

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

Common Council Chambers
Tuesday, January 9, 2024
6:00 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. Approval of December 12, 2023 Meeting Minutes

III. REVIEW OF RESOLUTIONS

1. 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

IV. PUBLIC HEARINGS & DELIBERATIONS

1. 49 CIVIC CENTER PLAZA - INTERPRETATION
ADJOURNED TO FEBRUARY

2. 579 MAIN STREET - AREA VARIANCES

Application for variances relative to the proposed conversion of the building at 579 Main Street to a mixed use building containing retail and art studio

space on the first floor, and three dwelling units, requiring variances of Section 19-3.23(2)(b)(9)(vi) of the Zoning Ordinance, which limits the size of apartments to no more than 750 square feet, to allow two apartments to be greater than 750 square feet, and Section 19-4.3(11), which requires 11 off-street parking spaces, to allow one off-street parking space. Owner: Johany Property LLC; Applicant: One Stop Property Service LLC; Consultant: Ciro Interrante, Architect; Zoning District: C-2A; Grid #6161-24-423946; File #ZBA2023-047

3. 1 CIVIC CENTER PLAZA - AREA VARIANCES

Application for area variances relative to the placement of an awning sign, requiring variances of Section 19-4.9(9)(a)(2) of the Zoning Ordinance to allow a sign 19'8" wide where 10 feet is permitted and Section 19-4.9(9)(a)(4) to allow six words when five words is the limit. Owner: Acadia Hudson, LLC; Applicant: Victoria Rothman; Zoning District: PID-HC; Grid #6162-77-050111; File #2023-050

4. 110 SOUTH GRAND AVENUE - AREA VARIANCES

Application for area variances to allow the construction of an off-street parking lot in the Park Avenue front yard of the property, requiring a variance of Sections 19-4.13(1) and 19-4.13(2) of the Zoning Ordinance. Owner/Applicant: Faith Apostolic Ministries Inc.; Consultant: Michael Berta, AIA; Zoning District: R-2; Grid #6161-49-620556; File #2023-051

5. 200 MAIN STREET - INTERPRETATION

Request for Interpretation as to whether or not the applicant's proposed use constitutes an art gallery pursuant to the provisions of the Zoning Ordinance, requiring a general examination of definitions, permitted, uses and zoning districts, including a comparison between the C-2 and PID-HC Districts, in which of the Zoning Ordinance. Owner: 200 Main LLC; Applicant: Christina and Ty Johnson; Zoning District C-2; Grid #62-84-965121; File #2023-053

V. CONTINUED APPLICATION REVIEW

1. 134 SMITH STREET - USE VARIANCE

Application for use variance relative to the proposed use of the vacant storefront at 134 Smith Street as a retail (convenience) store. The previous use of the property for retail purposes was nonconforming, ceasing in 2016. Pursuant to Section 19-5.1(1)(d), such use may not be re-established without a variance of Section 19-3.31(2) of the Zoning Ordinance governing permitted uses. The single story structure also contains a dwelling unit. Owner: Ihsan Nesheiwat; Applicant: Gary Beck, Jr./Z3 Consultants; Grid #6162-72-414248; File #2023-023

2. 27 SOUTH CLINTON STREET – USE & AREA VARIANCES

Application for use variance relative to the proposed construction of a 4-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 a 10 foot front yard on South Clinton Street and an 8 foot front yard of Church Street; Section 19-3.13.1(4)(d)(2), which requires side yards of 10 feet, to possibly allow a side yard of 6 feet, depending on the configuration of the stairs on the south side of the building; Section 19-3.13.1(4)(d)(3), which requires a rear yard of 15 feet, to allow the (east) rear yard to be 5 feet (the remaining yard area is compromised by off-street parking); 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)(b), which requires aisles between rows of parking to be 22 feet wide, to allow an 18' wide aisle between rows of parking; Section 19-4.3(5)(11), which requires 9 parking spaces, to allow 8 parking spaces; Section 19-4.13, which requires that all accessory uses be set back a minimum of 6 feet from the property line, to allow garbage bins to be located virtually on the south side property line; 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

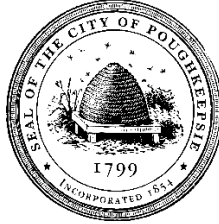
4. 16 PERSHING AVENUE APPLICATION - AREA VARIANCES

Application for variances relative to the proposed conversion of the former emergency mobile response facility to an autobody repair shop, requiring 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/C-3; Grid #6161-24-427963: File
#ZBA2023-040

5. 29 GIFFORD AVENUE - AREA VARIANCE

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 sf of lot area where 6600 sf is 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 415 square feet of usable open space with minimum dimensions of 10x35 feet and 10x15 feet 31.18' where 900sf with a minimum dimension of 40 feet is required; Section 19-4.3(5)(a) to allow a driveway of 9.48 feet wide where 15 feet is required; Section 19-4.11 to allow no perimeter landscaping where landscaping is required (a fence is provided on portions of the perimeter. Owner: Shauna Powell; Applicant: Jon Moss, Berg Moss Architects; Zoning District: R-4; Grid #61062-68-937310: File #ZBA2023-049



**City of Poughkeepsie Zoning Board of Appeals
Meeting Agenda
Common Council Chambers
Tuesday, December 12, 2023 6:00 PM**

ATTENDANCE

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

STAFF

Rebecca Valk, Corporation Counsel
Tyler Maegerle, Junior Planner
Lori Garcia, Board Administrative Assistant

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

Approval of November 20, 2023

Motion: Jessica Vinall
Second: Thomas Klug
Carried: 5:0:1

November 30, 2023 Meeting Minutes

Motion: Scott Parker
Second: Justin Phillips
Carried: 5:0:1

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

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

Motion: Scott Parker
Second: Justin Phillips
Carried: 6:0:0

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

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

Motion: Scott Parker
Second: James Patterson
Carried: 6:0:0

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

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

Motion: Scott Parker
Second: Thomas Klug
Carried: 6:0:0

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

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

Motion: Scott Parker
Second: Justin Phillips
Carried: 6:0:0

IV. PUBLIC HEARINGS

1. 49 CIVIC CENTER PLAZA - INTERPRETATION
ADJOURNED UNTIL 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

Motion made to open the public hearing:

Motion: Scott Parker
Second: Thomas Klug
Carried: 6:0:0

Motion to close the public hearing:

Motion: Scott Parker
Second: Thomas Klug
Carried: 6:0:0

Motion made to adjourn review to January:

Motion: Scott Parker
Second: Thomas Klug
Carried: 6:0:0

3. 16 PERSHING AVENUE - 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

Presenting: Joshua Macke, Mackey, Butts and Whalen
Vidya Jaikarran, Applicant

Motion made to open the public hearing:

Motion: Scott Parker
Second: Thomas Klug
Carried: 6:0:0

Motion to adjourn the public hearing to January:

Motion: Scott Parker
Second: Thomas Klug
Carried: 6:0:0

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

Motion made to open the public hearing:

Motion: Jessica Vinall
Second: Thomas Klug
Carried: 5:0:0

Motion to close the public hearing:

Motion: Jessica Vinall
Second: Thomas Klug
Carried: 5:0:0

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

Motion: Scott Parker
Second: Justin Phillips
Carried: 6:0:0

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

Motion made to open the public hearing:

Motion: Scott Parker
Second: Justin Phillips
Carried: 6:0:0

Motion to close the public hearing:

Motion: Scott Parker
Second: Thomas Klug
Carried: 6:0:0

Motion made to adjourn review to January:

Motion: Scott Parker
Second: Thomas Klug
Carried: 6:0:0

V. CONTINUED APPLICATION REVIEW

1. 134 SMITH STREET: USE VARIANCES

ADJOURNED UNTIL 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.

Motion made to open the public hearing:

Motion: Scott Parker
Second: Thomas Klug
Carried: 6:0:0

Speakers
Marta Knapp
Hillari Spooner
Marjorie Ackermann
Delta Frye
Zara St. Croix

Motion to close the public hearing:

Motion: Scott Parker
Second: Justin Phillips
Carried: 6:0:0

Motion made to adjourn review to January:

Motion: Scott Parker
Second: Justin Phillips
Carried: 6:0:0

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

Motion made to adjourn review to January:

Motion: Scott Parker
Second: Justin Phillips
Carried: 6:0:0

VI. APPROVAL OF MEETING DATES

Approval of 2024 Meeting Dates

Motion: Scott Parker
Second: Thomas Klug
Carried: 6:0:0

Motion made to adjourn meeting to January 2024:

Motion: Scott Parker
Second: Thomas Klug
Carried: 6:0:0

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

CASE #:

FEE: \$350.00
CODE: A2112
ID#

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

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

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

II. PROPERTY OWNERSHIP

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

III. APPLICANT INFORMATION

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

Phone#: 845-485-1239

Email: rwpalombo@thepalombogroup.com

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

IV. SUBJECT OF APPEAL

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

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

V. APPEAL REQUEST

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

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

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

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

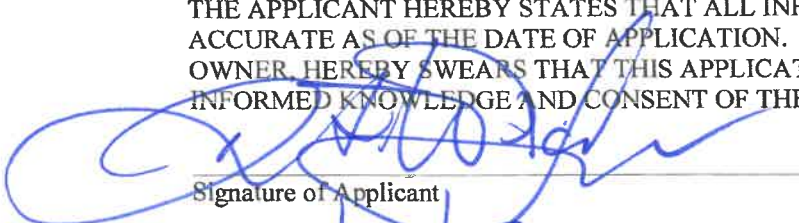
VII. LIST OF REQUIRED ATTACHMENTS

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

VIII. SIGNATURE AND VERIFICATION

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

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


Signature of Applicant

DATE: 8/20/23

August 21, 2023

Via Hand Delivery and Email

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

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

Dear Zoning Board of Appeals:

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

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

Very truly yours,
MACKEY BUTTS & WHALEN, LLP

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

JOSHUA E. MACKEY

JEM/lmw



1
S-100

CONCEPTUAL SITE PLAN

1" = 10'-0"

4 STORY STORAGE
BUILDING

PROPOSED PROJECT FOR:
22 NOXON STREET
POUGHKEEPSIE NY

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

REVISIONS:

CIRO INTERRANTE ARCHITECT, P.C.

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

(845) 473-7572 Office

(845) 473-7525 Fax

SITE PLAN

4 STORY STORAGE
BUILDING

06/27/20

Drawn By:

DC

Checked By:

CI

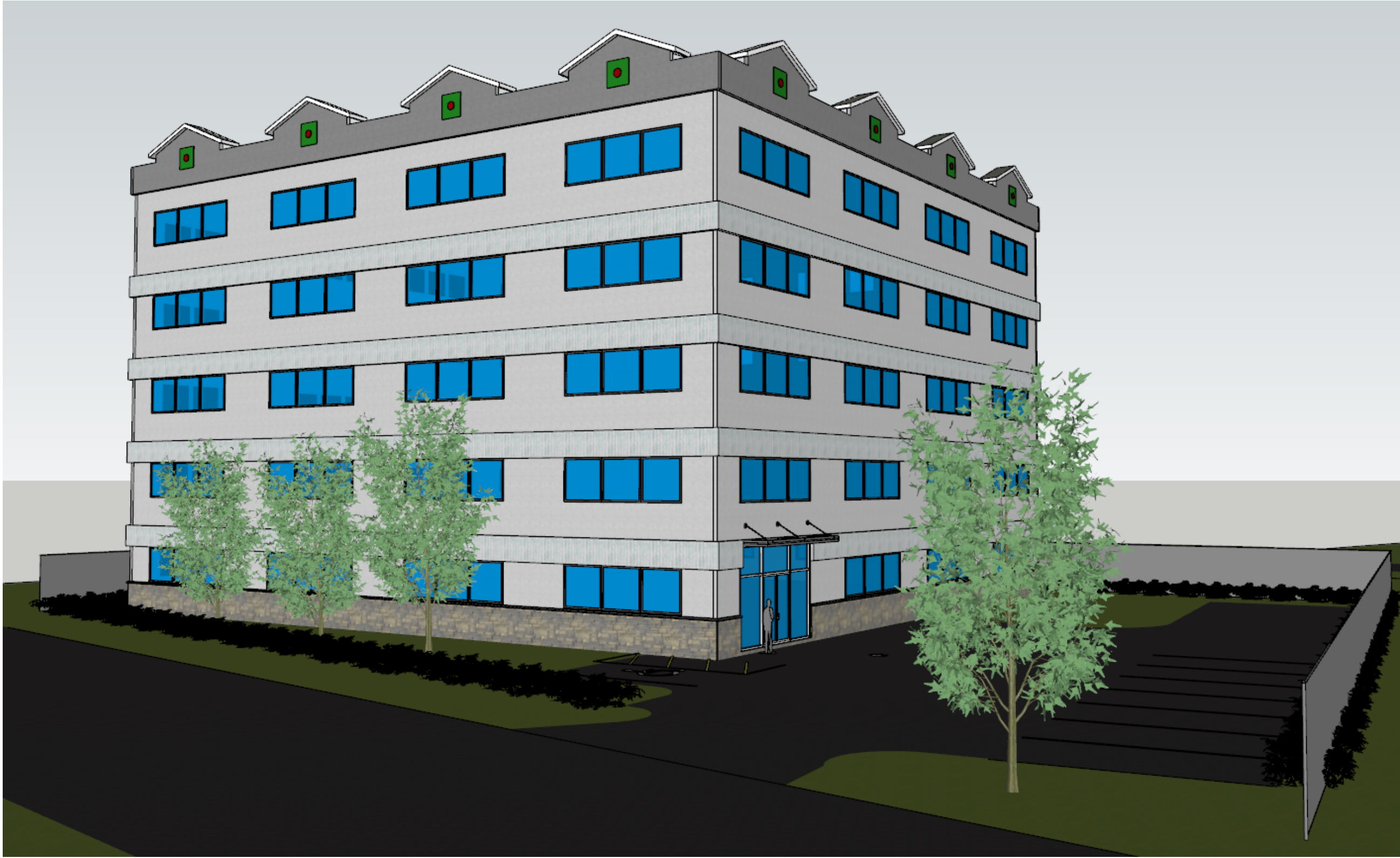
Project No:

23-37

Scale: 1" = 10'-0"

Sheet No:

S-100



4 STORY STORAGE
BUILDING

PROPOSED PROJECT FOR:
22 NOXON STREET
POUGHKEEPSIE NY

No.	Description	Date
REVISIONS:		

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

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

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

S-101

CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS

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

PIEDMONT PROPERTIES OF DUTCHESS, LLC
-----X

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

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



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

TABLE OF CONTENTS

PRELIMINARY STATEMENT1

STATEMENT OF FACTS2

ARGUMENT3

 POINT I

 AN ACTUAL REVIEW OF THE USE PROPOSED WOULD DEMONSTRATE A
 PERMITTED USE IN THE C-3 COMMERCIAL DISTRICT3

 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 A WAREHOUSE.....5

 POINT III

 THE PROPOSED SELF-STORAGE BUILDING CONFORMS TO THE PURPOSE OF
 THE C-3 COMMERCIAL DISTRICT8

 POINT IV

 THE PROPOSED SELF-STORAGE BUILDING CONFORMS TO THE PURPOSE OF
 THE OVERALL ZONING ORDINANCE8

CONCLUSION9

TABLE OF AUTHORITY

Cases

<i>DeMasco Scrap Iron & Metal Corp. v. Zirk</i> , 62 A.D.2d 92 (2d Dept. 1978).....	5
<i>Gershowitz v. Planning Board of the Town of Brookhaven</i> , 69 A.D.2d 460 (1979).	6

Statutes

Code Section 19-3.24(2).	2
Section 19.....	4, 8
Section 19-3.24(20(1)(2)).....	4

PRELIMINARY STATEMENT

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

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

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

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

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

STATEMENT OF FACTS

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

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

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

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

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

(Exhibit “C”).

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

ARGUMENT

POINT I

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

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

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

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

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

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

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

POINT II

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

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

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

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

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

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

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

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

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

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

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

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

POINT III

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

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

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

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

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

POINT IV

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

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

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

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

CONCLUSION

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

Dated: Poughkeepsie, New York
August 21, 2023

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



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

EXHIBIT A



EXHIBIT B

MACKEY BUTTS & WHALEN LLP

ATTORNEYS AT LAW

June 27, 2023

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

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

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

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

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

Dear Mr. O'Brien:

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

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

Reply to:

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

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

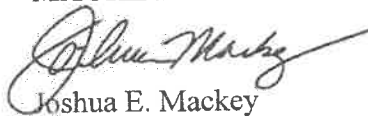
☐ 81 Main Street
P.O. Box 308
Sharon, CT 06069
P 860.364.6232
F 860.364.6429

www.mbwlawyers.com

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

Very truly yours,

MACKEY BUTTS & WHALEN, LLP


Joshua E. Mackey

JEM/aed
Enclosures

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

{00054946 1}

EXHIBIT B1
Page 32 of 23



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

FEE: \$50.00
CODE: ZRSP
ID# _____

ZONING REVIEW REQUEST

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

Official use only:

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

Notes: _____

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

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

Date _____

Revised August 2022: Previous Editions Obsolete

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



20009

10-4/220

DATE

AMOUNT

06/27/2023

****\$300.00

PAY

*** THREE HUNDRED & 00/100 DOLLARS

TO THE
ORDER OF

City of Poughkeepsie Building Department



[Signature]

⑈020009⑈ ⑆022000046⑆

9864656340⑈

MACKEY BUTTS & WHALEN LLP
DATE IOLA ACCOUNT TRUST NAME

PAY TO City of Poughkeepsie Building Department 20009
DESCRIPTION AMOUNT

06/27/2023

Piedmont Properties
Account: 1274.0001-1

Review Zoning Application

300.00

CHECK DATE

CHECK NO.

CHECK AMOUNT

06/27/2023

20009

300.00

MACKEY BUTTS & WHALEN LLP

IOLA TRUST ACCOUNT
3208 FRANKLIN AVE
MILLBROOK, NY 12545



10-4/220

19957

DATE

AMOUNT

06/08/2023

*****\$50.00

PAY

*** FIFTY & 00/100 DOLLARS

TO THE
ORDER OF

City of Poughkeepsie



[Handwritten signature]

⑈019957⑈ ⑆022000046⑆ 9864656310⑈

MACKEY BUTTS & WHALEN LLP
IOLA ACCOUNT TRUST NAME

PAY TO
City of Poughkeepsie

19957
AMOUNT

06/08/2023

Piedmont Properties
Account: 1274.0001-1

Review of Zoning Application

50.00

CHECK DATE

CHECK NO.

CHECK AMOUNT

06/08/2023

19957

50.00

B4/4

EXHIBIT C



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

July 11th, 2023

Joshua Mackey

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

Dear Mr. Mackey,

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

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

Joseph D. O'Brien
Deputy Zoning Administrator
Office - 845-451-4273
jobrien@cityofpoughkeepsie.com



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

July 11th, 2023

Joshua Mackey

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

Dear Mr. Mackey,

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

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

Joseph D. O'Brien
Deputy Zoning Administrator
Office - 845-451-4273
jobrien@cityofpoughkeepsie.com



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

July 11th, 2023

Joshua Mackey

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

Dear Mr. Mackey,

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

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

Joseph D. O'Brien
Deputy Zoning Administrator
Office - 845-451-4273
jobrien@cityofpoughkeepsie.com



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

July 11th, 2023

Joshua Mackey

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

Dear Mr. Mackey,

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

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

Joseph D. O'Brien

Deputy Zoning Administrator
Office - 845-451-4273

jobrien@cityofpoughkeepsie.com



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

July 11th, 2023

Joshua Mackey

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

Dear Mr. Mackey,

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

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

Joseph D. O'Brien
Deputy Zoning Administrator
Office - 845-451-4273
jobrien@cityofpoughkeepsie.com

EXHIBIT D



EXHIBIT D

EXHIBIT E



EXHIBIT 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, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

July 11th, 2023

Joshua Mackey

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

Dear Mr. Mackey,

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

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

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



**THE CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
RESOLUTION OF APPROVAL
JANUARY 9, 2024
504-512 MAIN STREET**

Present

In the matter of the appeal of Piedmont Properties of Dutchess, LLC, regarding the property at 504-512 Main Street, Poughkeepsie, New York:

At a Regular Meeting of the Zoning Board of Appeals held in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, on the 9th day of January, 2024, at 6:00pm:

WHEREAS, the Zoning Board of Appeals has received an application from Piedmont Properties of Dutchess, LLC, relative to the proposed construction on the property of a self-storage facility; and

WHEREAS, the property is located in the C-3 zoning district; and

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

WHEREAS, a public hearing was held on 12/12/2023; and,

NOW, THEREFORE, BE IT RESOLVED, as follows:

The Deputy Zoning Administrator determined that the proposed use satisfied the definition of “mini-warehouses,” a use permitted only in the I-1 zoning district.

The following uses are permitted within the C-3 zoning district: Wholesale businesses, warehouses and building material storage and sale, but excluding storage of coal, coke, fuel oil or junk. [Section 19-3.24(2)(a)(2)]. The City’s code does not define the term “warehouse,” therefore, the ordinary meaning is applied. (“Words 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.” Section 19-2.1).

Webster’s Dictionary defines “warehouse” as “a structure or room for the storage of merchandise or commodities.”¹ The applicant has demonstrated their proposed use of the property as a self-storage facility is to store items for customers in access stalls.

¹ <https://www.merriam-webster.com/dictionary/warehouse>



The fact the use may also satisfy the definition of “miniwarehouse” does not exclude the use from qualifying under one of the many other uses permitted in the Code. “It is well settled that zoning codes, being in derogation of the common law, must be strictly construed against the enacting municipality and in favor of the property owner.” FGL&L Property Corp. v. Rye, 66 N.Y.2d 111, 115 (1985); Baker v. Town of Islip Zoning Bd. of Appeals, 20 A.D.3d 522, 523 (2005). If the Common Council did not intend for such uses to be included within the broad category of “warehouse,” then it is for the Common Council to clarify its intention by amending the code to address this issue.

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby approves the applicant’s proposed use of the property.

Motion:
Second:
Carried:



**THE CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
RESOLUTION OF APPROVAL
JANUARY 9, 2024
504-512 MAIN STREET**

Present

In the matter of the request for interpretation of Piedmont Properties of Dutchess, LLC, regarding the property at 504-512 Main Street, Poughkeepsie, New York:

At a Regular Meeting of the Zoning Board of Appeals held in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, on the 9th day of January, 2024, at 6:00pm:

WHEREAS, the Zoning Board of Appeals has received an application from Piedmont Properties of Dutchess, LLC, relative to the proposed construction on the property of a self-storage facility; and

WHEREAS, the property is located in the C-3 zoning district; and

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

WHEREAS, a public hearing was held on 12/12/2023; and,

NOW, THEREFORE, BE IT RESOLVED, as follows:

The Deputy Zoning Administrator determined that the proposed use satisfied the definition of “mini-warehouses,” a use permitted only in the I-1 zoning district.

The following uses are permitted within the C-3 zoning district: Wholesale businesses, warehouses and building material storage and sale, but excluding storage of coal, coke, fuel oil or junk. [Section 19-3.24(2)(a)(2)]. The City’s code does not define the term “warehouse,” therefore, the ordinary meaning is applied. (“Words 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.” Section 19-2.1).

Webster’s Dictionary defines “warehouse” as “a structure or room for the storage of merchandise or commodities.”¹ The applicant has demonstrated their proposed use of the property as a self-storage facility is to store items for customers in access stalls.

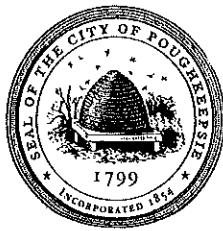
¹ <https://www.merriam-webster.com/dictionary/warehouse>



The fact the use may also satisfy the definition of “miniwarehouse” does not exclude the use from qualifying under one of the many other uses permitted in the Code. “It is well settled that zoning codes, being in derogation of the common law, must be strictly construed against the enacting municipality and in favor of the property owner.” FGL&L Property Corp. v. Rye, 66 N.Y.2d 111, 115 (1985); Baker v. Town of Islip Zoning Bd. of Appeals, 20 A.D.3d 522, 523 (2005). If the Common Council did not intend for such uses to be included within the broad category of “warehouse,” then it is for the Common Council to clarify its intention by amending the code to address this issue.

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby approves the applicant’s proposed use of the property.

Motion:
Second:
Carried:



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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 579 main st pk ny 12601

ZONING DISTRICT: c2a

OWNER INFORMATION:

Name: Johany Property llc

Address: 30 Eastern Parkway Poughkeepsie NY, 12603

Phone: 646-552-3056

Email: onestopgc845@gmail.com

APPLICANT INFORMATION:

Name: One Stop Property Service LLC

Address: 30 Eastern Parkway Poughkeepsie NY, 12603

Phone: 914-291-4526

Email: onestopgc845@gmail.com

CONSULTANT INFORMATION:

Name: Ciro Interrante

Address: 85 Market St. Poughkeepsie NY, 12603

Phone: 845-473-7575

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 obrien

Date of decision/determination/violation: 10-06-23

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 579 Main St, Poughkeepsie NY 12601

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
19-3.23.1(2)9b)(9)(vi)	750 sqft	2 apartments are bigger than 750 sqft
19-4.3(11)	10 Parking Spaces	1 Parking Space + on street Parking

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: 579 Main St, Poughkeepsie NY 12601

LIST OF REQUIRED ATTACHMENTS

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

Not applicable.

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

10/24/23

DATE

Jonathan Pagan, Owner

Print Name

Jonathan G Pagan

160 union st
Poughkeepsie NY
(914)-291-4526
Onestopgc845@gmail.com

08 November 2023

Response from area variance questions

1.)No, we are adding livable units to the area that will benefit the local economy. This project benefits the neighborhood

and will not be a deterrent but a beneficial addition to the area and surrounding properties.

2.)

No, we have explored additional purchases surrounding the property in search of parking spots

but have not found anything feasible. We have consulted with engineers and architects to explore

the possibility of different design to accommodate but have come to no solution other than a variance.

3.)

No it is not, we are seeking a variance for two units at 800 sqft when the required amount is 750. The most substantial aspect is parking. However, there is ample and abundant street parking and 24 hour lots around the property to accommodate this deficit.

4.)No they will not. The apartment size variance has no effect at all , while the parking has minimal given the abundance of on street and local parking

5.)

•

They are unique to the property. The property is a corner lot which creates a difficulty in having a parking lot dedicated to ten spots. With the amount of on street and local lots, we believe this issue is unique to the property.

ZBA Submission for the property located at,

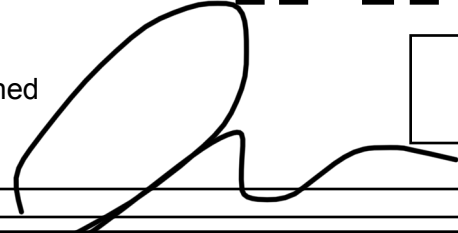
579 Main St. Poughkeepsie NY, 12601

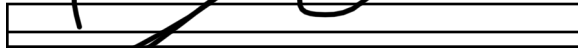
The project located at 579 Main St. is a mixed use project that has brought newly renovated, high efficiency units to the local market. Boasting three residential units and two commercial units, this property will stir activity in the local economy and benefit the City of Poughkeepsie in tax revenue and revitalization.

Today's Date

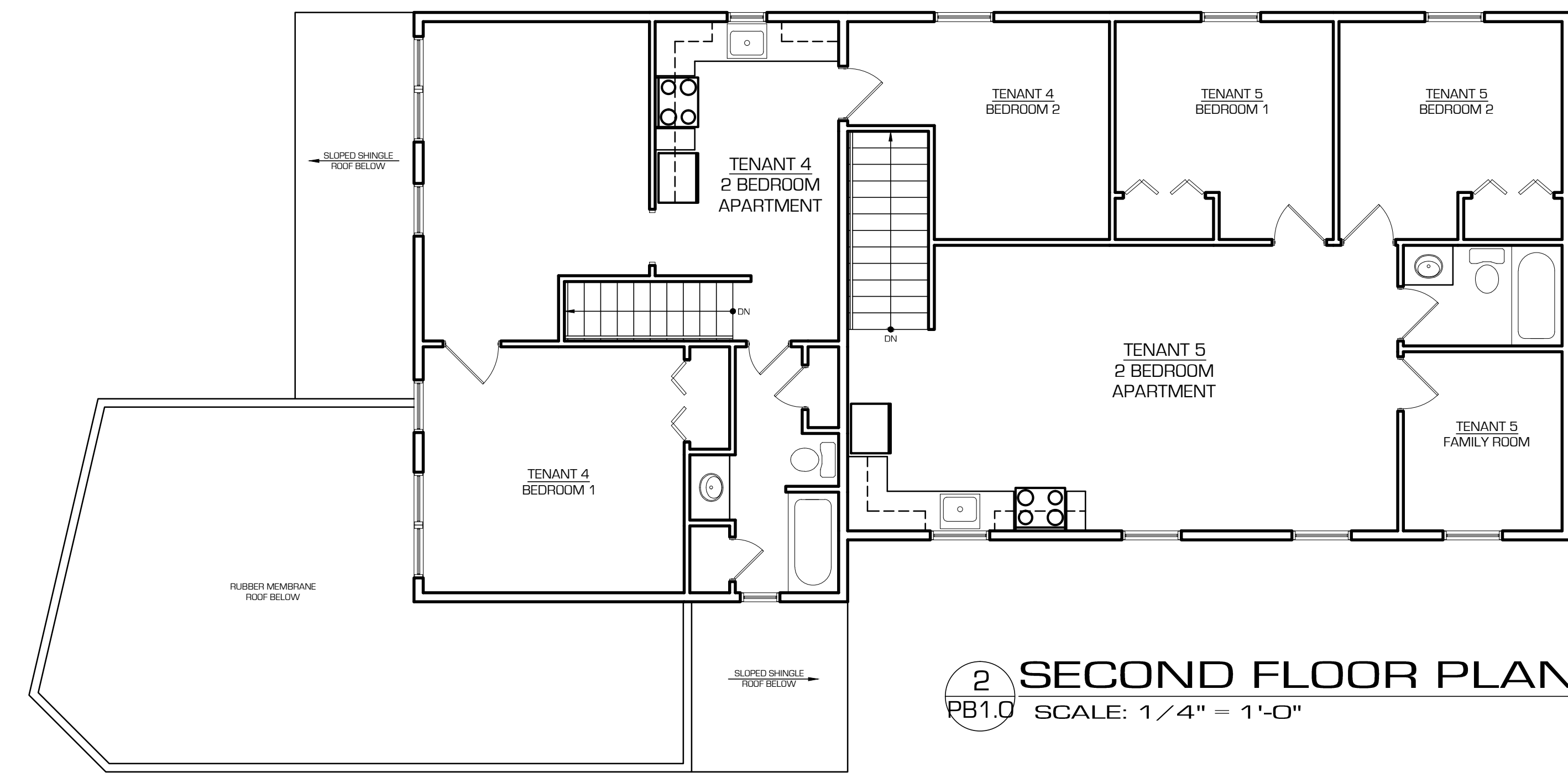
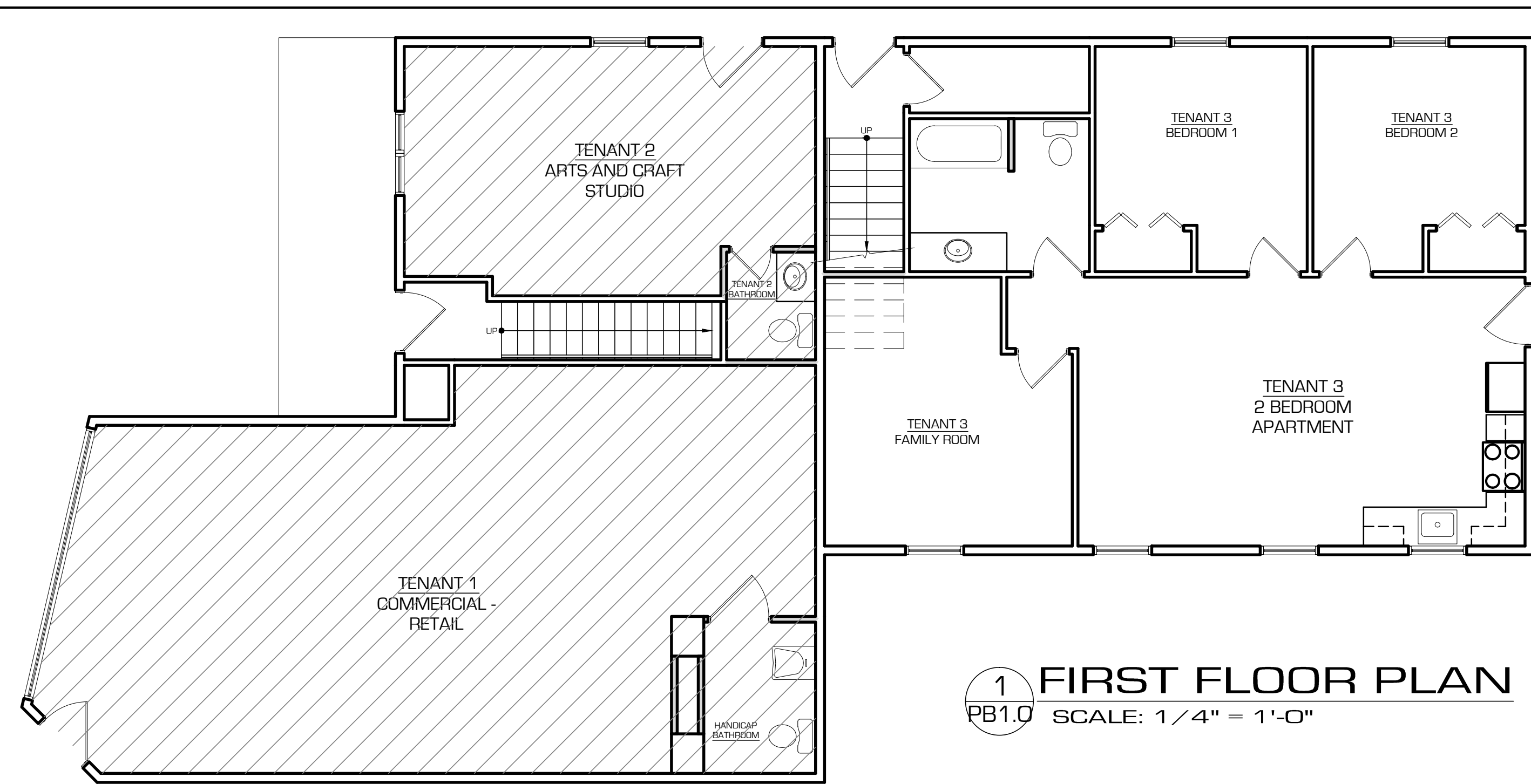
11-21-23

Signed





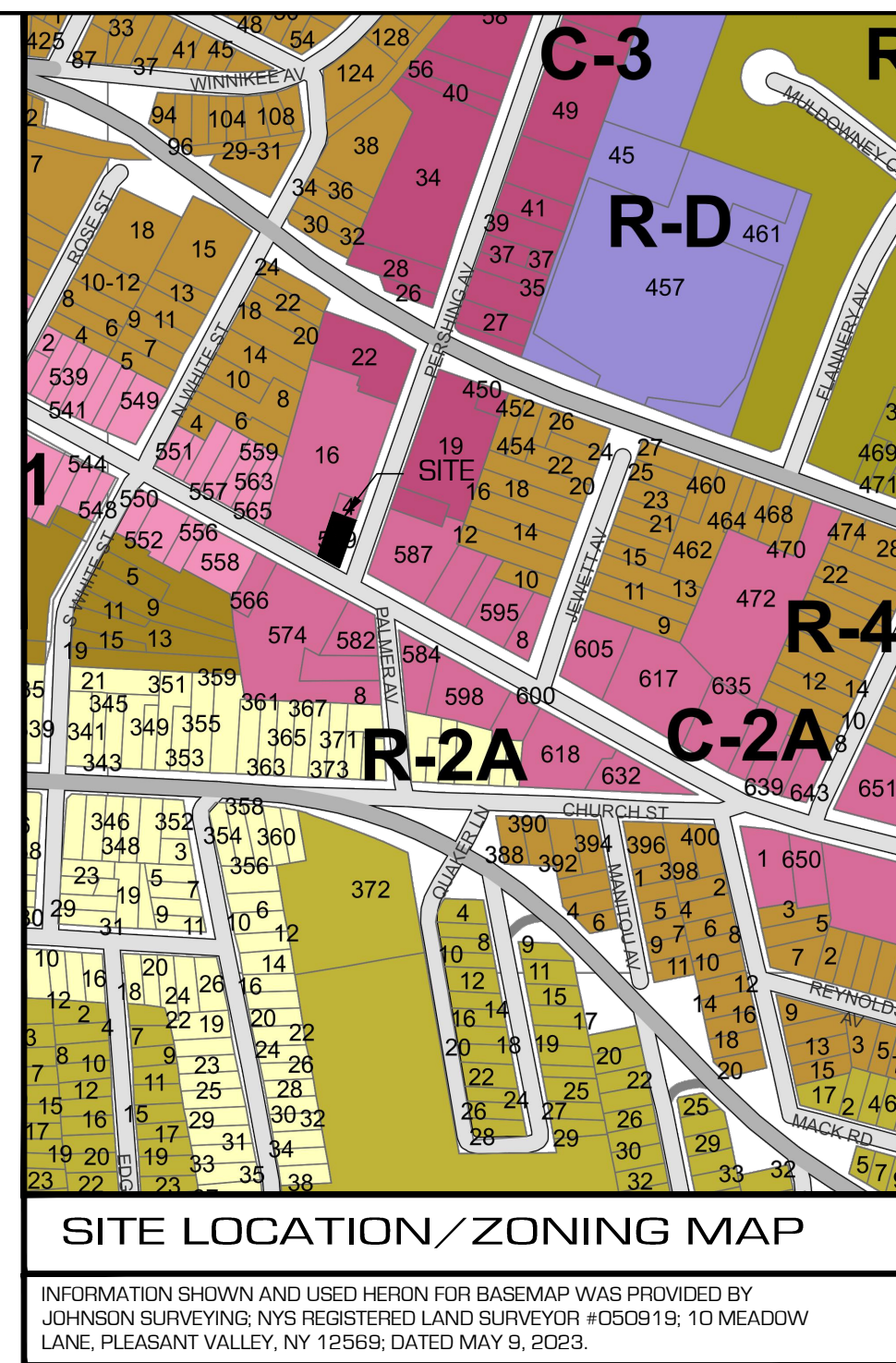
Jonathan Pagan, Owner



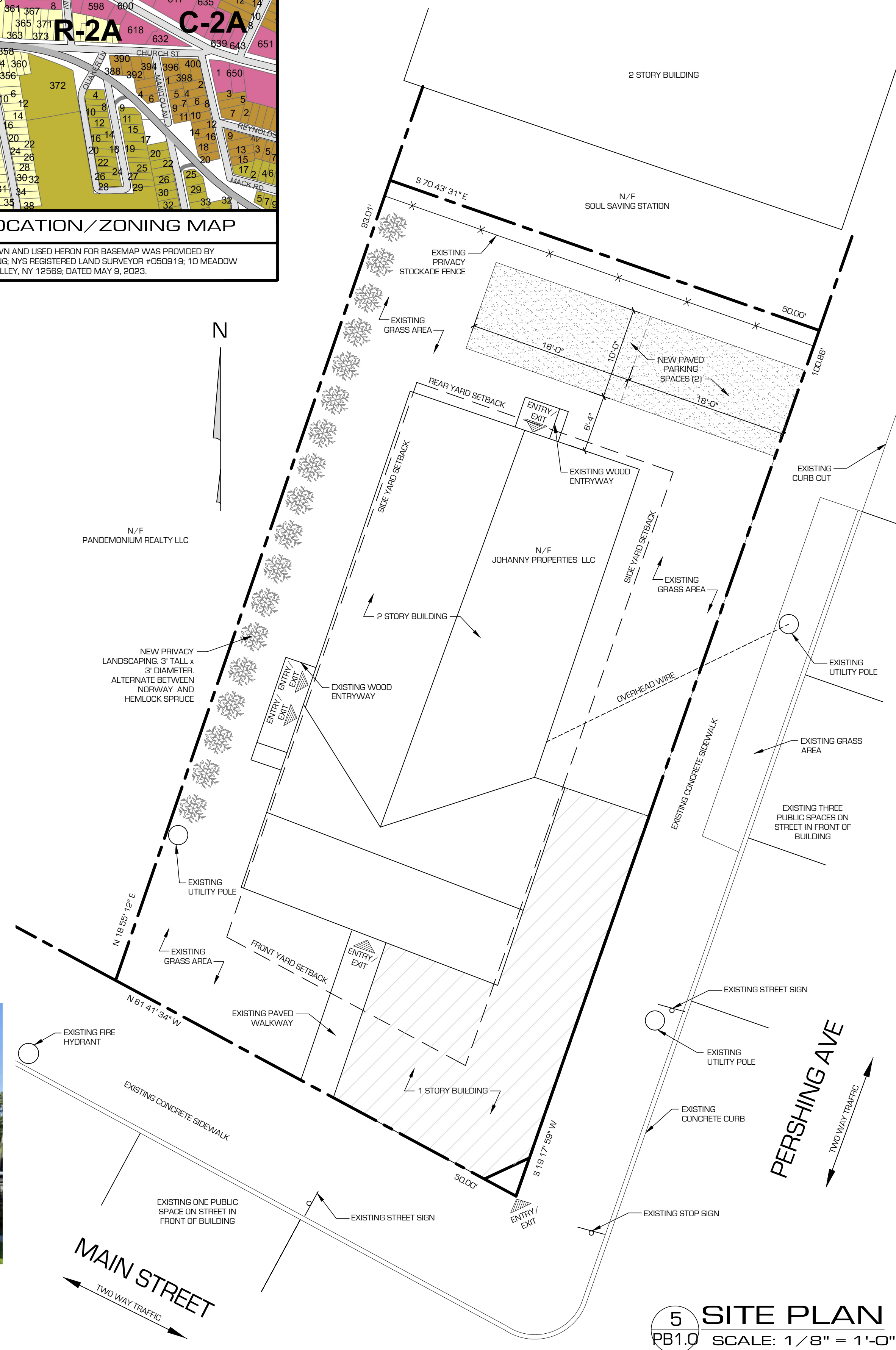
3 MAIN STREET ELEVATION
PB1.0



4 PERSHING AVE ELEVATION
PB1.0



BULK REQUIREMENTS - C-2A		
USE: APARTMENT HOUSE		
ITEM	REQUIRED / ALLOWED	PROVIDED
LOT REQUIREMENTS		
LOT AREA	NONE	7,405 SF
LOT FRONTAGE	40'	50'
FAR	20%	3768 / 7405 = .5%
YARD REQUIREMENTS		
FRONT YARD	10'	0' / 10'
REAR YARD	20'	20' 0"
SIDE YARD (EACH)	10'	0' / 40'
COVERAGE REQUIREMENTS		
MAXIMUM LOT COVERAGE	60%	28.9%
PARKING		
OFF-STREET PARKING	2 - 3 BEDROOM = 4 1 - 2 BEDROOM = 2 OFFICE (1 / 300 SF) 268 SF = 1 RETAIL (1 / 300 SF) 740 SF = 2	2 SPACES



A. HENNESSY ARCHITECTS, P.C.
•ARCHITECTURE •LAND PLANNING
•ENGINEERING •DEVELOPMENT
1200 STONY BROOK COURT - SUITE 3
NEWBURGH, NEW YORK 12550
PHONE: 845-561-7500 FAX: 845-561-7534
WWW.HENNESSYARCHITECTS.COM

CLIENT:
JOHANNY PROPERTY'S LLC

**2600 SOUTH ROAD
POUGHKEEPSIE, NY**

PROJECT:
**MULTI-USE
ALTERATIONS**

**579 MAIN STREET
POUGHKEEPSIE, NY**

ARCHITECT'S SEAL:
UNAUTHORIZED ADDITION OR ALTERATION OF THIS PLAN IS A VIOLATION OF SECTION 2208 (2) OF THE NEW YORK STATE EDUCATION LAW.

**BUILDING PICTURES
FLOOR PLANS
SITE PLAN**

REVISIONS:

PROJECT NO.: 22006	SHEET NO.
SCALE: AS NOTED	PB1.0
DATE: 9.25.23	
DESIGNER: MJH	
CHECKED: AJH	
DRAWN BY: MJH	

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: <u>579 Main Street</u>			
Project Location (describe, and attach a location map): <u>579 Main Street</u>			
Brief Description of Proposed Action: <u>3 residential apartments</u> <u>2 commercial spaces</u>			
Name of Applicant or Sponsor: <u>Jonathan Pagon</u>		Telephone: <u>914-291-4520</u>	
		E-Mail: <u>OneStepCE315@gmail.com</u>	
Address: <u>30 Eastern Parkway Poughkeepsie NY</u>			
City/PO: <u>Poughkeepsie</u>		State: <u>NY</u>	Zip Code: <u>12603</u>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO ☐
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO ☐
If Yes, list agency(s) name and permit or approval:			YES ☐
3. a. Total acreage of the site of the proposed action?		<u>0.25</u> acres	
b. Total acreage to be physically disturbed?		<u>0.15</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO ☐ ☐	YES ☒ ☒	N/A ☐ ☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO ☒ ☐ ☐	YES ☐ ☒ ☒	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO ☐	YES ☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO ☐	YES ☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO ☒ ☒	YES ☐ ☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO ☒ ☒	YES ☐ ☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☒	☐

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____	☒	☐

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____	☒	☐

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____	☒	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Jonathan Pugh</u> Date: <u>11-21-23</u> Signature: _____ Title: <u>CEO</u>		



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

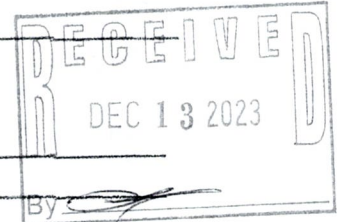
FEE: \$350.00
CODE: A2112
ID# 28A2023-050
IPS# 283170

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 1 Civic Center Plaza, STE. 103, Poughkeepsie, NY 12601
ZONING DISTRICT: H.C.

OWNER INFORMATION:

Name: Acadia Hudson, LLC
Address: 1 Civic Center Plaza, STE. 500
Poughkeepsie, NY 12601
(845) 380-4734
Phone: JAMIE @ eagleview.com
Email: JAMIE @ eagleview.com



PAID
\$350
DEC 13 2023

APPLICANT INFORMATION:

Name: Victoria Rothman
Address: 10 Lewis Avenue
Poughkeepsie, NY 12603
(718) 687-7877
Phone: PiercedHawk@gmail.com
Email: PiercedHawk@gmail.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: 12/12/2023

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 1 Civic Center Plaza, STE. 103, Poughkeepsie, NY 12601

LIST OF REQUIRED ATTACHMENTS

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

SIGNATURE AND VERIFICATION

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

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

Victoria C. Rothman
SIGNATURE OF APPLICANT

12/13/2023
DATE

Victoria C. Rothman
Print Name

1. The sign variants will not be a detriment to the neighborhood or nearby properties. The variants will allow our studio to display the complete name of the business in a way that matches and compliments surrounding businesses. The variants will allow the business name to be easily read from the sidewalk without impeding nearby businesses, as well as fitting the sale of our awning.
2. There are no other ways that would allow us to display the complete business name in a way easily read by our clients or passersby without having to stop or potentially slow down foot or road traffic. A sidewalk sign would potentially block foot traffic and could be damaged.
3. The requested variants are not substantial. The requested variant is an ampersand, completing the business name, turning five words into six.
4. The variant will not have any adverse effects in the neighborhood. The scale of the awning will remain the same as it was for the last two inhabiting businesses, the only variant being the added white ampersand in the business name.
5. The need for variance is not unique to the property, it is simply the result of the naming of the business and the need to display the full name of the business to avoid confusion or misrepresentation of our goods and services.

mockup_01.jpg

Done





BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

December 12th, 2023

Victoria Rothman
10 Lewis Avenue
Poughkeepsie NY 12603

RE: 1 Civic Center Plaza Suite 103
ID: 283170
Application # PB-2023-085

To whom it may concern,

The Building Department has received your sign application # PB-2023-085 for an awning sign located at 1 Civic Center Plaza Suite 103. Please be advised that the property at 1 Civic Center Plaza is located in an area of the City zoned The Civic Corridor Subdistrict (PID-HC). Please note that although awning signs are permitted, this application does not meet the following code requirement(s).

1. Section 19-4.9(9)(a)2 states that the maximum allowable width of lettering on an awning sign shall be limited to 10'. The proposed lettering is 19'8" wide.
2. Section 19-4.9(9)(a)4 states that the maximum number of words permitted be limited to 5 words per awning sign. The proposed sign includes 6 words.

Therefore, your application is hereby denied. You may appeal the terms of this denial to the Zoning Board of Appeals within sixty (60) 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

A handwritten signature in black ink, appearing to be "JOSEPH O'BRIEN", written over a large, stylized, handwritten "P" or similar mark.

Acadia Hudson, LLC

One Civic Center Plaza, Suite 500, Poughkeepsie, NY 12601

Phone: 845-454-1122

Fax: 845-454-5792

Via Email: Tim Donlon tdonlon83@gmail.com; Victoria Rothman <piercedhawk@gmail.com>

O'Shea, Robert roshea@cityofpoughkeepsie.com; Lori Garcia (lgarcia@cityofpoughkeepsie.com)

January 2, 2024

City of Poughkeepsie – Building Department
62 Civic Center Plaza – 2nd Floor
Poughkeepsie, NY 12601

and

Sand Panda Fine Piercing &
Jewelry, LLC
10 Lewis Avenue
Poughkeepsie, NY 12603

Re: One Civic Center Plaza, Suite 103 – Signage

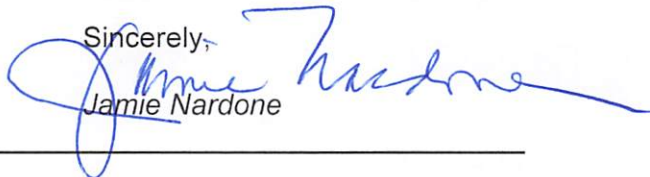
To Whom It May Concern:

Based on my conversation with Tim of Sand Panda this morning, it is my understanding the City of Poughkeepsie Building Department requires another letter from Acadia Hudson, LLC (Landlord) approving their awning mock-up, copy of which is attached.

This letter is to confirm our approval. The awning, written words, symbol, and style certainly add beauty and class to Main Street.

If there is anything else you need to approve the permit, let me know immediately. Thank you.

Sincerely,



Jamie Nardone
Financial & Operations Manager

SAND PANDA *fine piercing & jewelry*

103



SAND PANDA
fine piercing & jewelry

**ZONING BOARD OF APPEALS
CITY OF POUGHKEEPSIE, NEW YORK**

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING will be held by the Zoning Board of Appeals of the City of Poughkeepsie, Dutchess County, New York, in the Common Council Chambers, City Hall, 3rd Floor, 62 Civic Center Plaza on Tuesday, January 9, 2024, at 6:00 PM or as soon thereafter as the matter is reached on the agenda on the following matter:

1 Civic Center Plaza - Area Variance

Application for area variances relative to the placement of an awning sign, requiring variances of Section 19-4.9(9)(a)(2) of the Zoning Ordinance to allow a sign 19'8" wide where 10 feet is permitted and Section 19-4.9(9)(a)(4) to allow six words when five words is the limit. Owner: Acadia Hudson, LLC; Applicant: Victoria Rothman; Zoning District: PID-HC; Grid #6162-77-050111; File #2023-050

At the public hearing, the Zoning Board of Appeals will hear all persons in support of and in opposition to the application. All application materials will be available for public review through the City's website (the link is: <https://cityofpoughkeepsie.com/381/Agendas-Minutes>), or at the City Development Department, 2nd Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, NY, by appointment. Written comments may be emailed to the Board Administrative Assistant, Lori Garcia, L.Garcia@cityofpoughkeepsie.com, no later than 4:00 pm on the day of the meeting, or faxed to (845) 451-4006. Members of the public will also be provided the opportunity to give verbal comments during the scheduled public hearing. It is strongly recommended that those wishing to speak during the meeting submit notice and/or written comments to Board Administrative Assistant, Lori Garcia, by the deadline listed above. Persons may also submit comments in writing to:

Scott Parker, Chairman
City of Poughkeepsie Zoning Board of Appeals
c/o City of Poughkeepsie Development Department
62 Civic Center Plaza
Poughkeepsie, NY 12601

THIS WILL BE THE ONLY NOTICE OF THIS PUBLIC HEARING. In the event this scheduled Zoning Board of Appeals meeting is cancelled, please contact the City Development Department (845) 451-4263 for information on the next scheduled meeting.

BY ORDER OF THE BOARD

Scott Parker
Chairman
Zoning Board of Appeals



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

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

Eric Philipp
Building Inspector

VIOLATION(S) / SCHEDULE A

Property Address: 1 Civic Center Plz

Complaint Number: 2023-0793

Issued To: Acadia Hudson LLC

Count: 1

Violation Date: 12/18/23

Description: Awning sign installed without approval or variances granted.

Area involved: Awning (Suite 103)

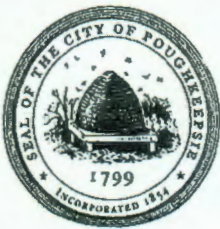
Violation Code:

CHARTER AND CODES OF THE CITY OF POUGHKEEPSIE, NEW YORK\Chapter 19, ZONING AND LAND USE REGULATIONS\ARTICLE IV, SUPPLEMENTARY REGULATIONS\Section 19-4.9 Signs\ (3) Permit Requirements

Unless otherwise provided in this Chapter, a permit must be obtained before any sign can be erected, structurally altered, enlarged, or relocated.

Comply by date: 01/17/24

Corrective Action: Remove sign or obtain an approved sign permit for the awning within 30 days.



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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 110 S. Grand Ave
ZONING DISTRICT: R2

OWNER INFORMATION:

Name: Faith Apostolic Ministries Inc
Address: 110 S. Grand Ave
Poughkeepsie, NY 12603
Phone: 347-772-0851
Email: faithapostolicny@gmail.com

APPLICANT INFORMATION:

Name: Faith Apostolic Ministries Inc
Address: 110 S. Grand Ave
Poughkeepsie, NY 12603
Phone: 347-772-0851
Email: faithapostolicny@gmail.com

CONSULTANT INFORMATION:

Name: Michael R. Berta, AIA Architecture & Planning
Address: 7 Robert Rd Poughkeepsie, NY 12603
Phone: 845.489.1638
Email: Mike@bertaarchitects.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: 9/25/2023 - Parking in front yard (Park Ave)

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 110 S. Grand Ave Poughkeepsie, 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):

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.

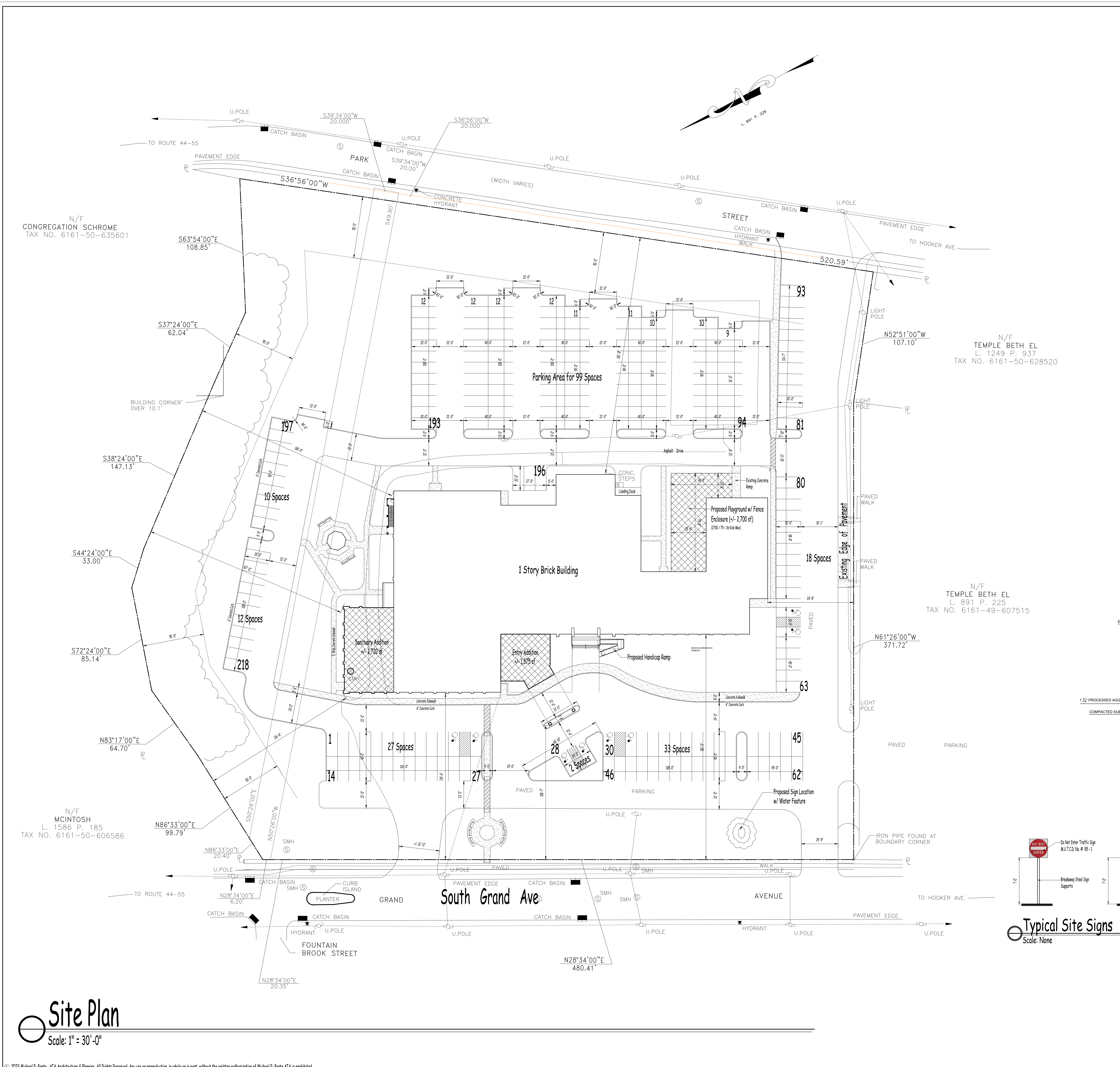


SIGNATURE OF APPLICANT

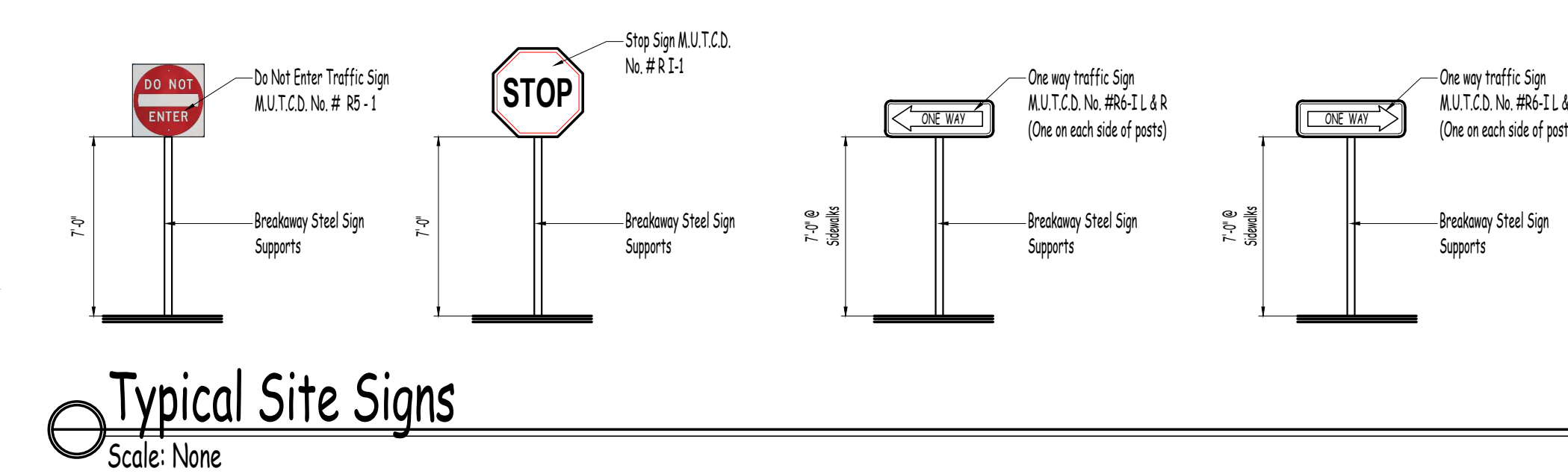
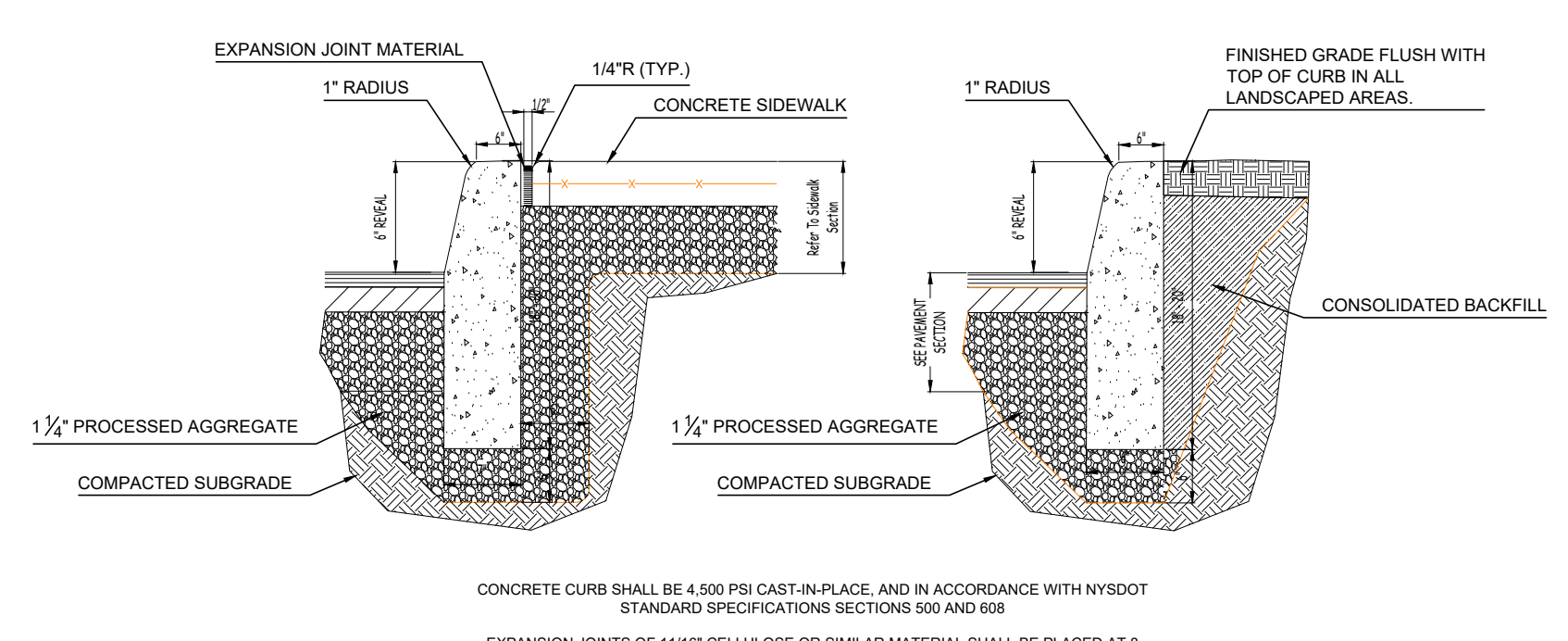
11/26/23
DATE

Tanisha Clarke

Print Name



Site Data		
Tax Map No	131300-6161-49-620556-0000	
Zone	R-2 (Medium Low Density Residence)	
Use	Mixed Use (Church & Daycare)	
Lot Area	Required 10,000 SF	Provided 6.39 ac (278,336.39 sf)
Min Lot Dimensions		
Frontage	30'	287.77'
Width	50'	287.77'
Setbacks		
Front	20'	108.58' (Addition)
Side	10'	126.50' (Addition)
Side	10'	69.90' (Existing)
Rear	15% of Lot Depth = 82.5' (Not Less Than 15')	194.42' (Existing)
Building Hgt (Height / Stories)		
	35' / 2 1/2	28' / 1 story (Existing)
Maximum Lot Coverage		
	30 %	22 % Provided
	278,336.39 sf x .30 = 83,500.90 sf	61,235 sf
Off Street Parking		
Church	1 Space per 4 seats	760 Seats / 4 = 190 Spaces
Daycare	1 Space per Staff Member	16 Staff Members = 16 Spaces
Classroom	1 Space per Classroom	5 Classrooms = 5 Spaces
		211 Spaces Required
		218 Spaces Provided (Includes 8 Handicapped Spaces)



Site Plan

Scale: 1" = 30'-0"

City Planning Board City of Poughkeepsie, New York	Fire Chief
Site Plan Approval File No.	Police Chief
Project Name: Proposed Addition / Alteration For Faith Apostolic Ministries Inc.	Building Inspector
Project Location: 100 S. Grand Ave. Poughkeepsie, New York 12602	City Engineer
Applicant: Faith Apostolic Ministries Inc.	Commissioner of Public Works
Officially approved at the planning board meeting held this _____ day of _____ 2023.	
Planning Chair	
Designer	
Date Signed: _____	
Contract No. _____	

Michael R. Berta. AIA

Architecture & Planning

7 Hudson Street, Suite 200

Poughkeepsie, NY 12601

(845) 499-1638

www.mrbertarchitects.com

These plans are not valid for a building permit unless they are signed and sealed by the Architect.

Date	Revision

Proposed Site Plan

Proposed Addition / Alteration For Faith Apostolic Ministries Inc.

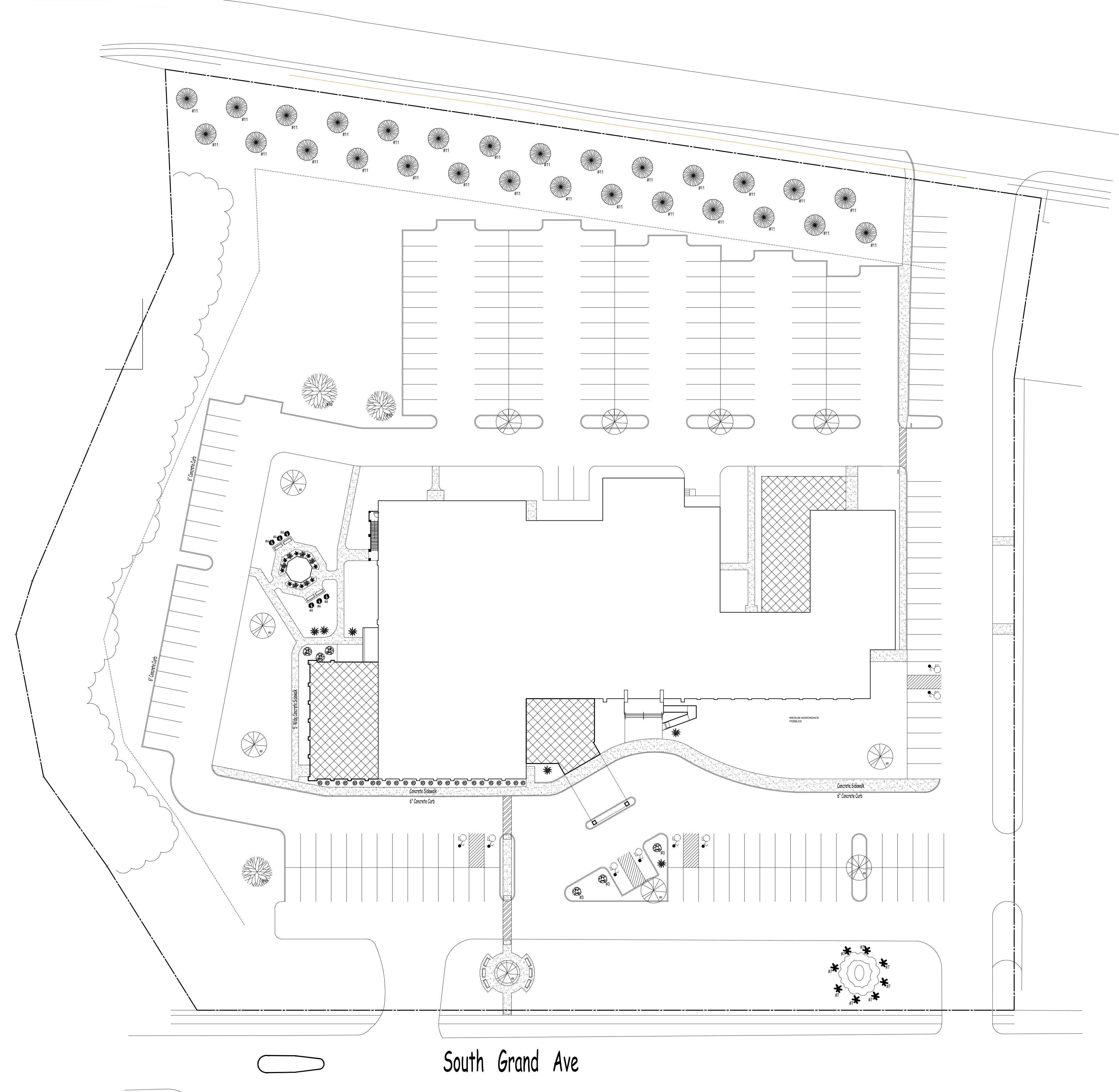
100 South Grand Ave

Poughkeepsie, New York

Date	August 28, 2023
Job No	2023-001
Scale	As Noted
Drawing	SP-1
Of	

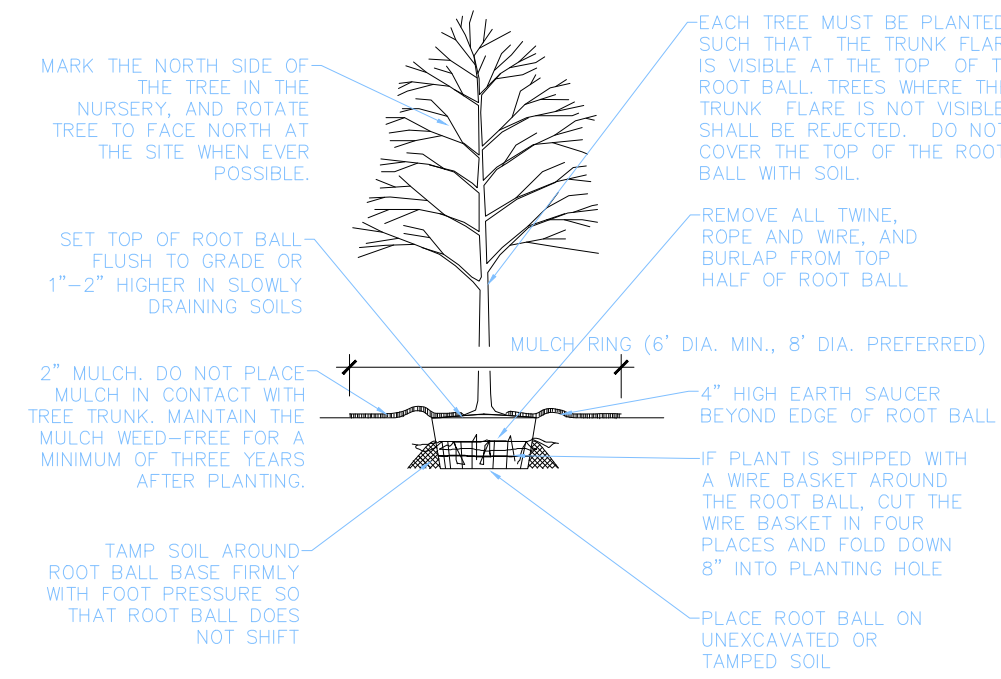
© 2023 Michael R. Berta, AIA Architecture & Planning. All Rights Reserved. Any use or reproduction, in whole or in part, without the written authorization of Michael R. Berta AIA is prohibited. Page 84 of 231

THE ABOVE REFERENCED REGIONS REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THAT REGION.
(NYS 1-800-962-7962)



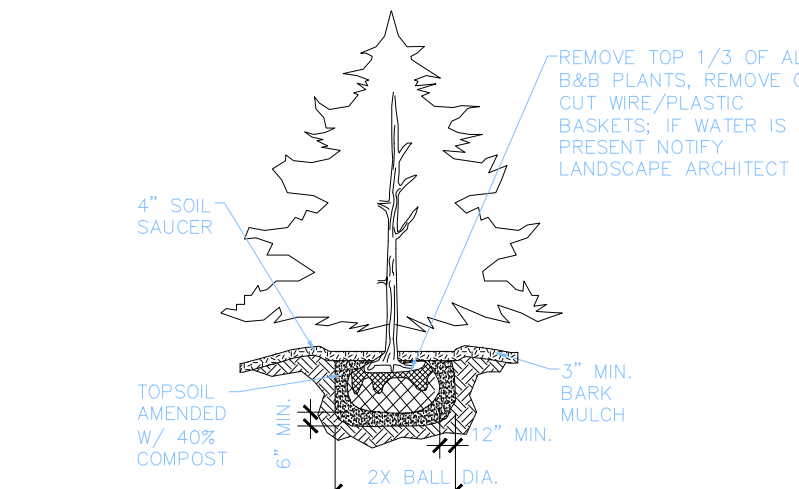
Landscapping Plan

Scale: 1" = 30'-0"



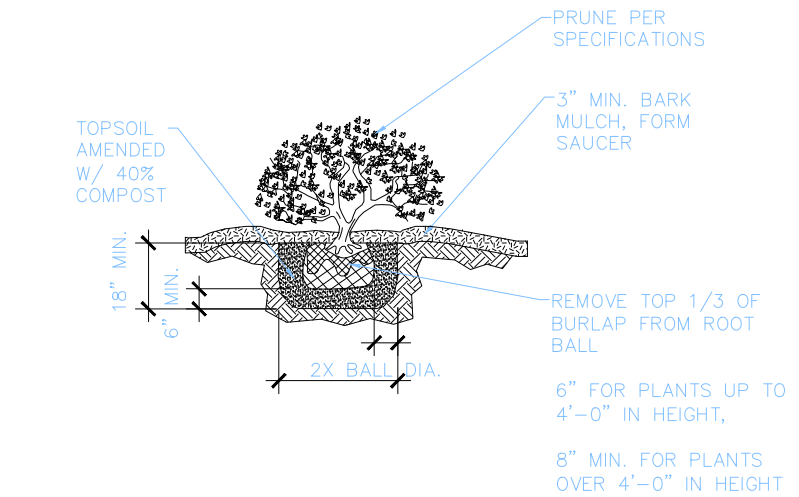
Deciduous Planting Detail

Scale: None



Conifer Planting Detail

Scale: None



○ Shrub Planting Detail

Scale: None

GENERAL LANDSCAPE NOTES

1. THE CONTRACTOR IS CAUTIONED TO VERIFY ALL LAYOUT, GRADES AND OTHER EXISTING FEATURES AND TO CHECK ALL MEASUREMENTS AT THE SITE PRIOR TO ORDERING MATERIALS OR COMMENCING WORK.
2. IF AND WHENEVER PLANT MATERIAL CANNOT BE LOCATED AS INDICATED DUE TO UNDERGROUND UTILITIES OR OTHER SUBSURFACE OBSTRUCTIONS, SUCH LOCATIONS SHALL BE ADJUSTED IN THE FIELD BY THE ARCHITECT.
3. AREAS FOR STOCKPILING MATERIALS, STORING EQUIPMENT AND PARKING EMPLOYEE VEHICLES WILL BE ONLY IN THOSE AREAS AS APPROVED BY THE ARCHITECT OR OWNER.

PLANTING SPECIFICATIONS ALL TREE PIT, SHRUBS PITs AND GROUND COVER AREAS SHALL BE EXCAVATED AS FOLLOWS:

- a. TREE PITs SHALL BE TWO (2) TIMES AS WIDE AS THE BALL. TREE PITs SHALL BE SIX (6) INCHES DEEPER THAN THE DEPTH OF THE BALL.
- b. FOR SHRUBS THE PIT SHALL BE TWO (2) TIMES THE WIDTH OF THE BALL OR SPREAD OF THE ROOTS AND SIX (6) INCHES DEEPER THAN THE DEPTH OF THE BALL OR ROOTS.
- c. FOR GROUND COVER AREAS THE EXCAVATION SHALL BE SIX (6) INCHES DEEP.
- d. ALL TREES AND SHRUBS SHALL BE PLANTED TWO (2) INCHES HIGHER THAN THE ORIGINAL GROWING DEPTH.
- e. ALL EXCESS EXCAVATION SHALL BE REMOVED FROM THE SITE OR DISPOSED OF AS DIRECTED BY THE LANDSCAPE ARCHITECT.

TOPSOIL FURNISHED AND PLACED ALL MATERIAL SHALL BE NATURAL LOAM TOPSOIL, FREE FROM SUBSOIL, SOD, STONES OVER TWO (2) INCHES IN GREATEST DIMENSION AND ANY OTHER UNDESIRABLE MATERIAL. TOPSOIL SHALL CONTAIN NOT LESS THAN FIVE (5) PERCENT ORGANIC MATTER AND SHALL HAVE A PH OF BETWEEN 5.5 AND 7.0. TOPSOIL SHALL BE FRIABLE WITH A LOW CLAY CONTENT.

TOPSOIL SHALL BE PLACED AS FOLLOWS: BACKFILL FOR ALL TREE PITS, SHRUB PITS AND GROUND COVER AREAS AND SHALL BE COMPACTED TO FILL THE EXCAVATION AS DESCRIBED ABOVE. HUMUS SHALL BE INCORPORATED WITH TOPSOIL AS FOLLOWS:

HUMUS/HUMUS SHALL BE REED PEAT, SEDGE PEAT OR NATURAL HUMUS. IT SHALL BE FREE FROM HARD LUMPS, STICKS, STONES AND OTHER UNSERVICEABLE MATERIAL. THE ACIDITY RANGE SHALL BE 5.5 PH TO 7.0 PH AND THE ORGANIC CONTENT SHALL NOT BE LESS THAN 85 % AS DETERMINED BY LOSS ON IGNITION. HUMUS SHALL BE INCORPORATED AS FOLLOWS:

- BACKFILL OF TREE AND SHRUB PITS AT ONE (1) PART HUMUS TO FOUR (4) PARTS TOPSOIL.
- IN GROUND COVER BEDS SPREAD THREE (3) INCHES THICK AND INCORPORATED INTO UPPER SIX (6) INCHES OF SOIL.

IRRIGATION DESIGN / BUILD

MULCH MULCH SHALL BE SHREDDED BARK FREE OF LARGE PEELINGS, INORGANIC DEBRIS, STONES, LOGS OR ANY MATERIAL WHICH AFFECTS ITS APPEARANCE OR FUNCTION. A SAMPLE SHALL BE SUBMITTED TO ABACA FOR APPROVAL PRIOR TO DELIVERY TO THE SITE. MULCH SHALL BE SPREAD IN ALL BEDS THREE (3) INCHES IN DEPTH. A COMMERCIAL FERTILIZER WITH A 10 - 6 - 4 RATIO SHALL BE SPREAD ON SOIL AT THE RATE OF 10 POUNDS PER 1000 SQ. FEET PRIOR TO SPREADING OF MULCH. GROUND COVER AREAS SHALL BE MULCHED WITH 1" - 1 1/2" OF SHREDDED BARK.

PLANT MATERIAL AND PLANTING PLANT MATERIALS SHALL BE AS DESCRIBED IN THE PLANT SCHEDULE. ABACA RESERVES THE RIGHT TO INSPECT ALL PLANT MATERIAL BEFORE DELIVERY. LOCATION OF ALL TREES AND SHRUBS SHALL BE STAKED BY THE CONTRACTOR AND APPROVED BY ABACA PRIOR TO PLANTING. CALIPER OF TREES SHALL BE MEASURED SIX (6) INCHES ABOVE GROUND. BALL SIZES FOR PLANT MATERIAL SHALL CONFORM TO THE STANDARDS OF THE AMERICAN ASSOCIATION OF NURSESMAN.

STAKING AND GUYING IMMEDIATELY AFTER PLANTING ALL TREES OVER 10' IN HEIGHT, SHALL BE EITHER STAKED OR GUYED AS APPROVED BY ABACA.

WATERING ALL PLANT MATERIAL SHALL BE THOROUGHLY WATERED DURING PLANTING AND AS MANY TIMES AS NEEDED UNTIL THE FORMAL ACCEPTANCE OF THE PROJECT BY THE OWNER.

SPECIAL NOTES

1. AREAS SCHEDULED FOR TREE SHRUB PERENNIAL OR GROUND COVER BEDS, AND WHICH ARE PRESENTLY IN TURF, SHALL BE SPRAYED WITH A 12 1/2 SOLUTION OF "ROUND-UP" BY MONSANTO, TEN (10) DAYS PRIOR TO PLANTING.
2. ALL LEUCOTIS SPECIES SHALL BE SPRAYED WITH A SOLUTION OF "BENOMYL" FUNGICIDE WITHIN FIVE (5) DAYS AFTER PLANTING AND AGAIN AFTER A TEN (10) DAY PERIOD. THE LANDSCAPE ARCHITECT SHALL WITNESS BOTH THESE PROCEDURES.
3. ALL EVERGREEN TREES AND SHRUBS SHALL BE SPRAYED WITH AN ANTI-TRANSPIRANT SUCH AS "WILT-PRO" OR "EVINOL" THE FIRST DECEMBER AFTER PLANTING, AND AGAIN DURING A TIME IN FEBRUARY WHEN TEMPERATURES ARE 40 DEGREES OR HIGHER.
4. ALL PLANTING BEDS, SHRUB BEDS, GROUND COVER BEDS, AND TREE PITS SHALL BE TREATED WITH A PRE-EMERGENT HERBICIDE SUCH AS "TRIFLURALIN" OR "SURFLIN" OR AN APPROVED ALIKE, PRIOR TO SPREADING OF MULCH AND AS DIRECTED BY THE ARCHITECT.
5. ALL BETULA SPECIES SHALL BE SPRAYED WITH A SOLUTION OF "LINDANE" THE FIRST MAY AFTER PLANTING.

GUARANTEE AND REPLACEMENT THE CONTRACTOR SHALL GUARANTEE AND REPLACE ALL PLANT MATERIAL PLANTED BY HIM FOR ONE (1) YEAR. THE ONE (1) YEAR PERIOD SHALL COMMENCE AT THE TIME ALL MATERIAL IS PLANTED AND FORMALLY ACCEPTED BY THE ARCHITECT. THE CONTRACTOR SHALL REPLACE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS ANY TREES, SHRUBS, PERENNIALS AND GROUND COVER PLANTS THAT ARE DEAD OR, IN THE OPINION OF THE ARCHITECT, ARE UNHEALTHY OR UNSIGHTLY CONDITION

CLEAN-UP THE CONTRACTOR SHALL "CLEAN-UP" AND REMOVE FROM THE SITE ALL RUBBISH, DEBRIS AND SURPLUS MATERIAL AS FAST AS IT ACCUMULATES AND SHALL NOT PERMIT IT TO BE SCATTERED ABOUT THE SITE.

PLANTING SCHEDULE					
NUMBER	SYMBOL	BOTANICAL/COMMON NAME	QUANTITY	SIZE	REMARKS
#1		GREEN VELVET BOXWOOD (BUXUS GREEN VELVET)		2 GALLON CONTAINER	24" SPACING AS SHOWN
#2		HETZ MIDGET ARBORVITAE (THUJA OCCIDENTALLIS HETZ MIDGET)	5	4 GALLON CONTAINER	30" SPACING AS SHOWN
#3		BLACK KNIGHT BUTTERFLY BUSH (BUDDLEJA DAVIDI BLACK KNIGHT)	15	4 GALLON CONTAINER	
#4		BLOOMERANG PURPLE REBLOOMING LILAC SHRUB (SYRINGA 'SMSJBPT')	5	4 GALLON CONTAINER	30" SPACING AS SHOWN
#5		AMERICAN BOXWOOD SHRUB (BUXUS SEMPERVIRENS)	15	4 GALLON CONTAINER	24" SPACING AS SHOWN
#6		PARDON ME DAYLILLY (HEMEROCALLIS 'PARDON ME')		VARIES	MIX DIFFERENT COLORS
#7		AVALANCHE FEATHER REED GRASS		SPECIMEN	
#8		BURNING BUSH (EUONYMUS ALATUS)	12	30" TALL	5'-0" SPACING
#9		EASTERN REDBUD (CERCIS CANADENSIS)	1	5'-6" TALL	4 INCH CALIPER
#10		Norway Maple (Acer Platanoides)	1	8' TALL	4 INCH CALIPER
#11		White Pines, Colorado Blue Spruce or Norway Spruce	1	6' TALL	4 INCH CALIPER

Do Not Scale Prints

Date	Revision
------	----------

Note: These plans are the property of Michael R. Berni, AIA. Architecture & Planning. Any use or reproduction in whole or part without the written authorization of Michael R. Berni is prohibited. Any person or corporation using plans without proper authorization will be responsible to compensate the Architect.

Proposed Site Plan

Proposed Addition / Alteration For
Faith Apostolic Ministries Inc
110 South Grand Ave

Date August 28, 2023

Job No	2023-00
--------	---------

Scale	As Noted
-------	----------

Drawing

SP-2

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: Proposed Addition / Alteration For Faith Apostolic Ministries Inc			
Project Location (describe, and attach a location map): 110 S. Grand Ave Poughkeepsie, New York 12603			
Brief Description of Proposed Action: Proposed sanctuary & front entry addition. New parking areas and landscaping.			
Name of Applicant or Sponsor: Michael R. Berta, AIA Architecture & Planning		Telephone: 845.489.1638 E-Mail: mike@bertaarchitects.com	
Address: 7 Robert Road			
City/PO: Poughkeepsie		State: New York	Zip Code: 12603
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES ☐
3. a. Total acreage of the site of the proposed action? _____ 6.39 acres b. Total acreage to be physically disturbed? _____ 2.5 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 1.9 acres			YES ☐
4. Check all land uses that occur on, are adjoining or near the proposed action: ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☐	☒	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☐	☒
	☒	☐
	☐	☐
Colletction system is being designed and overflow will go into the existing storm water system		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Michael R. Berta, AIA</u> Date: <u>August 28, 2023</u> Signature: _____ Title: <u>Architect</u>		



Note:
These plans are the property of Michael R. Berta, AIA Architecture & Planning. Any use or reproduction, in whole or in part, without the written authorization of Michael R. Berta, AIA is prohibited. Any person or corporation using these plans without proper authorization will be responsible to compensate the Architect.

Note:
It is a violation of the law for any person, without acting under the direction of a Licensed Architect, to alter or make any copy, or to have been having the work of an architect or engineer altered, the drawing Architect shall offer to his/her the work and the architect's interest in the drawing shall be the architect's and date of each alteration and specific description of the alteration.

Do Not Scale Prints

Date	Revision
------	----------

These plans are not valid for a building permit unless they are signed and sealed by the Architect.

Proposed Site Rendering

Date August 28, 2023

Job No 2023-001

Scale None

Drawing

Render-1
Of Three

Proposed Addition / Alteration For
Faith Apostolic Ministries Inc
110 South Grand Ave
Poughkeepsie, New York

Michael R. Berta, AIA
Architecture & Planning
7 Hudson Street, Suite 100
(845) 499-1638
www.bertaarchitects.com - mber@bertaarchitects.com



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

September 19, 2023

Faith Apostolic Ministries
110 South Grand Avenue
Poughkeepsie, NY 12603

RE: 110 South Grand Avenue

Dear Sir/Madam:

The Development Department is in receipt of your application for site plan review relative to the proposed expansion of the building at 110 South Grand Avenue, including site that encompasses the creation of a parking area on the Park Avenue frontage of the property.

Attached please find the site plan check sheet completed in conjunction with this application identifying deficiencies noted to exist. Please be also advised that the application was reviewed for compliance with the provisions of the Zoning Ordinance, and the following deficiency was noted to exist:

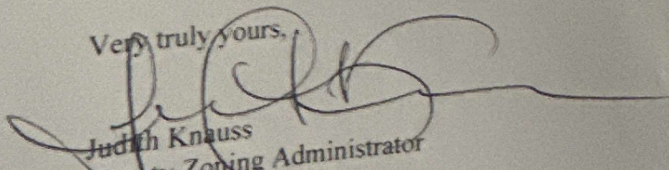
- 1) Section 19-4.13(1) of the Zoning Ordinance prohibits the location of accessory uses in front yards: 99 parking spaces are proposed to be located within the Park Avenue front yard of the property; and,
- 2) Section 19-4.13(2) specifically prohibits off street parking within the front yard of any property located in an R1, R2, R-2A, R-3, R-3A or R-4 Zoning District: the property is located in an R-2 Zoning District and a parking area for 99 parking spaces is proposed.

Therefore, the application is hereby denied. You may, within sixty (60) days of the date of this letter either:

- 1) Amend the plan to reflect compliance with the above referenced requirements; or
- 2) Make application to the Zoning Board of Appeals requesting that variances be granted.

Please feel free to contact me at 845-451-4010 or jknauss@cityofpoughkeepsie.com if you have any questions in this regard.

Very truly yours,


Judith Knauss
Deputy Zoning Administrator

**CITY OF POUGHKEEPSIE, NY
BUILDING, PLANNING & ENGINEERING DEPARTMENTS**

SITE PLAN CHECK SHEET

ADDRESS: 110 S. CRAND AVENUE

The following is a list of deficiencies noted to exist in the submission relative to the requirements for site plan review.

D) APPLICATION REQUIREMENTS AND GENERAL SITE PLAN INFORMATION

<u>Compliance Certified</u>	<u>Item Description</u>
☐ YES ☒ NO	Properly completed application form, including accurate contact information and applicant signature. MAY NEED CLARIFICATION
☒ YES ☐ NO	NO EMAIL/PHONE NUMBER FOR APPLICANT Required fees submitted: ☐ Site Plan: \$500, plus \$150 for 1000 square feet of floor area; ☐ Special Permit: \$500 ☐ Full EAF: \$500; ☐ \$35 x _____ (# of Required Parking Spaces) = _____ TOTAL: _____
☐ YES ☐ NO	Short Environmental Assessment Form submitted.
☐ YES ☐ NO	Full Environmental Assessment Form submitted.
☒ YES ☐ NO	Name and address of owner of record appears on plan.
☒ YES ☐ NO	Name and address of person, firm or organization preparing the plan.
☐ YES ☒ NO	Date (including any revision dates), north arrow, written and <u>graphic scale</u> .
☒ YES ☐ NO	Vicinity map (i.e., Sanborn, tax map).
☒ YES ☐ NO	Existing zoning with accurate lot and bulk tables.
☐ YES ☒ NO	Professional signature and seal on plan, as required by law.
☒ YES ☐ NO	Names of owners of adjoining properties, as shown on the latest tax records.
☐ YES ☒ NO	A statement indicating the financial capability of the applicant to complete the proposed development.
☐ YES ☐ NO	Are any waivers requested? If so, list here (and provide a written request for waiver, outlining the item to be waived and the rationale for waiver: _____ _____ _____

SITE PLAN CHECK SHEET PAGE 2

ADDRESS: 110 S. GRAND AVE

II) EXISTING SITE CONDITIONS

Compliance Certified

Item Description

☐ YES ☐ NO

NO SEAL/SIGNATURE

Site plan is prepared under the direction of a licensed surveyor or licensed professional engineer or references a properly prepared survey with surveyor name, license number and survey date indicated. If a city digital map is utilized, field verification of all features and elevations must be certified by a licensee surveyor or licensed professional engineer.

☒ YES ☐ NO

Location, width and purpose of all existing easements, rights-of-way, setbacks, reservations and rears dedicated to public use, outline of existing covenants and deed restrictions within, adjacent or otherwise pertaining to the property.

☐ YES ☒ NO

NORTH & SOUTH
MISPLACED

Plan view must show all existing features extending a minimum of twenty-five (25) feet past property boundary lines. Such features include all of the following:

☐ YES ☐ NO

Existing contours with intervals of five (5) feet or less, referred to a datum satisfactory to the Planning Board. If parcel is relatively flat, contours MAY be waived if spot elevations are shown which indicate the general slope of the terrain;

☒ YES ☐ NO

Paved areas, walkways, parking areas, vehicular access to public streets, internal drives (detailed as required by material type: i.e., asphalt, concrete, stone, etc); existing landscaping, screening and fences (detailed);

☐ YES ☒ NO

Outlines and descriptions of all structures;

BLDGS TO NORTH
W/IN 25' OF PROPERTY LINE

☐ YES ☐ NO

IDENTIFY TREES TO
BE REMOVED

All watercourses, marshes, wooded areas, rock outcrops, isolated trees with a diameter of eight (8) inches or more measured three (3) feet above the base of the trunk, curbs, sidewalks, adjacent streets with names and widths, and any other significant features.

☐ YES ☒ NO

Show locations of ALL existing utilities, underground and aboveground, within and adjacent to property and in the street, including, but not limited to: sanitary, storm, water, gas and electric, and any utility poles, including light poles. Show all existing connections.

☐ YES

☒ NO

IF NONE,

SO NOTE

Approximate boundaries of any areas subject to storm water overflows (reference FEMA 100 year floodplain panel or study).

ADDRESS: 110 S. GRAND AVE

III) PROPOSED SITE IMPROVEMENTS

Compliance Certified

Item Description

☐ YES ☐ NO

The location of all proposed buildings or structural improvements.

☐ YES ☒ NO

Detailed elevations of all proposed principal and accessory structures. NO COLORS, NO MATERIALS

☐ YES ☒ NO

Show locations, size and material of all proposed utilities and service connections.

☒ YES ☐ NO

The location and design of all uses not requiring structures, such as off-street parking and loading areas, walkways, other paved areas and any open space for tenant recreational purposes for residential development. Profiles indication grading and cross sections showing location and width of roadways and walkways. Any proposed direct pedestrian connection to public parking lots or structures will also be shown.

☐ YES ☐ NO

MORE DETAILS NEEDED ON NORTH - NONE PROPOSED AT SOUTH

Proposed screening and landscaping, including a planting plan, in accordance with Section 19-4.11 of the Zoning Ordinance.

☐ YES ☒ NO

Location, direction, power and time of use of any proposed outdoor lighting or public address systems. Provide an Isometric Footcandle Distribution Diagram, maximum illuminance levels shown in footcandle measurements on a grid of the site showing readings in every ten-foot square, overlaid on the site plan, as a separate sheet or view. One-half (1/2) foot candle is recommended. All lights to be shielded to prevent glare on adjoining properties, including public property.

☒ YES ☐ NO

ENGINEERING TO REVIEW

Any proposed new grades, indicating clearly how such grades will meet existing grades of adjacent properties or the street.

☐ YES ☒ NO

IF NONE, SO NOTE

An outline of any proposed easements, deed restrictions, covenants or rights-of-way and a notation of any areas to be dedicated to a public agency, and any public improvements contemplated on or adjoining the property.

☐ YES ☒ NO

IF NONE, SO NOTE

Location of any fire alarm boxes and/or connections to the city fire alarm system.

☐ YES ☐ NO

TO BE REVIEWED BY ENGINEERING

A determination of storm water quality requirements based on NYDES Phase II requirements. Further, ANY improvements within the Fallkill Creek watershed, which has been declared a 303(D) impaired watershed, require full stormwater treatment as per NYSDEC.

ADDRESS: 110 S. GRAND AVENUE

IV) OTHER REQUIRED PLAN NOTES

Compliance Certified

☐ YES ☐ NO

**TO BE REVIEWED BY
ENGINEERING**

☐ YES ☒ NO

Item Description

Show plans for all proposed stormwater improvements. Applicant shall mitigate storm to historic run-off rates for the 10-year storm.

The following note concerning the protection of trees must be shown on all site plans where existing trees are proposed to be retained: "Prior to the start of construction or excavation, trees to be retained shall be protected by silt fence, snow fence, construction fence, or equal, which will be placed at the drip line or several feet beyond. However, the fencing shall not cross public sidewalks. No storage or stockpiling of construction materials, debris or equipment shall occur within the fenced area."

In addition to the note on the plan, the location of the protective fencing must be shown on the site plan or landscape plan. Where a trees close proximity to a proposed building, driveway, parking area, or construction vehicle access way prevents the installation of fencing at the drip line, the modification of the fence position shall be shown on the site plan and shall be subject to the approval of the Planning Board. Field modification of the fence position may be granted by the Building Inspector/Zoning Administrator or Deputy Building Inspector.

V) REQUIRED REFERRALS TO OTHER AGENCIES OR BOARDS

☒ YES

☐ NO

Dutchess County Planning Department

☒ YES

☐ NO

Zoning Board of Appeals

☐ YES

☒ NO

Historic District and Landmark Preservation Commission

☐ YES

☒ NO

Waterfront Advisory Committee

☒ YES

☐ NO

Shade Tree Commission

ADDITIONAL COMMENTS

FRONT YARD PARKING PROHIBITED

9/25/23
Date

Judith Knauss, Deputy Zoning Administrator

Joseph O'Brien, Deputy Zoning Administrator

CASE #:

F E E :
\$ 3 5 0 . 0 0
C O D E :

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

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

I. PROPERTY: 200 MAIN ST. POUGHKEEPSIE NY 12601
ZONING DISTRICT: C2

II. PROPERTY OWNERSHIP

Name of Owner: 200 MAIN LLC
Address: 1076 MAIN ST. FISHKILL NY 12524

III. APPLICANT INFORMATION

Name of Applicant: CHRISTINA & TY JOHNSON
Address: 200 MAIN ST. POUGHKEEPSIE NY 12601

Phone#: (845) 518-6577 (845) 380-2376

Email: GALLERYDEPTNY@GMAIL.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:

A copy of this decision, dated _____, must be attached.

V. APPEAL REQUEST

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

- 1) X 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) X 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 DOCUMENTS

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):

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:

DATE:

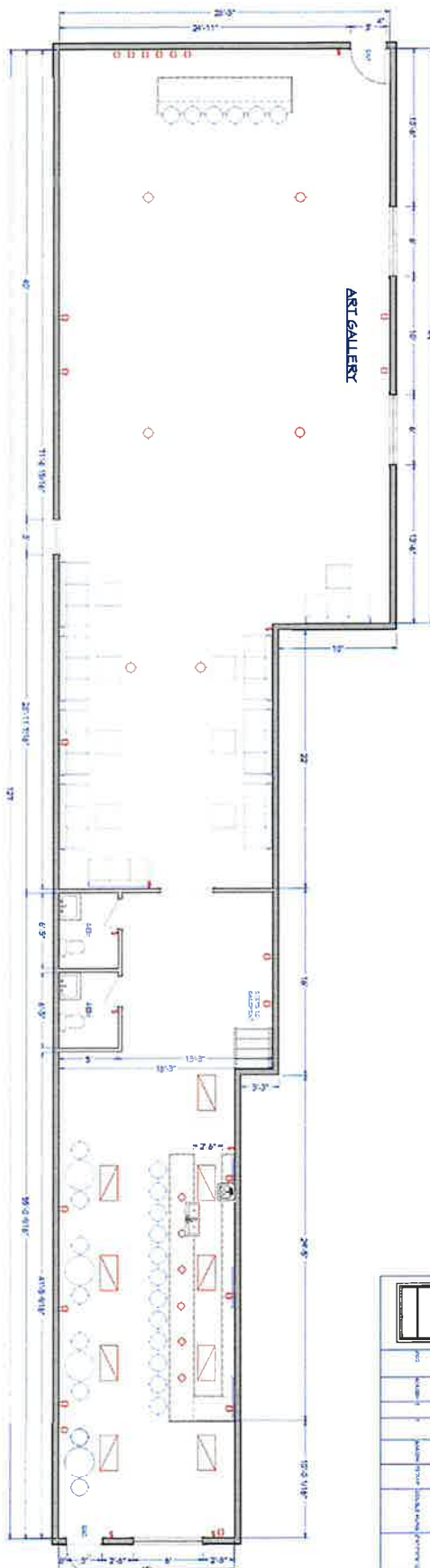



DEC 26 2023

By:

ELECTRICAL SCHEDULE	
20 SYMBOL DESCRIPTION	
\$	3-WAY SWITCH
h	DUPLEX
o	WOOD PENDANT
g	RECESSED DOWN LIGHT 4
	SHORT SQUARE RECESSED TUBE LIGHT (PENDANT)
s	SINGLE POLE SWITCH
	TRADITIONAL PENDANT

			
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	32
33	34	35	36
37	38	39	40
41	42	43	44
45	46	47	48
49	50	51	52
53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
69	70	71	72
73	74	75	76
77	78	79	80
81	82	83	84
85	86	87	88
89	90	91	92
93	94	95	96
97	98	99	100



ART GALLERY

 $1\frac{1}{2}'' = 1'-0''$

 Chiel Architect Software 6500 Mineral Drive Coeur d'Alene, ID www.chielarchitect.com	PROJECT ADDRESS: ALL DIMENSIONS, SPECIFICATIONS, & EXTENTS ARE SUBJECT TO SITE VERIFICATION PRIOR TO CONTRACTOR COMMENCEMENT OF WORK	CLIENT: NEWYORK GALLERY
--	--	--

CLIENT: NEWYORK GALLERY

SHEET TITLE:
NEWYORK GALLERY
200 MAIN ST.
POUGHKEEPSIE NY 12601

JOB ID: Untitled 1	REV: 00
DMN BY: ADMIN.AMAD	CHK BY: XXX
DATE: Thursday, 14 December 2023	
SCALE:	

KD01



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

FEE: \$50.00
CODE: ZRSP
ID# _____

ZONING REVIEW REQUEST

Property Address: **200 MAIN ST. POUGHKEEPSIE NY 12601**
Parcel Grid #: _____

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

Name: **CHRISTINA JOHNSON**
Phone number: **845-518-6577**
Email (required): **GALLERYDEPTNY@GMAIL.COM**

Current use of property: **RESTAURANT & LOUNGE**

Proposed use of property: **ART GALLERY/ EVENT SPACE/ BAR**

Additional questions: _____

Official use only:

- ☐ Additional information required for review (date: _____)
- ☐ Zoning District: **C-2**
- ☐ 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



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

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

Eric Philipp
Building Inspector

December 18th, 2023

Christina & Ty Johnson

Re: 200 Main Street

ID: 293140

Zoning Review Request PD-2023-119

Dear Applicant,

The Development Department is in receipt of your zoning review request relating to the property at 200 Main Street and the proposed conversion of the 1st floor commercial space from a Restaurant to a Bar/Art Gallery. This property is located within the Central Commercial District (C-2) which does permit Art Galleries per Section 19-3.23(2)(a)8 and Bars per Section 19-3.23(2)(b)6 of the Zoning Ordinance but will require a Special permit from the Planning Board.

Some possible variances are identified below which will be required if not addressed during the Special permit process with the Planning Board, they are as follows.

1. Section 19-4.3(11) requires 1 space per 300 square feet of gross floor area for Art Galleries and 1 space per 1.5 persons permitted under maximum occupancy or 1 space for each 100 square feet of gross floor area, whichever is greater. The provided plan was not drawn to scale, nor did it provide the gross floor area of the space to determine the required number of parking spaces. No parking is proposed on site.
2. Section 19-4.11(b) states that landscape strips shall be provided along all property lines of multifamily and nonresidential uses. Such landscape strips shall comply with the following minimum standards, as well as all applicable requirements set forth elsewhere in this Chapter:
 - a. Said landscape strips shall be at least three feet wide and include evergreen planting and other landscaping of such type, height, spacing and arrangement as, in the judgment of the Planning Board, will effectively screen the activity on the lot from neighboring uses. New trees shall have a caliper of not less than eight inches three feet from the base and shall be at least six feet high when planted.
 - b. Unless specifically required elsewhere in this Chapter, an opaque wall or fence of location, height, design and materials approved by the Planning Board may be substituted for part or all of the required landscape strips.



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

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

Eric Philipp
Building Inspector

- c. Where the existing topography and/or existing landscaping provides adequate screening, the Planning Board may waive or modify the planting and/or landscape requirements of this Chapter.

Therefore, your first step will be to obtain a Special Permit from the Planning Board. If the Planning Board grants a waiver for the parking and approves the landscape plan whether existing or proposed, then Variances will not be required from the Zoning Board of Appeals. After these approvals are obtained, you will need to then file all required building permits with the Building Department and receive a Certificate of Occupancy before commencement of the proposed use.

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

Joseph D. O'Brien

Deputy Zoning Administrator

Office - 845-451-4273

jobrien@cityofpoughkeepsie.com



**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601

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

FEE: \$1000.00

CODE: A2112

ID# _____

IPS# _____

ZONING BOARD OF APPEALS USE VARIANCE APPLICATION

PROPERTY ADDRESS: 134 Smith Street

ZONING DISTRICT: R4D

OWNER INFORMATION:

Name: Insan Nesheiwat

Address: 27 Richies Way

Pleasant Valley, NY 12569

Phone: 845-471-9370

Email: Assistant@Z3consultants.com

APPLICANT INFORMATION:

Name: Gary E. Beck Jr., Z3 Consultants

Address: PO Box 363

La Grangeville, NY 12540

Phone: 845-471-9370

Email: Assistant@Z3consultants.com

CONSULTANT INFORMATION:

Name: Gary E. Beck Jr., Z3 Consultants

Address: PO Box 363

La Grangeville, NY 12540

Phone: 845-471-9370

Email: Assistant@Z3consultants.com

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Judith Knauss, Deputy Zoning Admin

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

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

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

USE VARIANCE REQUESTS

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

VARIANCE REQUEST JUSTIFICATION

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

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

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

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

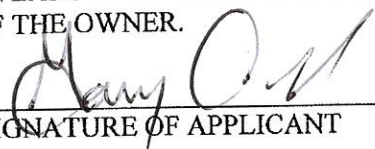
LIST OF REQUIRED ATTACHMENTS

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

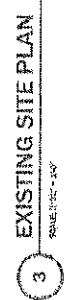
SIGNATURE AND VERIFICATION

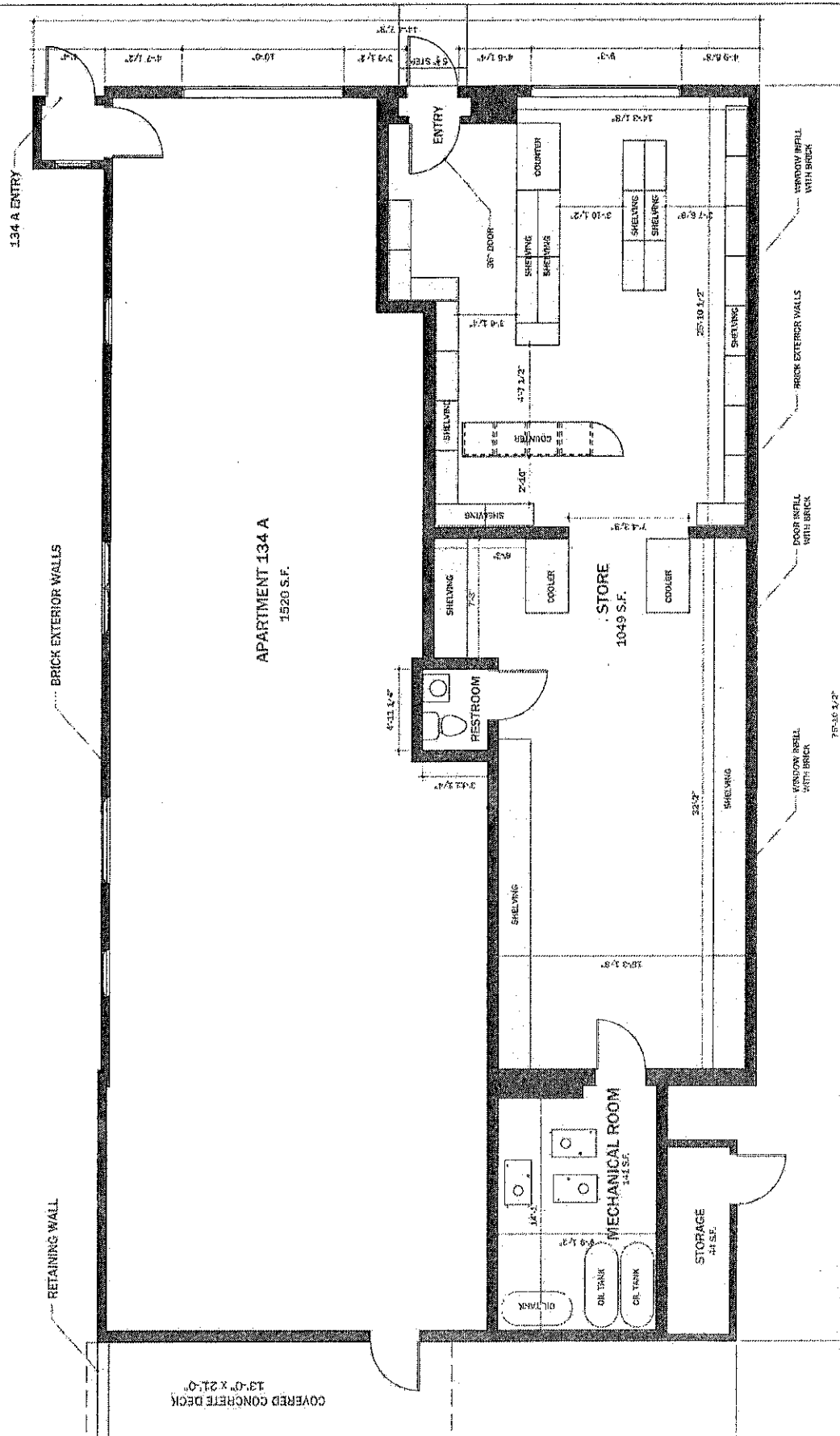
Please be advised that no application can be deemed complete unless signed below.

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


SIGNATURE OF APPLICANT

6-8-23
DATE





SEIOM

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

EXISTING FLOOR PLAN



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

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

MEMORANDUM

To: Gary E. Beck Jr, Z3 Consultants

From: Tyler Maegerle, Junior Planner

Date: 7/18/2023

Re: 134 Smith Street

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

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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: <u>IMSAN NESHEI WAT</u>			
Project Location (describe, and attach a location map): <u>134 Smith Street, Poughkeepsie 12601</u>			
Brief Description of Proposed Action: <u>we are looking for approval from the ZBA to create a convenience store on the vacant part of 134 Smith St.</u>			
Name of Applicant or Sponsor:		Telephone: <u>845-471-9370</u>	
<u>Gary E Beck Jr, Z3 Consultants</u>		E-Mail: <u>assistant@Z3consultants.com</u>	
Address: <u>PO BOX 363</u>			
City/PO: <u>La Grangeville</u>		State: <u>New York</u>	Zip Code: <u>12540</u>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		☐	☒
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: <u>City of Poughkeepsie Building Dept. & Zoning Board</u>		☐	☒
3. a. Total acreage of the site of the proposed action?		<u>.13</u> acres	
b. Total acreage to be physically disturbed?		<u>—</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>.13</u> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☒ Industrial ☒ Commercial ☒ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☒	☐	☐
b. Consistent with the adopted comprehensive plan?	☒	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☒	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Nancy C. Beck JR</u> Date: <u>6-8-23</u> Signature: <u>Nancy C. Beck JR</u> Title: <u>PRES</u>		

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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

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

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

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

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

PRINT FORM



December 31, 2023

RE: 134 Smith Street

Dear Chairman and members of the Board.

I have reviewed and answered the concerns of the Board from the meeting of November 30th, 2023.

On average gut renovations including wet spaces are going to cost between \$150.00 - \$250.00 per square foot.

These fees do not include any storm, sewer, or water work from the exterior of the building to the street.

Building Code classification for an apartment house

BC310.3 Residential Group R-2. Residential Group R-2 occupancies containing *sleeping units* or more than two *dwelling units* where the occupants are primarily permanent in nature, including: Apartment houses

Fire Code requirements for apartment houses

FC903.2.8 Group R. An *automatic sprinkler system* installed in accordance with Section FC903.3 shall be provided throughout all buildings with a Group R fire area.

Thank you for the chance to work together and your interest in our Company. Please do not hesitate if have any questions/concerns, please contact us at (845) 471-9370.

For Z3 Consultants Inc.:

A handwritten signature in black ink that reads "Gary E Beck Jr".

Gary E. Beck, Jr.

Certified Backflow Tester #10953

Certified Electrical Inspector #6060950

Code Compliance Technician #720000-0804-0096

CT Licensed Home Inspector #HOI.0000999

NYS Licensed Home Inspector #16000001220

NYS Certified Building Official #0299-7020 B

garybeck@z3consultants.com



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

August 17th, 2023

Gary Beck/Z3 Consultants

Re: 134 Smith Street

ID: 421020

Zoning Review Request PD-2023-073

Dear Applicant,

The Development Department is in receipt of your zoning review request relative to the property at 134 Smith Street which contains one dwelling unit with one vacant commercial space with no use and the proposal to convert the vacant commercial space to a laundromat. This property is located within the Research and Development District (R&D) which does not allow Laundromats per code Section 19-3.31(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. Due to the lack of a plot plan, a comprehensive review cannot be completed at this time, if provided such plan must be drawn to scale, dated, and identify the property and the person responsible for such drawing. This department would be happy to provide an initial review of any preliminary plans. If the plans provided are not compliant with the zoning code, Area Variances might be required from the Zoning Board of Appeals and then after a Building permit can be issued for the installation.

If a Use Variance is granted by the Zoning Board of Appeals and after any Area Variances are granted by the Zoning Board of Appeals if required, you would then need to obtain Site Plan approval from the Planning Board. After that you would need to file all required Building permits and obtain an issued Certificate of Occupancy from the Building Department.

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

Joseph D. O'Brien

Deputy Zoning Administrator

Office - 845-451-4273

jobrien@cityofpoughkeepsie.com



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

December 28th, 2023

Gary E. Beck Jr

Re: 134 Smith Street
ID: 421020
Zoning Review Request PD-2023-122

Dear Applicant,

The Development Department is in receipt of your zoning review request relative to the property at 134 Smith Street which contains one dwelling unit with one vacant commercial space formerly used as a liquor store and the proposal to convert the building to a Four-family dwelling. This property is located within the Research and Development District (R&D) which does permit Multifamily dwellings per code Section 19-3.31(2)(a)5 of the Zoning Ordinance but will be subject to all lot and bulk requirements of the R-5 zoning district.

Please note that this proposal will require Site Plan approval from the Planning Board. Although a plot plan was not provided, some possible deficiencies have been identified which would require Area Variances from the Zoning Board of Appeals which are as follows.

1. Section 19-3.16(4)(c) requires that at minimum each studio unit shall have 1,200sf of lot area, each 2-bedroom unit shall have 2,200sf of lot area and each 3-bedroom or larger shall have 2,800sf of lot area. Per Dutchess County Parcel Access, this lot contains 0.13 acres or 5,662.8sf of lot area.
2. Section 19-3.16(4)(g) requires that the minimum side yard shall be half the height of the structure closest to the property line or 15', whichever is greater.
3. Section 19-3.16(j) requires that a minimum amount of usable open space be provided for multifamily uses with a minimum dimension of 40' x 40'. The usable open space shall be provided at a rate of 200sf per studio unit, 300sf per 1-bedroom unit and 400sf per 2-bedroom or larger unit.
4. Section 19-4.3(11) requires that parking shall be provided for the proposed use at a rate of 1 space per studio unit, 1.5 spaces per 1-bedroom unit and 2 spaces per 2-bedroom or larger unit. Plus, an additional 10% for visitor parking. One accessible parking space with aisle will be required per NYS BC1106 but will count towards your parking requirement above. Please note that if parking is proposed that it will need to comply fully with Section 19-4.3.
5. Section 19-4.11 requires landscaping and screening for improved multifamily properties as detailed further in this section. Please note that either landscaping or an opaque wall/fence can be used for screening purposes.



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

After all Area Variances if required are granted by the Zoning Board of Appeals and Site Plan approval is granted by the Planning Board. You would then need to file all required Building permits and obtain an issued Certificate of Occupancy from the Building Department.

If you have any questions 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

ZONING BOARD OF APPEALS CITY OF POUGHKEEPSIE

Property Location:
134 Smith Street

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

TABLE OF CONTENTS

Introduction	3
The Property	4
Use Variance.....	5
Background	7
Discussion	7

INTRODUCTION

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

CONVENIENCE STORE

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

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

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

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

Section 19-5.1 Nonconforming uses.

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

(c) Shall not be changed to another nonconforming use without approval by the Zoning Board of Appeals, and then only to a use which, in the opinion of said Board is of the same or of a more restricted nature. No building or land changed to a more restricted nonconforming use shall be changed back to a less restrictive use.

THE PROPERTY

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

Use Variance

Reason for appeal: -

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

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

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

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

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

Some of the properties surrounding this lot are:

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

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

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

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

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

Background

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

DISCUSSION

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

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

Hi, Kara.

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

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

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

Very truly yours,
Judith

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

Hi Natalie and Judith,

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

THANK YOU,

KARA BUCHER



Z3 Consultants Inc.
PO Box 363
LaGrangeville, NY 12540

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



134 Smith Street, Poughkeepsie



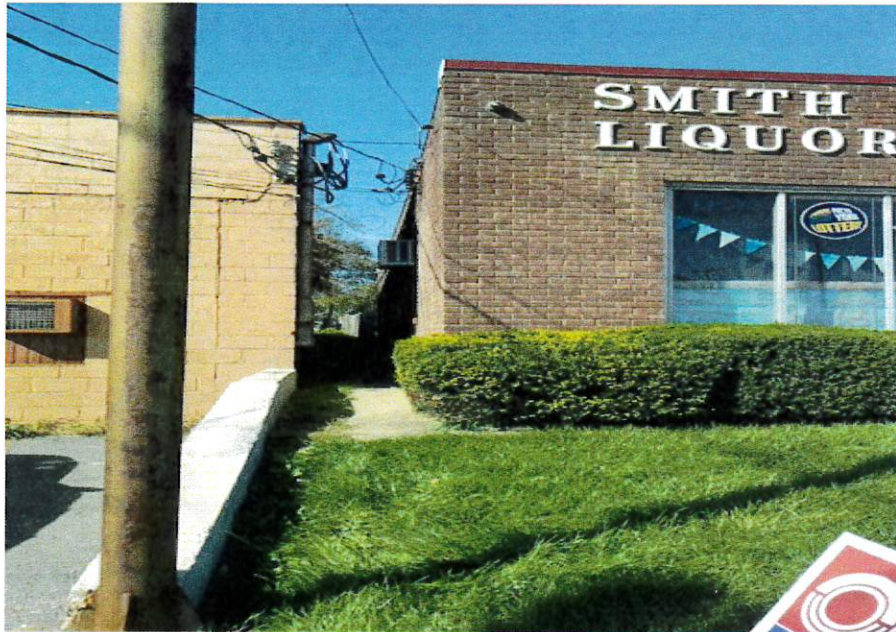


134 Smith Street, Poughkeepsie





134 Smith Street, Poughkeepsie







OAKLEY ST

SMITH STREET

SIDEWALK

EXISTING SITE PLAN

SCALE 1" = 20'

3

Lori Garcia

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

Dear Sir/Madam:

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

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

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

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

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

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

Very truly yours,
Judith Knauss
Deputy Zoning Administrator

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 12/5/23
19-3.13.1(4)(a)3	10,000 S.F. LOT	1,081 S.F.	1,081 S.F.
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'

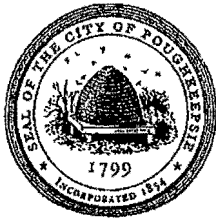
VARIANCE REQUEST JUSTIFICATION

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.



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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

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

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

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

CONSULTANT INFORMATION:
Name: CIRO D MERRANTE
Address: 125 MARKET STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-473-7572
Email: CIROINT@GMAIL.COM

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: JOSEPH D. O'BRIEN
Date of decision/determination/violation: 8/2/23 Letter

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

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

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
19-3.13.1(4)(a)3	10,000 S.F. LOT	1,081 S.F.
19-3.13.1(4)(d)1	20' FRONT YARD	12' & 2'
19-3.13.1(4)(d)2	10' SIDE YARD	2'
19-4.3(5)(2)	15' ACCESS LANE	3'
19-4.3(5)(b)	20' PARKING SPACE	2'
19-4.3(5)(b)	22' AISLE	7'
19-4.3(11)(2)	12 PARKING SPACES	1 PARKING SPACE
19-4.14(3)(2)	10' FROM FENCE TO WALL	2.5'

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-8.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

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

LIST OF REQUIRED ATTACHMENTS

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

SEE EXHIBIT "A"

SEE EXHIBIT "B"

SIGNATURE AND VERIFICATION

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

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


SIGNATURE OF APPLICANT

8/16/23
DATE

Quincy Williams
Print Name

27 South Clinton AREA VARIANCE EXHIBIT "A"

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

27 South Clinton AREA VARIANCE EXHIBIT “B”

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

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



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

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

ZONING BOARD OF APPEALS USE VARIANCE APPLICATION

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

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

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

CONSULTANT INFORMATION:
Name: CIRO INTERRANTE
Address: 25 MARKET STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-473-7572
Email: CIROINT@GMAIL.COM

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: JOSEPH D. O'BRIEN
Date of decision/determination/violation: 8/2/23 LETTER

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

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

USE VARIANCE REQUESTS

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

VARIANCE REQUEST JUSTIFICATION

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

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

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

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

LIST OF REQUIRED ATTACHMENTS

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

SEE EXHIBIT "A"

SEE EXHIBIT "B"

SEE EXHIBIT "C"

SIGNATURE AND VERIFICATION

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

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


SIGNATURE OF APPLICANT

8/16/23
DATE

27 South Clinton USE VARIANCE EXHIBIT "A"

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

27 South Clinton USE VARIANCE EXHIBIT "B"

LIST OF MULTIPLE RESIDENCE OCCUPANCIES NEAR BY

25 Hammersley Avenue 8 units no off street parking

22 Forbus Street newly renovated 4 units no off street parking

40 Virginia Avenue 4 units no off street parking

13 Virginia Ave 4 unit

46 South Clinton 4 units

41 South Clinton 3 units

6 State Street 8 units no off street parking

31 South Clinton 3 units

27 South Clinton LLC

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

COVER LETTER 8-22-2023

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

Response

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

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

Response

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

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

Response

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

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

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

Response

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

PERMITTED USES AS REQUESTED

1.Single- Family Detached Dwellings

Purchase price - \$75,000

New construction cost- \$325,800

Sitework & Haul out Debris- \$30,000

Pave lot - \$15,000

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

Total loss -\$195,800

2. Home Occupations

Purchase price - \$75,000

New construction cost- \$325,800

Sitework & Haul out Debris- \$30,000

Pave lot - \$15,000

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

Total loss -\$195,800

3. Municipal parks and Recreational Facilities

Purchase price - \$75,000

New construction cost- \$500,000

Sitework & Haul out Debris- \$20,000

Pave lot - \$25,000

Total lost- \$620,000

All city parks are free to enjoy for the public. This property isn't ideal for permitted use.

4. Public, Private and Parochial Schools- This property doesn't qualify for permitted use requirements of Section **19-3.12(2)(a)4** herein.

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

Purchase price - \$75,000

Sitework & Haul out Debris- \$20,000

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

Annual Taxes and upkeep est-\$7,000

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

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

Purchase price - \$75,000

New construction cost- \$325,800

Sitework & Haul out Debris- \$30,000

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

Total loss -\$195,800

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**

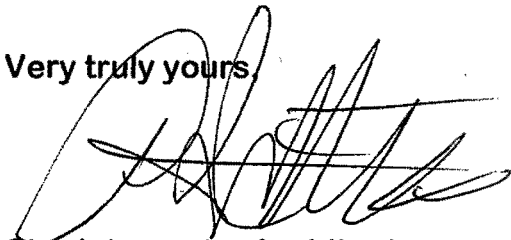
**RE: Cover Letter
27 South Clinton Street
Poughkeepsie, New York 12601**

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.

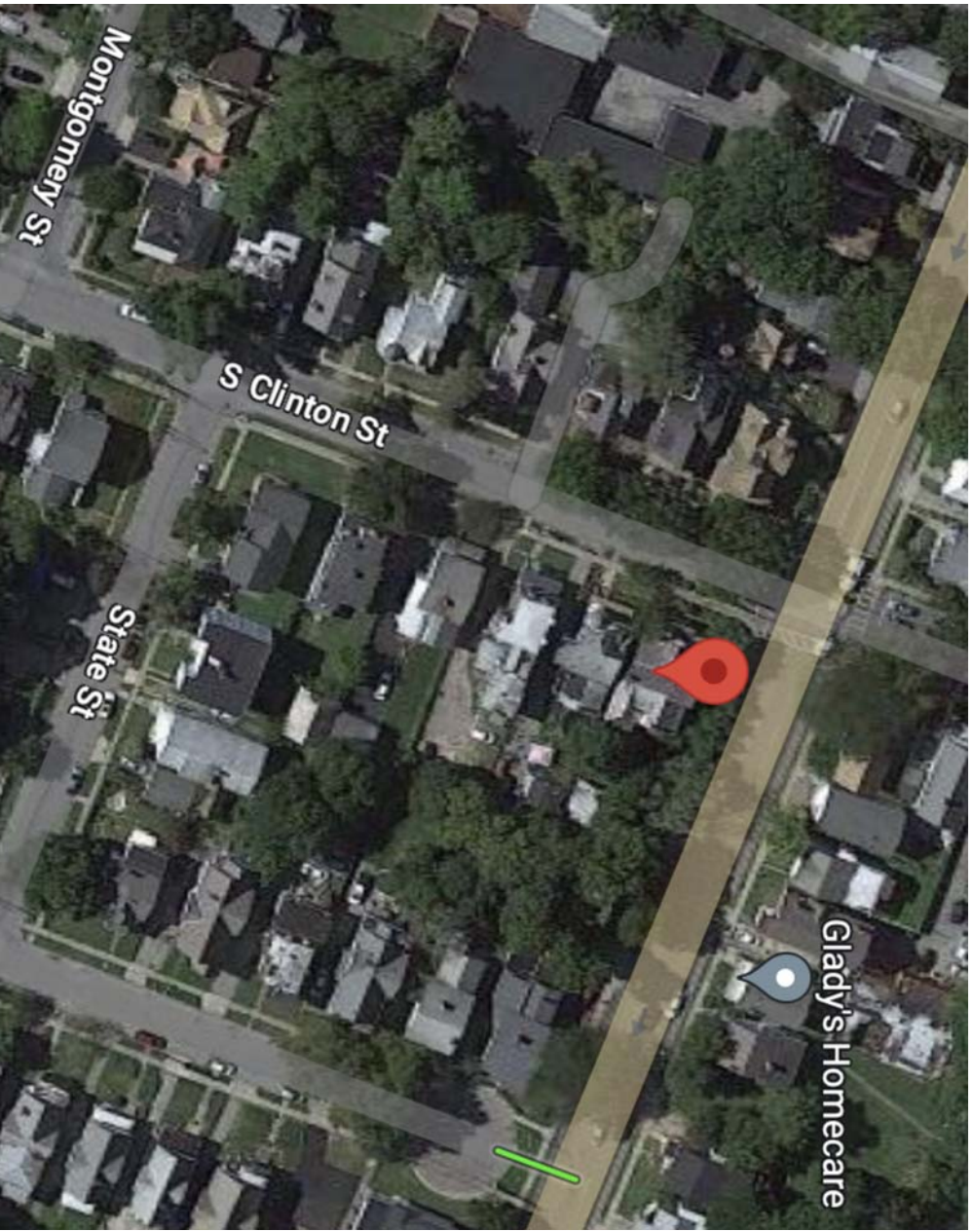
Very truly yours,

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

Ciro Interrante, Architect

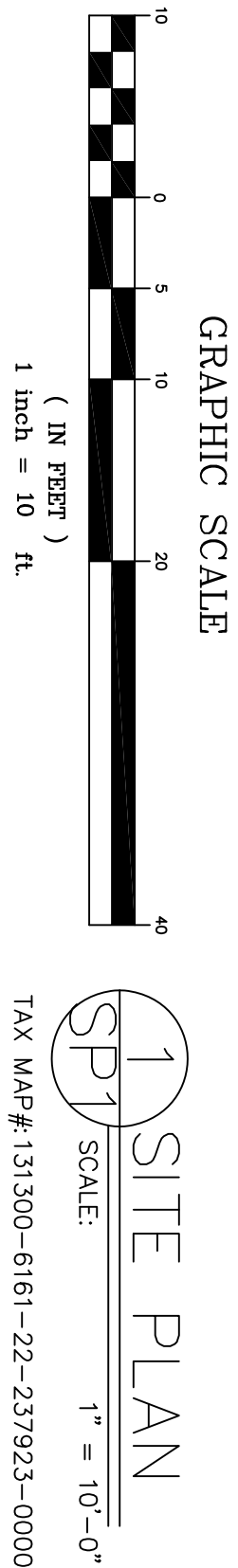
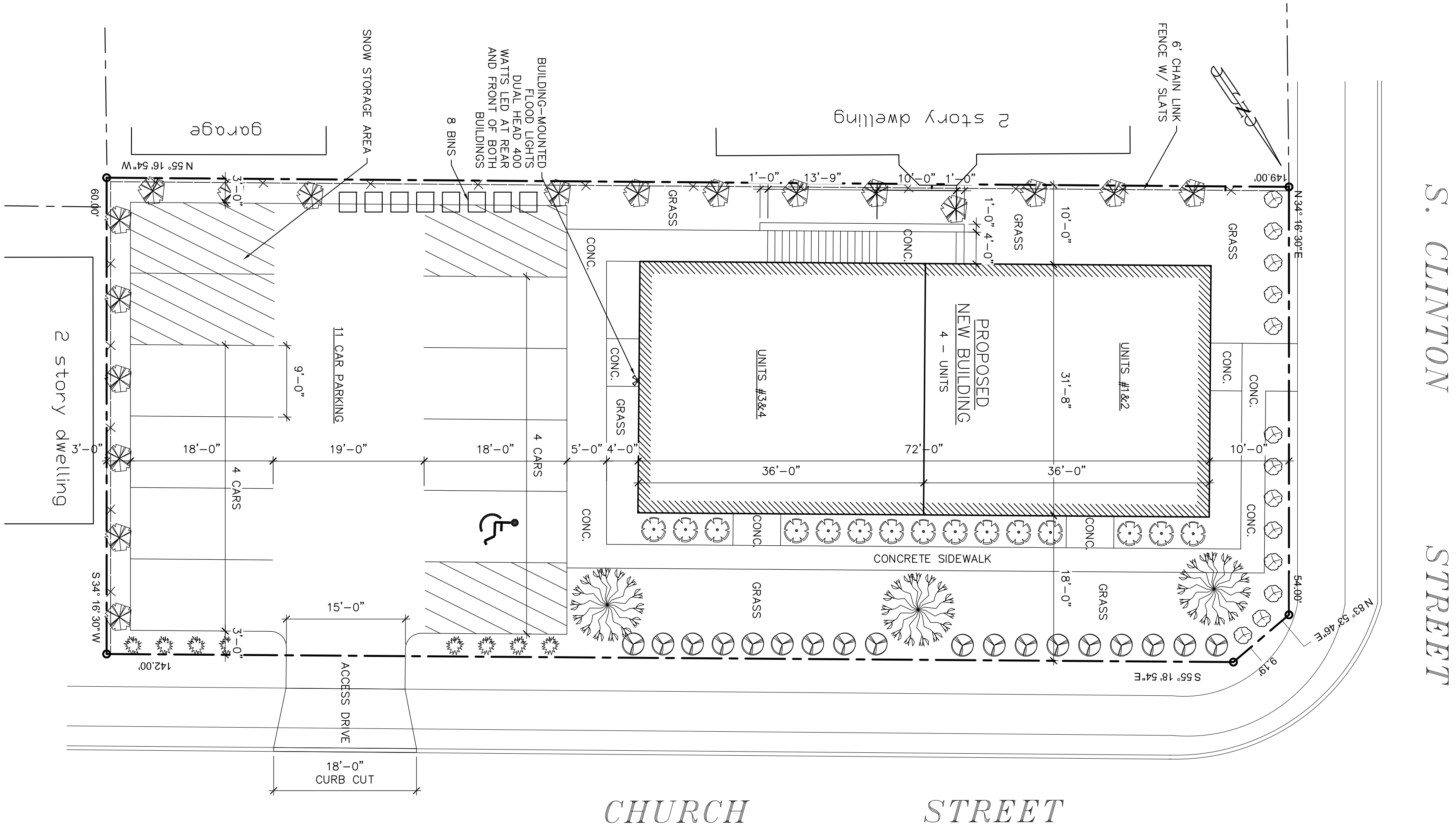


4 GOOGLE STREET VIEW
SP1 SCALE: N.T.S.



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

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



1 SITE PLAN
SP1 SCALE: 1" = 10'-0"
TAX MAP #: 131300-6161-22-237923-0000



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		
	REQUIRED	PROPOSED
LOT AREA	(4,000 SF. / UNIT)	0.2 AC. (8,919 SF.)
LOT WIDTH	30 FT.	60 FT.
LOT DEPTH	149 FT.	60 FT.
LOT FRONTAGE	30 FT.	60 FT.
LOT COVERAGE (BUILDING)	40 %	28.8 %
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:



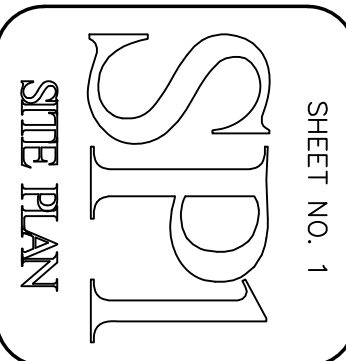
CIRO INTERRANTE ARCHITECT P.C.
25 MARKET STREET, 3rd FLOOR
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7572 Office (845) 473-7525 Fax

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
POUGHKEEPSIE, NY. 12601

Project Number: 23-31



TYPICAL CONSTRUCTION NOTES

- 1

CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF.
- 2

PRE ENGINEERED ROOF TRUSS SYSTEM @2'-0"o.c.,
DESIGN FOR: 55 PSF SNOW LOAD + 15 PSF DEAD LOAD
- 3

CONTINUOUS 1x6 FASCIA.
- 4

INSTALL SIMPSON #H10A HURRICANE TIES AT ALL
CONNECTIONS OF ROOF TRUSS BOTTOM CHORD TO BEARING
WALLS.
- 5

7/16" WALL SHEATHING W/ TYVEK HOUSE WRAP WITH
VINYL SIDING PER OWNERS CHOICE.
- 6

2x6 STUD WALL @16"o.c. W/ R-21 CAVITY INSULATION.
- 7

SLOPE GRADE AWAY FROM BUILDING.
- 8

8" CONCRETE BLOCK OR 8" POURED CONCRETE
FOUNDATION WITH R10x48" PERIMETER INSULATION.
- 9

INSTALL 5/8" TYPE 'X' GWB ON ALL WALLS BETWEEN
APARTMENTS.
- 10

12"x24" POURED CONCRETE FOOTING CONTINUOUS WITH
3-#4 BARS.
- 11

4" CONC. SLAB W/6"x6" #10/#10 W.W.F. OVER 6 MIL.
POLYETHYLENE VAPOR BARRIER AND 6" MIN POROUS
COMPACTED.
- 12

1/2"DIA x12"LONG BENT ANCHOR BOLTS @ 6'-0"o.c. &
@ 1'-0" FROM CORNERS & 7" MIN. EMBEDMENT WITH
"SIMPSON" WASHERS #LBP1/2. INSTALL ANCHOR BOLTS
IN CENTER FIRE WALLS, SAME AS PERIMETER
FOUNDATION WALL.
- 13

INSTALL 2-2x10 HEADER FOR WINDOWS & DOORS.
- 14

INSTALL BEAMS AND HEADERS WHERE SHOWN ON DRAWINGS.
- 15

12" x 24" HAUNCH W/ 3# 4 RODS CONTINUOUS.
- 16

CONTINUOUS VENTED SOFFIT.
- 17

CONTINUOUS ALUM. DRIP EDGE.
- 18

36" ICE & WATER SHIELD 24" IN FROM STUD
WALLS ON RAKES & EAVES AND 36" WIDE IN
VALLEYS.
- 19

5/8" PLYWOOD ROOF DECK W/ PLYWOOD CLIPS BETWEEN TRUSSES,
W/ 15 LB. FELT & GAF 235 LB. ARCHITECTURAL ASPHALT ROOF
SHINGLES (COLOR PER OWNER'S CHOICE).
- 20

2x6 SOLID BLOCKING AT MID HEIGHT OF BEARING WALL. 2x6
STUDS @ 16" O.C.
- 21

ALUMINUM GUTTERS & DOWN SPOUTS
- 22

VINYL WINDOW, DOOR TRIM & CORNER TRIM. SIDING & TRIM
PER OWNER.
- 23

INSTALL FULL THICKNESS CAVITY INSULATING IN
EXTERIOR WALLS & CENTER BEARING WALL.
- 24

NOT USED.
- 25

INSTALL 14 INCH DIAMETER BY 48 INCHES DEEP CONCRETE PIER.
- 26

3/4" T & G PLYWOOD SUB-FLOOR
- 27

"ACCUVENT" BAFFLE W/14" HEEL HEIGHT TRUSS TO
ACCOMMODATE R-38 INSULATION EXTENDED TO OUTSIDE FACE
OF WALL STUD.
- 28

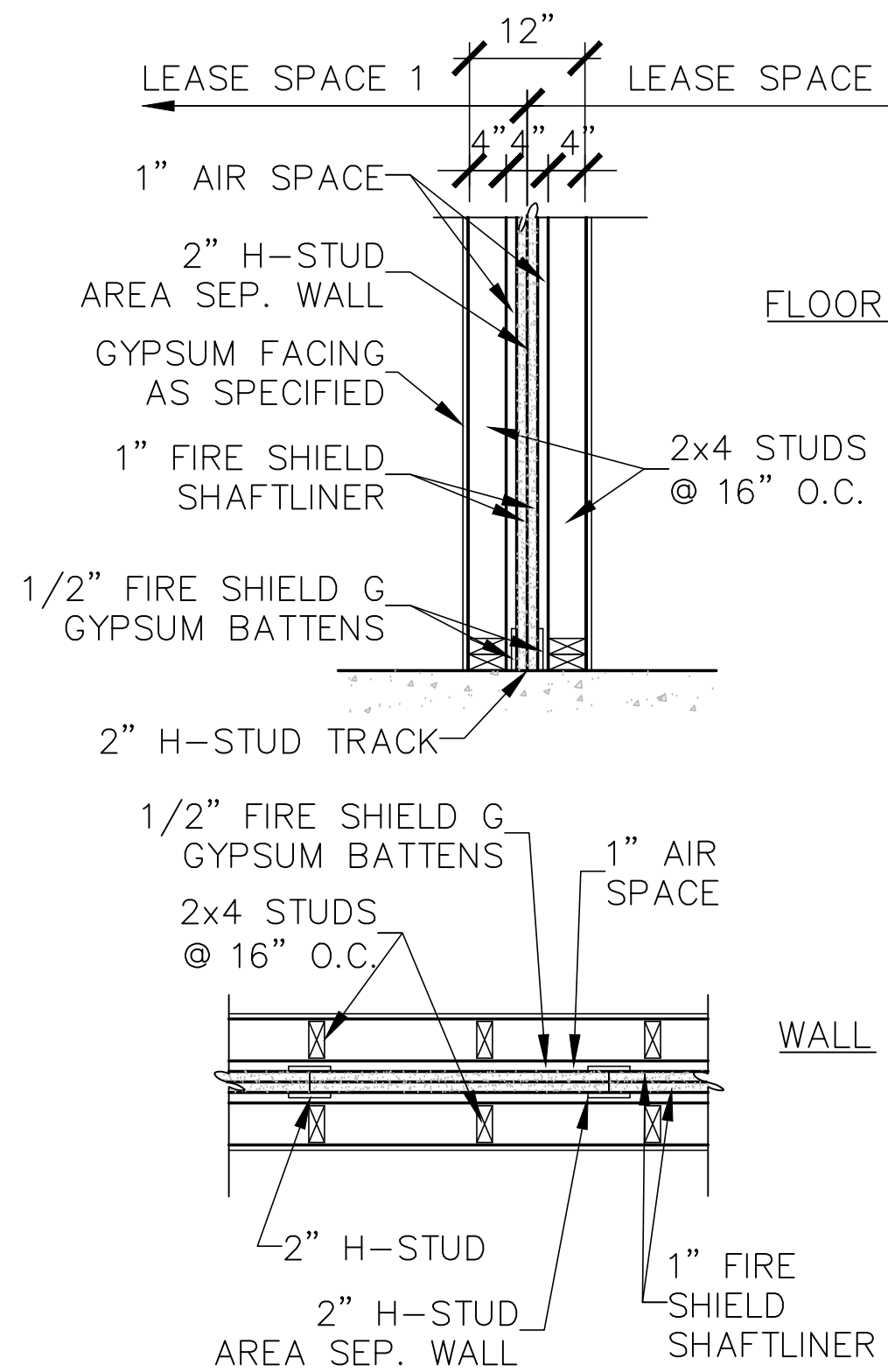
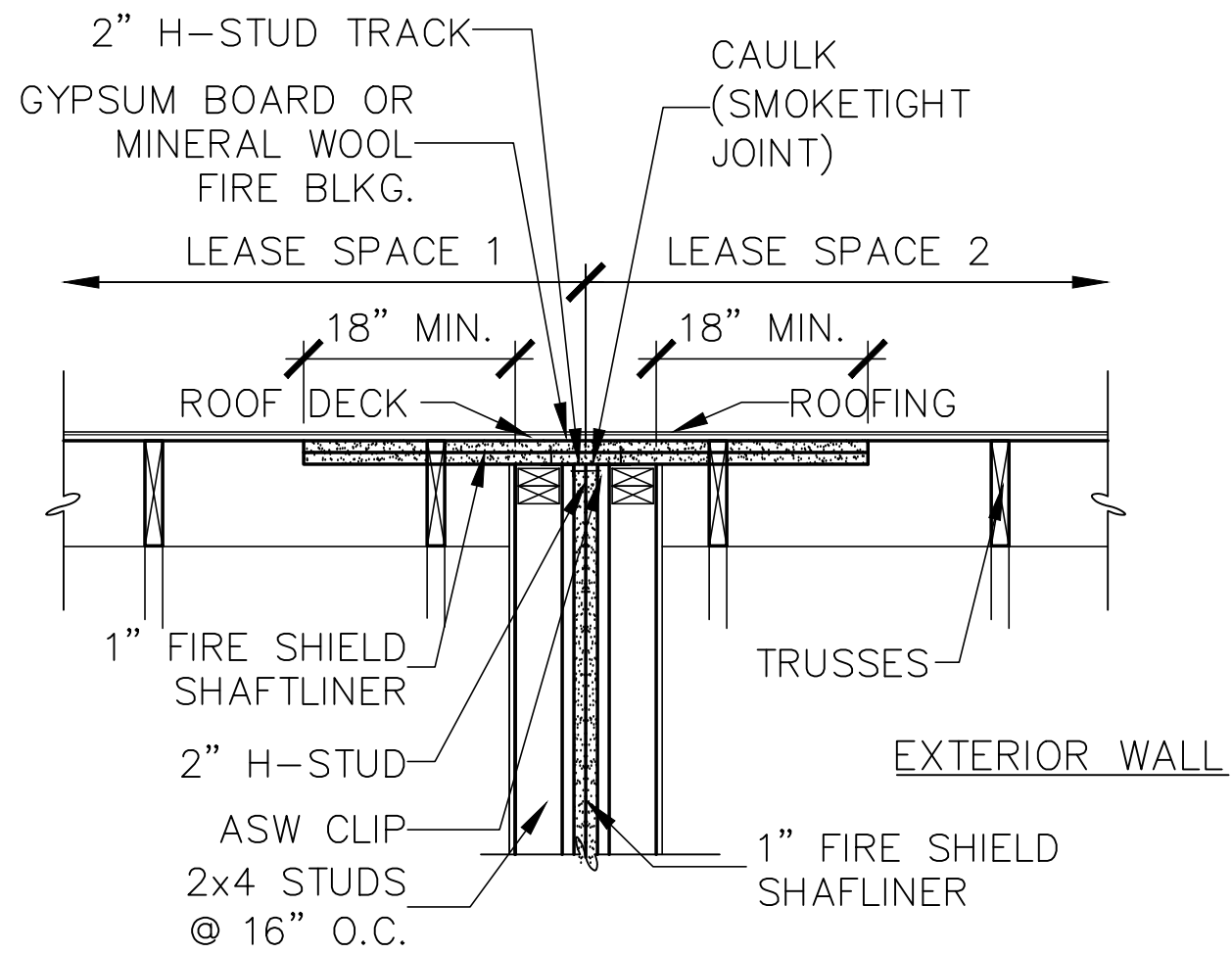
ELECTRICIAN TO INSTALL GROUND WIRE TO 20' ONE PIECE
RE-BAR ENCASED IN FOOTING CONCRETE PER ELECTRICAL
CODE. COORDINATE WITH CONCRETE CONTRACTOR.
- 29

NOT USED.
- 30

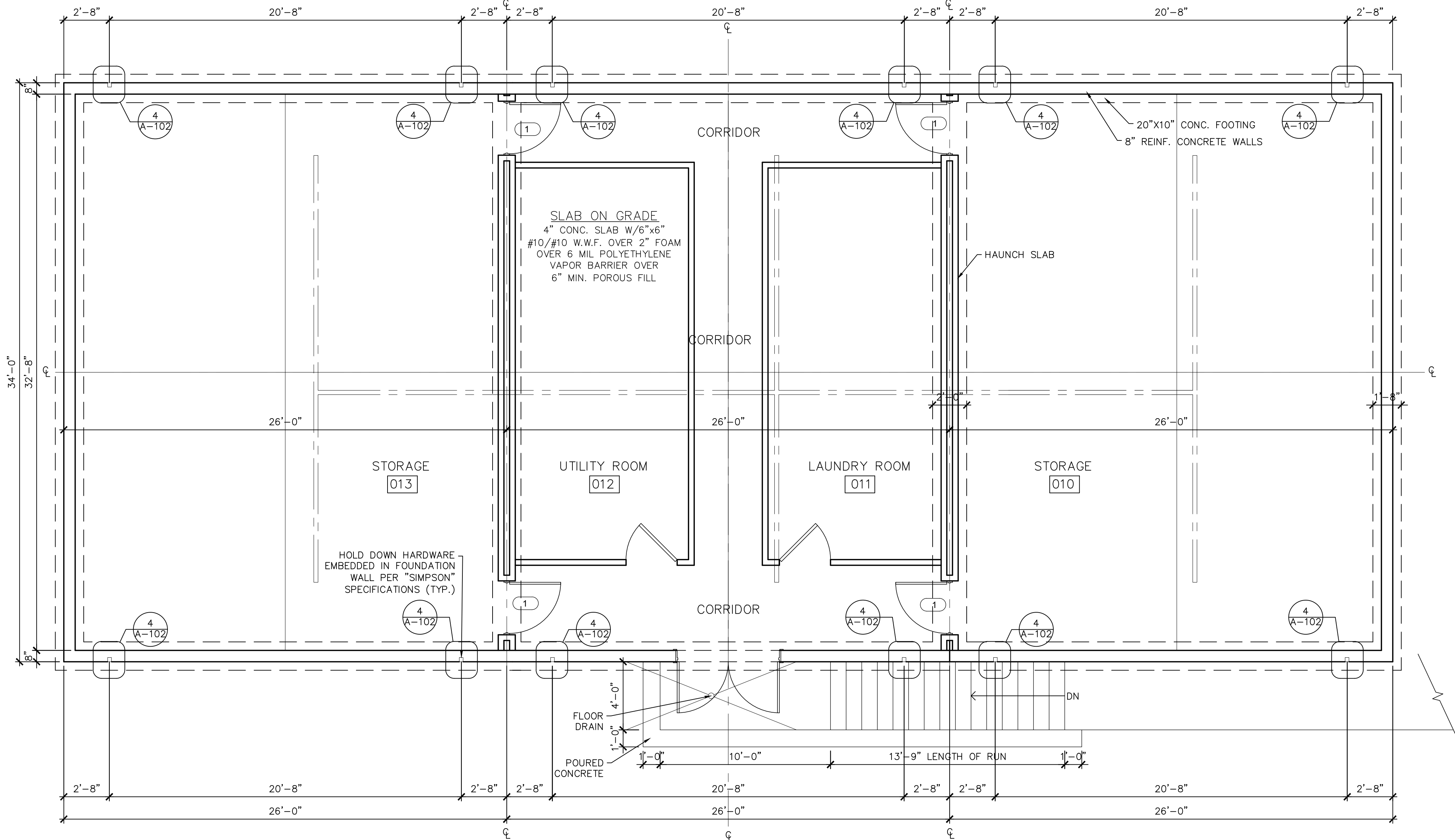
NOT USED.
- 31

STAIRS, 14 RISERS AT ±7 3/4" HGT. & 13 TREADS AT ±10"
DEEP. INSTALL HANDRAIL 34" MIN. & 38" MAX. HEIGHT.
- 32

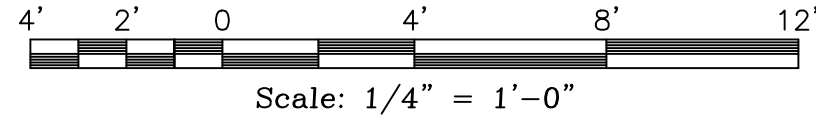
NOT USED.



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



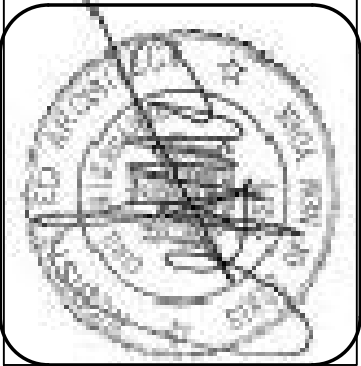
1 FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



Revisions	Description:	
	No.	Date:



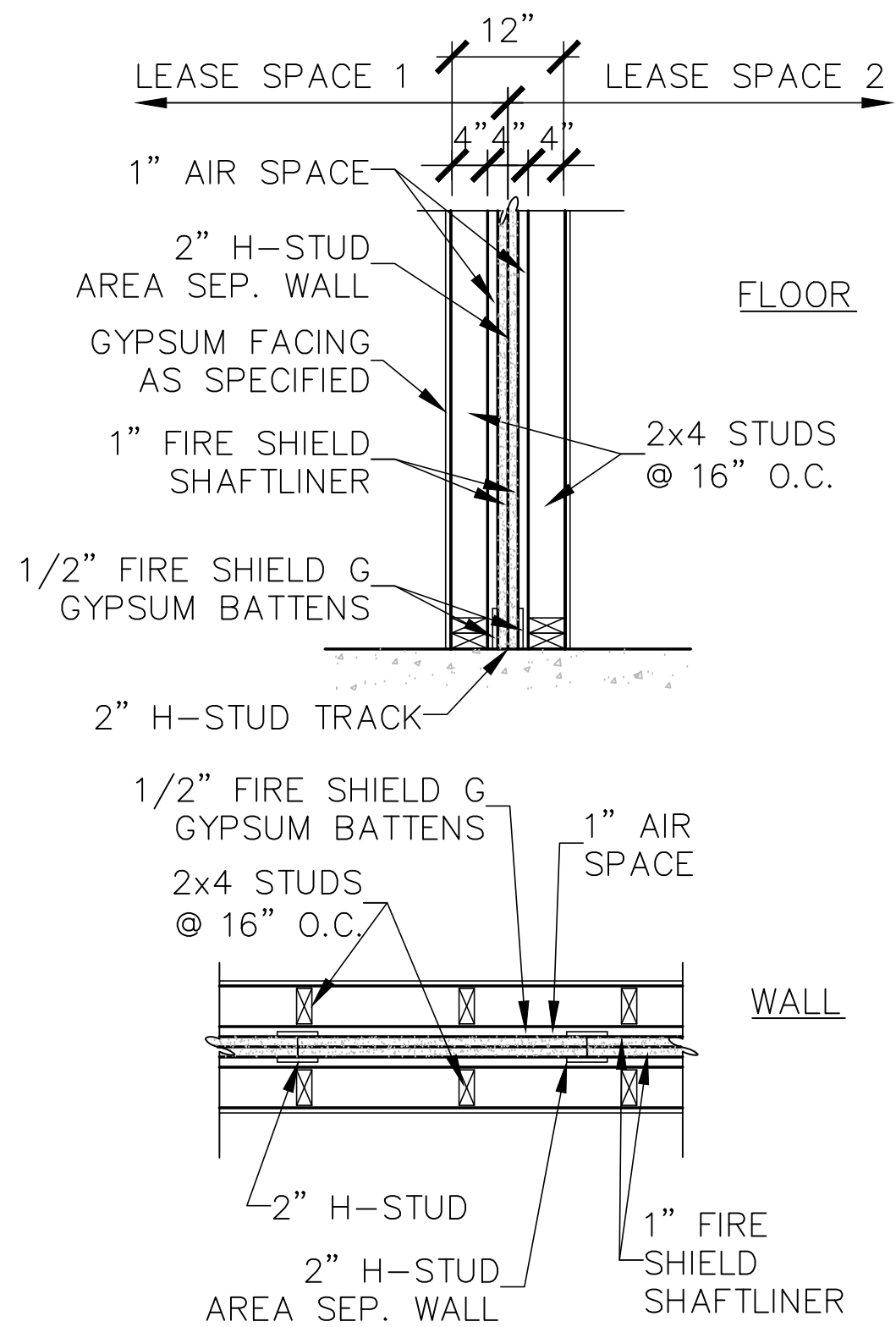
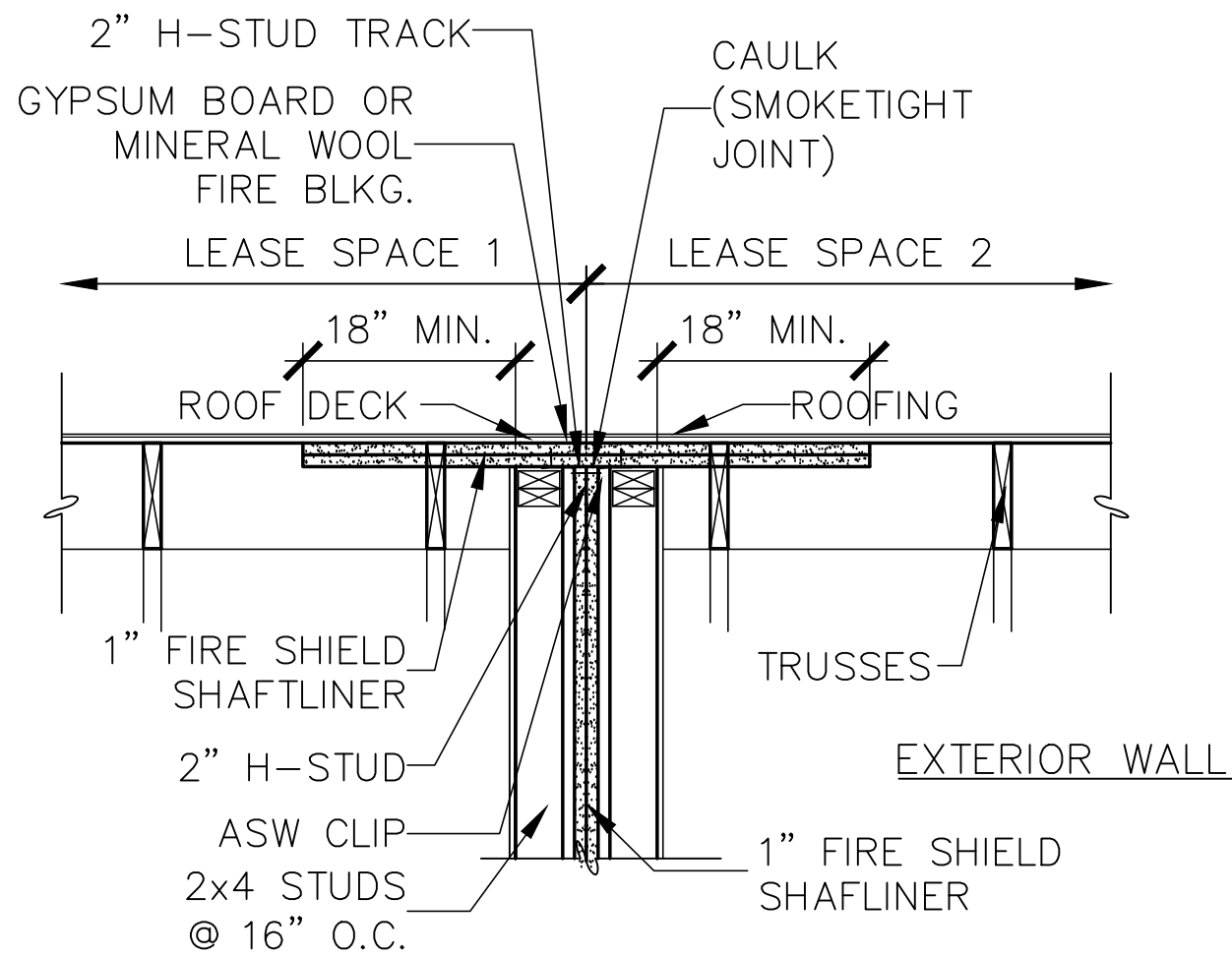
CIRO INTERRANTE ARCHITECT, P.C.		
85 MARKET STREET POUGHKEEPSIE, NEW YORK 12601 (845) 473-7572 Office (845) 473-7525 Fax		
DRAWN BY: A.K.S.	CHECKED BY: C.I.	ISSUED DATE: 26 JULY, 2023



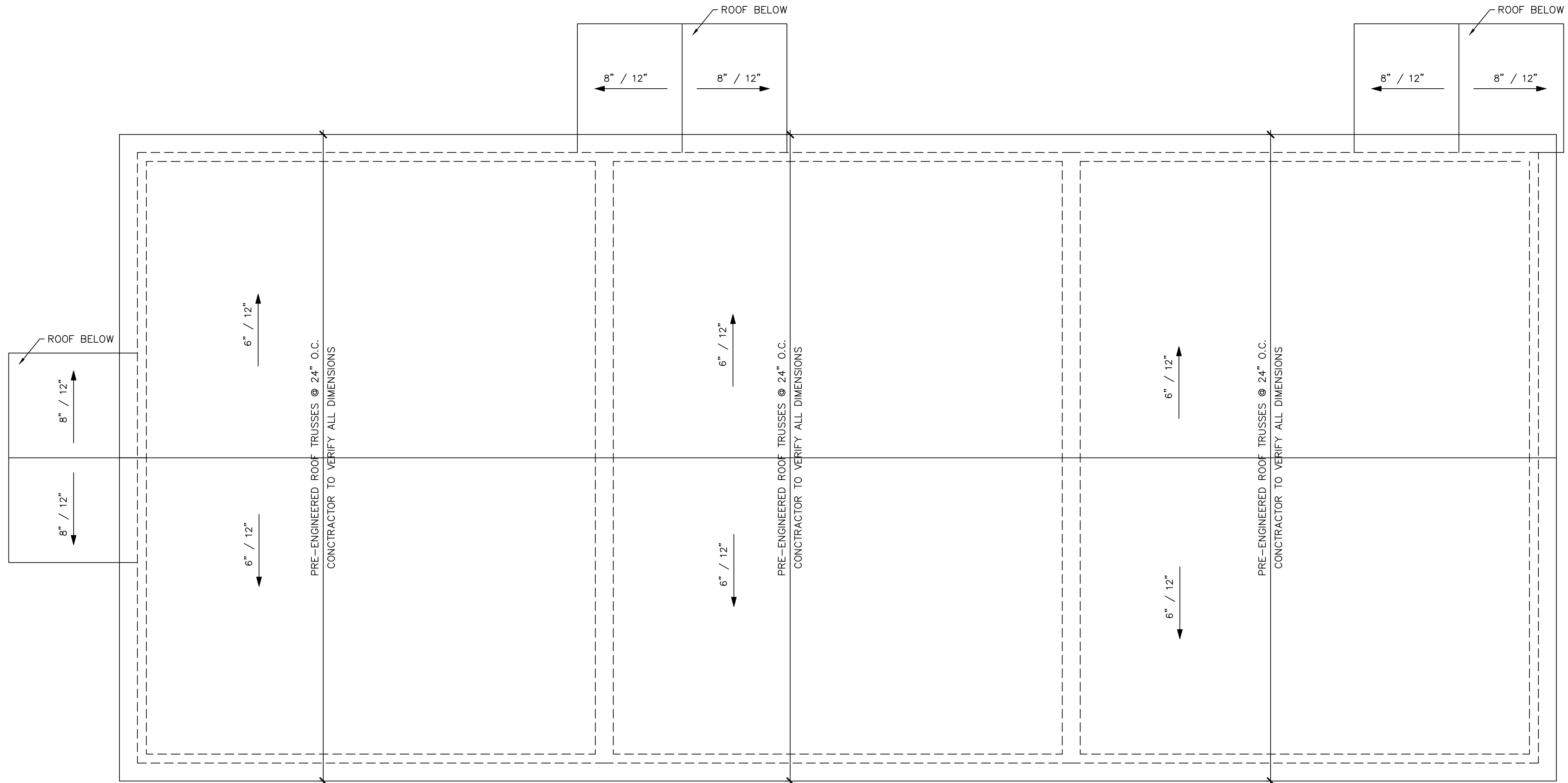
FOUNDATION & ROOF PLANS, DETAILS & NOTES	PROPOSED NEW APARTMENTS FOR:	
	27 SOUTH CLINTON, LLC 27 SOUTH CLINTON STREET POUGHKEEPSIE, NEW YORK 12601	

Project Number. 23-31





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



1 ROOF PLAN
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

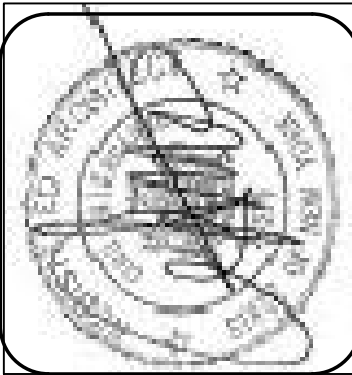
- VINYL WINDOW, DOOR TRIM & CORNER TRIM. SIDING & TRIM PER OWNER.
- INSTALL FULL THICKNESS CAVITY INSULATING IN EXTERIOR WALLS & CENTER BEARING WALL.
- NOT USED.
- INSTALL 14 INCH DIAMETER BY 48 INCHES DEEP CONCRETE PIER.
- 3/4" T & G PLYWOOD SUB-FLOOR
- "ACCUVENT" BAFFLE W/14" HEEL HEIGHT TRUSS TO ACCOMMODATE 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
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7572 Office (845) 473-7525 Fax



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



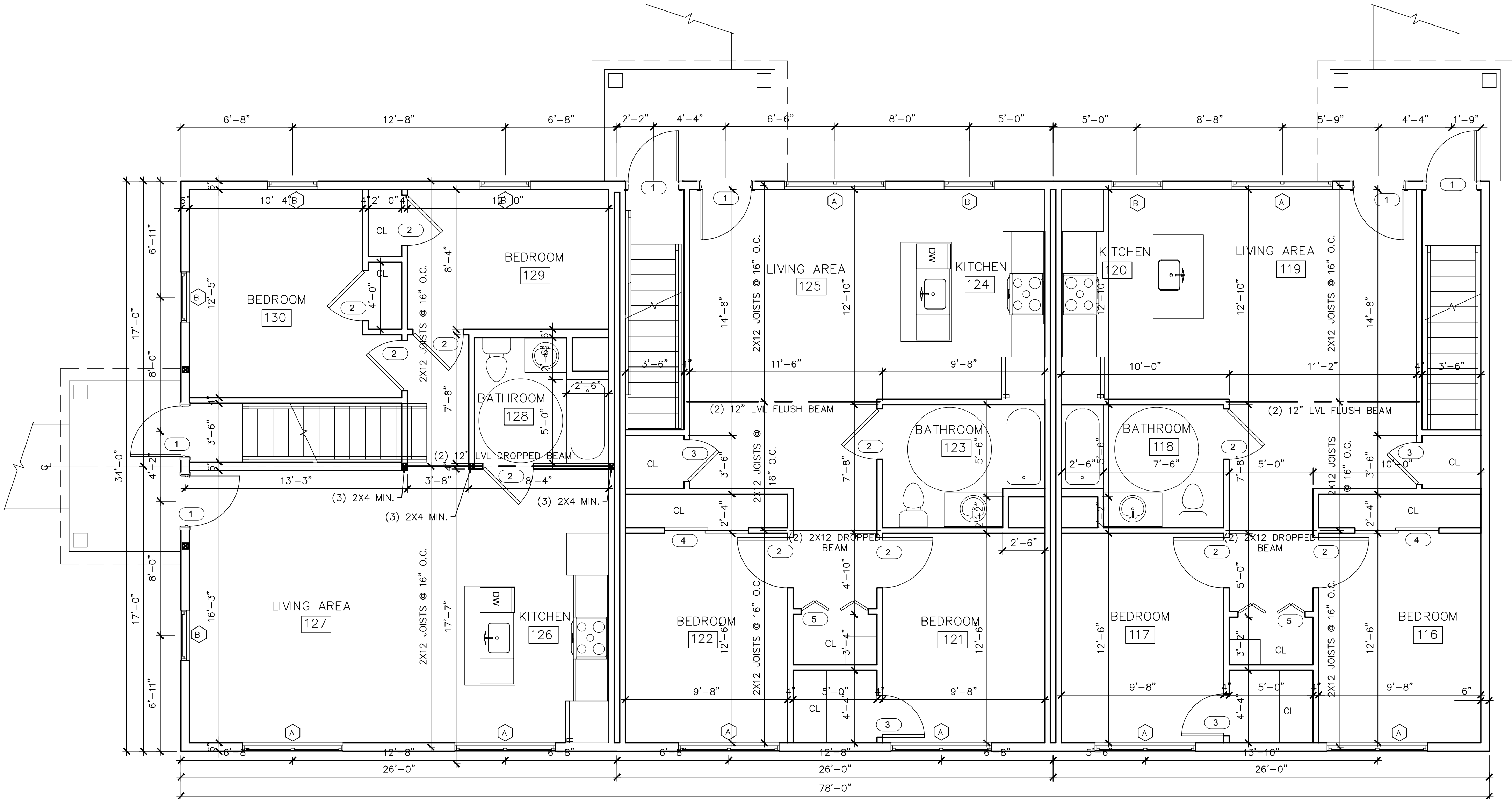
LIGHT & VENTILATION SCHEDULE (PER UNIT)					
ROOM NAME	FLOOR AREA (SQUARE FEET)	LIGHT 8% (REQUIRED)	LIGHT % (ACTUAL)	VENT. 4% (REQUIRED)	VENTILATION % (ACTUAL)
APT. 1 & 3 1ST FL.	LIVING ROOM	200	16	20.62	11.4
	DINNING ROOM	92	7.36	20.62	11.4
APT. 2 2ND FL.	BED ROOM #1	117	9.36	20.62	11.4
	BED ROOM #2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

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

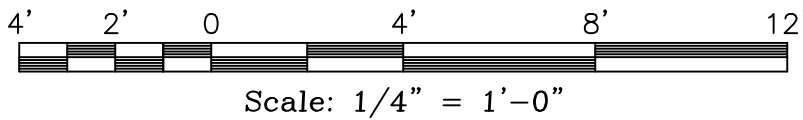
WINDOW SCHEDULE (PER BUILDING)								SYMBOL	
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA	
A	3'-1 5/8" x 4'-8 7/8"	TW3046	27	DOUBLE HUNG	3'-2 1/8" x 4'-8 7/8"	YES	5.7	10.31	
B	2'-7 5/8" x 3'-4 7/8"	TW2632	9	DOUBLE HUNG	2'-8 1/8" x 3'-4 7/8"	NO	3.17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

WINDOW & DOOR NOTES:
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"

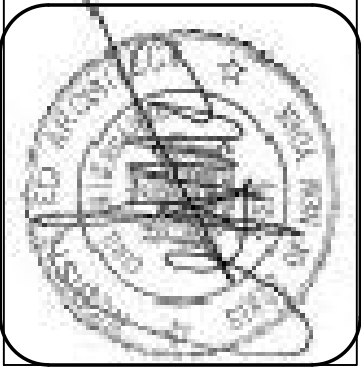


Revisions		
	No.	Date: Description:



CIRO INTERRANTE ARCHITECT, P.C.
85 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7522 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



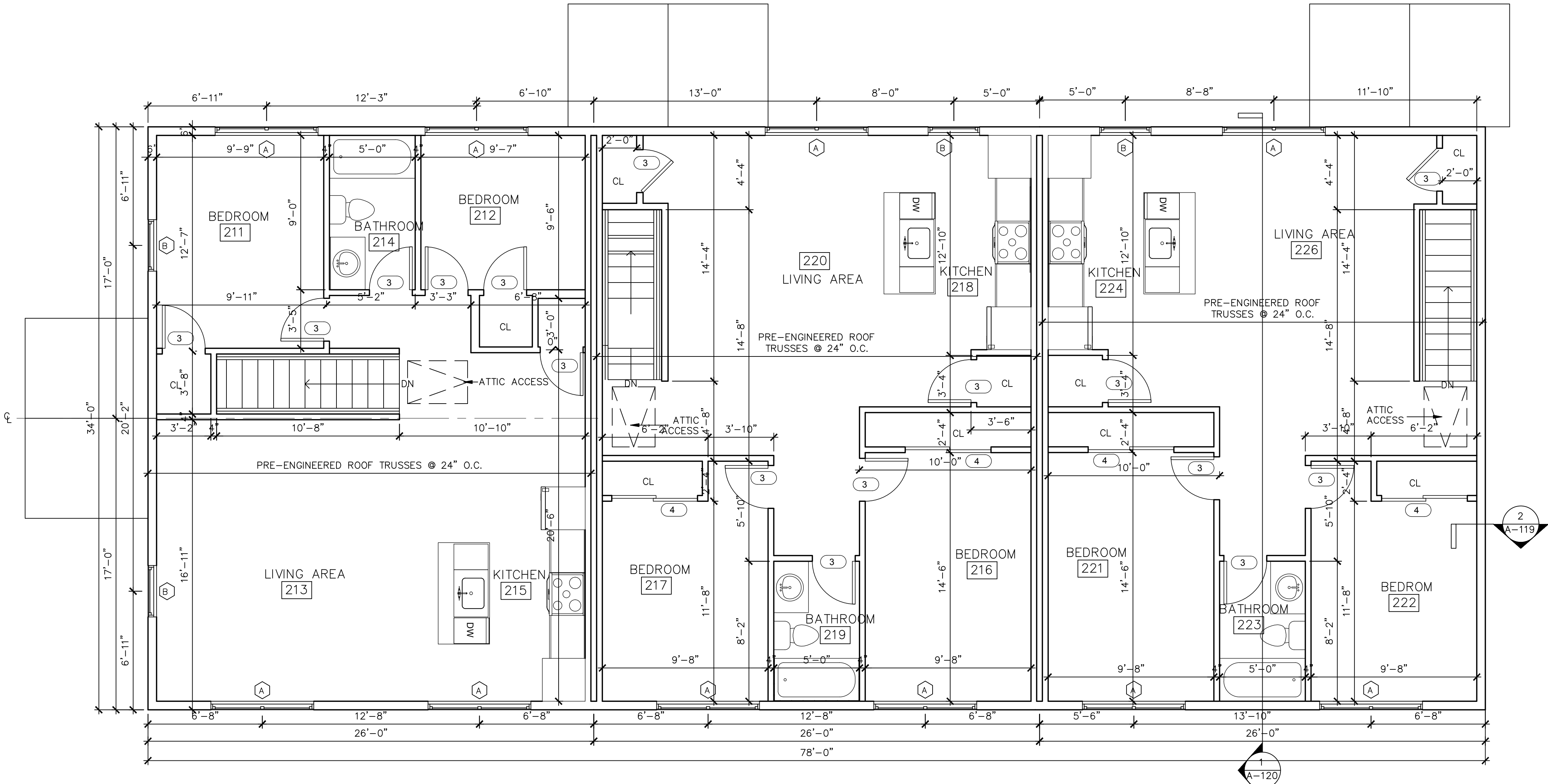
LIGHT & VENTILATION SCHEDULE (PER UNIT)					
ROOM NAME	FLOOR AREA (SQUARE FEET)	LIGHT 8% (REQUIRED)	LIGHT % (ACTUAL)	VENT. 4% (REQUIRED)	VENTILATION % (ACTUAL)
APT. 1 & 3 1ST FL.	LIVING ROOM	200	16	20.62	11.4
	DINNING ROOM	92	7.36	20.62	11.4
APT. 2 2ND FL.	BED ROOM #1	117	9.36	20.62	11.4
	BED ROOM #2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

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

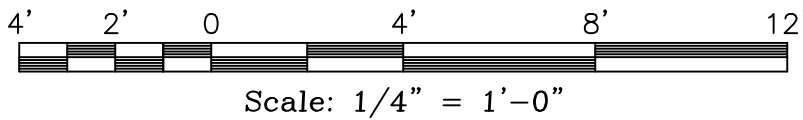
WINDOW SCHEDULE (PER BUILDING)								SYMBOL	
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA	
A	3'-1 5/8" x 4'-8 7/8"	TW3046	27	DOUBLE HUNG	3'-2 1/8" x 4'-8 7/8"	YES	5.7	10.31	
B	2'-7 5/8" X 3'-4 7/8"	TW2632	9	DOUBLE HUNG	2'-8 1/8" X 3'-4 7/8"	NO	3.17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

WINDOW & DOOR NOTES:
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.

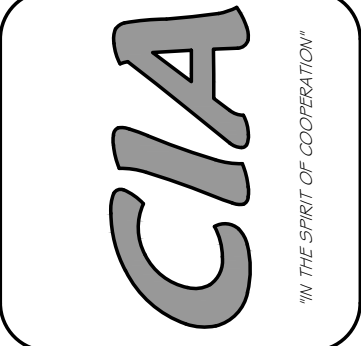
DOOR SCHEDULE (PER BUILDING)					SYMBOL	
MARK	SIZE	QUAN.	DESCRIPTION			
1	3'-0" x 6'-8"	3	EXTERIOR ENTRY DOOR			
2	2'-6" x 6'-8"	15	INTERIOR DOOR			
3	5'-0" x 6'-8"	0	INTERIOR BI-FOLD DOOR			
4	2'-0" x 6'-8"	3	INTERIOR DOOR			
5	1'-6" X 6'-8"	3	INTERIOR DOOR			
6	3'-0" X 6'-8"	3	INTERIOR DOOR			



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

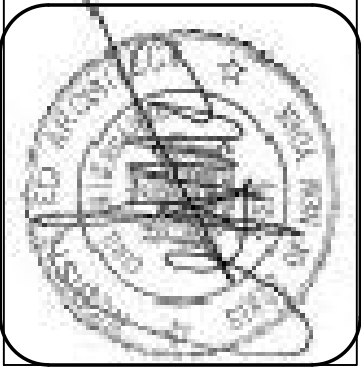


Revisions		
	No.	Date:



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

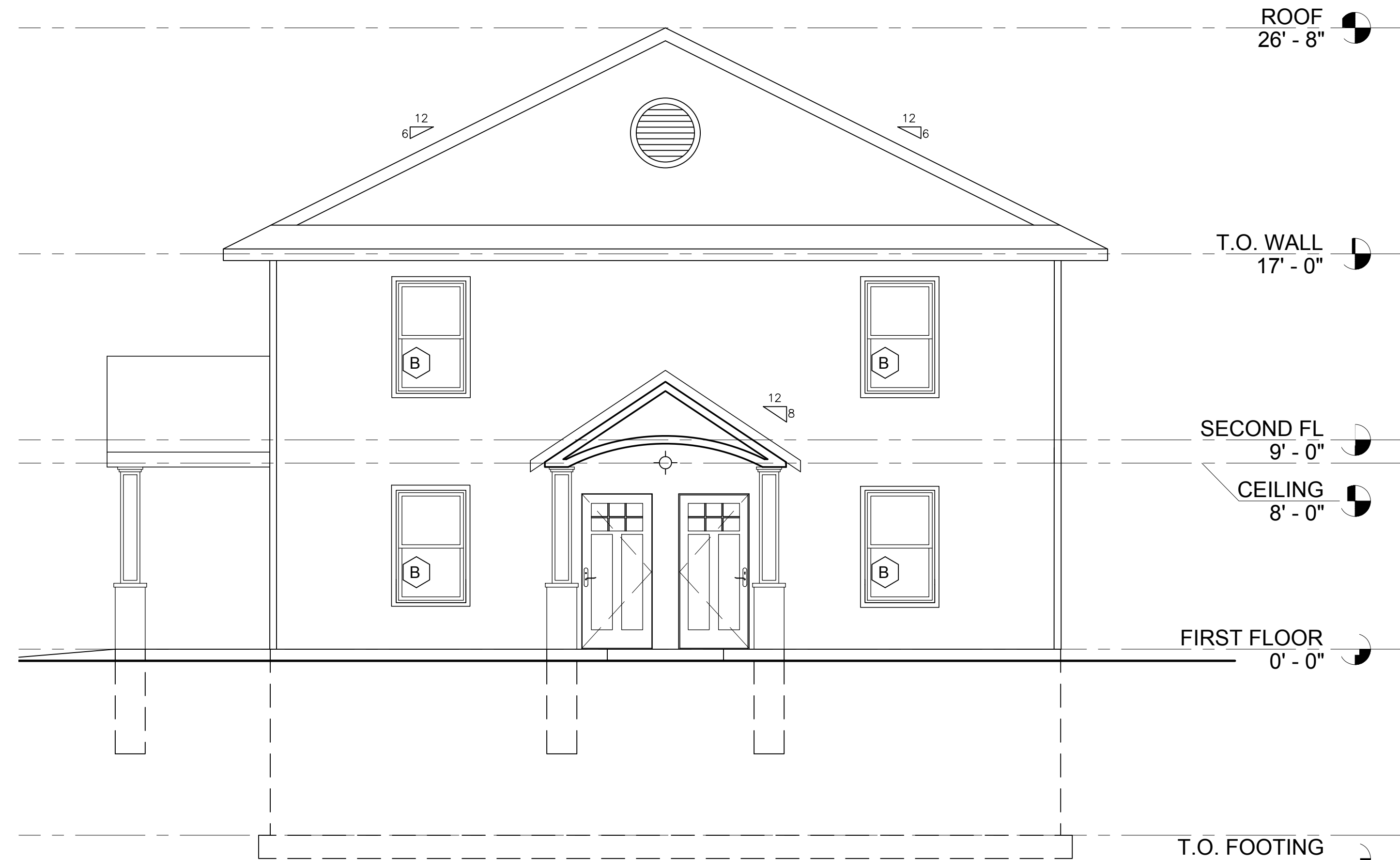
SHEET NO.

A4

ARCHITECTURAL



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



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

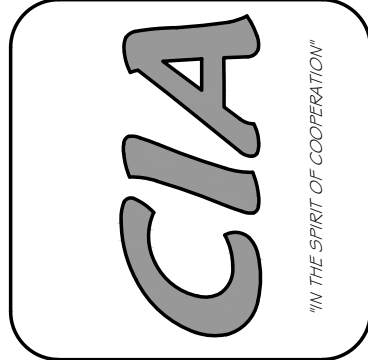
WINDOW SCHEDULE (PER BUILDING) (ANDERSON SERIES 100)							SYMBOL	☐
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA
A	2'-11 1/2" x 4'-11 1/2"	3050	27	SINGLE HUNG	3'-0" x 5'-0"	YES	5.79	11.95
B	2'-5 1/2" x 3'-5 1/2"	2636	9	SINGLE HUNG	2'-6" x 3'-6"	NO	3.08	6.44

WINDOW & DOOR NOTES:
1. EACH HABITABLE SPACE IS PROVIDED WITH AT LEAST ONE WINDOW THAT IS IN COMPLIANCE WITH NYS CODE REGULATIONS FOR USE AS AN EMERGENCY EGRESS.
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

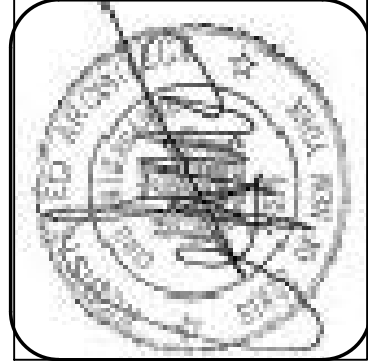
- CONTINUOUS WHITE ALUMINUM FASCIA & CONTINUOUS ALUMINUM DRIP EDGE
- CONTINUOUS FULLY VENTED WHITE VINYL SOFFIT.
- INSTALL 6" WHITE ALUMINUM GUTTERS & DOWN SPOUTS
- 36" ICE & WATER SHIELD IN VALLEYS & 24" IN FROM STUD WALLS ON RAKES & EAVES.
- CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF
- BEIGE COLORED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

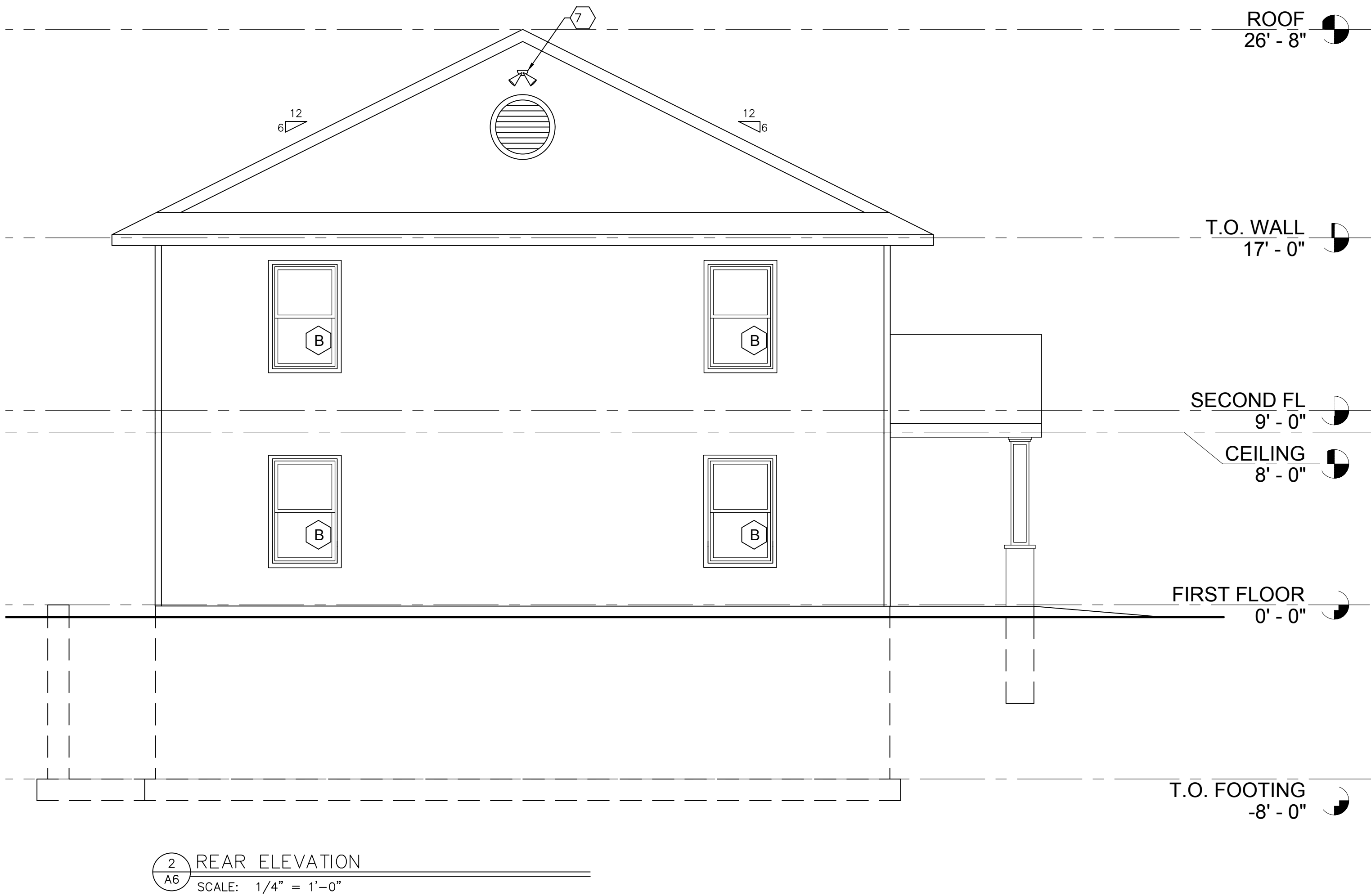
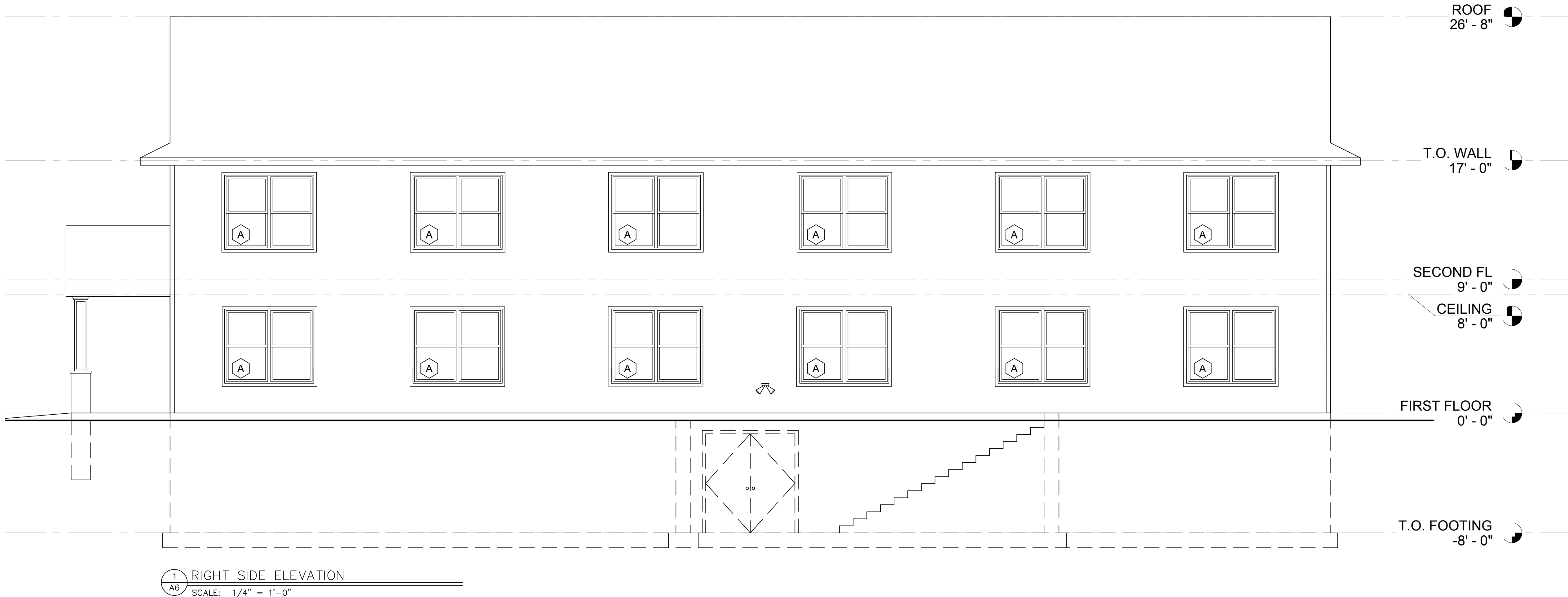


EXTERIOR ELEVATIONS

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

EXTERIOR MATERIALS

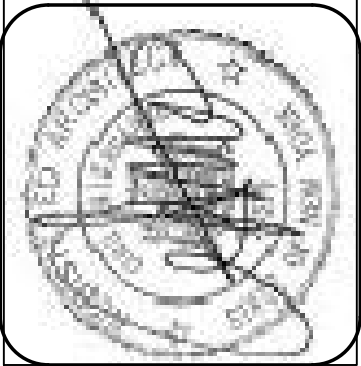
- CONTINUOUS WHITE ALUMINUM FASCIA & CONTINUOUS ALUMINUM DRIP EDGE
- CONTINUOUS FULLY VENTED WHITE VINYL SOFFIT.
- INSTALL 6" WHITE ALUMINUM GUTTERS & DOWN SPOUTS
- 36" ICE & WATER SHIELD IN VALLEYS & 24" IN FROM STUD WALLS ON RAKES & EAVES.
- CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF
- BEIGE COLORED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



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 GIRDSERS TO BE DOUGLAS FIR NUMBER TWO OR BETTER.
- ALL HEADERS TO BE MIN. 2-2x10, UNLESS NOTED OTHERWISE, ALL HEADERS AND GIRDSERS TO BE GLUED AND NAILED.
- DOUBLE RAFTERS AROUND ROOF OPENING FOR SKYLIGHTS IF APPLICABLE.
- DIMENSIONS ARE FROM FACE OF STUD OR STRUCTURE, OR CENTERLINE OF MEMBER/OPENING.
- WINDOW NUMBERS REFER TO ANDERSEN OR MARVIN. ADJUST ROUGH OPENINGS AND DIMENSIONS IF A DIFFERENT MANUFACTURER IS USED. SEE WINDOW SCHEDULE.
- THERE SHALL BE NO SUBSTITUTIONS WITHOUT WRITTEN APPROVAL BY THE OWNER AND ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR COMPLICATIONS ARISING FROM UNAUTHORIZED SUBSTITUTION OF MATERIAL SIZE OR TYPE.
- INSULATE EXTERIOR WALL WITH R-21 FIBERGLASS BATT INSULATION. INSULATE CEILINGS WITH R-38. INSULATE FLOORS WITH R-30.
- PLUMBING AND ELECTRICAL CONTRACTORS ARE RESPONSIBLE TO MEET THE LATEST REVISIONS TO THE N.Y.S. ENERGY CONSERVATION CONSTRUCTION CODE FOR THEIR RESPECTIVE TRADE.
- ALL MATERIALS, ASSEMBLIES, CONSTRUCTION AND EQUIPMENT SHALL CONFORM TO THE REGULATIONS OF THE RESIDENTIAL CODE OF N.Y.S. AND SHALL CONFORM TO GENERALLY ACCEPTED STANDARDS.
- THOSE ITEMS NOT NOTED, BUT IMPLIED AS NECESSARY FOR THE PERFORMANCE OF THE WORK ARE CONSIDERED PART OF THE CONTRACT.
- ALL NEW INTERIOR DRYWALL TO BE 1/2" REGULAR GYPSUM BOARD UNLESS NOTED OTHERWISE. USE 1/2" M.R. DRYWALL IN BATHROOMS.
- ALL CLOSETS TO HAVE RODS AND SHELVES.
- ALL BEAMS AND HEADERS OVER 4'-0" SPAN TO BE GLUED AND NAILED. ALL MULTIPLE PIECE STRUCTURAL MEMBERS SHALL BE GLUED AND NAILED.
- USE PRESSURE TREATED LUMBER FOR PORCH AND DECK STRUCTURES.
- EXTERIOR WALLS ARE FRAMED WITH 2x6 STUDS AND INTERIOR WALLS ARE FRAMED WITH 2X4 STUDS UNLESS NOTED OTHERWISE.
- ALL MATERIALS SHALL BE ASSEMBLED IN ACCORDANCE WITH THE N.Y.S. BUILDING CODE, INCLUDING PROPER MATERIAL TYPE AND DIMENSIONS AND PROPER QUANTITY AND TYPE OF FASTENERS.

ENERGY CONSERVATION:

- CONSTRUCTION ENVELOPE DESIGNED BY ACCEPTABLE STANDARDS FOR CLIMATE ZONE 5A (DUTCHESS COUNTY) WITH MINIMUM "R" VALUES AS FOLLOWS:
WALLS- R21
ROOF- R38 (EXTEND TO OUTSIDE FACE OF EXTERIOR STUD & INSTALL "ACCUEVENT" BAFFLE.)
FLOOR- R30
SLAB EDGE- R-10 (NON RADIANT HEAT)
GLAZING- R U 0.32
DOORS- R 2.5
BASEMENT WALLS- R-19

INSULATION:

- PROVIDE FIBERGLAS BATT INSULATION WITH 4 MIL POLYETHYLENE VAPOR BARRIER IN WALLS, CEILINGS, FLOORS AND WHERE INDICATED ON DRAWINGS. FOLLOW MANUFACTURER'S INSTRUCTIONS FOR USE AND INSTALLATION.
- FOUNDATION AND SLAB RIGID BOARD INSULATION WHERE INDICATED TO BE RIGID EXTRUDED POLYSTYRENE TYPE OR APPROVED EQUAL.
- ALL INSULATION REGARDLESS OF MATERIAL SHALL BE COVERED WITH 1/2" DRY WALL OR CONCRETE IF SLAB EDGE INSULATION.

FIRE SAFETY:

- SUPPLY AND INSTALL LINE VOLTAGE IONIZED SMOKE DETECTOR ALARMS AND CARBON MONOXIDE DETECTORS AS SHOWN ON PLANS ON ALL FLOOR LEVELS, IN ALL SLEEPING ROOMS, AT STAIRWELLS, AND AS REQUIRED BY LOCAL AUTHORITY IF NOT SHOWN ON PLANS.
- SMOKE AND CARBON MONOXIDE DETECTORS ON CATHEDRAL CEILINGS SHALL BE LOCATED AT THE HIGH POINT OF THE CEILING (SEE PLAN FOR LOCATION).
- ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE WIRED TOGETHER SO THAT IF ONE IS ACTIVATED, ALL WILL SOUND AN ALARM.
- IF REQUIRED BY LOCAL CODE OFFICIAL, ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE INSTALLED BY A LICENSED ALARM INSTALLER.

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

- IN EACH SLEEPING ROOM.
- OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM.
- ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS. NO DETECTORS ARE REQUIRED IN CRAWL SPACES (BELOW-GRADE SPACE LESS THAN 6 FEET, 8 INCHES IN HEIGHT) AND UNINHABITABLE ATTICS.

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

- WITHIN EACH DWELLING UNIT ON ANY STORY HAVING A SLEEPING AREA.
- ON ANY STORY OF A DWELLING UNIT WHERE FUEL-FIRED APPLIANCES AND EQUIPMENT, SOLID-FUEL BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE LOCATED. A CARBON MONOXIDE ALARM INSTALLED ON ANY STORY OF A DWELLING UNIT HAVING A SLEEPING AREA SHALL SUFFICE FOR THAT STORY WHERE FUEL-FIRED APPLIANCES AND EQUIPMENT, SOLID-FUEL BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE ALSO LOCATED.

ELECTRICAL NOTES:

- ALL OUTLETS IN ALL BATHROOMS, AND KITCHEN AREAS SHALL BE GFI PROTECTED.
- IF REQUIRED BY LOCAL CODE OFFICIAL, ALL ELECTRICAL WORK SHALL BE INSTALLED BY A LICENSED ELECTRICIAN.

PLUMBING:

- PLUMBER SHALL FILE FOR PERMITS AND SECURE APPROVALS. USE ONLY LEAD FREE SOLDER.

OSHA NOTE:

- CONTRACTOR SHALL OBSERVE ALL OSHA REQUIREMENTS & REGULATIONS THAT PERTAIN TO THIS PROJECT. FOR REFERENCE, DOWNLOAD A COPY OF THE OSHA REGULATIONS FROM THE UNITED STATES DEPARTMENT OF LABOR OSHA WEB SITE.
<http://www.osha.gov/law-regs.html>
- CONTRACTOR SHALL FOLLOW THESE REGULATIONS AS SPECIFIED AND REFER TO THE ABOVE REFERENCED WEB SITE FOR GUIDANCE.

CONTRACTOR NOTE:

- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "PRESCRIPTIVE RESIDENTIAL WOOD DECK CONSTRUCTION GUIDE" FROM THE AMERICAN WOOD COUNCIL WEB SITE.
<http://www.awc.org/publications/DCA/DCA6/DCA6-09.pdf>
- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "DETAILS FOR CONVENTIONAL WOOD FRAME CONSTRUCTION" FROM THE AMERICAN WOOD COUNCIL WEB SITE.
<http://www.awc.org/pdf/WCD1-300.pdf>
- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "DESIGN OF WOOD FRAME STRUCTURES FOR PERMANENCE" FROM THE AMERICAN WOOD COUNCIL WEB SITE.
<http://www.awc.org/pdf/WCD6.pdf>
- CONTRACTOR CAN OBTAIN MORE INFORMATION ON SYSTEMS AT [HTTP://WWW.ICC-ES.ORG/REPORTS](http://www.icc-es.org/reports)
- CONTRACTOR SHALL FOLLOW THESE DRAWINGS AS SPECIFIED AND REFER TO THE ABOVE REFERENCED DOCUMENTS FOR GUIDANCE.

CONCRETE & MASONRY:

- ALL FOOTINGS SHALL BEAR ON UNDISTURBED EARTH OF 1 1/2 TON CAPACITY OR LEDGE ROCK.
- STEPPED FOOTINGS SHALL HAVE A MAXIMUM STEP OF 2' VERTICAL AND 4' HORIZONTAL.
- BOTTOM OF FOOTINGS ON SOIL SHALL BE BELOW LOCAL CODE FROST LINE. PROTECT FROM FREEZING.
- CONCRETE FOR POURED IN PLACE CONSTRUCTION SHALL CONFORM TO ACI 318-77 AND SHALL HAVE A MIN. STRENGTH OF 3000 PSI AT 28 DAYS. POUR ONLY IN TEMP. ABOVE 40 DEGREES.
- WHERE ROCK TO EARTH TRANSITION OCCURS, USE DEFORMED REBARS AS REQUIRED BY ARCHITECT. NOTIFY ARCHITECT IN EVENT OF THIS CONDITION.
- FOUNDATION WALLS ARE TO HAVE 1/2" DIA. x 12" LONG THREADED ANCHOR BOLTS AT 6'-0" O.C. MAX.
- SLABS ARE TO BE POURED ON GRAVEL OR CRUSHED STONE BASE. PROVIDE 6 MIL POLY. VAPOR BARRIER ON BASEMENT AND CRAWL SPACE SLABS. REINFORCE WITH GRADE 40 WELDED WIRE MESH.
- IF USED, CONCRETE MASONRY WALLS ARE TO CONFORM TO THE LATEST EDITION OF NATIONAL CONCRETE MASONRY ASSOCIATION AND APPLICABLE STATE CODES. TOP COURSE FILLED SOID.
- IF USED, CONCRETE BLOCK SHALL BE OF THE FOLLOWING TYPE: ASTM C-90 GRADE N-1, ASTM C-145 GRADE N-1 ALL MORTAR SHALL BE ASTM C-270 TYPE S.

FOUNDATION NOTES:

- ALLOWABLE SAFE SOIL BEARING CAPACITY IS ASSUMED TO BE 3000 PSF. THE CONTRACTOR SHALL VERIFY SOIL CONDITIONS AND CAPACITY AND INFORM THE ARCHITECT IN WRITING IF LESS THAN 3000 PSF PRIOR TO STARTING ANY WORK.
- POURED CONCRETE FOOTINGS, PIERS, FOUNDATIONS AND SLABS SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI IN TWENTY EIGHT DAYS.
- MINIMUM DEPTH OF FOUNDATION FOOTINGS SHALL BE 4'-0" BELOW ALL FINISHED GRADES. ALL FOOTINGS SHALL BEAR ON UNDISTURBED VIRGIN SOIL. DO NOT POUR ANY CONCRETE ON WET, DAMP OR FROZEN SOIL.
- REINFORCING FOR CONCRETE WALLS SHALL HAVE TWO ROWS OF NO. 4 BARS AT THE TOP AND BOTTOM OF THE WALL WITH NO. 4 BARS AT 4'-0" ON CENTER VERTICAL AND HORIZONTAL. SEE DETAILS FOR ADDITION REINFORCING. REINFORCING FOR FOOTINGS SHALL BE TWO NO.4 BARS CONTINUOUS. SLAB REINFORCING SHALL BE 6"x6" - #10/#10 WELDED WIRE FABRIC. REINFORCING BARS SHALL BE DEFORMED STEEL BARS, ASTM A615 GRADE 60.
- ALL COLUMNS SHALL BE CONCRETE FILLED LALLY COLUMNS UNLESS NOTED OTHERWISE.
- BEARING FOR ALL BEAMS SHALL BE 6" MINIMUM.
- APPLY BITUMINOUS MASTIC FOUNDATION DAMP PROOFING TO THE EXTERIOR OF ALL CONCRETE FOUNDATION WALLS.

GENERAL FRAMING NOTES:

- ALL JOISTS AND RAFTERS SHALL BE ALIGNED OVER STUDS BELOW.
- INSTALL DOUBLE FLOOR JOISTS UNDER PARTITION WALLS FRAMED PARALLEL TO JOIST DIRECTION.
- ALL EXTERIOR SHEATHING SHALL BE 1/2"CDX PLYWOOD. NAILING SCHEDULE SHALL BE 8d COMMONS AT 6" O.C. AT ALL EDGES AND 8d COMMONS AT 12" O.C. AT ALL INTERMEDIATE STUDS.
- ALL COLUMNS OR SOLID FRAMING SHALL EXTEND DOWN THRU ALL LEVELS AND TERMINATE AT THE BASEMENT FLOOR AND BE SUPPORTED BY A THICKENED SLAB, GRADE BEAM, OR FOOTING DESIGNED TO CARRY LOAD.
- PROVIDE COLLAR TIES ON ALL RAFTERS AT UPPER 1/3 OF VERTICAL DISTANCE BETWEEN RIDGE BOARD AND CEILING JOISTS AT 16" O.C.
- HIP, VALLEY RAFTERS, AND RIDGE BOARDS SHALL BE ONE "2X" SIZE LARGER THAN RAFTERS OR AS SHOWN ON PLAN.
- ROOF DECKING SHALL BE 5/8" CDX PLYWOOD MINIMUM.
- ALL CEILING JOISTS AND RAFTER BRACING TO BEAR ON LOAD BEARING WALLS DESIGNED TO CARRY LOAD THRU ALL LEVELS AND TERMINATE AT BASEMENT FLOOR AND BE SUPPORTED BY THICKENED SLAB GRADE BEAM OR FOOTING DESIGNED TO CARRY LOAD.
- ALL ANCHOR BOLTS SHALL BE NYS CODE MINIMUM 1/2" DIA.x12" WITH A 7" EMBEDMENT, 1'-0" FROM CORNERS AND @ 6'-0"o.c. WITH SIMPSON WASHER #LBPI/2 THRU OUT.
- SHEATHING TO BE 5/8" EXTERIOR PLYWOOD, FOR ROOFS AND 1/2" EXTERIOR PLYWOOD FOR WALLS.
- USE ONLY GALVANIZED OR NON CORROSIVE NAILING ON ALL EXTERIOR WORK.
- VENTILATE ALL SOFFITS AND PROVIDE "ACCUEVENT" OR EQUAL TO ENSURE VENTILATION.
- ALL GLASS DOORS AND WINDOWS ARE TO BE AS SPECIFIED ON PLANS AND ARE TO HAVE SCREENS AND LOW - E INSULATING GLASS UNLESS OTHERWISE NOTED.

GENERAL CONDITIONS:

- ALL WORK SHALL CONFORM TO ALL GOVERNING CODES AND ORDINANCES INCLUDING THE STATE BUILDING CODE AND LOCAL ZONING AND STATE ENERGY CODE.
- CONTRACTOR SHALL CARRY WORKMAN'S COMP, LIABILITY INSURANCE AS REQUIRED BY LAW, AND BY OWNER AND SHALL PROTECT OWNER FROM ALL LIABILITY WITH ADEQUATE INSURANCE.
- ALL COLUMNS SHALL BE CONCRETE FILLED LALLY COLUMNS UNLESS NOTED OTHERWISE.
- CONTRACTOR SHALL CHECK, ALL DIMENSIONS AND CONDITIONS, AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.
- CONTRACTOR SHALL PROTECT PREMISES AND OCCUPANTS FROM HARM ON THE BUILDING SITE. PROVIDE AND MAINTAIN NECESSARY COVERINGS AND PROTECTION FOR ALL MATERIALS AND EQUIPMENT STORED ON SITE FROM DAMAGE OR THEFT.
- REMOVE ALL DEBRIS AND KEEP SITE CLEAN AND NEAT AT ALL TIMES.

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

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.

BUILDING DEPARTMENT NOTES

BUILDING CODE CLASSIFICATIONS

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

PARTITION LEGEND

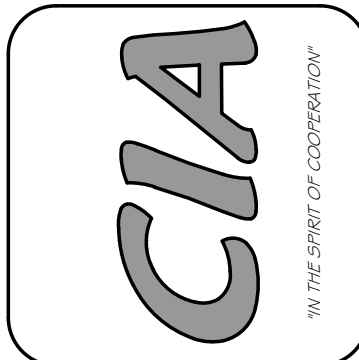
NEW DRYWALL PARTITION WOOD STUDS @ 16" O.C. WITH (1) LAYER OF 1/2" G.W.B. ON EACH SIDE (STANDARD CONSTRUCTION)

NOTE:
BEFORE ANY DIGGING ON THE SITE TAKES PLACE, THE CONTRACTOR MUST FIRST CALL THE UNDERGROUND FACILITIES PROTECTION ORGANIZATION (UFPD) AT 1-800-962-7962 TO IDENTIFY AND LOCATE ALL UNDERGROUND FACILITIES.

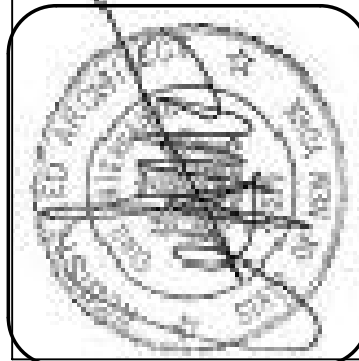
THIS DRAWING AS AN INSTRUMENT OF SERVICE IS THE PROPERTY OF CIRO INTERANTE, ARCHITECT. THE DRAWINGS IN THIS SET HAVE BEEN PREPARED FOR THE ONE TIME EXCLUSIVE USE OF THE CLIENT NAMED AND FOR THE LOCATION DESCRIBED IN THE TITLE BLOCK. THE DRAWINGS MAY NOT BE REPRODUCED, COPIED OR OTHERWISE USED IN ANY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

Copy Right 2023 Ciro Interante, RA All rights reserved.

Revisions	Description:	
	No.	Date:



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



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

Project Number:	23-31
-----------------	-------

SHEET NO.
T1
TITLE SHEET

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information							
Name of Action or Project: 27 SOUTH CLINTON STREET							
Project Location (describe, and attach a location map): East side of South Clinton Street at the south east corner of the intersection of South Clinton Street and Church Street (Route 44-55).							
Brief Description of Proposed Action: CONSTRUCT A NEW 6 UNIT APPARTMENT BUILDING ON A VACANT LOT.							
Name of Applicant or Sponsor: QUINCY WILLIAMS - 27 SOUTH CLINTON, LLC		Telephone: 845-453-5223 E-Mail: 382KCC@GMAIL.COM					
Address: PO BOX 372							
City/PO: LAGRANGEVILLE		State: NY	Zip Code: 12540				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;">☒</td> <td style="text-align: center; padding: 5px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: SITE PLAN APPROVAL			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;">☐</td> <td style="text-align: center; padding: 5px;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3.a. Total acreage of the site of the proposed action? 0.205 acres b. Total acreage to be physically disturbed? 0.205 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.205 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							

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

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>KIRO INTERANTE</u> Date: <u>7-29-23</u> Signature: <u>[Signature]</u>		

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

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

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

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

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

PRINT



Northeast Superior Walls
824 East Main Street
PO Box 759
Ephrata, PA 17522

Phone: (717) 733-4823
Fax: (717) 733-0386



Job Number: 23-1088
Job Name: 27 South Clinton apartments

Company Information	Contact Information	Site Information
Name: Solutions Contractors LLC est 22 Address: PO Box 372 Lagrangeville, NY 12540 Phone: (845) 453-5223	Contact: Quincy Williams Phone : (845) 453-5223 Email: solutionsllc22@gmail.com Site Contact: Quincy Williams Site Number: (845) 453-5223	Address: 27 South Clinton Poughkeepsie, NY 12501 Zone: Zone 1 Municipality: Dutchess - poughkeepsie

Weaver Precast Account Manager: Roy Schweitzer	Number: (914) 490-3620	Email: roy@superiorwallsnew.com
---	-------------------------------	--

Qty	Description
289	NY Wall, XI 8'2" Polyiso (R12)
8	NY Outside Corner Xi
4	NY Doors 8' Xi - Under 4'
1	NY Patio Doors 8' Xi 4'-8'
12	NY Double Studs 8'2" Xi Wall
12	STHD14RJ Simpson Strap-Tie Holdown
4	NY Party Wall Pockets 8'2" Xi Wall
65	NY Slab Ties (Linear Ft) XI
1	Charge,CAD
1	Charge,Engineering
3	Charge,Freight
1	Charge,Crane

Sub Total	\$43,075.73
Tax	\$0.00
Total	\$43,075.73

EstimateTerms Conditions

1. Final price may be impacted by site conditions
2. Final price will be determined upon completion of shop drawing with all required design details
3. This estimate does not reflect provisions for Wage Scale projects
4. Diagonal dimensions furnished with final Proposal upon request
5. Any and all outside engineering fees (i.e. engineering seals, letters, inspections, etc.) will result in additional charges and are not included in this estimate

Oversized Crane Requirements

Important: Pricing included in this proposal is based upon adequacy of a 40 Ton Crane with a maximum reach of 60' (from crane pivot point). Estimated per hour oversized crane rates are listed below. Actual rates will be confirmed prior to installation. Pricing does not reflect permit or overtime charges beyond standard 8 hour day. Refer to "Purchase Order and Agreement - Terms Conditions" for clarification of crane charges.

60 Ton - 75' Reach	\$160.00/Hour
70 Ton - 85' Reach	\$190.00/Hour
80 Ton - 90' Reach	\$220.00/Hour
110 Ton - 100' Reach	\$255.00/Hour

27 Commerce St, Poughkeepsie, NY 12603
(845)-471-8700
www.blacktopmaintenance.com

PROPOSAL

TO: Solutions Contractors
P.O. Box 372
Lagrangeville, NY 12540

DATE: August 2, 2023

ATTN: Quincy Williams

RE: 27 South ~~Hamilton~~ Street
Clinton

We are pleased to provide this cost estimate to perform work as listed below, on the above referenced project.

JOB 1 – Asphalt Paving / 2½" Binder / 1½" Top

1. Furnish and install 8" crushed compacted subbase.
2. Fine grade and compact.
3. Install 135 s.f. concrete apron at curb cut.
4. Install 2½" compacted depth dense binder bituminous concrete
5. Install 1½" compacted depth regular fine bituminous concrete.
6. Install pavement markings.

2,874 s.f.

\$32,330.00

SPECIAL NOTES & CLARIFICATIONS:

1. Work not specifically included is excluded.
2. Excavation and cuts/fills to subgrade are not included.
3. No pavement detail was provided.

BITUMINOUS ASPHALT ESCALATION CLAUSE:

Due to recent events in the world oil market, there is currently a shortage of crude oil. Crude oil is the primary supply for oil refineries, which supply asphalt cement for the Northeast.

A potential exists for additional significant price increases or even bituminous concrete shortages in the upcoming 2023 paving season.

Blacktop Maintenance Corp. may be required to pass these increased raw material price increases on to our customers.

HOLD HARMLESS AND INDEMNITY AGREEMENT

To the fullest extent permitted by law, the owner shall indemnify and hold harmless the contractor and / or its agent, trustees, servants or employees from and against any claims, damages, losses and expenses, including but not limited to attorney fees, arising out of, or occurring in connection with execution of the work provided that any such claim, damage, loss or expense is 1) attributable to bodily injury, sickness, disease or death or to destruction of tangible property other than the work itself, including the loss of use resulting there from, and 2) is caused in whole or in part by any negligent act error or omission on the part of the owner, its agents, servants, employees or subcontractors except if such injury or damage is caused by or results from the sole negligence of contractor and / or agents, trustees, servants or employees.

The certificate of insurance provided is not an insurance policy and neither affirmatively or negatively amends, extends, or alters the coverage afforded by the policies listed.



WESTCHESTER MODULAR HOMES

CUSTOM PRICE DEVELOPMENT

BUILDER: Westchester Modular Homes Construction				Customer:		Model:		
WINDOW SPECS		STYLE:	SIZE:	QTY:	PRICE EA:	TOTAL:	SQ FT:	
Andersen	400 Finelite	Double Hung	1832		\$ 570	\$ -	2,160	
Andersen	400 Finelite	Awning	A21		\$ 520	\$ -		
Andersen	400 Finelite	Double Hung	1832		\$ 570	\$ -		
Andersen	400 Finelite	Double Hung	2432	1	\$ 660	\$ 660		
Andersen	400 Finelite	Double Hung	2046		\$ 750	\$ -		
Andersen	400 Finelite	Double Hung	3046	8	\$ 860	\$ 6,880		
Andersen	400 Finelite	Double Hung	3056	4	\$ 1,070	\$ 4,280		
Andersen	400 Finelite	Picture	3446		\$ 1,000	\$ -		
Andersen	400 Finelite	Casement	CN235	1	\$ 1,140	\$ 1,140		
Andersen	400 Finelite	Picture/C-top	P6040/CTC3	1	\$ 3,900	\$ 3,900		
Andersen	400 Finelite	D/H Tempered	1832T		\$ 685	\$ -		
Andersen	400 Finelite	D/H Tempered	2432T	1	\$ 790	\$ 790		
Andersen	400 Finelite	D/H Tempered	3056T		\$ 1,285	\$ -		
Andersen					\$ -	\$ -		
Andersen					\$ -	\$ -		
Andersen					\$ -	\$ -		
16 Total # Windows								
EXTERIOR SPECS		STYLE:	SIZE:	QTY:	PRICE EA:	TOTAL:	Windows:	
Architraves		Single			\$ 100	\$ -	\$ 17,650	
Architraves		Double			\$ 225	\$ -		
Shutters				8	\$ 100	\$ 800		
Picture Frame - 5/4 x 4 PVC		Window or Single Door			\$ 150	\$ -	Fill Qty. On PO to Populate	
Picture Frame - 5/4 x 4 PVC		Door w/ Sidelites or Dbl Door			\$ 300	\$ -		
						\$ -		
6-Panel Square		S210	3'0"	1	\$ 715	\$ 715	Smooth Fiberglass Door	
3-Lite 1 Panel		263SL		2	\$ 500	\$ 1,000		Smooth Fiberglass Sidelite
Pediment and Pilasters		64" Acorn			\$ 455	\$ -		
5-Lite Transom		19420T	5' 8"		\$ 840	\$ -		
9-Lites w/ 2 Panels		S262	2'8"	1	\$ 800	\$ 800	Smooth Fiberglass Door	
6-Panel Square		SE210HD	2'8"		\$ 775	\$ -	B-Label Smooth Steel Fire Door	
5/8" Fire Code Sheetrock					\$ 150	\$ -		
						\$ -		
Permasield	Gliding Door	Full Glass	PS61611	1	\$ 2,080	\$ 2,080		
Permasield	Gliding Door	Full Glass	PS6180		\$ 2,450	\$ -		
Smooth Star	Single Swing	Full Glass	S118		\$ 930	\$ -		
Smooth Star	Double Swing	Full Glass	S118-6d		\$ 1,575	\$ -		
Smooth Star	Single Swing	Full Glass	S118-9		\$ 2,425	\$ -		
						\$ -		
						\$ -		
3 Total # Ext Doors								
INTERIOR SPECS		STYLE:	SIZE:	QTY:	PRICE EA:	TOTAL:	Exterior:	
Swing Doors	Hollow Core	6-Panel	Up to 3'	10	\$ 250	\$ 2,500	\$ 5,395	
Bi-fold Doors	Hollow Core	6-Panel	Up to 5'	4	\$ 265	\$ 1,060		
Bi-pass Doors	Hollow Core	6-Panel	Up to 6'		\$ 310	\$ -		
Pocket Doors	Hollow Core	6-Panel	Up to 3'		\$ 335	\$ -		
Stairs ILO Box		Part Open 1		1	\$ 220	\$ 220		
Stair Rail & Cage Rail		Oak		25	\$ 60	\$ 1,500		
Laminate Beams				30	\$ 40	\$ 1,200		
						\$ -		
						\$ -		
						\$ -		
14 Total # Int. Doors								
KITCHEN SPECS		STYLE:	SIZE:	QTY:	PRICE EA:	TOTAL:		Interior:
Marlin - Hardwood		Base Cabinets		13	\$ 200	\$ 2,600		\$ 6,480
Marlin - Hardwood		Uppers	30"	16.5	\$ 100	\$ 1,650		
Marlin - Hardwood		Penn. Uppers with doors 2 sides			\$ 135	\$ -		
Marlin - Hardwood		Island Uppers with doors 1 side			\$ 130	\$ -		
Marlin - Hardwood		Island with 1/2 Wall			\$ 200	\$ -		
Marlin - Hardwood		Island with Panel			\$ 230	\$ -		
Marlin - Hardwood		Island with door 2 sides			\$ 260	\$ -		
Marlin - Hardwood		Breakfast Bar with 1/2 Wall			\$ 200	\$ -		
Marlin - Hardwood		Breakfast Bar with Panel		9.5	\$ 230	\$ 2,185		
Marlin - Hardwood		Breakfast Bar with door 2 sides			\$ 260	\$ -		
Raised / Dropped Bar Counter Top					\$ 25	\$ -		
Toe Kick Heater					\$ 250	\$ -		
						\$ -		
						\$ -		
						\$ -		
BATH SPECS		STYLE:	SIZE:	QTY:	PRICE EA:	TOTAL:	Kitchen:	
Full Bath with 60" Tub or 48" Shower				2	\$ 2,300	\$ 4,600	\$ 6,435	
1/2 Bath with 30" Vanity				1	\$ 1,400	\$ 1,400		
						\$ -		LOCATION:
Marlin - Hardwood		Additional 30" Single Bowl Centered			\$ 810	\$ -		Half
Marlin - Hardwood		Additional 48" Single Bowl Centered			\$ 1,040	\$ -		General
Marlin - Hardwood		Additional 60" Double Bowl			\$ 1,455	\$ -		Master
Marlin - Hardwood		30" Single Bowl Centered ILO V30		1	\$ -	\$ -		Half
Marlin - Hardwood		48" Single Bowl Centered ILO V30		1	\$ 230	\$ 230		General
Marlin - Hardwood		60" Double Bowl ILO V30		1	\$ 645	\$ 645		Master
Marlin - Hardwood		36" Single Bowl Centered ILO V30			\$ 45	\$ -		Add'l
Marlin - Hardwood		48" Single Bowl Centered ILO V30			\$ 230	\$ -		Add'l 2
Marlin - Hardwood		60" Single Bowl Centered ILO V30			\$ 495	\$ -		Add'l 3
Marlin - Hardwood		60" Single Bowl Offset ILO V30			\$ 575	\$ -		Add'l 4
Tub Base Only	ILO Std	Cambridge Americast 60"			\$ 100	\$ -		
Tub Base Only	Soaking	Cadet Freestanding			\$ 2,000	\$ -		
Shower ILO Tub/Shower		Stall	60"	1	\$ -	\$ -		
Shower ILO Tub/Shower		Pan	48"		\$ (25)	\$ -		
Washer / Dryer Hook-up				1	\$ 200	\$ 200		
						\$ -		
						\$ -		
STD OPTIONS INCL				QTY:	PRICE EA:	TOTAL:	Baths:	
Mechanical Fasteners		Req'd in MA			\$ 0.25	\$ -	\$ 7,075	
2017 NEC			NY	1	Included	\$ -		
Additional Police Escorts for Western MA			Per Box		\$ 500	\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		
						\$ -		



WESTCHESTER MODULAR HOMES

CUSTOM PRICE DEVELOPMENT

OPTIONS

Customer:		Model:		Quote #		121823-0738			
Options To Be Included:				Qty.	\$ Each	Total			
ENGINEERING SECTION									
Additional Sets of Plans		Stamps			\$ 200.00	\$ -			
Electrical Plan with Prelim				1	\$ 200.00	\$ 200.00			
Rewritten Order Charge		Builders		Up To	\$ 2,500.00	\$ -			
Add'l Drawings Not Factory Supplied		Garage/Addition/Basement			\$ -	\$ -			
Proposed Layouts Not Factory Supplied					\$ -	\$ -			
Include ResCheck With Prelims					\$ -	\$ -			
New York State Out of Systems Approval					\$ 500.00	\$ -			
					\$ -	\$ -			
					\$ -	\$ -			
FLOOR SECTION									
2 x 10 Floor Joist ILO Standard		12" o.c.		For 15' and 16' Wide Modules	PLF/Mod	\$ 10.00	\$ -		
Angle Bay		1 Story		5/12	Installed	\$ 2,300.00	\$ -		
Rectangle Bay		1 Story			Installed	\$ 2,300.00	\$ -		
Floor Framing for Site-Built Masonry F/P						\$ 150.00	\$ -		
Exterior Chase For Builder Installed F/P				1 Story		\$ 2,100.00	\$ -		
Rough Opening for Builder Installed F/P						\$ 125.00	\$ -		
36" Heatilator Fireplace - Installed		Exterior		LP	Direct Vent	\$ 2,700.00	\$ -		
Remote Control For Gas Fireplace						\$ -	\$ -		
Mantle - Installed		White MDF w/ Granite Surround & Hearth			Acadia	\$ 1,525.00	\$ -		
42" Heatilator Fireplace - Installed		Exterior		LP	Direct Vent	\$ 3,000.00	\$ -		
Remote Control For Gas Fireplace						\$ -	\$ -		
Mantle - Installed		White MDF w/ Granite Surround & Hearth			Acadia	\$ 1,525.00	\$ -		
Interior Chase		2 Story			Per Floor	\$ 160.00	\$ -		
Upgrade Carpet		True Spirit 40oz			PSF	\$ 0.75	\$ -		
Delete Carpet		Whole House			Flat	\$ (2,246.00)	\$ (2,246.00)		
12" x 12" Ceramic Tile - Installed over 1/4" Hardi Backer Underlayment				All Size Rooms	PSF + 10%	\$ 12.00	\$ -		
12" x 24" Brick Pattern Ceramic Tile - Installed with Underlayment					PSF + 10%	\$ 15.00	\$ -		
Underlayment only for B/P Installed Tile		1/4" Hardi Backerboard			PSF + 10%	\$ 4.00	\$ -		
9" x 59" Plank Laminate Flooring - Cross Sawn Pine or Cathedral Oak					PSF + 10%	\$ 9.50	\$ -		
Turret		2 Story		Ship Loose		\$ 12,500.00	\$ -		
Temp Flooring Only for Modular Garage (Does not apply to modular garage packages)				PSF		\$ (15.00)	\$ -		
						\$ -	\$ -		
						\$ -	\$ -		
WALL SECTION									
2 X 6 Exterior Walls 24" O.C. ILO 16" O.C.		Not available with 9' ceilings			Flat	\$ (856.00)	\$ -		
2 X 4 Interior Walls 24" O.C. ILO 16" O.C.		Not available with 9' ceilings			Flat	\$ (216.00)	\$ -		
7/16" OSB ILO 1/2" Plywood Ext. Sheathing					Flat	\$ (428.00)	\$ -		
7/16" OSB on Cape Gables					2 Gables	\$ (50.00)	\$ -		
7/16" OSB on Marriage Wall Only					PLF / Marriage Wall	\$ (1.00)	\$ -		
Portal Wall Framing					Estimate Per LF	\$ 40.00	\$ -		
7/16" Zip Sheathing w/ tape (OSB on Marriage Walls)					Per Box	\$ 250.00	\$ -		
Zip Sheathing w/o tape or Plywood on Marriage Wall ILO OSB		Zip			PLF / Mod	\$ 1.00	\$ -		
Upgrade Exterior Wall Insulation ILO R21		R26		PLF / ext. wall / floor	268	\$ 10.00	\$ 2,680.00		
Upgrade Exterior Wall Insulation for Cape Gable Ends		R26			Flat	\$ 300.00	\$ -		
R-11 Interior Wall Insulation					PLF	\$ 3.25	\$ -		
Mineral Wool Sound Insulation on 2x4 Interior Wall					PLF	\$ 12.00	\$ -		
Mineral Wool Sound Insulation on 2x6 Interior Wall					PLF	\$ 18.00	\$ -		
Fire Separations - Side by Side 1 Hour					PLF/Wall + Attic	\$ 22.00	\$ -		
Fire Separations - Side by Side 2 Hour					PLF/Wall + Attic	\$ 28.00	\$ -		
Fire Separations - FC 4' Roof Returns					PLF Box Width	\$ 5.00	\$ -		
Fire Separations - Garage/Over Under First Floor Ceiling					PSF	\$ 1.00	\$ -		
Fire Separations - Garage/Over Under Second Floor Ceiling (Includes 1 1/2" Mineral Wool)					PSF	\$ 1.00	\$ -		
Fire Separations - Over/Under Ext. walls					PLF	\$ 5.00	\$ -		
Fire Separations - Over/Under Mating & Stairwell Walls					PLF	\$ 10.00	\$ -		
Fire Separations - Over/Under Plumbing Collars					Flat	\$ 200.00	\$ -		
Fire Separations - Type 5A Construction Ceiling of Top Floor (2 Layers 5/8" Type X)					PSF	\$ 1.50	\$ -		
Fire Rated Soffits - 1 hour - For homes within 5' of a lot line					PLF	\$ 5.00	\$ -		
Fire Rated Wall - 1hr - For homes within 5' of a lot line					PLF	\$ 10.00	\$ -		
9' Ceilings on Modules without a Roof System					PSF	\$ 1.95	\$ -		
9' Ceilings on Modules with a Roof System		May Require Modified Hinged Roof or Over Ht Fees			PSF	\$ 1.95	\$ -		
8'-6" Ceilings on Modules without a Roof System					PSF	\$ 2.95	\$ -		
8'-6" Ceilings on Mods with a Roof System		May Require Modified Hinged Roof or Over Ht Fees			PSF	\$ 2.95	\$ -		
Wall Rough Openings - For ext. doors, f/ps, a/c & windows when less than 1/2 the windows are deleted						\$ 125.00	\$ -		
Wall Rough Openings - For interior doors when more than 1/2 of interior doors are deleted						\$ 75.00	\$ -		
400 Series Sash & Color Options		White	Sash	White	Exterior	Flat	1	Std	\$ -
400 Finelite Grille Options		White	Color	3/4"	Width		1	Std	\$ -
Delete Grilles		400 Finelite				Per Sash		\$ (10.00)	\$ -
Add Sills & Stools to Windows		400 Finelite				Flat		\$ 25.00	\$ -
Sliding Door Exterior Color ILO White		PermaShield		White			1	Std	\$ -
Sliding Door Interior Color ILO White		PermaShield		White				n/c	\$ -
Upgrade Hardware for Slider		PermaShield		White	Anvers			\$ -	\$ -
Screens For Thermatru Terrace Doors				Screens Included on all FWH & FWO doors				\$ 200.00	\$ -
Terrace Door Color ILO White				White				\$ -	\$ -
Upgrade Hardware for Terrace Door		Frenchwood	Levers	Brushed Nickel	Per Door	1	Std	\$ -	\$ -
Thermatru Terrace Door Dead Bolt- Installed				Brushed Nickel	Per Door			\$ 50.00	\$ -
Multi-Point Locking System for Thermatru Doors		Single		Strongly Suggested for High Wind	Per Door			\$ 550.00	\$ -
Exterior Entry Door Hardware		Levers		Brushed Nickel	Per Door	1	Std	\$ -	\$ -
Front Entry Dead Bolt- Installed				Brushed Nickel				\$ 50.00	\$ -
Secondary Door Dead Bolt- Installed		N/A on Fire Doors		Brushed Nickel		1		\$ 50.00	\$ 50.00
Front Entry Thumb Latch Hardware w/ dead bolt.				Brushed Nickel		1		\$ 160.00	\$ 160.00
Stainless Steel Hinges on Thermatru Door ILO Std.					Per Door			\$ 50.00	\$ -
Octagon Window		Non-Vent						\$ 460.00	\$ -
Window Opening Control Device for Double-Hung Windows				Installed	Per Window			\$ 75.00	\$ -
8' Tall Thermatru doors ILO 6'8"		N/A for S770, FC710, FCM80 or any Fire Door			Per Door			Quote	\$ -
8' Tall Thermatru Sidelights ILO 6'8"					Per Sidelight			Quote	\$ -
Outswing Thermatru Door ILO Std								\$ 50.00	\$ -
4-Block Craftsman Dental Shelf								\$ 150.00	\$ -
Elliptical Transom for Frenchwood Doors		ET6		Removable Grilles				\$ 2,645.00	\$ -
Keyed Lockset for Andersen Doors					Per Door			\$ 150.00	\$ -
Front Entry Kick Plate - Shipped Loose				White				Quote	\$ -
								\$ -	\$ -
								\$ -	\$ -
								\$ -	\$ -
ROOF SYSTEMS									
Upgrade Ceiling Insulation ILO Std R-38 Batt		R38		PSF		Std	\$ -	\$ -	
High Wind Roof Tie-Downs		IF RI or Wind Speed 125 or greater \$500 PER BOX		Per Roofed Box		\$ 250.00	\$ -	\$ -	
5/12 Roof Pitch		Hinged Rafter		16" o.c.	PRF	40	\$ 30.00	\$ 1,200.00	
9/12 Roof Pitch		Storage Rafter		16" o.c.	PRF		\$ 85.00	\$ -	
Roof Design Fee for Non-Standard Pitches and Box Widths					Flat		\$ 1,000.00	\$ -	
Special Hinge Ht Trusses for 8'6" or 9' Clg Ht - Storage N/A. See Price Book for Add'l Restrictions.					PRF		\$ 25.00	\$ -	
3-Deep House		7/12		42' Max	PRF		\$ 40.00	\$ -	
2x10 Clg Joist @ 16"oc w/ 3/4" plywood ILO 2x6				(Use for Storage on Center of 3-Deep)	PSF		\$ 2.50	\$ -	

Page 3 of 6



WESTCHESTER MODULAR HOMES

CUSTOM PRICE DEVELOPMENT
OPTIONS

Customer:	Model:	Quote #	121823-0738	
Options To Be Included:		Qty.	\$ Each	Total
Sconce Light	STD Height AFF = 66"		\$ 80.00	\$ -
Sconce Light - Prep Only			\$ 30.00	\$ -
Mini Pendant Light			\$ 80.00	\$ -
Mini Pendant Light ILO Std Light			n/c	\$ -
Mini Pendant Light - Prep Only			\$ 30.00	\$ -
Ceiling Light and Switch			\$ 80.00	\$ -
Ceiling Light and Switch ILO Switched Outlet			\$ 50.00	\$ -
Ceiling Light and Switch - Prep Only			\$ 30.00	\$ -
Fluorescent Light and switch in closet			\$ 70.00	\$ -
Under Cabinet Light and switch			\$ 90.00	\$ -
Under Cabinet Light and switch - Prep Only			\$ 30.00	\$ -
Prep for Exterior Flood Lights	Breaker, Wire & Switch only		\$ 100.00	\$ -
5" Snap-In Recessed LED Ceiling Light - No Can	Up to 10 Avg. Per Module	10	\$ 75.00	\$ 750.00
5" Snap-In Recessed LED Ceiling Light - ILO STD Light	Up to 10 Avg. Per Module		n/c	\$ -
5" Snap-In Recessed LED Ceiling Light	Over 10 Avg. Per Module		\$ 100.00	\$ -
5" Snap-In Recessed LED Ceiling Light - ILO STD Light	Over 10 Avg. Per Module		\$ 25.00	\$ -
4" Recessed Light ILO 5" - N/A for Eyeball Lights			\$ 20.00	\$ -
5" Recessed LED Recessed Eyeball Ceiling Light - Installed in a can	DEB56 Up to 10 Avg. Per Module		\$ 125.00	\$ -
5" Recessed LED Recessed Eyeball Ceiling Light	DEB56 Over 10 Avg. Per Module		\$ 150.00	\$ -
Ten Mat Cover for Fire Rated Assemblies over DLR56 and/or Snap-In Fixtures			\$ 75.00	\$ -
Prep for Ceiling Fan Only			\$ 75.00	\$ -
Prep for Ceiling Fan Only ILO Switched Outlet			\$ 45.00	\$ -
Prep for Ceiling Fan Only ILO STD Light			\$ 25.00	\$ -
Prep Only for Ceiling Fan/Light			\$ 105.00	\$ -
Prep for Ceiling Fan/Light ILO Switched Outlet			\$ 75.00	\$ -
Prep for Ceiling Fan/Light ILO STD Light			\$ 55.00	\$ -
Additional Wall Switches			\$ 30.00	\$ -
Dimmer Switches ILO STD			\$ 45.00	\$ -
Emergency Shut Off Switch for Burner	Oil		\$ 50.00	\$ -
Lighted Switch and wire only for Attic Light			Included	\$ -
Alarm/Emergency Light Wiring Preps (Multifamily)			\$ 50.00	\$ -
Additional Smoke Detector			\$ 40.00	\$ -
Photoelectric Smoke Detector ILO Standard			\$ 10.00	\$ -
Additional Carbon Monoxide / Smoke Detector - 1 Standard Per Floor			\$ 100.00	\$ -
Digital Carbon Monoxide Detector ILO Standard			\$ 75.00	\$ -
			\$ -	\$ -
			\$ -	\$ -
INTERIOR SECTION				
Upgrade Interior Doors ILO Hollow Core	Solid Core 6-Panel	1	\$ 1,030.00	\$ 1,030.00
Smooth Hollow Core Doors ILO Textured		Per Door	\$ 20.00	\$ -
8' High Interior Doors ILO Standard			Quote	\$ -
Interior Swing Door Hardware	Levers Brushed Nickel		Std	\$ -
Oil Rubbed Bronze or Black Hardware for Bypass and Pocket Doors ILO Brushed Nickel			\$ -	\$ -
Raise Doors & Jambs		Per Job #	\$ 200.00	\$ -
Interior French Door	3' 15 Lite Frosted Unfinished		\$ 600.00	\$ -
Interior French Door	5' 30 Lite Frosted Primed		\$ 1,080.00	\$ -
Clear Standard 3 1/4" Colonial Base ILO Primed			\$ 648.00	\$ -
Upgrade 5 1/4 Interior Neck Base ILO Standard	Primed	1	\$ 648.00	\$ 648.00
Upgrade 1 x 6 Base Interior Trim ILO Standard	Primed		\$ 1,296.00	\$ -
Raise Base Molding		Per House	\$ 200.00	\$ -
Delete Standard Base Only			\$ (432.00)	\$ -
Clear Standard 2 1/4" Colonial Casing ILO Primed			\$ 864.00	\$ -
Upgrade 3 1/2 Colonial Casing ILO Standard	Primed	1	\$ 540.00	\$ 540.00
Upgrade 3 1/2" Windsor Casing ILO Standard	Primed only, Clear is N/A		\$ 1,728.00	\$ -
Upgrade 1 x 4 Casing Trim ILO Standard	Primed		\$ 1,512.00	\$ -
Upgrade 5/4 x 6 Header Trim ILO 1 x 4 Trim	Primed	Per Door	\$ 25.00	\$ -
Delete Standard Base & Casing (including extension jambs)			\$ (1,080.00)	\$ -
Add back painted extension jambs only			\$ 240.00	\$ -
Crown Molding - Primed Only / Clear N/A	3 5/8	PSF	\$ 1.75	\$ -
Stairs ILO Pine Tread, Riser & Stringer	Tread Oak Riser/Stringer Pine	1	\$ 1,300.00	\$ 1,300.00
Tread & Riser Options for Standard Stairs	Tread Depth 11" Riser Height 7"		\$ 550.00	\$ -
Structural Stringer			Quote	\$ -
Additional Stairs	Full Open 1 Tread Oak Riser/Stringer Pine		\$ 2,550.00	\$ -
Tread & Riser Options for Add'l Stairs	Tread Depth 11" Riser Height 7"		\$ 550.00	\$ -
Structural Stringer			Quote	\$ -
Bullnose Starter Tread Only (No Rail)		Per Side	\$ 350.00	\$ -
Bullnose Starter Tread with Volute Rail		Per Side	\$ 500.00	\$ -
Add or Delete Stair / Cage Rail	Delete	PLF	\$ (60.00)	\$ -
Primed White Poplar Spindles ILO Standard Unfinished Oak			n/c	\$ -
			\$ -	\$ -
			\$ -	\$ -
KITCHEN SECTION				
Kitchen Cabinets ILO Standard	Ralston- Maple - Painted	1	\$ 3,192.50	\$ 3,193.00
Glaze or Accent Finish	Ralston- Maple - Painted		\$ 1,955.00	\$ -
Deluxe Cabinet Option - Under mount Glides, Dovetail Drawers, Soft Action		Per Kitchen	\$ 575.00	\$ 575.00
Plywood End Panel Construction with Deluxe Options		Per Kitchen	\$ 1,750.00	\$ -
All Plywood Construction with Deluxe Options		Per Kitchen	\$ 2,600.00	\$ -
Raise Cabinets For Site Installed Tile	3/4"	Per Kitchen	Std	\$ -
Tilt-Out Trays for Sink Base			\$ 50.00	\$ -
CoreGuard Sink Base ILO 30", 33" or 36" Standard Sink Base	-CG		\$ 265.00	\$ -
Deep Sink Base ILO 30", 33" or 36" Standard Sink Base	DSB		\$ 185.00	\$ -
3-Drawer Base ILO 30" or 36" Standard Sink Base or Standard Base Cabinet	BD30-3D, BD36-3D		\$ 250.00	\$ -
Drawer Front Options	Ralston- Maple - Painted 5 Piece		\$ 385.00	\$ -
Base Wastebasket Cabinet ILO 15" or 18" Standard Base Cabinet	BWBT		\$ 200.00	\$ -
Base Microwave Cabinet ILO 24", 27" or 30" Standard Base Cabinet (Includes circuit)	BMC		\$ 200.00	\$ -
36" Kitchen Desk ILO 3" Base Cabinet	DKD24/DDR12		\$ (210.00)	\$ -
9" Base Pull Out Cabinet with Spice/Can Rack ILO B9 Base Cabinet	BPO9		\$ 80.00	\$ -
Roll-out Tray Divider for 12" Base Cabinet	WTDRO12		\$ 210.00	\$ -
Base End Panel (3/16" Plywood)	BEP		\$ 80.00	\$ -
Decorative Matching Base End Panel	MBEP		\$ 220.00	\$ -
24" x 30" Bookcase at End of Island (Includes toe-kick)			\$ 350.00	\$ -
Arch Top Uppers ILO Square	Ralston- Maple - Painted		N/A	\$ -
36" or 42" Wall Cabinets ILO 30"	42"		\$ 660.00	\$ -
Microwave Oven Shelf with 3018 ILO Std Cabinet (Includes circuit)	MOS		\$ 225.00	\$ -
24" Refrigerator Cabinet ILO 12"			\$ 75.00	\$ -
Wall Mullion Glass Doors on 15" or 18" Cabinet	WMGD		\$ 250.00	\$ -
Wall Mullion Glass Doors on 24" Cabinet	WMGD		\$ 265.00	\$ -
Wall Mullion Glass Doors on 30" or 36" Cabinet	WMGD		\$ 465.00	\$ -
Wall Mullion Glass Doors on 24" Corner Cabinet	WMGD		\$ 465.00	\$ -
Wall End Panel - 3/16" Plywood	WEP		\$ 60.00	\$ -
Decorative Matching Wall End Panel	MWEP		\$ 165.00	\$ -
Utility Cabinet (No Shelves):	U2484 Utility		\$ 955.00	\$ -
Pantry Cabinet (Utility Plus 5 Pull-Out Shelves)	2484 Pantry		\$ 1,355.00	\$ -



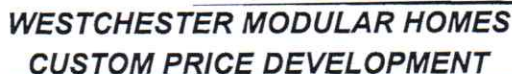
WESTCHESTER MODULAR HOMES

CUSTOM PRICE DEVELOPMENT
OPTIONS

Customer:		Model:		Quote #	121823-0738			
Options To Be Included:				Qty.	\$ Each	Total		
Deluxe Pantry with Swing-Out Shelves		3684 Deluxe Pantry			\$ 3,000.00	\$ -		
Wall Oven Cabinet		Single Oven 3084			\$ 1,090.00	\$ -		
Refrigerator End Panel		84"	REP		\$ 350.00	\$ -		
Cove Light Rail Molding			CVLR	Per 8' Piece	\$ 75.00	\$ -		
Crown Molding: 2-1/4"h x 1-1/2"d		CM		Per 8' Piece	\$ 100.00	\$ -		
Kitchen Soffits		14"			\$ 250.00	\$ -		
Delete Countertop		Delete Std. Laminate		PLF	\$ (20.00)	\$ -		
Beveled/Wood Countertop Edging for Laminate Tops		N/A with Radius Top		Flat	\$ 500.00	\$ -		
Raised Countertop		Laminate		PLF	\$ 25.00	\$ -		
36" Quartz top on Island or Peninsula				PLF	\$ 300.00	\$ -		
Radius End Laminate Countertop (4" to 18" Radius) on Island				Each	\$ 100.00	\$ -		
Clipped Corners for Laminate top on Island				Up to 4	\$ 100.00	\$ -		
Radius End Laminate Countertop (4" to 18" Radius) on Breakfast Bar					\$ 100.00	\$ -		
Clipped Corners for Laminate top on Breakfast Bar					\$ 100.00	\$ -		
Dishwasher Prep & Delete Cabinet				1	\$ (425.00)	\$ (425.00)		
Dishwasher - Installed		3 - Cycle	ILO Std Cabinet		\$ 475.00	\$ -		
Prep Only for Dishwasher - Includes outlet, no shutoff switch					\$ 100.00	\$ -		
1/2 HP Disposal		Installed			\$ 250.00	\$ -		
110 Outlet ILO 220 for Gas Range / Cooktop / Oven (Plumbing for gas line by B/P)					\$ (25.00)	\$ -		
Range Hood ILO Std		30" Stainless			\$ 75.00	\$ -		
Range Hood on Exterior Wall		Vented Exterior		1	\$ 80.00	\$ 80.00		
Space Saver Microwave - 1.7 cubic foot, 1000 watt		Installed	Stainless		\$ 400.00	\$ -		
Delete Kitchen Sink		Delete STD Sink & Basket		1	\$ (75.00)	\$ (75.00)		
Add'l Kitchen Sink Faucet & Basket		Prep Only			\$ 175.00	\$ -		
Kitchen Faucet ILO STD		9113-AR-DST			\$ 175.00	\$ -		
Bar Sink w/ faucet		Stainless Steel Surface Mount			\$ 360.00	\$ -		
Upgrade Bar Faucet		1903-SS-DST			\$ 50.00	\$ -		
Prep Only for Additional Sink or Bar Sink					\$ 175.00	\$ -		
Refrigerator Ice Maker Hook Ups Only			N/A on Marriage or Exterior Walls		\$ 50.00	\$ -		
Pot Filler Prep		Will be installed 52" High unless specified on PO	N/A on Marriage or Exterior Walls		\$ 100.00	\$ -		
Prep Only for Kitchen, Plumbing & Electric Hook Ups Only					\$ 1,000.00	\$ -		
Lattice Wine Rack - 1530 or 3015					\$ 375.00	\$ -		
Corner Appliance Garage - S/L					\$ 215.00	\$ -		
5/8" Trim over cabinets			Per 8' Piece		\$ 100.00	\$ -		
					\$ -	\$ -		
HALF BATH SECTION								
Vanity Cabinet ILO STD		Ralston- Maple - Painted		1	\$ 160.00	\$ 160.00		
Drawer Front Options		5 Piece Ralston- Maple - Painted	0 Drawers	Flat	\$ -	\$ -		
Glaze or Accent Finish		Ralston- Maple - Painted	Glazed Finish		\$ 195.00	\$ -		
36" High Vanities ILO Standard 33"				Per Vanity	\$ 75.00	\$ -		
Delete Drop-In Sink From LAMINATE TOP Only				Per Bowl	\$ (50.00)	\$ -		
Sink ILO Group-1 V30 Vanity		Lucerne	Wall Hung		\$ -	\$ -		
Additional Prep for Vanity					\$ 225.00	\$ -		
Delete Group-1 V30 Vanity - Prep Only					\$ (585.00)	\$ -		
Vanity Top Options		CM White		1	Std	\$ -		
Vanity Sink Options			Oval - Standard		Std	\$ -		
Optional Edging on Laminate Tops		Wood	Laminate Tops Only		N/A	\$ -		
Side-Splash for Granite Tops (required when against a wall)				Per Wall	N/A	\$ -		
Raise Vanity/Commode For Site Installed Tile		3/4 "		1	Std	\$ -		
Merillat Matching Triple Mirror Med. Cabinet with Lights ILO Std		36"			\$ 300.00	\$ -		
Delete MC14					\$ (135.00)	\$ -		
Upgrade Vanity Lights ILO Westmont		Westmont		1	STD	\$ -		
Upgrade Toilet		Comfort Height		1	\$ 60.00	\$ 60.00		
Prep Only for Toilet or Bidet					\$ 150.00	\$ -		
Standard Sink Faucet		4" Spread	2532-LF-MPU	Chrome	Woodhurst	1	Std	\$ -
Blocking for Grab Bars				Per Fixture	\$ 50.00	\$ -		
Cement Board Surround					\$ 125.00	\$ -		
Recessed Broan Bath Fan/Light ILO Std Fan/Light (N/A on fire assemblies)					\$ 150.00	\$ -		
Delete Broan 70 CFM Bath Fan/Light					\$ (50.00)	\$ -		
Broan 50-110 CFM Bath Heat / Fan / Light ILO STD					\$ 350.00	\$ -		
Panasonic Energy Star Fan ILO STD Light		80-100 CFM Fan/Light		1	\$ 150.00	\$ 150.00		
Prep Only for Half-Bath, Rough Plumbing & Electric Hook Ups Only					\$ 500.00	\$ -		
Fire Dampers for Bath Fans - Panasonic Energy Star Only - Req'd on Fire Rated Ceilings					\$ 115.00	\$ -		
Plywood End Panel Construction				Per Vanity	\$ 100.00	\$ -		
Dressing Table		Dressing Table 1DB			\$ 645.00	\$ -		
Vanity Linen Cabinet		Vanity Linen VL1584			\$ 775.00	\$ -		
					\$ -	\$ -		
					\$ -	\$ -		
GENERAL BATH SECTION								
Vanity Cabinet ILO STD		Ralston- Maple - Painted		1	\$ 260.00	\$ 260.00		
Drawer Front Options		5 Piece Ralston- Maple - Painted	3 Drawers		\$ 135.00	\$ -		
Glaze or Accent Finish		Ralston- Maple - Painted	Glazed Finish		\$ 260.00	\$ -		
36" High Vanities ILO Standard 33"				Per Vanity	\$ 75.00	\$ -		
Delete Drop-In Sink From LAMINATE TOP Only				Per Bowl	\$ (50.00)	\$ -		
Sink ILO Group-1 V30 Vanity		Pedestal			\$ -	\$ -		
Additional Prep for Vanity					\$ 225.00	\$ -		
Delete Group-1 V30 Vanity - Prep Only					\$ (585.00)	\$ -		
Vanity Top Options		CM White		1	Std	\$ -		
Vanity Sink Options			Oval - Standard		Std	\$ -		
Optional Edging on Laminate Tops		Crescent	Laminate Tops Only		N/A	\$ -		
Side-Splash for Granite Tops (required when against a wall)				Per Wall	N/A	\$ -		
Raise Vanity/Commode For Site Installed Tile		3/4 "		1	Std	\$ -		
Merillat Matching Triple Mirror Med. Cabinet with Lights ILO Std		36"			\$ 300.00	\$ -		
Delete MC14					\$ (135.00)	\$ -		
Upgrade Vanity Lights ILO Westmont		Westmont		1	STD	\$ -		
Upgrade Toilet		Comfort Height		1	\$ 60.00	\$ 60.00		
Prep Only for Toilet or Bidet					\$ 150.00	\$ -		
Standard Sink Faucet		4" Spread	2532-LF-MPU	Chrome	Woodhurst	1	Std	\$ -
Standard Tub/Shower Faucet			T13420	Chrome	Monitor	1	Std	\$ -
Standard Shower Faucet			T13420	Chrome	Monitor		Std	\$ -
Upgrade Shower Head ILO Std		58480-PK	Two-In-One		\$ 195.00	\$ -		
Upgrade Multi-Port Diverter		T11800 w/ T13420	Chrome		\$ 330.00	\$ -		
Raincan Shower Head ILO Std		52688-SS	Stainless	w/ Additional Tree	\$ 550.00	\$ -		
Upgrade Roman Tub Faucet		T2764-BL	Matte Black	Ashlyn	\$ 150.00	\$ -		
Prep Only for Tub Base					\$ 300.00	\$ -		
Accessible Shower or Tub/Shower ILO Std		60"	Tub/Shower	Reinforced	2603-SMTE		\$ 375.00	\$ -
Prep Only for Tub/Shower or Shower					\$ 225.00	\$ -		
Add Delta Valve & Supply Tree only to Shower or Tub/Shower Prep				Does not include trim kit	\$ 300.00	\$ -		
2" Dropped Floor for On-Site Roll-In or Tiled Shower (2x8 Floor Joists)					\$ 125.00	\$ -		
Brushed Nickel Freestanding Soaking Tub Faucet ILO Chrome					\$ 200.00	\$ -		
Prep only for Whirlpool Tub				Includes plumbing and electrical circuit. No Platform	\$ 300.00	\$ -		



TOTAL OPTIONS	\$ 12,827
---------------	-----------

Page 171 of 231



WESTCHESTER MODULAR HOMES

CUSTOM PRICE DEVELOPMENT

OPTIONS

Customer:		Model:		Quote #		121823-0753	
Options To Be Included:				Qty.	\$ Each	Total	
ENGINEERING SECTION							
Additional Sets of Plans		Stamps			\$ 200.00	\$ -	
Electrical Plan with Prelim				1	\$ 200.00	\$ 200.00	
Rewritten Order Charge		Builders		Up To	\$ 2,500.00	\$ -	
Add'l Drawings Not Factory Supplied		Garage/Addition/Basement		Porches/Decks	\$ -	\$ -	
Proposed Layouts Not Factory Supplied					\$ -	\$ -	
Include ResCheck With Prelims					\$ -	\$ -	
New York State Out of Systems Approval					\$ 500.00	\$ -	
					\$ -	\$ -	
					\$ -	\$ -	
FLOOR SECTION							
2 x 10 Floor Joist ILO Standard		12" o.c.		For 15' and 16' Wide Modules	PLF/Mod	\$ 10.00	\$ -
Angle Bay		1 Story		5/12	Installed	\$ 2,300.00	\$ -
Rectangle Bay		1 Story			Installed	\$ 2,300.00	\$ -
Floor Framing for Site-Built Masonry F/P						\$ 150.00	\$ -
Exterior Chase For Builder Installed F/P				1 Story		\$ 2,100.00	\$ -
Rough Opening for Builder Installed F/P						\$ 125.00	\$ -
36" Heatilator Fireplace - Installed		Exterior		LP	Direct Vent	\$ 2,700.00	\$ -
Remote Control For Gas Fireplace						\$ -	\$ -
Mantle - Installed		White MDF w/ Granite Surround & Hearth		Acadia		\$ 1,525.00	\$ -
42" Heatilator Fireplace - Installed		Exterior		LP	Direct Vent	\$ 3,000.00	\$ -
Remote Control For Gas Fireplace						\$ -	\$ -
Mantle - Installed		White MDF w/ Granite Surround & Hearth		Acadia		\$ 1,525.00	\$ -
Interior Chase		2 Story			Per Floor	\$ 160.00	\$ -
Upgrade Carpet		True Spirit 40oz			PSF	\$ 0.75	\$ -
Delete Carpet		Whole House			Flat	\$ (2,679.00)	\$ (2,679.00)
12" x 12" Ceramic Tile - Installed over 1/4" Hard Backer Underlayment				All Size Rooms	PSF + 10%	\$ 12.00	\$ -
12" x 24" Brick Pattern Ceramic Tile - Installed with Underlayment					PSF + 10%	\$ 15.00	\$ -
Underlayment only for B/P Installed Tile		1/4" Hard Backerboard			PSF + 10%	\$ 4.00	\$ -
9" x 59" Plank Laminate Flooring - Cross Sawn Pine or Cathedral Oak					PSF + 10%	\$ 9.50	\$ -
Turret		2 Story		Ship Loose		\$ 12,500.00	\$ -
Temp Flooring Only for Modular Garage (Does not apply to modular garage packages)					PSF	\$ (15.00)	\$ -
						\$ -	\$ -
						\$ -	\$ -
WALL SECTION							
2 X 6 Exterior Walls 24" O.C. ILO 16" O.C.		Not available with 9' ceilings		Flat		\$ (960.00)	\$ -
2 X 4 Interior Walls 24" O.C. ILO 16" O.C.		Not available with 9' ceilings		Flat		\$ (258.00)	\$ -
7/16" OSB ILO 1/2" Plywood Ext. Sheathing				Flat		\$ (480.00)	\$ -
7/16" OSB on Cape Gables				2 Gables		\$ (50.00)	\$ -
7/16" OSB on Marriage Wall Only				PLF / Marriage Wall		\$ (1.00)	\$ -
Portal Wall Framing				Estimate Per LF		\$ 40.00	\$ -
7/16" Zip Sheathing w/ tape (OSB on Marriage Walls)				Per Box		\$ 250.00	\$ -
Zip Sheathing w/o tape or Plywood on Marriage Wall ILO OSB		Zip		PLF / Mod		\$ 1.00	\$ -
Upgrade Exterior Wall Insulation ILO R21		R26		PLF / ext. wall / floor	296	\$ 10.00	\$ 2,960.00
Upgrade Exterior Wall Insulation for Cape Gable Ends		R26		Flat		\$ 300.00	\$ -
R-11 Interior Wall Insulation				PLF		\$ 3.25	\$ -
Mineral Wool Sound Insulation on 2x4 Interior Wall				PLF		\$ 12.00	\$ -
Mineral Wool Sound Insulation on 2x6 Interior Wall				PLF		\$ 18.00	\$ -
Fire Separations - Side by Side 1 Hour				PLF/Wall + Attic	70	\$ 22.00	\$ 1,540.00
Fire Separations - Side by Side 2 Hour				PLF/Wall + Attic		\$ 28.00	\$ -
Fire Separations - FC 4' Roof Returns				PLF Box Width		\$ 5.00	\$ -
Fire Separations - Garage/Over Under First Floor Ceiling				PSF		\$ 1.00	\$ -
Fire Separations - Garage/Over Under Second Floor Ceiling (Includes 1 1/2" Mineral Wool)				PSF		\$ 1.00	\$ -
Fire Separations - Over/Under Ext. walls				PLF		\$ 5.00	\$ -
Fire Separations - Over/Under Mailing & Stairwell Walls				PLF		\$ 10.00	\$ -
Fire Separations - Over/Under Plumbing Collars				Flat		\$ 200.00	\$ -
Fire Separations - Type 5A Construction Ceiling of Top Floor (2 Layers 5/8" Type X)				PSF		\$ 1.50	\$ -
Fire Rated Soffits - 1 hour - For homes within 5' of a lot line				PLF		\$ 5.00	\$ -
Fire Rated Wall - 1hr - For homes within 5' of a lot line				PLF		\$ 10.00	\$ -
9' Ceilings on Modules without a Roof System				PSF		\$ 1.95	\$ -
9' Ceilings on Modules with a Roof System		May Require Modified Hinged Roof or Over Ht Fees		PSF		\$ 1.95	\$ -
8'-6" Ceilings on Modules without a Roof System				PSF		\$ 2.96	\$ -
8'-6" Ceilings on Modules with a Roof System		May Require Modified Hinged Roof or Over Ht Fees		PSF		\$ 2.95	\$ -
Wall Rough Openings - For ext. doors, f/p, a/c & windows when less than 1/2 the windows are deleted						\$ 125.00	\$ -
Wall Rough Openings - For interior doors when more than 1/2 of interior doors are deleted						\$ 75.00	\$ -
400 Series Sash & Color Options		White Sash		White Exterior	Flat	1	Std
400 Finelite Grille Options		White Color		3/4" Width	Flat	1	Std
Delete Grilles		400 Finelite			Per Sash	\$ (10.00)	\$ -
Add Sills & Stools to Windows		400 Finelite			Flat	Included	\$ -
Sliding Door Exterior Color ILO White		Permasield		White		1	Std
Sliding Door Interior Color ILO White		Permasield		White			n/c
Upgrade Hardware for Slider		Permasield		White	Anvers	\$ -	\$ -
Screens For Thermatru Terrace Doors					Screens included on all FWH & FWO doors	\$ 200.00	\$ -
Terrace Door Color ILO White				White		\$ -	\$ -
Upgrade Hardware for Terrace Door		Frenchwood		Levers	Brushed Nickel	Per Door	1
Thermatru Terrace Door Dead Bolt- Installed					Brushed Nickel	Per Door	\$ 50.00
Multi-Point Locking System for Thermatru Doors		Single		Strongly Suggested for High Wind		Per Door	\$ 550.00
Exterior Entry Door Hardware		Levers			Brushed Nickel	Per Door	1
Front Entry Dead Bolt- Installed					Brushed Nickel		\$ 50.00
Secondary Door Dead Bolt- Installed		N/A on Fire Doors			Brushed Nickel		\$ 50.00
Front Entry Thumb Latch Hardware w/ dead bolt.					Brushed Nickel		\$ 160.00
Stainless Steel Hinges on Thermatru Door ILO Std.						2	\$ 320.00
Octagon Window		Non-Vent				Per Door	\$ 50.00
Window Opening Control Device for Double-Hung Windows		Installed				Per Window	\$ 460.00
8' Tall Thermatru doors ILO 6'8"		N/A for ST70, FCT10, FCM80 or any Fire Door				Per Door	\$ 75.00
8' Tall Thermatru Sidelights ILO 6'8"						Per Sidelight	Quote
Outswing Thermatru Door ILO Std						Per Door	Quote
4-Block Craftsman Dental Shelf							\$ 50.00
Elliptical Transom for Frenchwood Doors		ET6		Removable Grilles			\$ 160.00
Keyed Lockset for Andersen Doors						Per Door	\$ 2,645.00
Front Entry Kick Plate - Shipped Loose				White			\$ 150.00
							Quote
							\$ -
							\$ -
							\$ -
ROOF SYSTEMS							
Upgrade Ceiling Insulation ILO Std R-38 Batt		R38		PSF		Std	\$ -
High Wind Roof Tie-Downs		IF RI or Wind Speed 125 or greater \$500 PER BOX		Per Roofed Box		\$ 250.00	\$ -
5/12 Roof Pitch		Hinged/Refr		16" o.c.	PRF	46	\$ 30.00
9/12 Roof Pitch		Storage/Refr		16" o.c.	PRF		\$ 85.00
Roof Design Fee for Non-Standard Pitches and Box Widths					Flat		\$ 1,000.00
Special Hinge Ht Trusses for 8'6" or 9' Ctg Ht - Storage N/A. See Price Book for Add'l Restrictions.					PRF		\$ 25.00
3-Deep House		7/12		42' Max	PRF		\$ 40.00
2x10 Ctg Joist @ 16"oc w/ 3/4" plywood ILO 2x6				(Use for Storage on Center of 3-Deep)	PSF		\$ 2.50



WESTCHESTER MODULAR HOMES

CUSTOM PRICE DEVELOPMENT

OPTIONS

Customer:		Model:		Quote #		121823-0753	
Options To Be Included:				Qty.	\$ Each	Total	
2x10 Clg Joist @ 16" oc w/ 3/4" plywood ILO 5/12 Roof (Includes Open Cell Insulation and Ice & Water Shield)				PSF	\$ 2.50	\$ -	
Ship Loose Plywood for Attic				Per 4 x 8 Sheet	\$ 28.00	\$ -	
Double Fold Roof				PRF	\$ 50.00	\$ -	
Transverse Roof				PSF	\$ 5.00	\$ -	
Cathedral Ceiling				PLF Per Module	\$ 65.00	\$ -	
One-Piece Cathedral Roof Cap				PLF	\$ 140.00	\$ -	
2x10 Roof Peaks In Pinned Rafter				PLF Per Module	\$ 20.00	\$ -	
Tray Ceiling - R/O				Per Tray	\$ 125.00	\$ -	
Tray Ceiling - Truss				All Size Rooms - PLF	\$ 35.00	\$ -	
Delete Gable End Overhangs				Per Pair	\$ (250.00)	\$ -	
Increase Gable End Overhang				Per Pair	\$ 150.00	\$ -	
Prow Roof				Per Gable	\$ 450.00	\$ -	
Gable End Hips				Per Hip	\$ 1,500.00	\$ -	
2x6 Sub Fascia ILO 2x4 with 1x6				Per Pair	\$ 50.00	\$ -	
Reverse Gable				Flat	\$ 1,200.00	\$ -	
Reverse Gable				Flat	\$ 2,100.00	\$ 4,200.00	
Reverse Gable				Flat	\$ 3,850.00	\$ -	
A Dormers				Shipped Loose Gable Roof	\$ 2,350.00	\$ -	
A Dormers				Shipped Loose Gable Roof	\$ 2,350.00	\$ -	
A Dormers				Shipped Loose Gable Roof	\$ 3,050.00	\$ -	
Shed Dormer ILO Cape				PLF	\$ 120.00	\$ -	
Shed Dormer Gable End Returns					\$ 500.00	\$ -	
False Gable Returns for Full Shed Dormers				Per 8' Piece	\$ 100.00	\$ -	
Panelized Cricket				Pre-Built	\$ 600.00	\$ -	
Panelized Cricket				Pre-Built	\$ 1,500.00	\$ -	
Panelized Cricket				Pre-Built	\$ 2,400.00	\$ -	
Skylight 22 x 39				Shipped Loose	\$ 725.00	\$ -	
Attic Access				Insulated Pulldown Stair	\$ 400.00	\$ 800.00	
SYP Bottom Chord on Hinged Roof Only for 60# Snow Loads				PRF	\$ 10.00	\$ -	
Pre-Assembled Roof Sections				PLF/Mod	\$ 200.00	\$ -	
R-21 Insulation in 1st Floor Ceiling System of 2-Story Building					\$ 0.65	\$ -	
					\$ -	\$ -	
					\$ -	\$ -	
HEATING / VAC SYSTEMS							
Delete HWBB Heat - Pax 1st Floor				PSF	1,288	\$ (0.35)	\$ (451.00)
Delete HWBB Heat - Pax 2nd Floor				PSF	1,288	\$ (0.50)	\$ (644.00)
Electric Heat ILO Standard 1 Story Models				PSF		\$ 0.75	\$ -
Electric Heat ILO Standard 2 Story Models				PSF		\$ 0.85	\$ -
Programmable Thermostat - Installed				Required for Electric Heat	Per Living Unit	Included	\$ -
Additional Zones for H.W.B.B. Heat (2F)						\$ 250.00	\$ -
Additional Thermostat Wiring (1F)						\$ 30.00	\$ -
Additional Toe Kick Heater						\$ 250.00	\$ -
Heat Loop for 2nd Floor of Unfinished Cape. (1 zone)						\$ 375.00	\$ -
Central Vac System				PP500	1	Story	\$ 1,000.00
Additional 1st Floor Vac Outlets						\$ 35.00	\$ -
Additional 2nd Floor Vac Outlets						\$ 60.00	\$ -
Power Head with Beater Bar						\$ 100.00	\$ -
						\$ -	\$ -
						\$ -	\$ -
PLUMBING SECTION							
Prep only for Washer Pan - 1st Floor						N/A	\$ -
2nd Floor W/D hookup ILO Std						\$ 175.00	\$ -
Dryer Vent Ducting 1st Floor				Exterior Vent	Exterior Wall Only	2	\$ 50.00 \$ 100.00
Dryer Vent Ducting - 2nd and Additional Floors				DBX1000	Interior Wall		\$ 100.00 \$ -
110 Outlet ILO 220 for Gas Dryer (Plumbing for gas line by B/P)						\$ (25.00)	\$ -
Base Cabinets in Laundry Room				Marlin - Hardwood		PLF	\$ 200.00 \$ -
30" Uppers in Laundry Room				Marlin - Hardwood		PLF	\$ 100.00 \$ -
Glaze or Accent Finish				Marlin - Hardwood			N/A \$ -
Deluxe Cabinet Option				Undermount Glides, Soft Action, Dovetail Drawers		Flat	\$ 288.00 \$ -
Deluxe Cabinet Option				Plywood End Panel Construction with Deluxe		Flat	\$ 875.00 \$ -
Deluxe Cabinet Option				All Plywood Construction with Deluxe		Flat	\$ 1,300.00 \$ -
Drawer Front Options				Marlin - Hardwood	N/A		N/A \$ -
Countertop Only						PLF	\$ 25.00 \$ -
Upgrade Laundry Countertop				Delete Std. Laminate		PLF	\$ (20.00) \$ -
Laminate Countertop Edging				Crescent		Flat	\$ 150.00 \$ -
Quartz Countertop Nosing				Eased			\$ - \$ -
Laundry Sink				Undermount (Stainless Double Bowl)			\$ 500.00 \$ -
Supply & Return for Builder Installed On-Demand Hot Water System							\$ 100.00 \$ -
1" Pex Pipe, Basement to Attic							\$ 100.00 \$ -
1" PVC Pipe, Basement to Attic							\$ 50.00 \$ -
2" SCH40 PVC Pipe From Basement to Attic					Per Floor	4	\$ 50.00 \$ 200.00
3" SCH40 PVC Pipe From Basement to Attic for Radon Vent					Per Floor	4	\$ 100.00 \$ 400.00
Prep for Sprinkler System - 1 Story House				NOTE: For Projects and Homes Over 2-Story, a Special Quote will be Required	PSF	\$ 1.00	\$ -
Prep for Sprinkler System - 2 Story House					PSF	\$ 1.50	\$ -
WMH Provided Sprinkler Design					Up to 8 Boxes	\$ 2,500.00	\$ -
Prep for Sprinkler System - Estimate for 3-Story or Multifamily					Estimate	\$ -	\$ -
(2) 1" Line for Hydro Air				Copper	Per Floor	\$ 150.00	\$ -
						\$ -	\$ -
						\$ -	\$ -
ELECTRIC SECTION							
200 Amp Service Panel				Additional	1	\$ 600.00	\$ 600.00
100 Amp Service ILO 200 AMP Service						n/c	\$ -
Locate Panel Box into Modular or Panelized Garage					PLF	\$ 20.00	\$ -
2" Electrical Conduit, Basement to Attic - Required in Mass for future Solar						\$ 50.00	\$ -
Low-Voltage Service Panel with 2" Pipe Chase - Installed						\$ 250.00	\$ -
12/2 Wiring Throughout - Includes 20 Amp Breakers - (For Outlets Only)					PSF/House	\$ 0.25	\$ -
Door Chime - Wireless - (2 Std.)				Additional	1	\$ 50.00	\$ 50.00
Additional Interior / Exterior GFI Receptacles						\$ 50.00	\$ -
Additional 110v Outlets on Existing Circuit						\$ 30.00	\$ -
Additional 110v Outlets on Dedicated Circuit						\$ 75.00	\$ -
Additional 220v Outlets on Dedicated Circuit						\$ 100.00	\$ -
USB Outlet with 2 Ports ILO STD						\$ 45.00	\$ -
18/2 Speaker Wiring						\$ 45.00	\$ -
TV Jack						\$ 45.00	\$ -
Recessed TV Jack with Outlet & Conduit to Floor						\$ 125.00	\$ -
Telephone Jack - Single Plug						\$ 45.00	\$ -
Telephone Jack - Double Plug						\$ 60.00	\$ -
Data Jack						\$ 75.00	\$ -
Delete Standard Holman Light Package						\$ (515.00)	\$ -
Lancaster Upgrade Exterior Lights ILO Std				# Front: # Rear:		\$ -	\$ -
Additional Exterior Front Door Light				Lancaster		\$ 150.00	\$ -
Additional Exterior Rear Door Light				Lancaster		\$ 60.00	\$ -

Page 4 of 6

Page 5 of 8

Page 176 of 231



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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

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

OWNER INFORMATION:

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

APPLICANT INFORMATION:

Name: (same as above)
Address: _____

Phone: _____
Email: _____

CONSULTANT INFORMATION:

Name: PAUL TIRUMS, P.E.
Address: 116 Friendship Lane
Poughkeepsie, N.Y. 12601
Phone: (914) 490-3269
Email: ptirums@yahoo.com

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Judith Knauss, Deputy Zoning Administrator
Date of decision/determination/violation: Aug. 11, 2023

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

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

LIST OF REQUIRED ATTACHMENTS

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

SIGNATURE AND VERIFICATION

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

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

SIGNATURE OF APPLICANT

DATE

Roy Campbell
Print Name

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: _____

AREA VARIANCE REQUESTS

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

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

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-8.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

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

16 Friendship Lane
Poughkeepsie, N.Y. 12601

Cell (914) 490-3269

October 03, 2023

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

Project: Campbell – Variance for Toilet Clearance

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

RE: UPDATED ZBA Variance Transmittal

Dear Judith,

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

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

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

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

Sincerely,

Paul Tirums, P.E.

Variance Request Justification

149 North Hamilton Street

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

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

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

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

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

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

Paul Tirums, P.E. Consultant Engineer

16 Friendship Lane
Poughkeepsie, N.Y. 12601

Cell (914) 490-3269

August 29, 2023

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

Project: Campbell – Asphalt Paved Driveway

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

RE: Site Plan Submittal (Revised)

Dear Judith,

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

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

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

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

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

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

Sincerely,

Paul Tirums, P.E.

Paul Tirums, P.E. Consultant Engineer

16 Friendship Lane
Poughkeepsie, N.Y. 12601

Cell (914) 490-3269

August 1, 2023

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

Project: Campbell – Variance for Toilet Clearance

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

RE: Variance Transmittal

To Whom it May Concern,

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

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

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

Sincerely,

Paul Tirums, P.E.

Variance Request Justification

149 North Hamilton Street

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

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 8th Parking space. For the (4) Apartment units there is required 7.5 Parking spaces, the elimination of the 8th parking space along the side of the building would achieve the 15' lane width. It is not anticipated that the residents of the Apartment building would be the owners of that many cars and need the full 8 spaces, so that is a good option; but on the other hand in this location and residential building a clear width of 11.2' would be sufficient since the level of traffic flow alongside the building using this driveway will really be minimal throughout a 24 hour day.

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

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

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

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

North per deed
Doc ID# 02-2022-50176

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'±

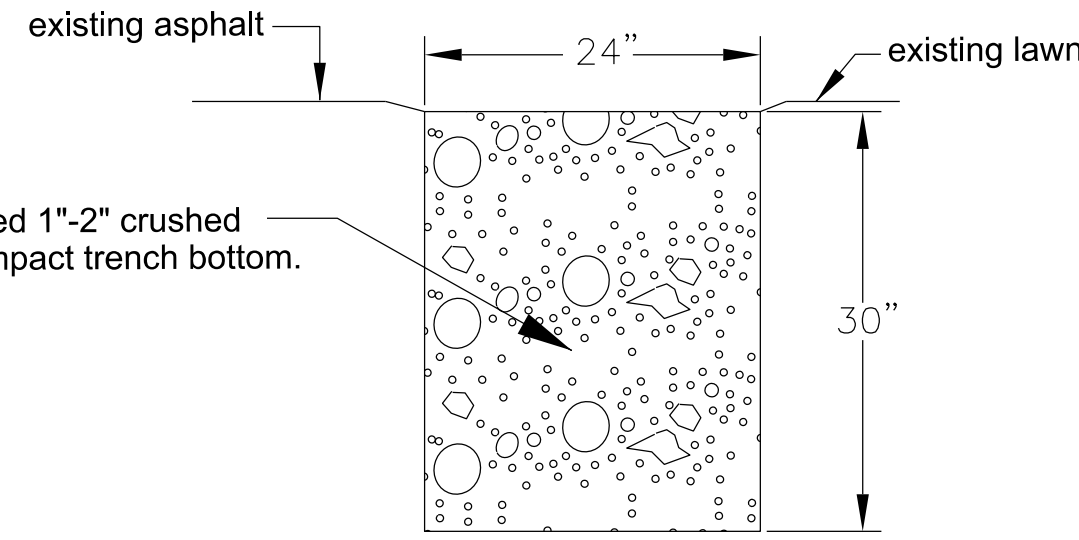
concrete sidewalk

macadam

concrete sidewalk

house clears
1.5'±

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



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)

porch
(8' x 20')

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)

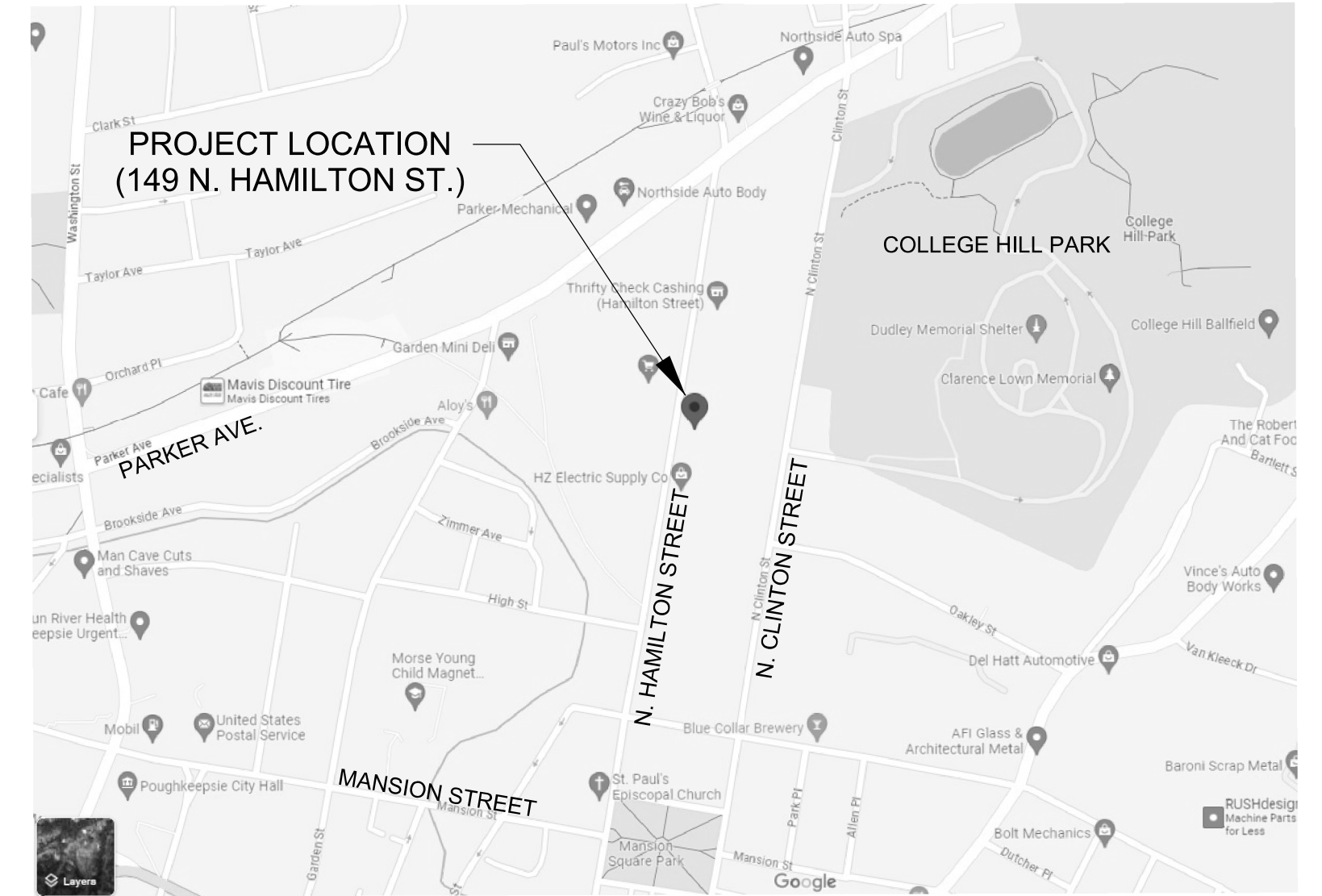
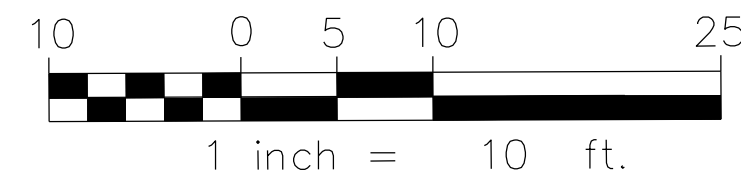
Install 150 L.F. of solid
green slats in existing
3' high chain link fence or
along entire property line.

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

Stone Infiltration
Trench (55 LF)

found iron pipe
0.2' ± south of line

GRAPHIC SCALE



N.T.S.

N/F Dugger
L 1900 P 95

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

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):

TAX MAP IDENTIFICATION

# 240389	# 282392	# 302384
# 279377	# 301378	
# 279374	# 301373	
# 279372	# 300366	
# 278369	# 299362	
# 278366	# 298358	
# 277361	# 298354	
# 276355	# 297351	
# 275350	# 296348	
# 274345	# 296344	
# 274344	# 294339	
# 274340	# 294333	
# 273336	# 293329	
# 272344	# 292324	
# 271325		

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.

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

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

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

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

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

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

PAGE 1 OF 1





















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

August 11, 2023

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

RE: 149 North Hamilton Street

Dear Mr. Campbell:

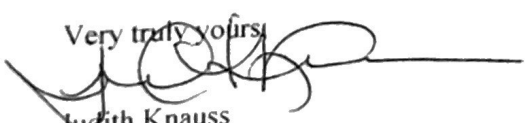
The Development Department is in receipt of your application for the site plan approval for the creation of an off-street parking lot for nine vehicles at 149 North Hamilton Street, the primary use of which is a four family dwelling. The application has been reviewed for compliance with the of the Zoning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

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

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

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

Very truly yours,


Judith Knauss

Deputy Zoning Administrator



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

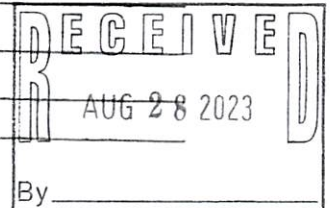
FEE: \$350.00
CODE: A2112
ID# _____
IPS# _____

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 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:

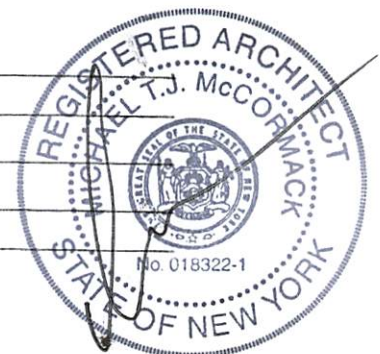
Name: _____
Address: _____
Phone: _____
Email: _____

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.

LIST OF REQUIRED ATTACHMENTS

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

SIGNATURE AND VERIFICATION

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

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

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

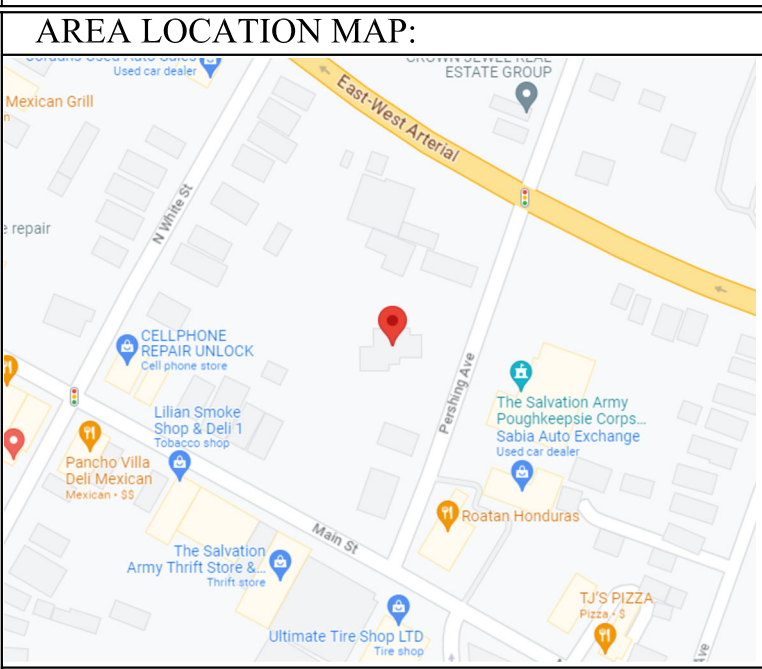
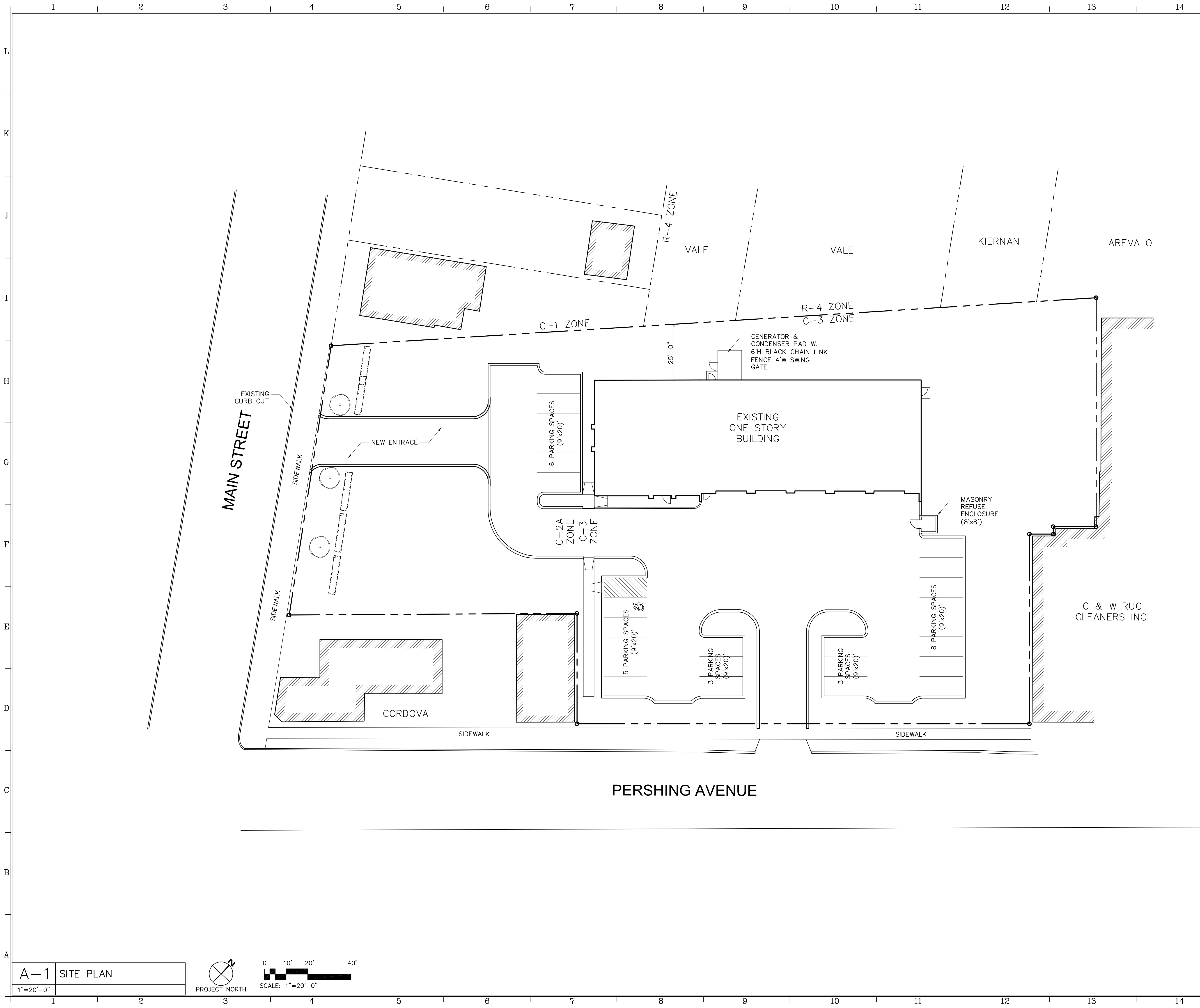
Attention: Joe O'Brien

Re: 16 Pershing Ave. ID. 382100

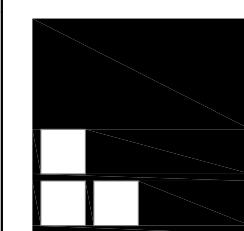
TO: Zoning Board

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

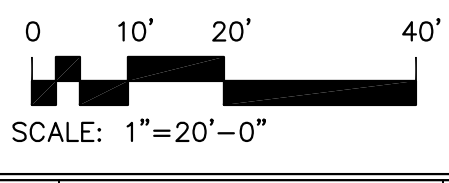
A-1

SITE PLAN

1"=20'-0"



PROJECT NORTH



SCALE: 1"=20'-0"



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

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

MEMORANDUM

To: Devanand Jaikarran

From: Tyler Maegerle, Junior Planner

Date: 9/6/23

Re: 16 Pershing Avenue

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

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information							
Name of Action or Project: Motor Vehicle Body Repair Shop							
Project Location (describe, and attach a location map): 16 Pershing Avenue							
Brief Description of Proposed Action: 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: Devanand Jaikarran		Telephone: 917-416-7591 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? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;">☒</td> <td style="text-align: center; padding: 5px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;">☒</td> <td style="text-align: center; padding: 5px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
3.a. Total acreage of the site of the proposed action?		<u>1.31</u> acres					
b. Total acreage to be physically disturbed?		<u>0</u> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1.31</u> acres					
4. Check all land uses that occur on, adjoining and near the proposed action. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							

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

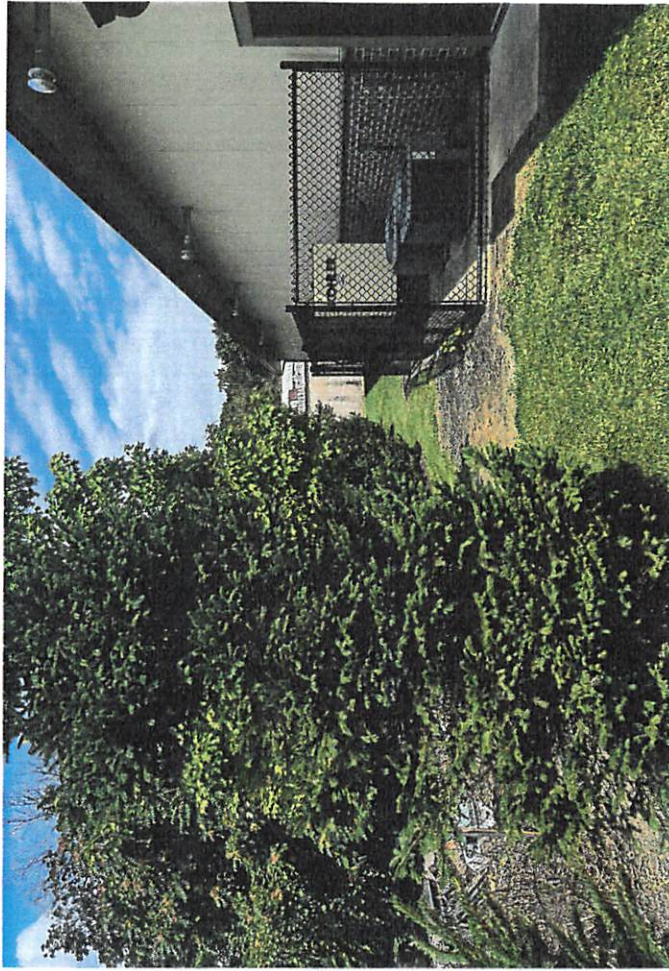
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO ☒	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO ☒	YES ☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Devanand Jaikaran</u> Date: <u>8/28/23</u> Signature: <u>Devanand Jaikarran</u>		

RECEIVED
AUG 28 2023
By _____

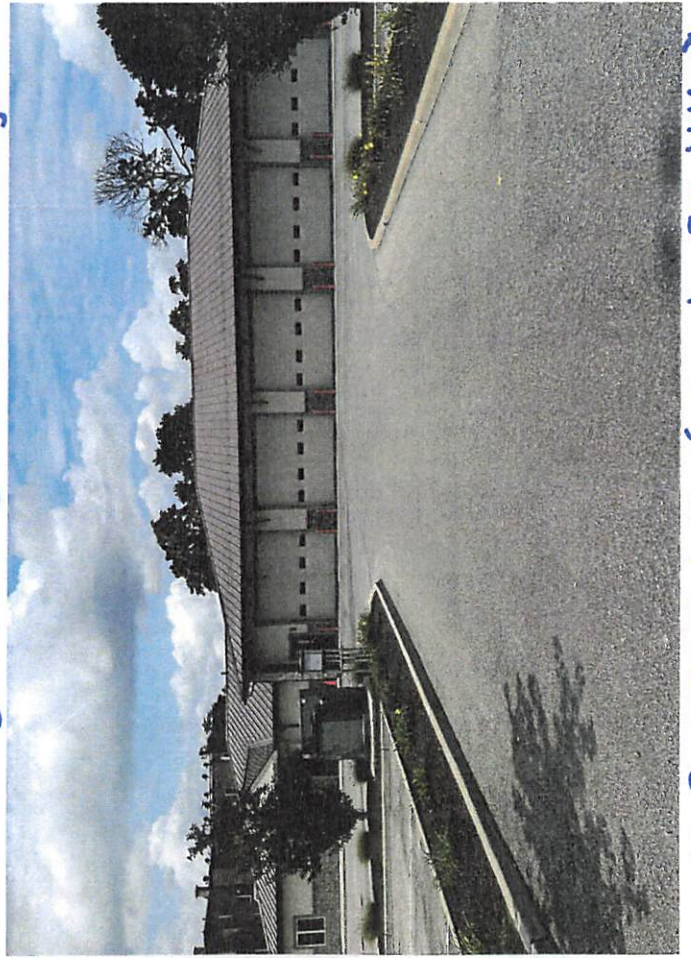
↓ Repair shop



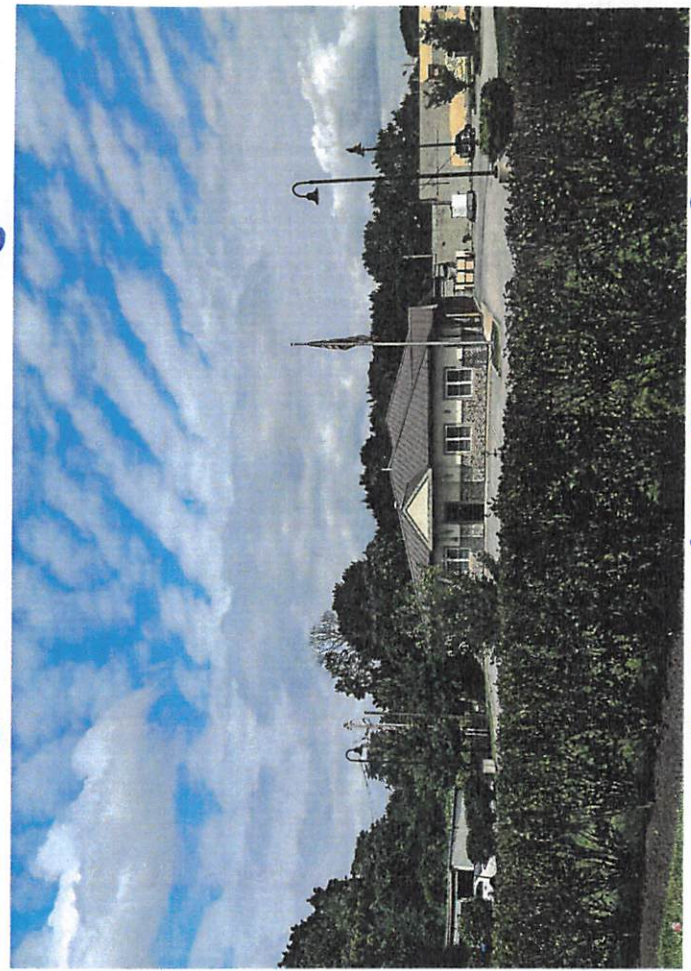
Pershing AVE Right side of building



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

Eric Philipp
Building Inspector

August 7th, 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, 2ND 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
jobrien@cityofpoughkeepsie.com



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

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

Eric Philipp
Building Inspector

November 1st, 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, 2ND FLOOR

POUGHKEEPSIE, NY 12601

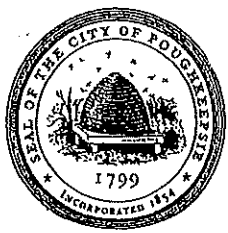
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

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

Sincerely,

Joseph O'Brien
Deputy Zoning Administrator



**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601

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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 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.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
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> <u>(956 s.f., 8.92 min dim provided</u> <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> <u>buildings right next to the property line,</u> <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 2nd and 3rd 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

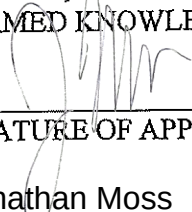
LIST OF REQUIRED ATTACHMENTS

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):

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

Eric Philipp
Building Inspector

October 27th, 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, 2ND 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

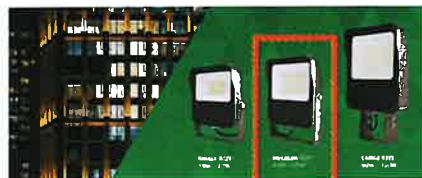
Deputy Zoning Administrator

Office - 845-451-4273

jobrien@cityofpoughkeepsie.com

RECEIVED
DEC 4 2023

R-4 LOT AND BULK REQUIREMENTS		VARIANCE REQ.
1. Section 19-3.15(d)(c)1	6,600sf of lot area	2820sf (3760 provided)
2. Section 19-3.15(h)(e)2	½ height / 17,125	14,32', 7,66' (2.8, 9.48 provided)
3. Section 19-3.15(d)(c)1	900sf Open 40' min dimension	474.55sf (415. provided) 29,17' (least dimension 10.63')
4. Section 19-4.3(5)(a)	15' access	6' (9.00 provided on site)
5. Section 19-4.11	Screening	No screening. Portion of property

[illegible]

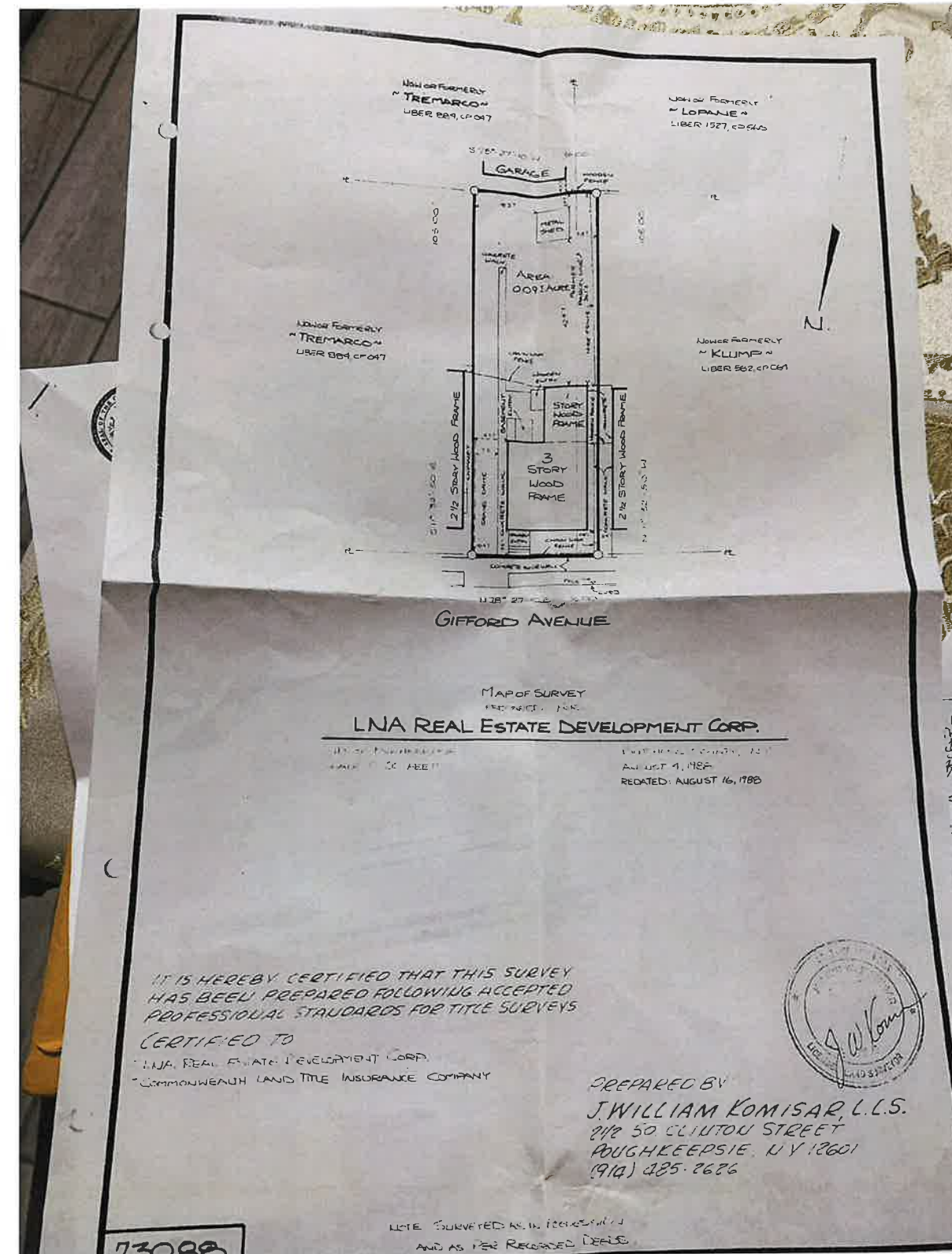
Lumen Output

Water body	Location	January 2014		April 2014		August 2014		November 2014	
		Depth (m)	Temperature (°C)	Depth (m)	Temperature (°C)	Depth (m)	Temperature (°C)	Depth (m)	Temperature (°C)
100	40° 15' N	1000	10.5	1000	12.5	1000	15.5	1000	18.5
175	40° 15' N	1750	10.5	1750	12.5	1750	15.5	1750	18.5
250	40° 15' N	2500	10.5	2500	12.5	2500	15.5	2500	18.5
325	40° 15' N	3250	10.5	3250	12.5	3250	15.5	3250	18.5
400	40° 15' N	4000	10.5	4000	12.5	4000	15.5	4000	18.5
475	40° 15' N	4750	10.5	4750	12.5	4750	15.5	4750	18.5
550	40° 15' N	5500	10.5	5500	12.5	5500	15.5	5500	18.5
625	40° 15' N	6250	10.5	6250	12.5	6250	15.5	6250	18.5
700	40° 15' N	7000	10.5	7000	12.5	7000	15.5	7000	18.5
775	40° 15' N	7750	10.5	7750	12.5	7750	15.5	7750	18.5
850	40° 15' N	8500	10.5	8500	12.5	8500	15.5	8500	18.5
925	40° 15' N	9250	10.5	9250	12.5	9250	15.5	9250	18.5
1000	40° 15' N	10000	10.5	10000	12.5	10000	15.5	10000	18.5

[illegible]

Electrical Data				
Equipment Description	Control Circuit (V)	Motor Rating (HP)	Motor Nameplate (V)	Service Factor
1	230	1/2	230	1.15
		3/4	230	1.15
		1	230	1.15
		1 1/2	230	1.15
		2	230	1.15
2	480	3/4	480	1.15
		1	480	1.15
		1 1/2	480	1.15
		2	480	1.15
		3	480	1.15
3	200	1/2	200	1.15
		3/4	200	1.15
		1	200	1.15
		1 1/2	200	1.15
		2	200	1.15
4	115/230	1/2	115	1.15
		3/4	115	1.15
		1	115	1.15
		1 1/2	115	1.15
		2	115	1.15
5	115	1/2	115	1.15
		3/4	115	1.15
		1	115	1.15
		1 1/2	115	1.15
		2	115	1.15
6	240	1/2	240	1.15
		3/4	240	1.15
		1	240	1.15
		1 1/2	240	1.15
		2	240	1.15

NOTE: POSITION LIGHT SO THAT THERE IS NO LIGHT SPILLAGE ONTO ADJACENT PROPERTIES



THESE CAD FILES MAY NOT BE USED, DUPLICATED, MODIFIED OR CHANGED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF BERG + MOSS ARCHITECTS PC. THE USER AND ITS AGENTS WILL BE LIABLE FOR ANY UNAUTHORIZED USE, DUPLICATION, MODIFICATION OR CHANGE.

POUGHKEEPSIE, NEW YORK

SEAL & SIGNATURE

DATE	Issue Date
SCALE	3/16" = 1'-0"
ENIG BY	0
CHK BY	Checker

BUILDING CODE ANALYSIS
PROJECT DESCRIPTION: CONVERSION OF SINGLE FAMILY RESIDENCE TO THREE FAMILY RESIDENCE

TABLE 601: FIRE RESISTANCE RATING FOR ELEMENTS		
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

USE AND OCCUPANCY CLASSIFICATION		
OCCUPANCY	USE	SECT. BC 302
PRIMARY	RESIDENTIAL	R-2

TABLE 503: CONSTRUCTION CLASSIFICATION - SPRINKLERED		
OCCUPANCY / USE	TYPE OF CONSTRUCTION	
GROUP: R3	TYPE V-B COMBUSTIBLE	
ALLOWABLE 21,000 S.F.	PROPOSED: 2,636 S.F., COMPLIES	

SMOKE/CARBON MONOXIDE DETECTOR NOTES

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.

OTHER FILINGS

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

SEPARATE PERMITS ARE NEEDED FOR
• SPRINKLER

GENERAL NOTES

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 DISCREPENCIES WITHIN THE DOCUMENTS, FOR CLARIFICATION.

1. 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 SPECIFICATIONS APPLICABLE, AND TO CONFORM TO THE STANDARDS AND RECOMMENDATIONS OF THE VARIOUS TRADE INSTITUTES (ACI, AISC, 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 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 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.

Berg + Moss Architects

RMA

BERG + MOSS ARCHITECTS PC
473 MAIN STREET No. 1
BEACON, NY 12508
T: 845 831 1318
INFO@BERGMOSS.COM

No.	Date	Description
1	12/12/23	Zoning Board of Appeals

THESE CAD FILES MAY NOT BE USED, DUPLICATED, MODIFIED OR CHANGED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF BERG + MOSS ARCHITECTS PC. THE USER AND ITS AGENTS WILL BE LIABLE FOR ANY UNAUTHORIZED USE, DUPLICATION, MODIFICATION OR CHANGE

29 GIFFORD AVE

POUGHKEEPSIE, NEW YORK

DRAWING TITLE
GENERAL NOTES

DRAWING NO.
G001.00

SEAL & SIGNATURE

DATE: 12/12/23
SCALE: 1/8" = 1'-0"
DWG BY: JG
CHK BY: JG

29 GIFFORD AVE
POUGHKEEPSIE, NEW YORK

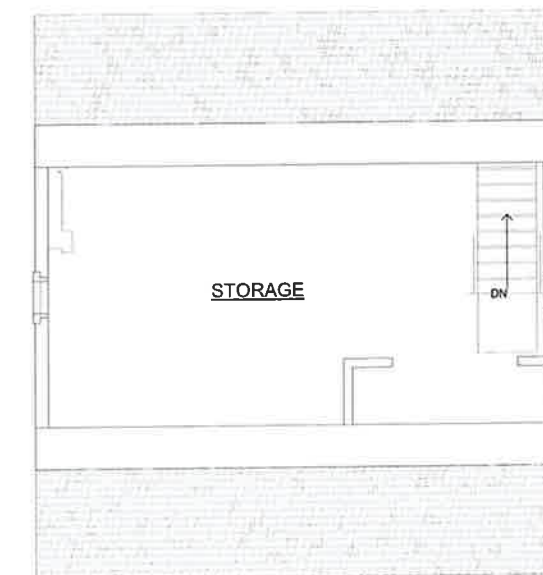
DRAWING NO. **A101.00**

SEAL & SIGNATURE	DATE	Issue Date
	SCALE:	6 1/2" x 9 1/2"
	DWG BY	3
	CHK BY	1



Door Schedule				
Mark	Type	Height	Width	Comments
101	32" x 80" 2	6' - 8"	2' - 8"	3/4 HR F.P.S.C.
102	32" x 80" 2	6' - 8"	2' - 8"	
103	36" x 84"	0' - 0"	0' - 0"	
201	32" x 80" 2	6' - 8"	2' - 8"	3/4 HR F.P.S.C.
301	32" x 80" 2	6' - 8"	2' - 8"	3/4 HR F.P.S.C.
302	32" x 80" 2	6' - 8"	2' - 8"	3/4 HR F.P.S.C.

2 SECOND FLOOR
1/4" = 1'-0"



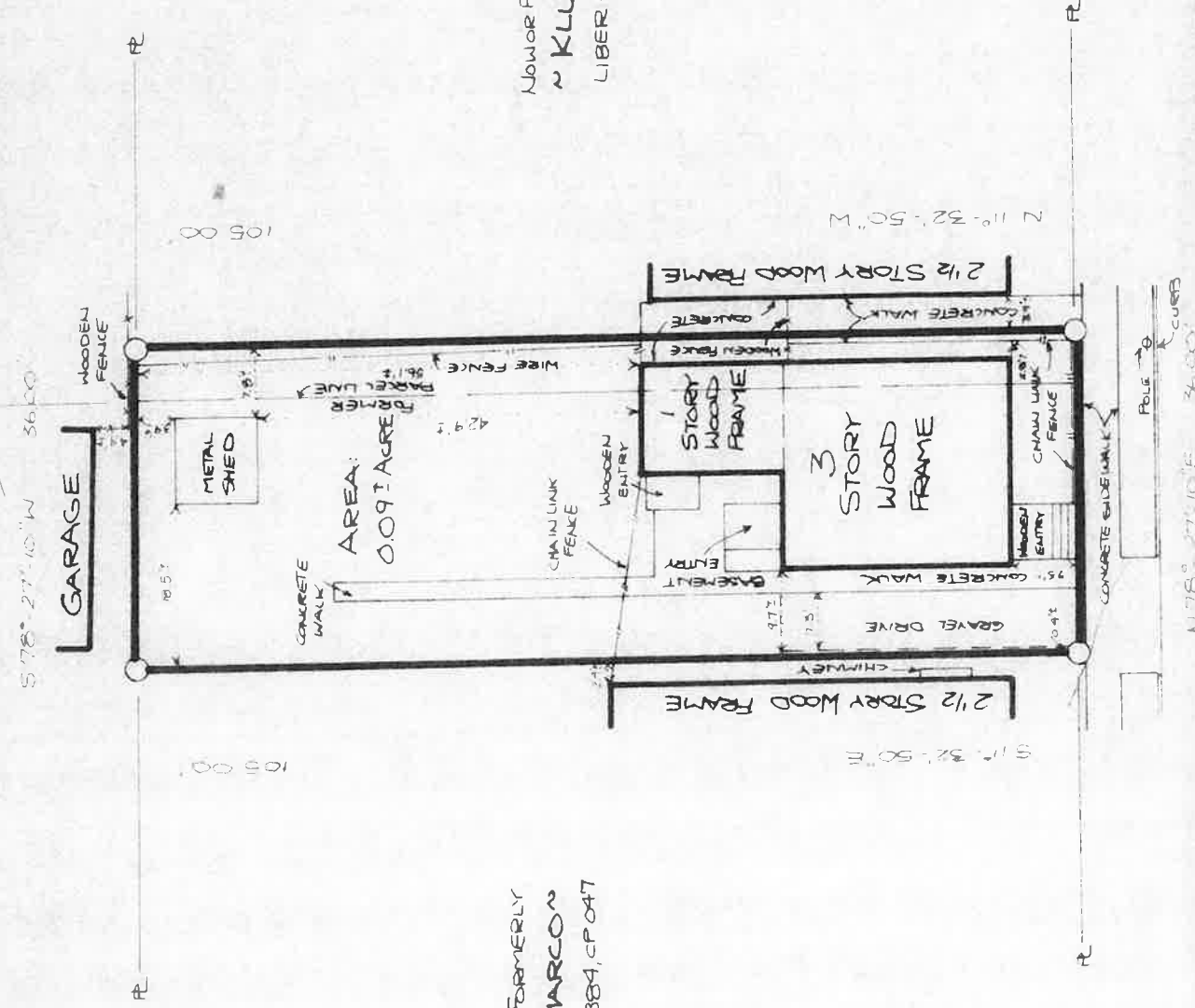


NOW OR FORMERLY
"TREMARCON"
LIBER 884, CP 047

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

Short Environmental Assessment Form

Part 1 - Project Information

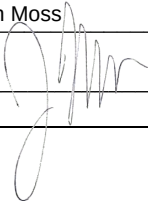
Instructions for Completing

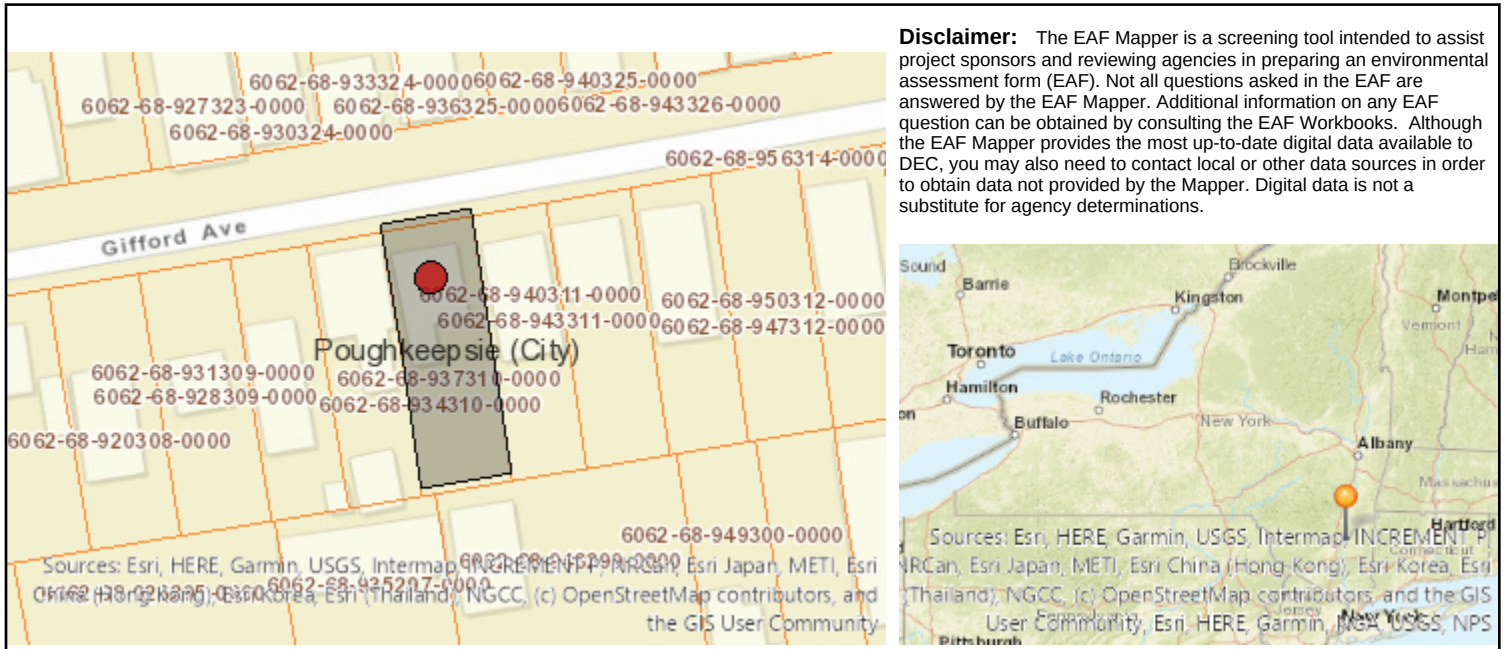
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: 29 Goford Ave			
Project Location (describe, and attach a location map): 29 Giford Ave			
Brief Description of Proposed Action: Legalise existing 3 family residence			
Name of Applicant or Sponsor: Jonathan Moss		Telephone: 845 831-1318 E-Mail: jon2bergmoss.com	
Address: 473 Main St			
City/PO: Beacon		State: NY	Zip Code: 12508
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES ☐
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
No applicable, this is just legalizing an existing use.	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☐	☒	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☒	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Atlantic Sturgeon, Shortnos...	NO	YES
	☐	☒
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☐	☒
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☒
_____ Slight increase in paved area for parking _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____ _____	☒	☐
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____ _____	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>jonathan Moss</u> Date: <u>10/27/23</u> 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



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

October 27th, 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, 2ND 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



**THE CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
DRAFT RESOLUTION
29 GIFFORD AVENUE
JANUARY 9, 2024**

In the matter of the appeal of Shauna Powell/Jon Moss, regarding the property at 29 Gifford Avenue, Poughkeepsie, New York:

At a Regular Meeting of the Zoning Board of Appeals held in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, on the 9th day of January 2024, 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 to a three family dwelling, requiring variances of Section 19-3.15(4)(c)(1) to allow 3780 sf of lot area where 6600 sf is 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 415 square feet of usable open space with minimum dimensions of 10x35 feet and 10x15 feet 31.18' where 900sf with a minimum dimension of 40 feet is required; Section 19-4.3(5)(a) to allow a driveway of 9.48 feet wide where 15 feet is required; Section 19-4.11 to allow no perimeter landscaping where landscaping is required (a fence is provided on portions of the perimeter; 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 survey prepared J. William Komisar, LLS, revised 8/16/1988, and plans T-000.00, G-000.01, G001.00 and A101.00, prepared by Jonathan Moss, dated 12/12/23; and supplemental documentation; and,

WHEREAS, a public hearing on the application was held on December 12, 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 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.
3. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
4. The variances could be said to be substantial. The side yard provided is 1/5 the required side yard: that is a substantial variance. The lot area is about 2/3 what is required, also substantial. The parking variance might be said to be substantial as parking can be an issue on the street. As the single family dwelling requires no variances, and as a two family dwelling would require fewer variances, all variances could be considered substantial.
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 #2023-049, as outlined above.

Motion:

Second:

Carried:

Municipal Administrative Assistant

Date: