |
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:<br><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> 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<br><input checked="" type="checkbox"/>                           | YES<br><input type="checkbox"/>            |                                 |
| 16. Is the project site located in the 100 year flood plain?                                                                                                                                                                                                                                                                                                                                                      | NO<br><input checked="" type="checkbox"/>                           | YES<br><input type="checkbox"/>            |                                 |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,<br>a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES                                                                                                                                                                  | NO<br><input type="checkbox"/>                                      | YES<br><input checked="" type="checkbox"/> |                                 |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?<br>If Yes, briefly describe: _____<br>CITY OF POUGHKEEPSIE MUNICIPAL STORM WATER SYSTEM                                                                                                                                                                                                                   | <input type="checkbox"/> NO <input checked="" type="checkbox"/> 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)?<br>If Yes, explain purpose and size: _____ | NO                                  | YES                      |
|                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____                                               | NO                                  | YES                      |
|                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: _____                                             | NO                                  | YES                      |
|                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b><br>Applicant/sponsor name: <u>KIRO INTERANTE</u> Date: <u>7-29-23</u><br>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?                                                                | <input type="checkbox"/>      | <input type="checkbox"/>           |
| 2. Will the proposed action result in a change in the use or intensity of use of land?                                                                                     | <input type="checkbox"/>      | <input type="checkbox"/>           |
| 3. Will the proposed action impair the character or quality of the existing community?                                                                                     | <input type="checkbox"/>      | <input type="checkbox"/>           |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?                      | <input type="checkbox"/>      | <input type="checkbox"/>           |
| 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?            | <input type="checkbox"/>      | <input type="checkbox"/>           |
| 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? | <input type="checkbox"/>      | <input type="checkbox"/>           |
| 7. Will the proposed action impact existing:                                                                                                                               | <input type="checkbox"/>      | <input type="checkbox"/>           |
| a. public / private water supplies?                                                                                                                                        | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. public / private wastewater treatment utilities?                                                                                                                        | <input type="checkbox"/>      | <input type="checkbox"/>           |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?                                   | <input type="checkbox"/>      | <input type="checkbox"/>           |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?                     | <input type="checkbox"/>      | <input type="checkbox"/>           |



|                                                                                                                 | No, or<br>small<br>impact<br>may<br>occur | Moderate<br>to large<br>impact<br>may<br>occur |
|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------------------|
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | <input type="checkbox"/>                  | <input type="checkbox"/>                       |
| 11. Will the proposed action create a hazard to environmental resources or human health?                        | <input type="checkbox"/>                  | <input type="checkbox"/>                       |

**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.

|                                                                                                                                                  |                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/>                                                                                                                         | 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. |
| <input type="checkbox"/>                                                                                                                         | 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.                                                             |
| <div> <div>Name of Lead Agency</div> <div>Date</div> </div>                                                                                      |                                                                                                                                                                                                                                                                              |
| <div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>                         |                                                                                                                                                                                                                                                                              |
| <div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div> |                                                                                                                                                                                                                                                                              |

**PRINT**









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

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

**ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION**

PROPERTY ADDRESS: 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):

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SIGNATURE AND VERIFICATION

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

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

SIGNATURE OF APPLICANT

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

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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 8<sup>th</sup> Parking space. For the (4) Apartment units there is required 7.5 Parking spaces, the elimination of the 8<sup>th</sup> 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 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 1<sup>st</sup> 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 1<sup>st</sup> 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.

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, that could be achieved by the elimination of the 8<sup>th</sup> Parking space. For the (4) Apartment units there is required 7.5 Parking spaces, the elimination of the 8<sup>th</sup> 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 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

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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.

North per deed  
Doc ID# 02-2022-50176

North Hamilton St.

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

Replace macadam placed in sidewalk  
area back with a new 5" thick concrete  
panel to match existing sidewalk.

house clears  
0.1'±

1 story frame  
house clears  
2.3'±

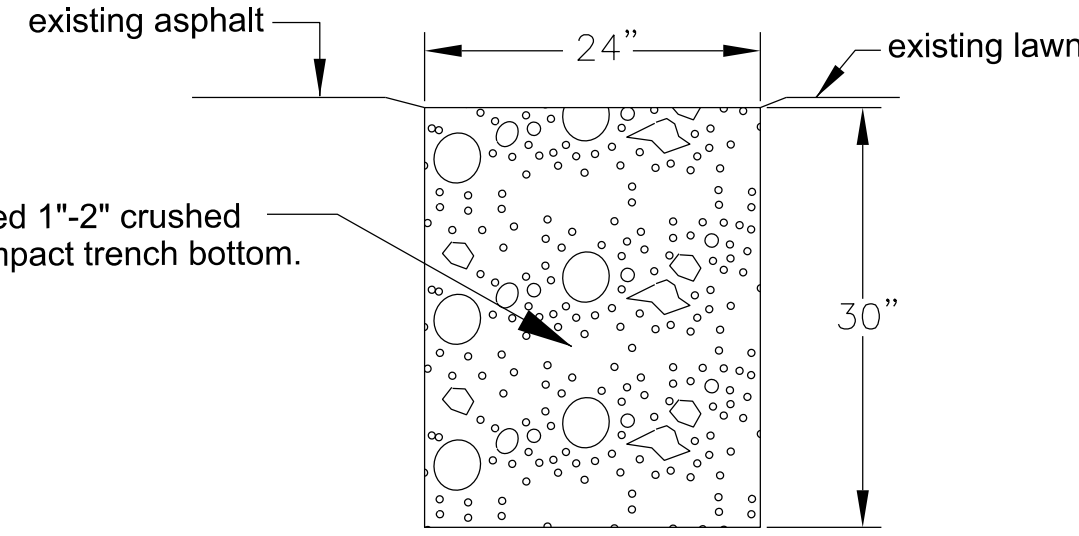
N 9°35'32"E  
47.25'

20.5'

house clears  
1.5'±

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

place uncompacted 1"-2" crushed  
stone. Do not compact trench bottom.



STONE INFILTRATION TRENCH

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

Install 60 gallon rain barrels  
@ each rear gutter downspout

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

43.25' long

paved asphalt  
driveway limits  
18.8'

Install 150 L.F. of solid  
green slats in existing  
3' high chain link fence.

N/F Rogers  
L 1706 P 852

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

Stone Infiltration  
Trench (30 LF)

Install 150 L.F. of solid  
green slats in existing  
3' high chain link fence or  
along entire property line.

S 80°50'57"E  
210.00'

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

N 80°05'55"W  
210.00'

Stone Infiltration  
Trench (55 LF)

found iron pipe  
0.2' ± south of line

N.T.S.

N/F Dugger  
L 1900 P 95

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

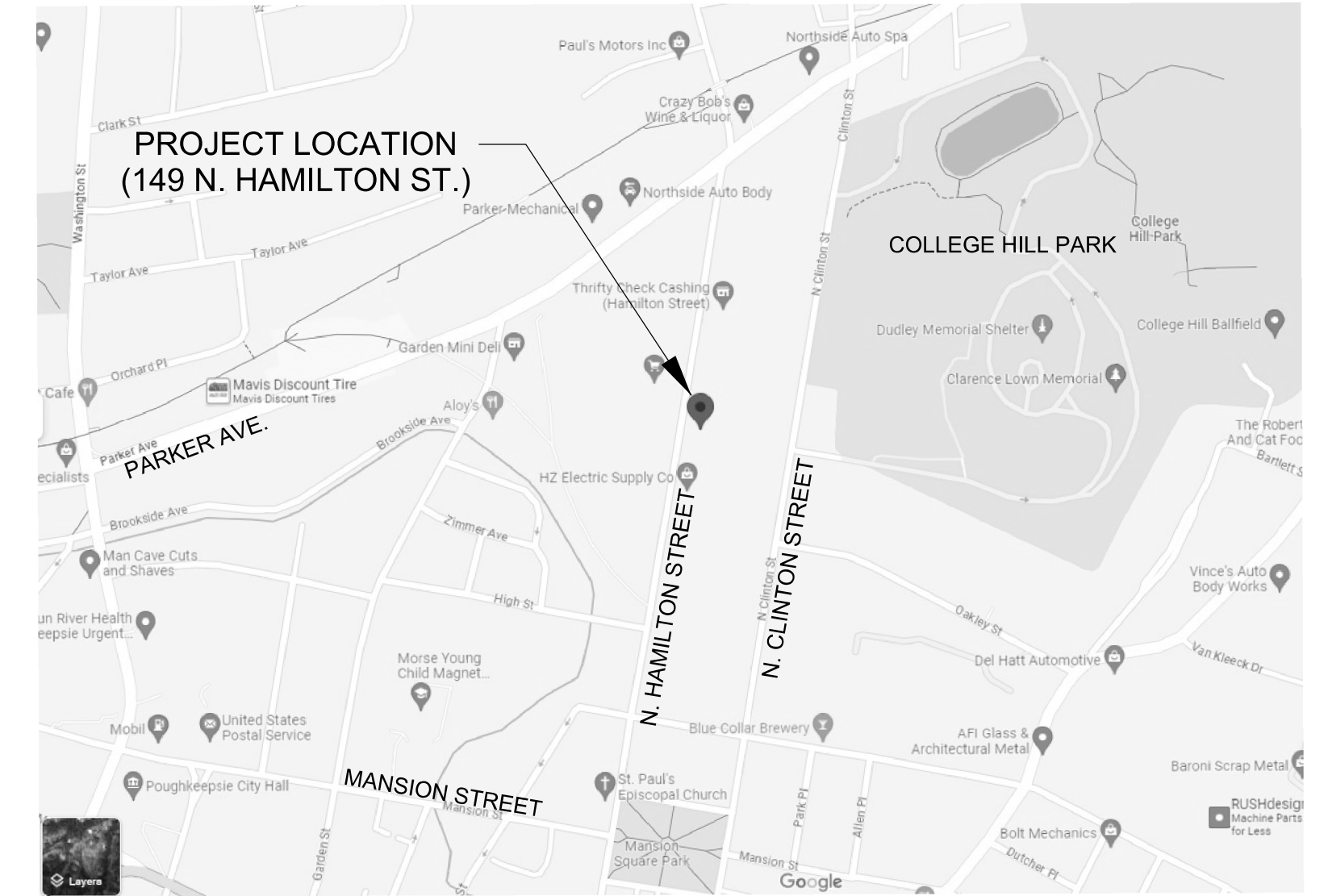
TAX MAP IDENTIFICATION

|                       |          |          |          |
|-----------------------|----------|----------|----------|
| North Hamilton Street | # 240389 | # 282392 | # 302384 |
|                       |          | # 279377 | # 301378 |
|                       |          | # 279374 | # 301373 |
|                       |          | # 279372 | # 300366 |
|                       | # 278369 |          |          |
|                       | # 278366 | # 299362 |          |
|                       |          | # 298358 |          |
|                       | # 277361 | # 298354 |          |
|                       |          | # 297351 |          |
|                       | # 276355 | # 296348 |          |
|                       | # 274345 | # 296344 |          |
|                       | # 274344 | # 294339 |          |
|                       | # 274340 | # 294333 |          |
|                       | # 272344 | # 293329 |          |
| North Clinton Street  | # 271325 | # 292324 |          |

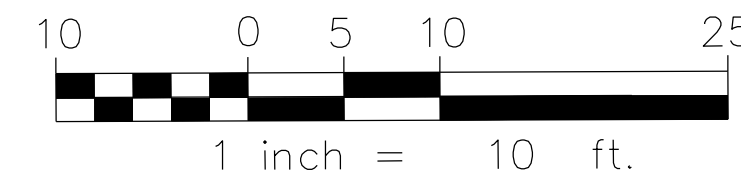
| TAX MAP NUMBER | ADDRESS                   | OWNER                    |
|----------------|---------------------------|--------------------------|
| # 240389       | N. Hamilton Street        | County of Dutchess       |
| # 238330       | 150 N. Hamilton Street    | County of Dutchess       |
| # 282392       | 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, Tzvi 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     | Shell, Curtis            |
| # 300366       | 162 N. Clinton Street     | Gray, Lloyd E.           |
| # 299362       | 160 N. Clinton Street     | Greene, Sheldon R.       |
| # 298358       | 158 N. Clinton Street     | Dittus, 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     | Slubbs, Erik R.          |
| # 294333       | 146 N. Clinton Street     | Rodriguez, Ariel         |
| # 293329       | 144 N. Clinton Street     | Ulutas, Ahmet            |
| # 292324       | 140 N. Clinton Street     | Kimon, Eon L.            |

LEGEND:

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



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, 2<sup>ND</sup> 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:

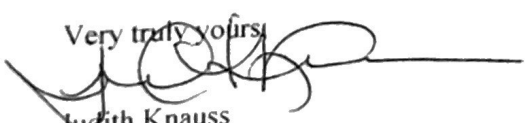
The Development Department is in receipt of your application for the site plan approval for the creation of an off-street parking lot for nine vehicles at 149 North Hamilton Street, the primary use of which is a four family dwelling. The application has been reviewed for compliance with the of the Zoning 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





**CITY OF POUGHKEEPSIE  
ZONING BOARD OF APPEALS  
MEETING DATES 2024**

City Hall – Common Council Chambers at 6:00 P.M.

The agenda will be posted on the city's website one (1) week prior to the scheduled meeting.  
Applications to be considered must be submitted three (4) weeks prior to the scheduled meeting.

TUESDAY, JANUARY 9

TUESDAY, FEBRUARY 13

TUESDAY, MARCH 12

TUESDAY, APRIL 9

TUESDAY, MAY 14

TUESDAY, JUNE 11

TUESDAY, JULY 9

TUESDAY, AUGUST 13

TUESDAY, SEPTEMBER 10

TUESDAY, OCTOBER 8

TUESDAY, NOVEMBER 12

TUESDAY, DECEMBER 10

Motion to approve the 2024 Zoning Board of Appeals meeting schedule

Motion:

Second:

Carried: