



City of Poughkeepsie Zoning Board of Appeals

Approved Meeting Minutes

Common Council Chambers

Thursday, November 30, 2023 6:00 PM

APPROVED DECEMBER 12, 2024

Motion: Scott Parker

Second: Justin Phillips

Carried: 5:0:1

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 12th 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 12th 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 foot 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
Hillary 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)1, 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.