

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

Common Council Chambers
Tuesday, June 11, 2024
6:00 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. Approval of May 14, 2024 Minutes

III. REVIEW OF RESOLUTIONS

1. 14 GRAND STREET - AREA VARIANCE RESOLUTION

Application for area variances relative to the conversion of the existing carriage house on the property to a single-family dwelling. There is an existing three family dwelling on the premises. The conversion requires variances of the following sections of the Zoning Ordinance: Section 19-3.19(4)(f) to allow a zero rear yard set-back where 15 feet is required; and, Section 19-3.19(4)(k) to allow less than the required dimensions of 30'x40' for the 1400 square feet of usable open space. Owner/Applicant: Caroline Aslup and Justin Brown; Grid #6062-84-957077; File #2024-007

2. 20 CORLIES AVENUE - AREA VARIANCE AMENDED RESOLUTION

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

IV. PUBLIC HEARINGS & DELIBERATIONS

1. 40 CIVIC CENTER PLAZA - AREA VARIANCE

Application for area variances relative to the proposed placement of signs on the property at 430 Civic Center Plaza, requiring variances of Section 19-4.9(8)(c)(2)(b)(ii), which requires that internally illuminated signs have dark backgrounds with light lettering, to allow no dark background on two wall signs and one canopy sign, Section 19-4.9(9)(b)(2), which provides that the lettering on a canopy sign shall not exceed 8 feet in width nor 18 inches in height to allow lettering 30'3" in width and 2'8" in height, and Section 19-4.9(9)(b)(1), which requires that the bottom of a canopy sign be a minimum of 7 feet or a maximum of 9 feet above the sidewalk, to apparently allow something outside of that range. Owner: Hudson Valley Lodging Associates, LLC/Rakesh Patel (IDA); Applicant: Laurentano Sign Group; Zoning District: PID-CC; Grid #6162-69-038151; File #2023-052

2. 233-237 MAIN STREET: AREA VARIANCE

Application for area variance for 233-237 Main Street relative to Section 19-3.37(13)(a) of the Zoning Ordinance, which requires that 26 off-street parking spaces be provided for the mixed use development proposed, to allow for no off-street parking to be provided. Owner: Elian & Justin Realty, LLC; Applicant/Consultant: Jay Diesing, Mauri Architects, PC; Zoning District: PID-CC; Grid #6162-77-014124; File #2024-008

3. 654 MAIN STREET - AREA VARIANCE

Application for area variances relative to the proposed development which will include the reconfiguration of fourteen lots of record into three lots. One lot, 654 Main Street, contains an existing building with a supermarket which will not be altered. Another lot, 698 Main Street, will contain a mixed-use building with commercial on the first floor and 7 dwelling units. The third lot will front Reynolds Avenue and contain 28 dwelling units. The residential developments will contain usable open space. The existing parking lot will be reconfigured to include fewer spaces overall and additional landscaping. The parking lot is proposed to be shared between the three properties. The applicant is seeking the following variances: Section 19-4.11, which requires landscape strips on all property lines, to allow no landscape strips on the internal property lines of the development; Section 19-4.3(11), which requires 185 off-street parking spaces, to allow 81 off-street parking spaces; and, Section 19-3.15(4)(c), which requires that 61,600 square feet of lot area be provided for the Reynolds Avenue residential parcel, to allow 40,600 square feet of lot area. Owner: EFDS Realty Corp; Applicant/Consultant: Jay Diesing, RA AIA, Mauri Architects PC; Grid #6161-33-543870, 564864, 526859, 530858, 533857, 537856, 540855, 544854, 548853, 551852, 555851, 559850, 563849, 567848; Zoning

4. 650 MAIN STREET - AREA VARIANCE

Application for area variances for 650 Main Street to allow placement of a freestanding sign, requiring variances of Section 19-4.9(9)(d)(1) relative to set-backs, Section 19-4.9(9)(d)(2) relative to height, Section 19-4.9(9)(d)(4) relative to number of words, and a wall sign, requiring variances of Section 19-4.9(9)(i)(2) relative to height, Section 19-4.9(9)(i)(3) relative to number of colors and Section 19-4.9(9)(i)(4) relative to number of words.

Owner/Applicant: Saleh Hijazee; Zoning District: C-2A; Grid #6161-25-518877; File #2024-010

5. "8" SOUTH CLINTON STREET - AREA VARIANCE

Application for area variances relative to the proposed mixed use development at "8" South Clinton Street, requiring variances of Section 19-3.17(4)(b), requiring 16,400 square feet of lot area to allow 6,770 square feet; Section 19-3.15(4)(i), requiring 5100 square feet of usable open space for tenant recreational purposes to allow 4640 square feet; and Section 19-3.11(11) requiring 29 off-street parking spaces to allow 7 off-street parking spaces. Owner: South Clinton Equities, LLC; Applicant/Consultant: Jason Lichwick Architecture PLLC; Zoning District: C-2; Grid #6161-22-239997; File #2024-011

V. BOARD BUSINESS

1. Addition of posters to public notification process.

VI. ADJOURNMENT

1. Adjourn meeting to Tuesday July 9, 2024



**City of Poughkeepsie Zoning Board of Appeals
DRAFT MINUTES
Tuesday, May 14, 2024 6:00 PM**

Present

Scott Parker
Jessical Vinall
Thomas Klug
James Patterson
Sam Finnerman

Excused

Justin Phillips

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. Approval of April 9, 2024 Minutes

Motion was made to approve April 9, 2024 minutes

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

III. REVIEW OF RESOLUTIONS

1. 15 HOFFMAN AVE - AREA VARIANCE

Application for area variance relative to Section 19-3.15(4)(e) requires a 6 foot side yard set back to allow for a zero-lot line setback. Owner/Applicant: Kamil Sero and Hweido Sero; Consultant: Jason Lichtwick Architecture, PLLC; Grid:# 6161-34-628812; District: R-4, medium high-density residential; File#: ZBA 2023-027

Motion was made to approve the resolution

Motion: Scott Parker

Second: Thomas Klug

Carried: 5:0:0

IV. PUBLIC HEARINGS & DELIBERATIONS

1. 14 GRAND STREET-AREA VARIANCE

Application for area variances relative to the conversion of the existing carriage house on the property to a single family dwelling. There is an existing three family dwelling on the premises. The conversion requires variances of the following sections of the Zoning Ordinance: Section 19- 3.19(4)(f) to allow a zero rear yard set-back where 15 feet is required; and, Section 19-3.19(4)(k) to allow less than the required usable open space of

1,400sf with minimum dimensions of 30'x40'; For Section 19-4.3(11) which requires 8 parking spaces, the applicant plans to request a waiver from the Planning Board for 4 spaces, and for Section 19-4.11(1)(b) which requires that landscape strips be provided along all property lines of multifamily uses, the applicant plans to request the Planning Board approve an opaque fence or wall on the southern portion of the property.
Owner/Applicant: Caroline Aslup and Justin Brown; Zoning District: R-4A; Grid #6062-84-957077; #ZBA2024-007

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

Motion was made to close the public hearing
Motion: Scott Parker
Second: Thomas Klug
Carried: 5:0:0

Motion was made to adjourn the meeting to June 11, 2024
Motion: Scott Parker
Second: James Patterson
Carried: 5:0:0

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



**THE CITY OF POUGHKEEPSIE
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: 14 Grand Street, Poughkeepsie NY 12601

ZONING DISTRICT: R-4A

OWNER INFORMATION:

Name: Justin Brown and Caroline Alsup

Address: 14 Grand Street, Poughkeepsie NY 12601

Phone: 917-670-5288

Email: justinsumnerbrown@gmail.com

APPLICANT INFORMATION:

Name: Justin Brown and Caroline Alsup

Address: 14 Grand Street #2 Poughkeepsie NY 12601

Phone: 917-670-5288

Email: justinsumnerbrown@gmail.com

CONSULTANT INFORMATION:

Name: Justin Brown and Caroline Alsup

Address: 14 Grand Street, Poughkeepsie NY 12601

Phone: 917-670-5288

Email: justinsumnerbrown@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: Joe O'Brien Zoning Review Request PD-2024-001 for future Development

Date of decision/determination/violation: 2/12/24

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 14 Grand Street, Poughkeepsie NY 12601

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
See attached letter dated 2/20/24 for list of requested Area Variances		

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: 14 Grand Street, Poughkeepsie NY 12601

LIST OF REQUIRED ATTACHMENTS

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

Slide deck dated 2/20/24

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

2/20/24

DATE

Justin Brown and Caroline Alsup

Print Name

The City of Poughkeepsie
Planning & Zoning
62 Civic Center Plaza, 2nd Fl
Poughkeepsie, NY 12601

February 20, 2024

Justin Brown and Caroline Alsup
14 Grand Street
Poughkeepsie, NY 12601

Dear Zoning Board of Appeals,

I am writing to request the following Area Variances necessary for the proposed conversion of the existing lot number 957077 containing a Three-family dwelling with an existing detached carriage house, to a Three-family dwelling (unmodified) with a detached Single-family dwelling, constructed within the existing envelope of the carriage house. Storm water management will be improved from the existing condition with the addition of a stormwater retention area. The load on the municipal sewer system will be increased by one toilet, one shower, and two sinks. This property is located within the Central Urban Density Residence District (R-4A) which does permit multifamily dwellings per code Section 19-3.15(2)(a)4 of the Zoning Ordinance, but would require the following Area Variances from the Zoning Board of Appeals:

1. **Section 19-3.19(4)f** requires the minimum rear yard shall be half the height of the principal structure closest to the rear property line or 15 feet, whichever is greater. The distance between the existing structure and the rear lot line is 0'-0".

As the carriage house is existing, compliance is not possible unless this historic artifact is demolished, which would be a loss to the character of the property and the neighborhood.

2. **Section 19-4.3(11)** requires 7 parking spaces for the proposed use (2 for each two-bedroom and 1 for the studio).

4 parking spaces are proposed, one for each apartment. The proposed use is within 600 feet of a municipally operated off-street parking facility. Therefore according to

19-4.3(9)(a) all or portions of the off-street parking requirement may be waived by the Planning Board.

3. **Section 19-4.11(1)(b) and Section 19-4.3(1) and 19-4.3(2)** requires that landscape strips of minimum of 3'-0" width be provided along all property lines of multifamily uses with more than 3 parking spaces.

This will be provided on the north edge but is not possible to provide on the south edge because of the existing 15' wide driveway. **Per 19-11(1)(b)(2)** 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.

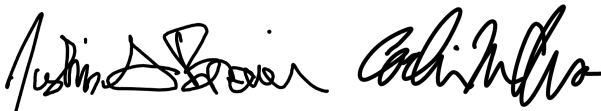
The following topics referenced in the 1/12/24 Zoning Review Request PD-2024-001 have been addressed in the attached revised drawings dated 2/20/23: Section 19-3.19(4)(g), 19-3.19(4)(i), 19-3.19(4)(k), 19-4.3(5)(a), 19-4.3(5)(b), and 19-4.3(5)(c).

In response to the five Variance Request Justification questions:

1. The granting of the requested area variances will not produce an undesirable change to the character of the neighborhood or be a detriment to nearby properties. On the contrary, it will allow the restoration of an existing historic carriage house. The structure is definitive of the Union Street neighborhood and is shown on maps dating to 1870.
2. The benefit sought cannot be achieved by some other method as the carriage house is existing. Without the requested variances, it would need to be demolished, which would be a loss not only to 14 Grand, but the historic neighborhood at large.
3. The requested variances are not substantial as they pertain to existing historic conditions which cannot be altered without demolition of the structure. The granting of these area variances would allow for the transformation of an existing liability into an asset, which would improve the value of neighboring properties. A very similar restoration was completed on a neighboring property to the north, 10 Grand Street.
4. The requested variances will not have an adverse affect or impact on the physical or environmental conditions of the neighborhood. To the contrary, the carriage house, once restored, will likely improve property values of its neighbors. Carriage houses were a defining feature of the properties on the west side of Grand Street, but only a handful have been restored including the one at 10 Grand Street.
5. The need for the variance is not the result of a self-created difficulty, but due to historic conditions. It is unique in that it is the last historic carriage house on the block still standing that has not already been demolished or restored.

Thank you for your consideration of this application. We look forward to being able to restore this important structure from 1870 for the benefit not only of this property but for the neighboring properties as well. Please don't hesitate to let me know if any further information is required for your assessment.

Sincerely,

Handwritten signatures of Justin Brown and Caroline Alsup in black ink.

Justin Brown and Caroline Alsup



PROJECT DESCRIPTION

Conversion of the existing lot number 957077 containing a Three-family dwelling with an existing detached carriage house, to a Three-family dwelling (unmodified) with a detached Single-family dwelling, constructed within the existing envelope of the carriage house.

SITE INFORMATION

This property is located within the Central Urban Density Residence District (R-4A) which does permit multifamily dwellings per code Section 19-3.15(2)(a)4.

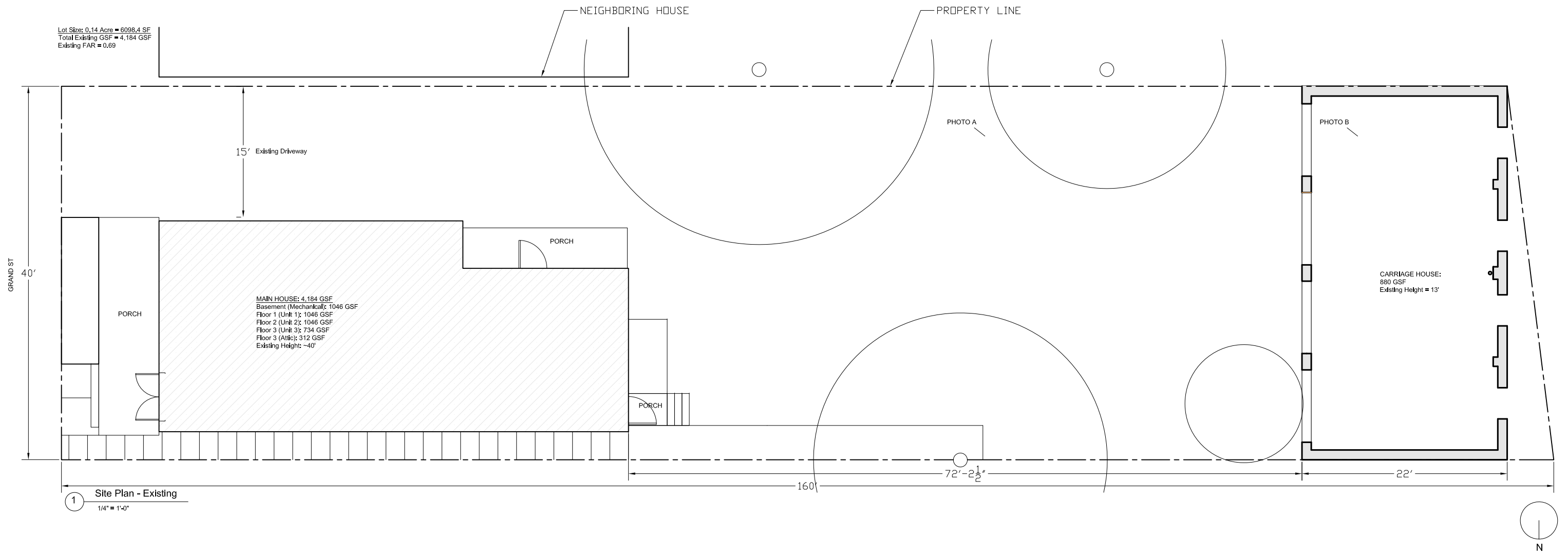
Lot Size: 0.14 Acre = 6098.4 SF
Total Existing GSF = 4,184 GSF
Total Proposed GSF = 880 GSF
Total Proposed FAR = 0.83

DRAWING LIST

- | | |
|-------|---------------------|
| AX.01 | EXISTING SITE PLAN |
| A.01 | PROPOSED SITE PLAN |
| AX.02 | EXISTING ELEVATIONS |
| A.02 | PROPOSED ELEVATIONS |



NOT FOR
CONSTRUCTION



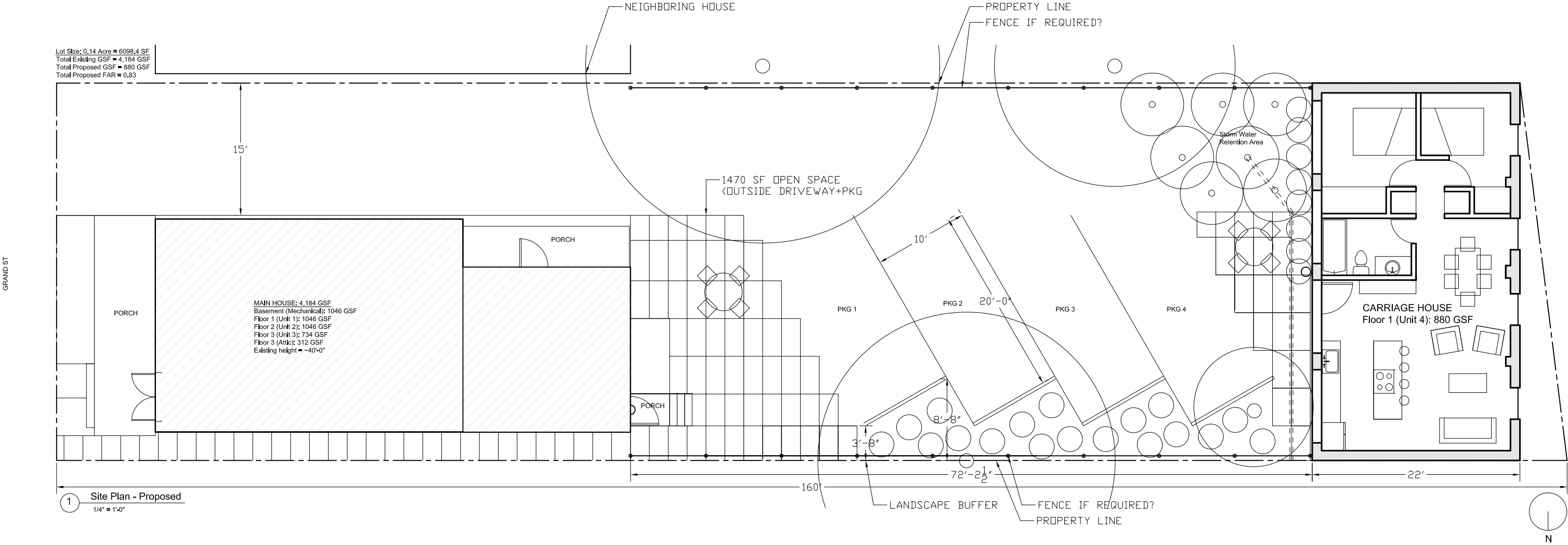
NOT FOR
CONSTRUCTION

PROJECT
14 Grand Street
Poughkeepsie, NY 12601

AX.01

DATE: 2/20/24

Note: Verify all dimensions in field.
Dimensions provided for scalar reference only.



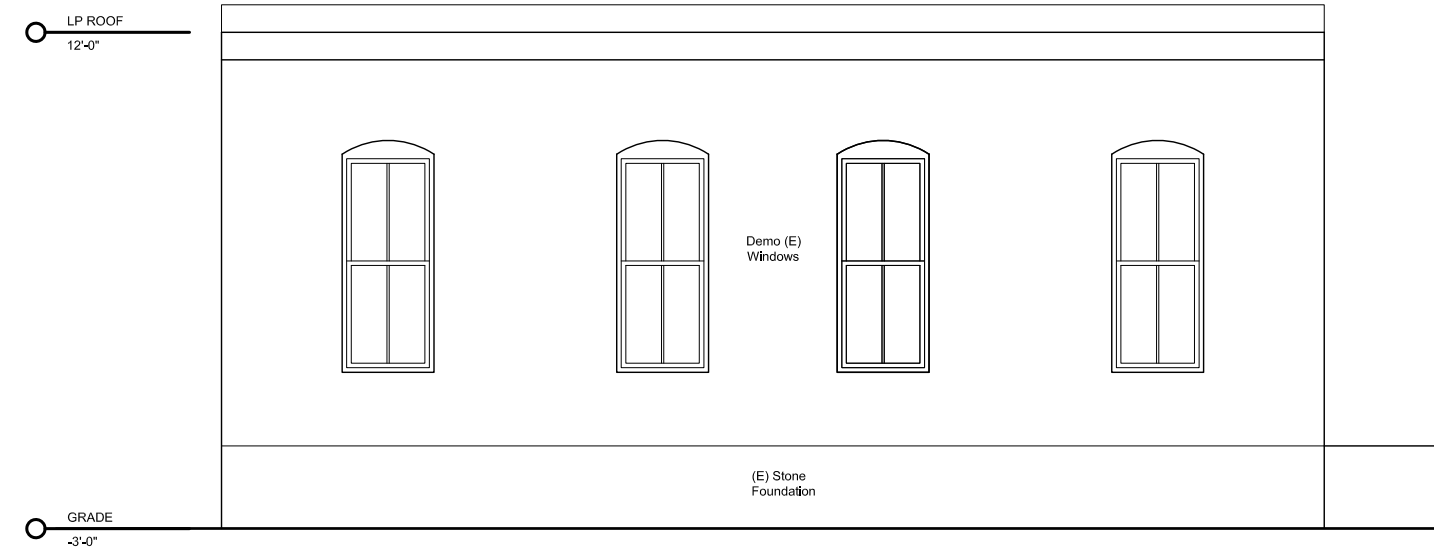
PROJECT
14 Grand Street
Poughkeepsie, NY 12601

DATE: 2/20/24

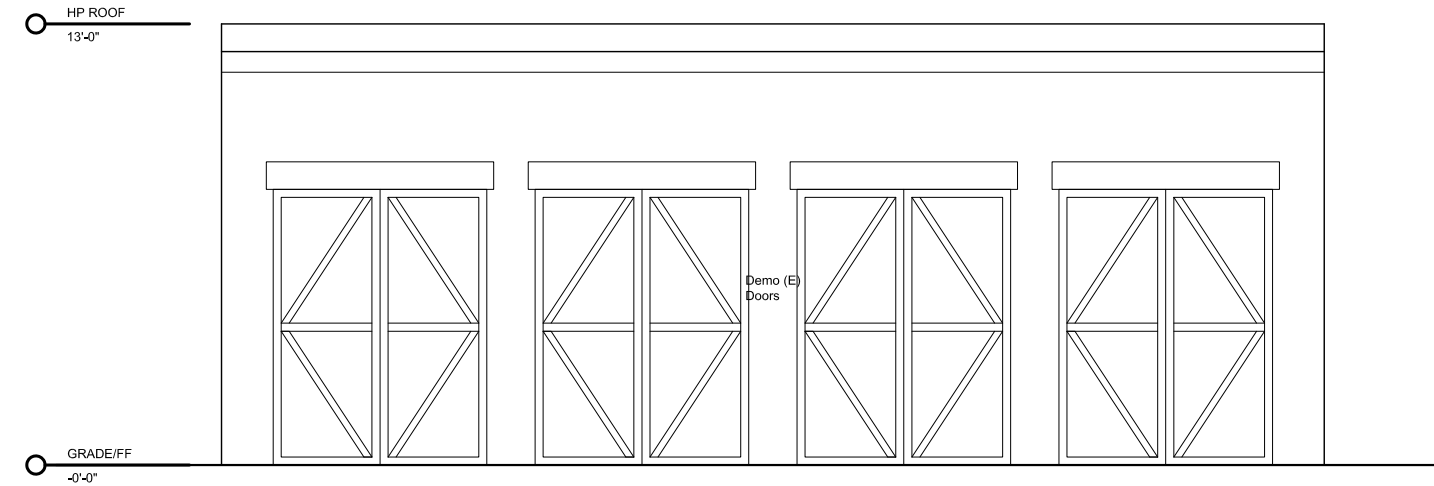
REGISTERED ARCHITECT
JOSHUA SUMNER BROWN
037473
STATE OF NEW YORK
NOT FOR
CONSTRUCTION

A.01

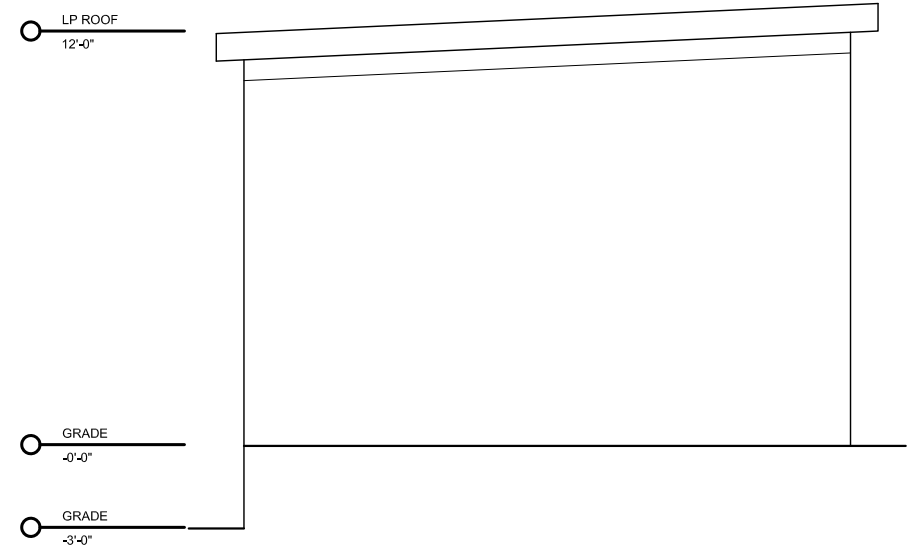
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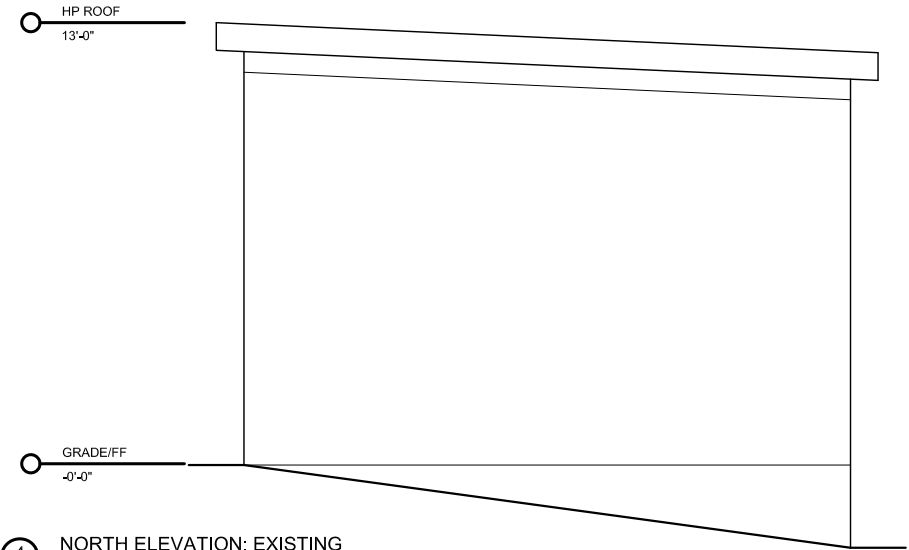
1 WEST ELEVATION: EXISTING
3/8" = 1'-0"



3 EAST ELEVATION: EXISTING
3/8" = 1'-0"



2 SOUTH ELEVATION: EXISTING
3/8" = 1'-0"



4 NORTH ELEVATION: EXISTING
3/8" = 1'-0"



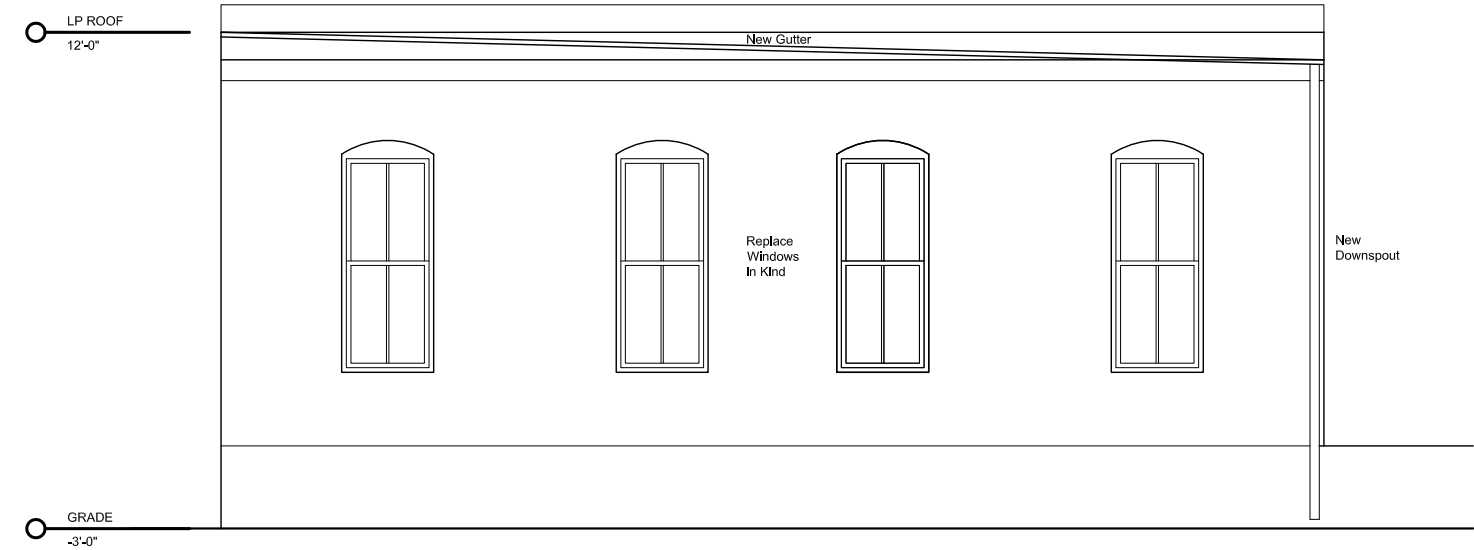
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PROJECT
14 Grand Street
Poughkeepsie, NY 12601

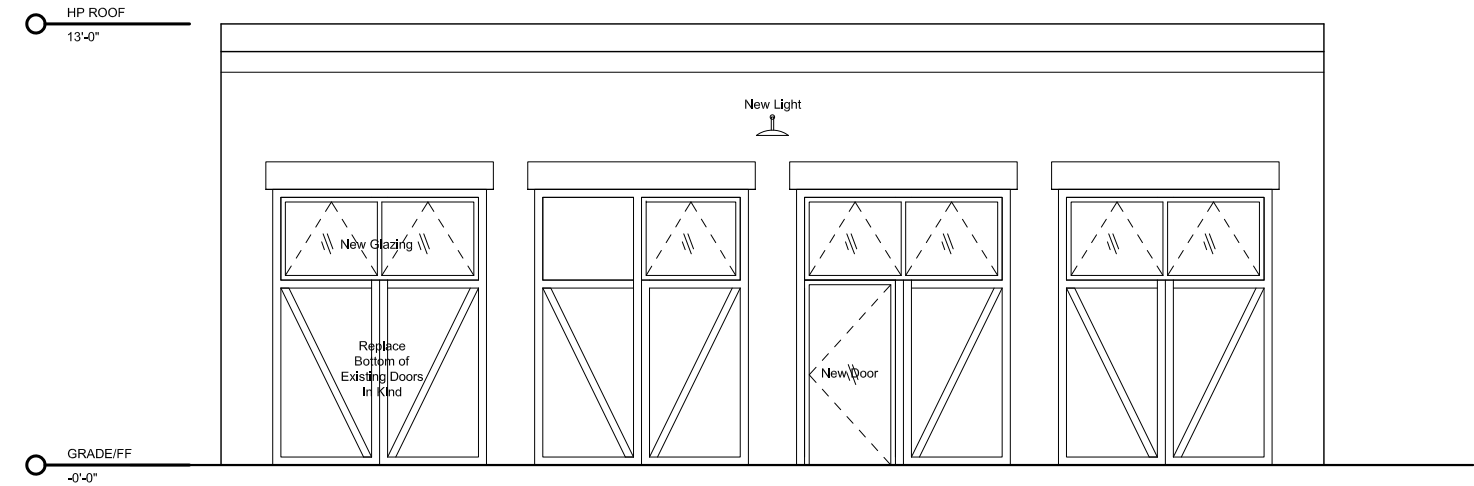
DATE: 2/20/24

AX.02

Note: Verify all dimensions in field.
Dimensions provided for scalar reference only.

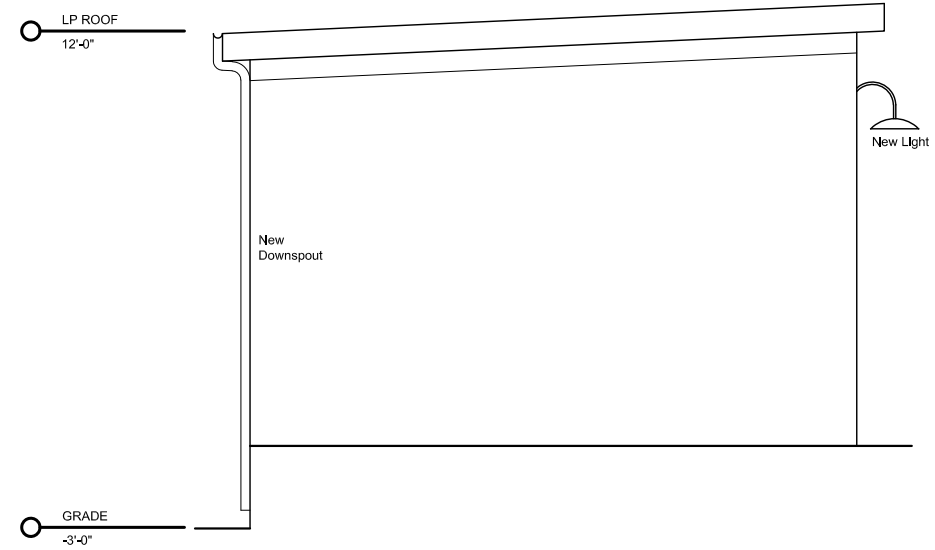


1 WEST ELEVATION: PROPOSED
3/8" = 1'-0"

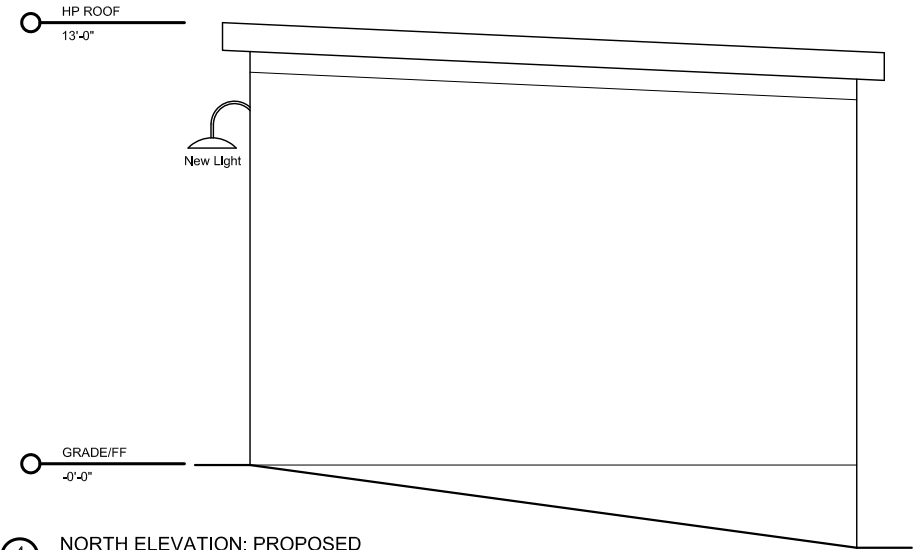


3 EAST ELEVATION: PROPOSED
3/8" = 1'-0"

New Gutter



2 SOUTH ELEVATION: PROPOSED
3/8" = 1'-0"



4 NORTH ELEVATION: PROPOSED
3/8" = 1'-0"



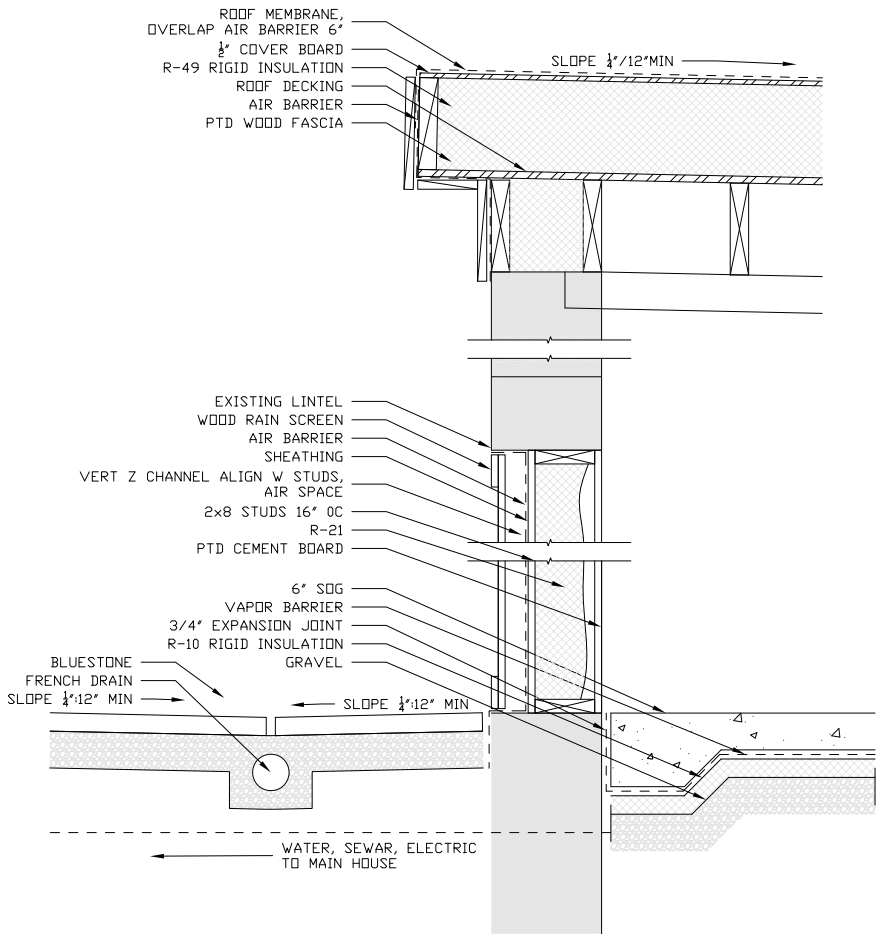
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PROJECT
14 Grand Street
Poughkeepsie, NY 12601

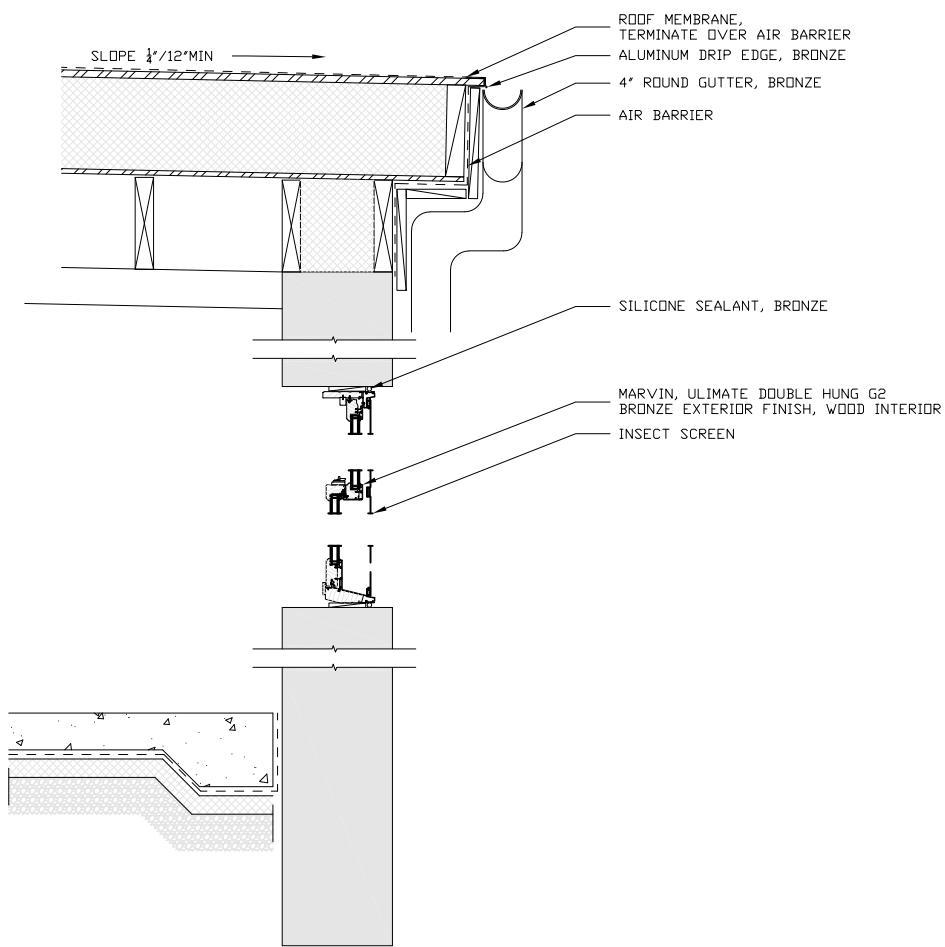
DATE: 2/20/24

A.02

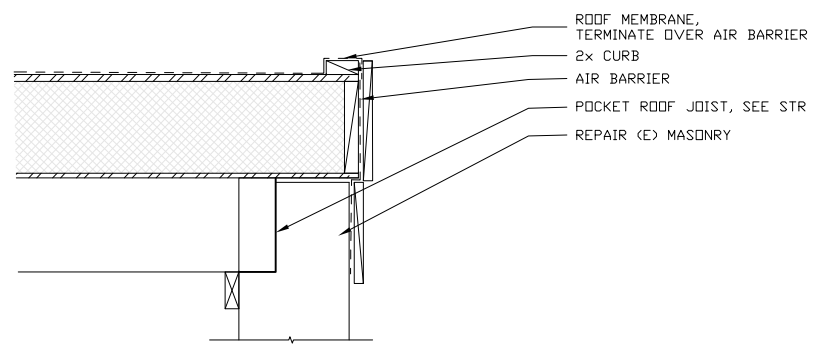
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Dimensions provided for scalar reference only.



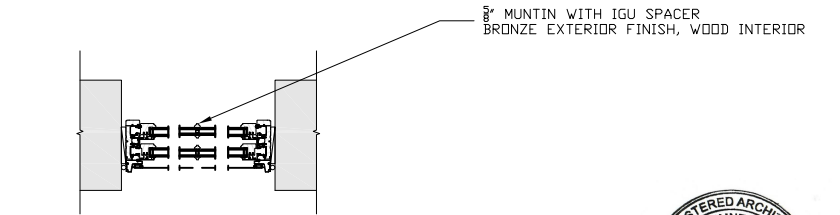
1 WALL SECTION
1-1/2" = 1'-0"



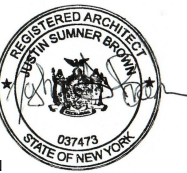
2 WALL SECTION
1-1/2" = 1'-0"



4 WALL SECTION
1-1/2" = 1'-0"



3 WALL SECTION
1-1/2" = 1'-0"



NOT FOR
CONSTRUCTION

PROJECT
14 Grand Street
Poughkeepsie, NY 12601

DATE: 2/20/24

A.03

Short Environmental Assessment Form

Part 1 - Project Information

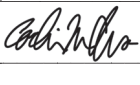
Instructions for Completing

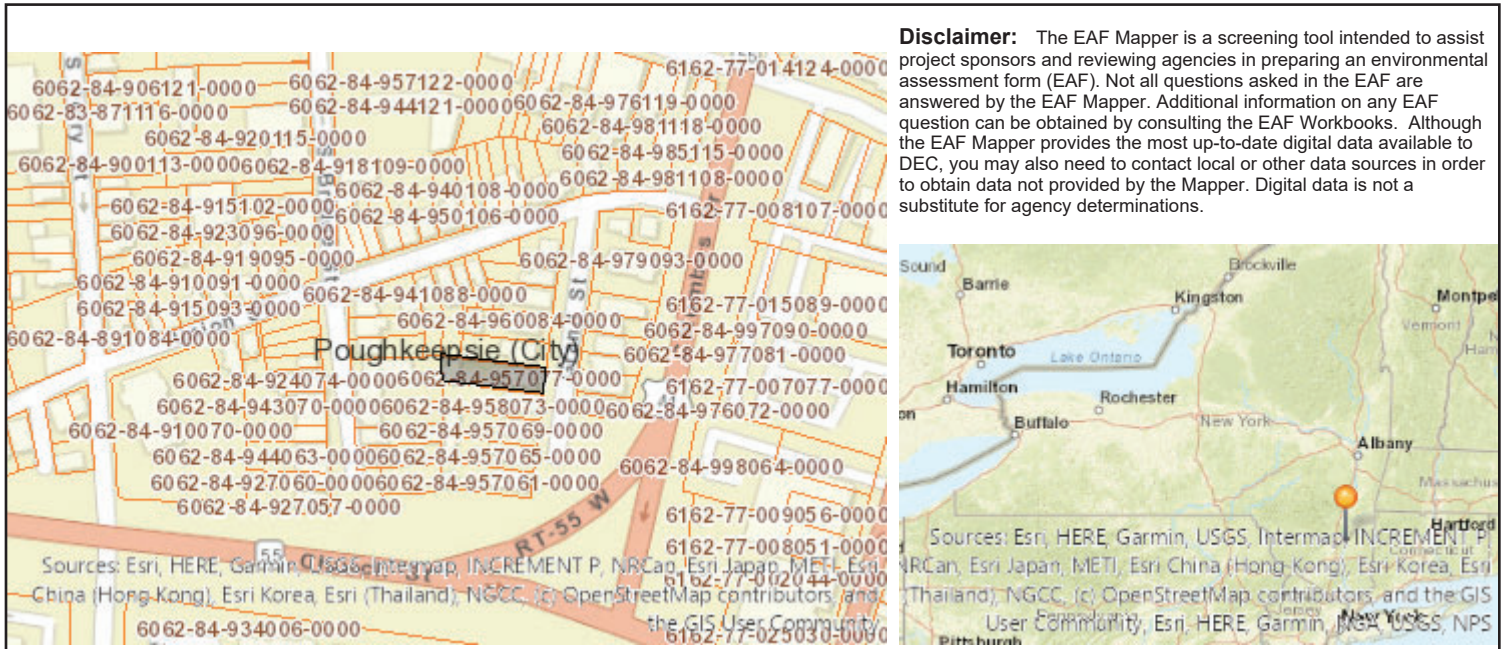
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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			
Justin Brown and Caroline Alsup			
Name of Action or Project: 14 Grand Street Carriage house			
Project Location (describe, and attach a location map): 14 Grand Street, Poughkeepsie NY, 12601			
Brief Description of Proposed Action: Conversion of the existing lot containing a Three-family dwelling with an existing detached carriage house, to a Three-family dwelling (unmodified) with a detached Single-family dwelling, constructed within the existing envelope of the carriage house.			
Name of Applicant or Sponsor: Justin Brown and Caroline Alsup		Telephone: 917-670-5288	
		E-Mail: justinsumnerbrown@gmail.com	
Address: 14 Grand Street apt 2			
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: ZBA area variance (2), Planning Board waiver (2)		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		0.14 acres	
b. Total acreage to be physically disturbed?		0.09 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.14 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:			
As an adaptive re-use of an existing structure, embodied carbon for this project will be far lower than new construction of similar 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:	☒	☐
_____ Project will establish a 10-year storm water retention on site.		
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
_____ No record at Environmental Site Remediation Database	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Justin Brown and Caroline Alsup</u> Date: <u>3/13/24</u> Signature: <u> </u> Title: <u>Owners</u>		



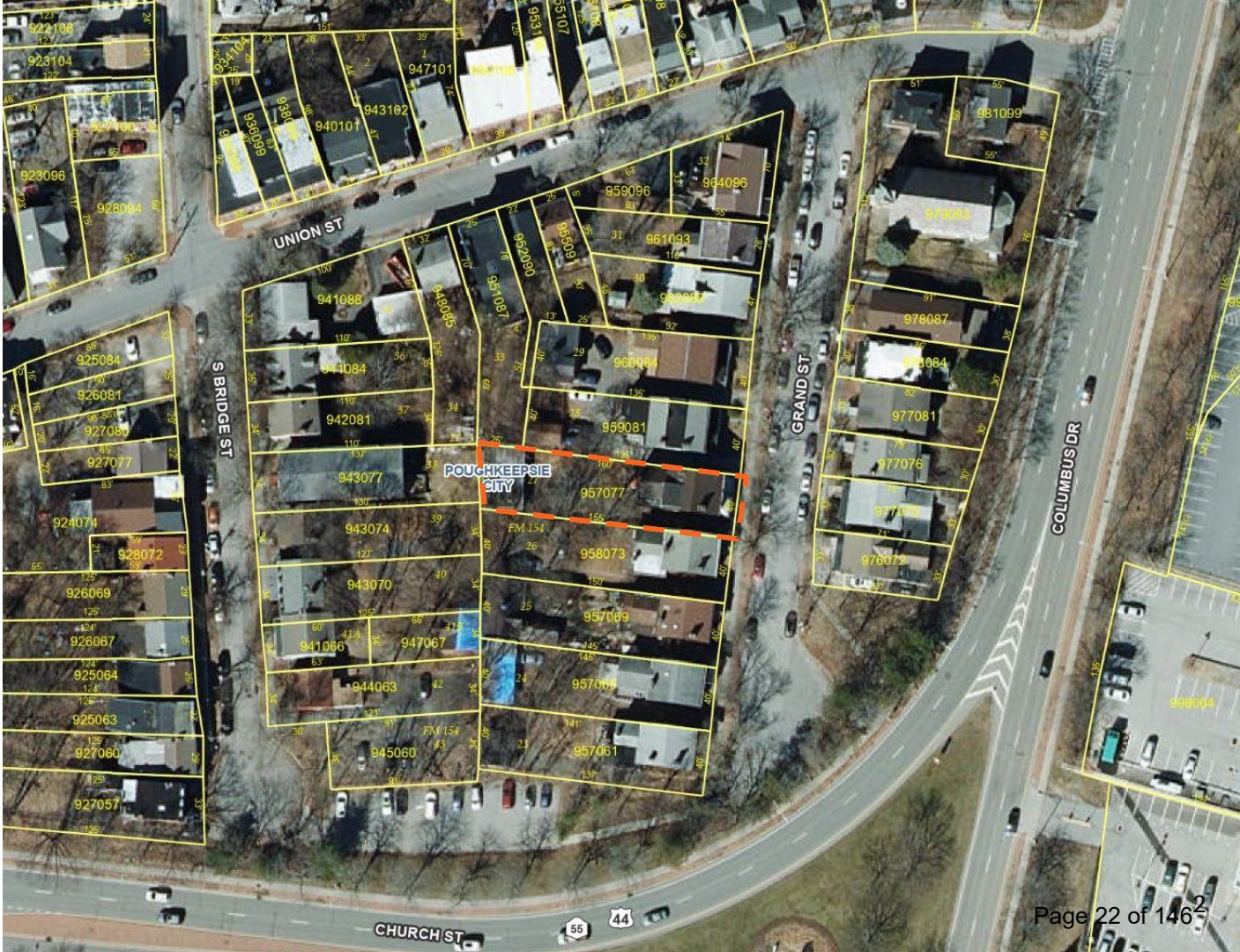
Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Shortnose Sturgeon
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

2/20/24

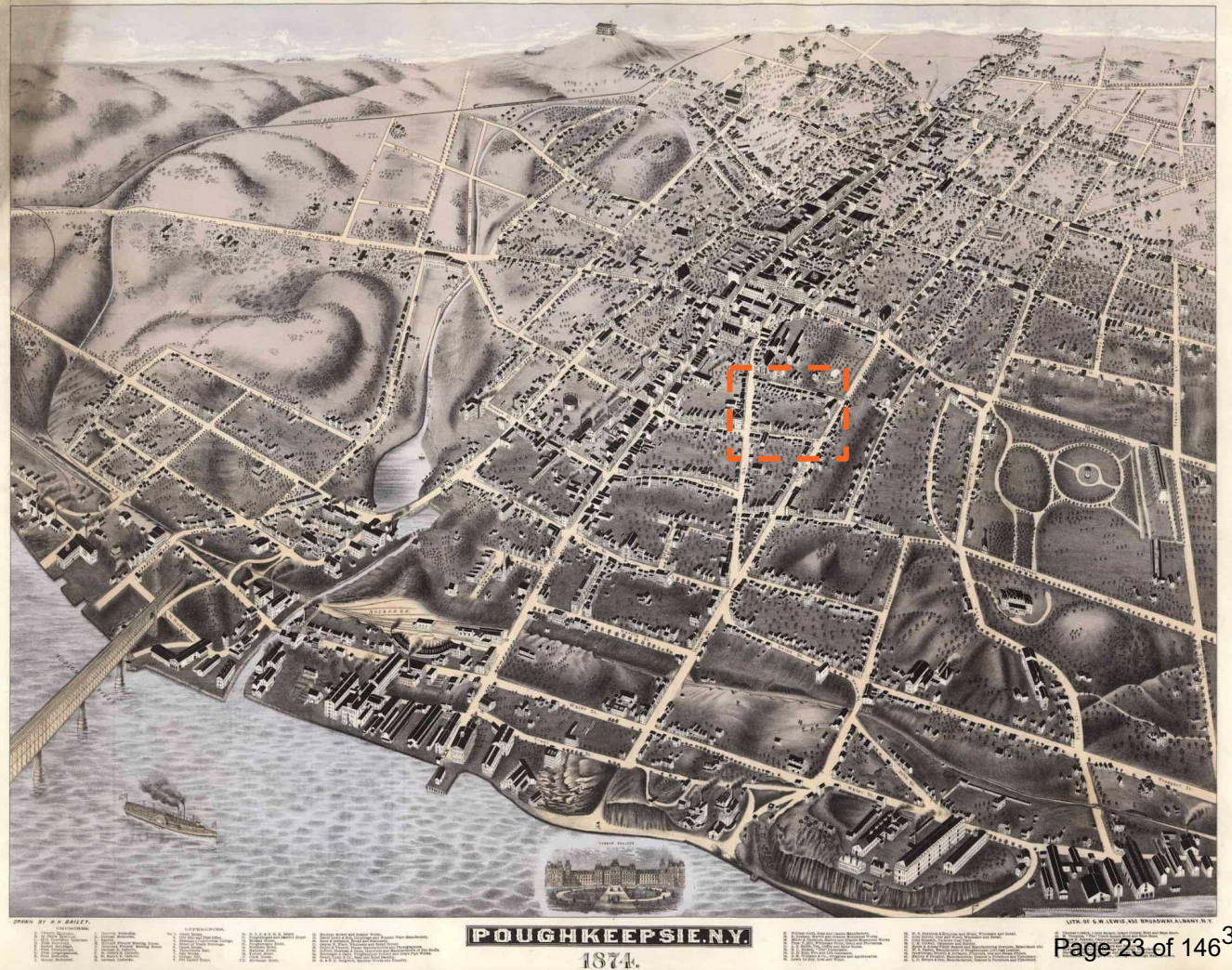
14 Grand Street Carriage House

Zoning Board of Appeals

14 Grand Street



Poughkeepsie 1874



Carriage Houses were a defining characteristic of the homes on Grand St



1913 Sanborn Map



Parcel Access

Existing plot + Photo Key

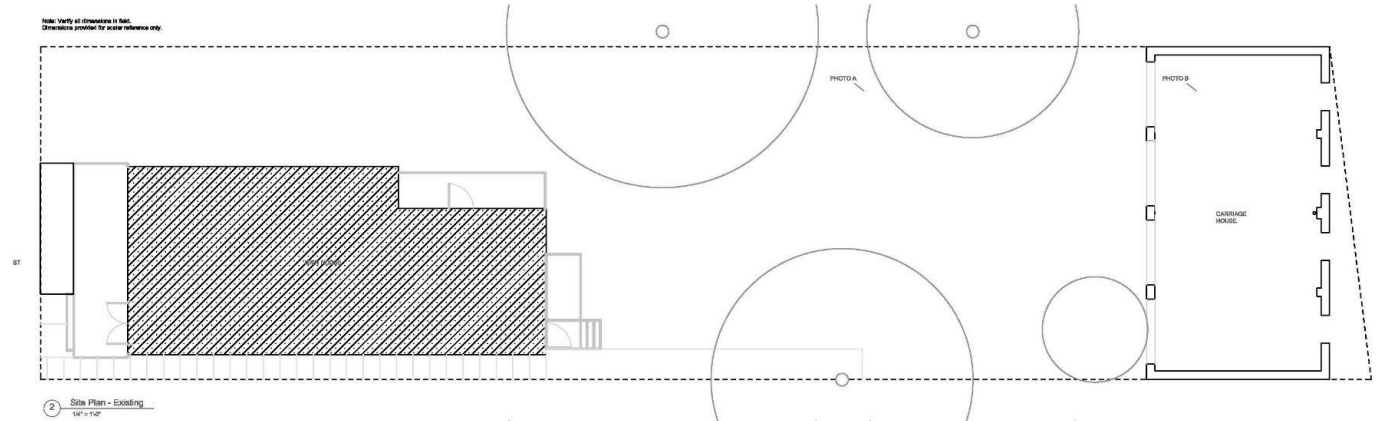


**Existing Carriage House
Today**



Existing:

3 family Main House and
vacant Carriage House

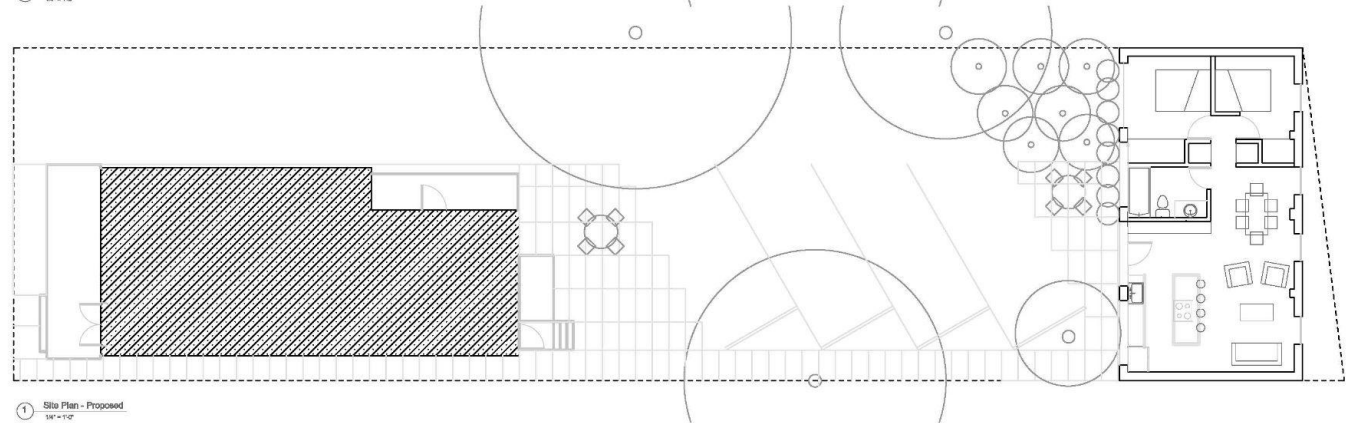


Proposed:

Main House Unaltered

Add 2 BR in existing
Carriage House and Site
Improvements

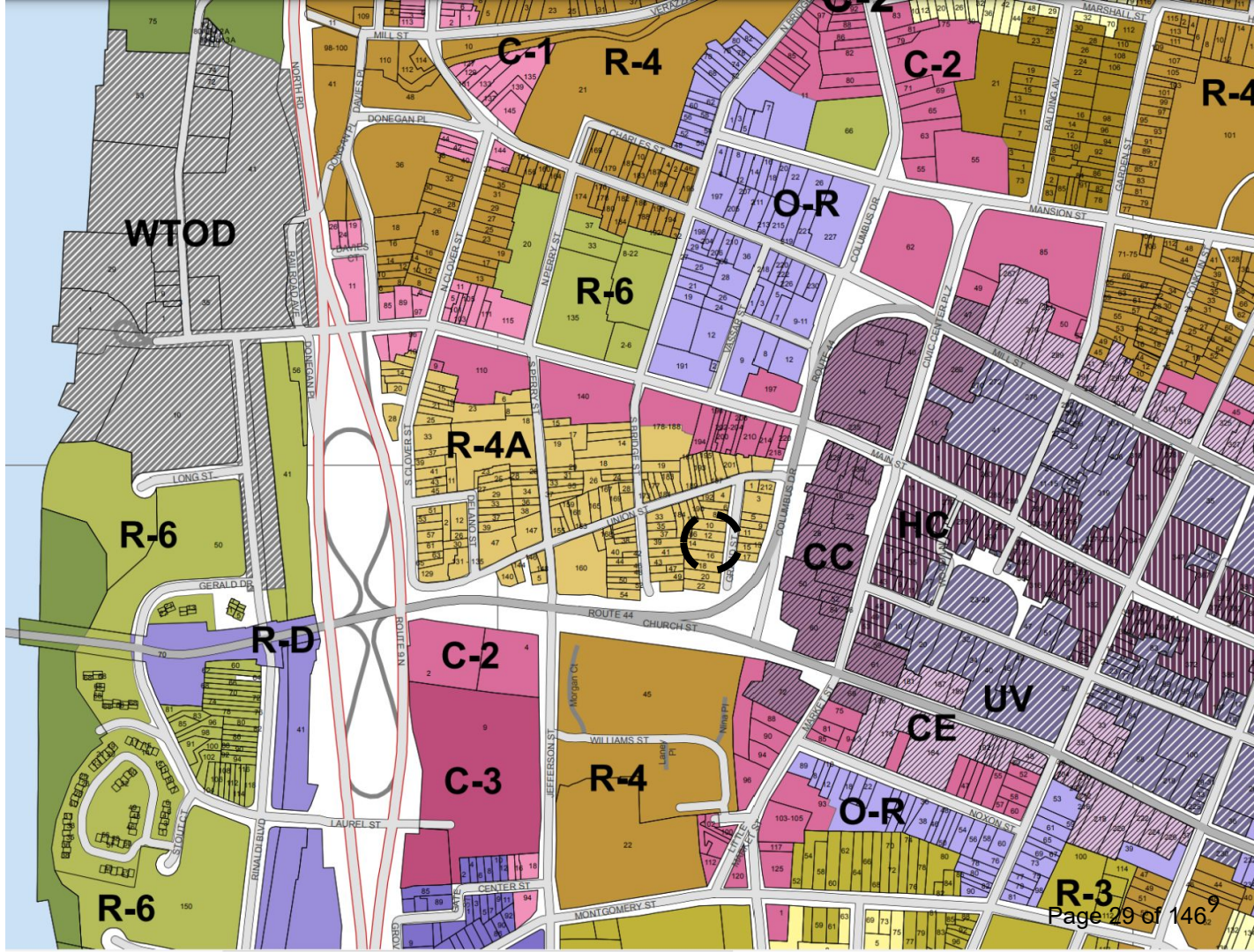
(See drawings dated
2/20/24)



PROJECT
14 Grand Street
Poughkeepsie, NY 12601
DATE: 1/5/24

A.01

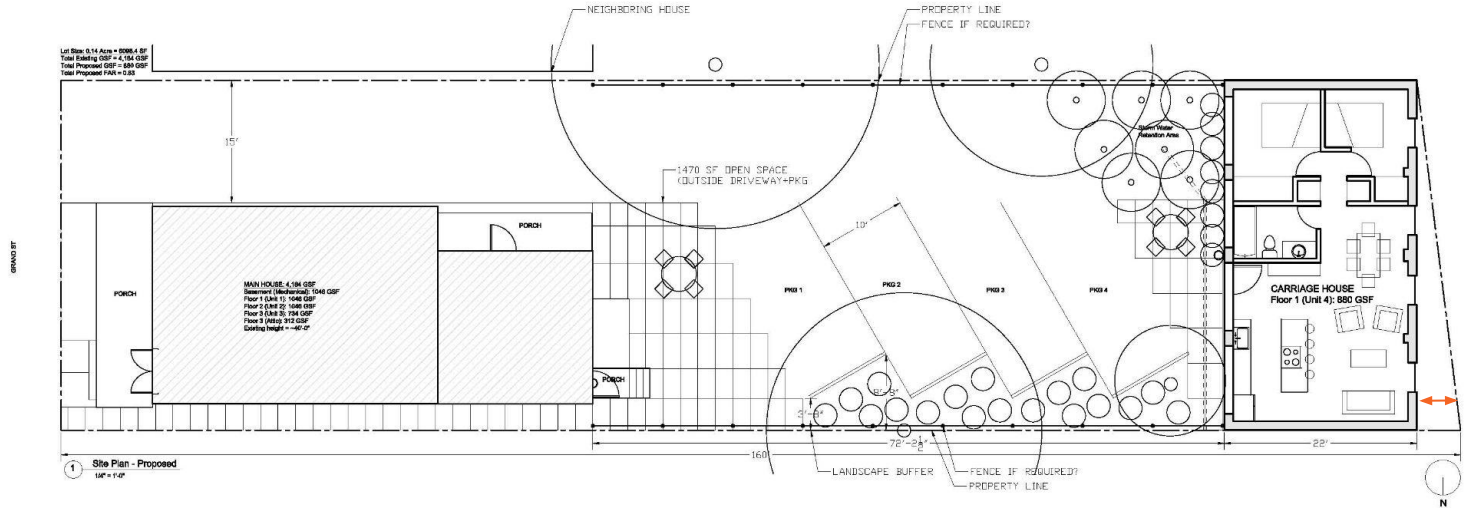
This property is located within the Central Urban Density Residence District (R-4A) which does permit multifamily dwellings per code Section **19-3.15(2)(a)4** of the Zoning Ordinance, but would require the following Area Variances from the Zoning Board of Appeals:



1. **Section 19-3.19(4)f** *requires the minimum rear yard shall be half the height of the principal structure closest to the rear property line or 15 feet, whichever is greater.*
The distance between the existing structure and the rear lot line is 0'-0". As the carriage house is existing, compliance is not possible unless this historic artifact is demolished, which would be a loss to the character of the property and the neighborhood.
2. **Section 19-4.3(11)** *requires 7 parking spaces for the proposed use (2 for each two-bedroom and 1 for the studio). 4 parking spaces are proposed, one for each apartment.*
The proposed use is within 600 feet of a municipally operated off-street parking facility. Therefore according to **19-4.3(9)(a)** all or portions of the off-street parking requirement may be waived by the Planning Board.
3. **Section 19-4.11(1)(b) and Section 19-4.3(1) and 19-4.3(2)** *requires that landscape strips of minimum of 3'-0" width be provided along all property lines of multifamily uses with more than 3 parking spaces.*
This will be provided on the north edge but is not possible to provide on the south edge because of the existing 15' wide driveway. **Per 19-11(1)(b)(2)** 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.

1:

Distance between carriage house and rear lot line cannot be increased without demolition of the existing structure.



PROJECT
14 Grand Street
Poughkeepsie, NY 12601

DATE: 9/20/24

A.01

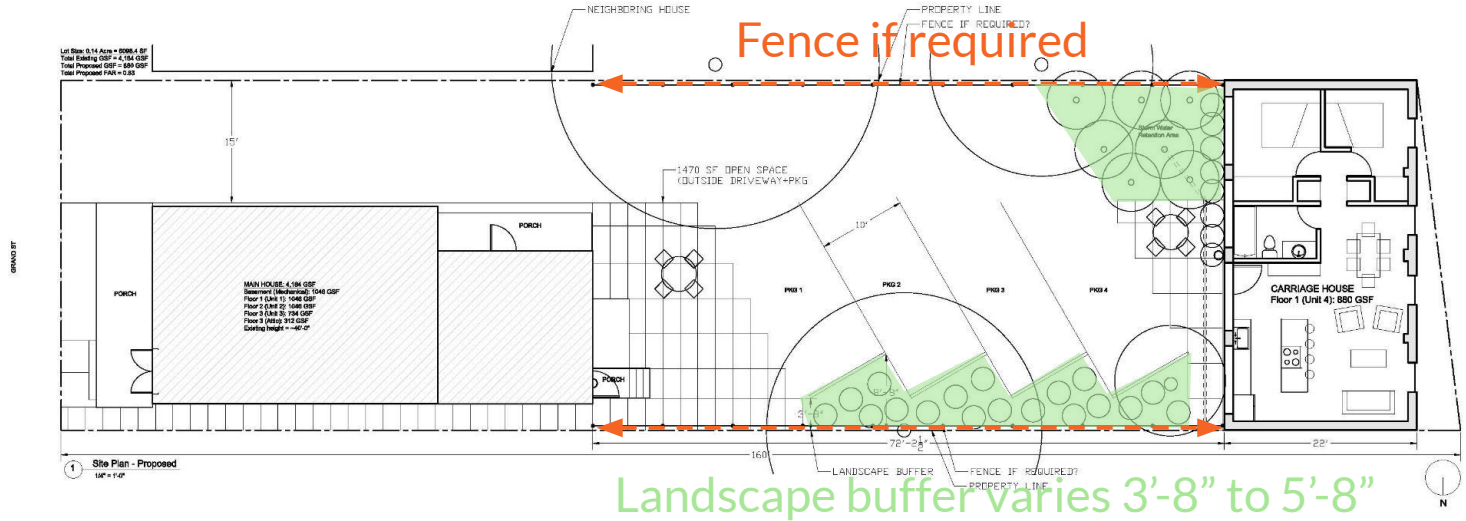
2:

4 spaces, one
for each unit is
proposed.
There is a
municipal lot
within 600 ft.



3:

Landscape
buffer possible
on North
property Line
but not South.
Fence may be
provided if
required.



THE CITY OF POUGHKEEPSIE NEW YORK

Daniel Vonknoblauch
Parking System Administrator
Hours: Mon., Wed. & Fri. 10-2



Yvonne Flowers
Mayor

March 14, 2024

Zoning Board
62 Civic Center PLZ
Poughkeepsie NY 12601

RE: 14 Grand St – Parking Waiver

To Whom It May Concern:

14 Grand St. is within 600 feet of two City Owned lots.

The closest being the Residential Parking lot located at the end of South Bridge St. At this time that parking lot is set up to house 18 parked vehicles, and we currently have 10 permits issued for it.

The next lot would be the Duro Municipal lot located at 197 Main St. It has 50 Parking Spaces, of which 21 are currently permitted.

If you have additional questions or concerns, feel free to reach out to the City of Poughkeepsie's Parking Division at 845-451-4120.

Thank you,

A handwritten signature in black ink, appearing to read "Daniel Vonknoblauch", is written over a faint, circular official stamp or watermark.

Daniel Vonknoblauch
Parking System Administrator



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

January 12th, 2024

Justin Brown

Re: 14 Grand Street
ID: 195190
Zoning Review Request PD-2024-001

Dear Applicant,

The Development Department is in receipt of your zoning review request relative to the property at 14 Grand Street and the proposed conversion of the existing lot containing a Three-family dwelling with a detached carriage house to a Three-family dwelling with a detached Single-family dwelling. This property is located within the Central Urban Density Residence District (R-4A) which does permit Multifamily dwellings per code Section 19-3.15(2)(a)4 of the Zoning Ordinance but would require Site Plan approval from the Planning Board.

Although a plot plan was provided, it was not provided drawn to scale. Some possible deficiencies have been identified which would require Area Variances from the Zoning Board of Appeals which are as follows.

1. Section 19-3.19(4)(f) requires the minimum rear yard shall be half the height of the principal structure closest to the rear property line or 15 feet, whichever is greater. The rear yard appears to be 0'.
2. Section 19-3.19(4)(g) requires that the minimum distance between principal buildings on one site shall be 2/3 of the height of the taller principal building or 25 feet, whichever is greater. The provided plan was not drawn to scale to confirm compliance with this section.
3. Section 19-3.19(4)(i) states that the maximum allowable Floor Area Ratio is 1.0. A floor plan and plan plot drawn to scale will be required to determine the F.A.R. for this proposal.
4. Section 19-3.19(4)(k) requires 1,400sf of usable open space with a minimum dimension of 30'x40'. No open space appears to be proposed on the provided plan.
5. Section 19-4.3(1) requires that whenever a parking area containing three or more spaces faces a street or a property line, a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center shall be provided between the parking area and the street line or property line. No landscaping is proposed.



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

6. **Section 19-4.3(2)** requires that 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 such screening is proposed.
7. **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 plan was not drawn to scale to confirm compliance with this section.
8. **Section 19-4.3(5)(b)** requires that each parking space shall be not less than 20 feet long nor less than nine feet wide. The provided plan was not drawn to scale to confirm compliance with this section.
9. **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. The provided plan does show any proposed lighting.
10. **Section 19-4.3(11)** requires 8 parking spaces for the proposed use. 4 parking spaces are proposed.
11. **Section 19-4.11(1)(b)** requires that landscape strips shall be provided along all property lines of multifamily and nonresidential uses as detailed further in this section. No such screening is proposed.

After all Area Variances are granted by the Zoning Board of Appeals, 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



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
14 GRAND STREET DRAFT RESOLUTION
JUNE 11, 2024**

In the matter of the appeal of Caroline Aslup and Justin Brown regarding the property at 14 Grand Street, Poughkeepsie, New York, at a Regular Meeting of the Zoning Board of Appeals held in the Common Council Chambers, 3rd Floor, City Hall, on the 11th day of June, 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 of Appeals has received an application from Caroline Aslup and Justin Brown relative to the proposed construction of an existing carriage house at the rear of the property at 14 Grand Street to a single family dwelling, on a parcel that also contains three family dwelling; and,

WHEREAS, variances are requested of the following sections of the Zoning Ordinance: Section 19-3.19(4)(f), to allow a zero rear yard set-back where 15 feet is required; and, Section 19-3.19(4)(k) to allow usable open space with less than the minimum required dimensions of 30'x40; and,

WHEREAS, the action is more fully detailed on plans prepared by Justin Brown, AIA, dated 2/20/24; and,

WHEREAS, this application received a negative declaration from the Planning Board as Lead Agency for the purposes of SEQRA on April 23, 2024; and,

WHEREAS, a public hearing was held on March 12, 2024 and continued on May 14, 2024; 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, it is incumbent upon the Zoning Board of Appeals to take into consideration the benefit to the applicant(s) if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. The Board considers the following criteria in making this determination:

(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting an area variance: an undesirable change will not be produced in the character of the neighborhood, as the conversion will restore an historic structure through adaptive reuse and help stabilize the area;

(2) whether the benefit sought by the applicant(s) can be achieved by some method, feasible for the applicant(s) to pursue, other than an area variance: the benefit sought by the applicant would not appear to be achievable by any method;

(3) whether the requested area variance is substantial: the variances appear minimal for the benefit achieved;

(4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district: the conversion will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.

(5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board, but shall not necessarily preclude the granting of the area variance. The condition of the carriage house was not the result of neglect or inaction by the applicants, but, rather, the result of on-going neglect and lack of maintenance by prior owners. Therefore, the need to repair the structure, the cost of which is significant, cannot be said to be self-created.

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby grants the variance for 14 Grand Street, File #ZBA2024-007, as outlined herein, with the following conditions (if any):

Motion:

Second:

Carried:

Scott Parker, Chair
Zoning Board of Appeals

Date



**THE CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
AMENDED RESOLUTION
20 CORLIES AVENUE
JUNE 11, 2024**

In the matter of the appeal of Javier Ortega, regarding the property at 20 Corlies Avenue, Poughkeepsie, New York:

At a Regular Meeting of the Zoning Board of Appeals held in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, on the 11th day of June, 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 from Javier Ortega/Wayne Thompson relative to the proposed conversion of the existing single family at 20 Corlies Avenue dwelling to a two family dwelling, as follows: Section 19-3.15(4)(a), which requires a minimum lot area of 10,000 square feet, to allow a lot area of 6838 square feet, and Section 19-3.15(4)(e), which requires a side yard set-back of 6 feet, to allow a side yard set-back of 5 feet; and,

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

WHEREAS, the action is more fully detailed on a site plan dated 10/25/23 prepared by Grand Design, and supplemental documentation; and,

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

WHEREAS, the variances were originally granted on 12th day of December 2023, at 6:00pm, as follows, on a motion by Scott Parker, seconded by Justin Phillips, which carried unanimously:

WHEREAS, due to an administrative error, the resolution adopted on December 12, 2023 omitted reference to one of the variances that was voted on that evening. This resolution corrects that error.

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

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

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

WHEREAS, review of the decision of the Zoning Board of Appeals by the Building Department on May, upon receipt of a building permit application for work relative to the conversion revealed errors in the decision requiring revisions, inasmuch as the name of the property owner was incorrect and only one of the two requested variances was articulated;

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

Motion:
Second:
Carried:

Scott Parker
Chair
Date:



6162-69-038151
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# 0791190

IPS# 78A2024-052

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 40 Civic Center Plaza

ZONING DISTRICT: PID -CC

OWNER INFORMATION:

Name: Hudson Valley Lodging Associates, LLC

Address: 11751 East Corning Road

Corning, NY 14830

Phone: 716-866-1572

Email: Tom Sawyer <tomsawyer@visionshotels.com>



PAID

APPLICANT INFORMATION:

Name: Lauretano Sign Group

Address: 1 Tremco Drive

Terryville, CT 06786

Phone: 860-582-0233 x 155

Email: alyson@lauretano.com

DEC 22 2023

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: Lauretano Sign Group - Alyson Ibbotson

Date of decision/determination/violation: 5/7/24

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 40 Civic Center Plaza

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

5/16/24
DATE

Alyson Ibbotson
Print Name

May 16, 2024

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

REFERENCE: Doubletree Hotel

Dear Zoning Board of Appeals,

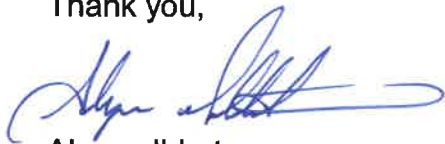
This letter is in reference to the Zoning Board of Appeals Area Variance Application request for the proposed signage at the Doubletree Hotel located at 40 Civic Center Plaza.

- 1) The granting of the variance will not produce an undesirable change in the character of the neighborhood or be a detriment to the nearby properties.
 - a. The lower entrance sign facing the East Elevation will not cause any change as it is replacing a sign that is already there;
 - b. The high-rise sign facing the South elevation is also replacing an existing sign.
 - c. The proposed front canopy sign will not cause any undesirable change to the character of the building and will be a great asset to the neighborhood as it will help keep traffic flowing when events are occurring at the Civic Center. The proposed size is important to allow visibility for oncoming traffic and the proposed height does not cause issue to foot traffic or vehicles.
- 2) The alternatives to the Variance would be the following for each sign:
 - a. Doubletree Hotel would have to discuss adding a dark background to meet the code illumination requirements ultimately causing them to be off brand and will be at a high cost. This change will not affect the actual make-up of these proposed signs, they will still meet the lighting requirements as individual letters
 - b. Doubletree Hotel would have to discuss adding a dark background to meet the code illumination requirements ultimately causing them to be off brand and will be at a high cost. This change will not affect the actual make-up of these proposed signs, they will still meet the lighting requirements as individual letters
 - c. The proposed canopy sign would have to be removed all together and that building elevation would leave no signage at the front entrance to the Hotel. The proposed size of the canopy is important as that is the main signage you will see coming into the hotel. There is still a clear walkway under the canopy and the proposed signage does not affect pedestrians or vehicle traffic.

- 3) This requested area variance is not substantial as having individual illuminated channel letters will still meet the reduction in light pollution. These CL's each have painted dark blue retainers/returns which diffuses the lighting pollution. Just the CL faces illuminate. During daylight hours the signs will be a dark blue and will illuminate white in the evening, the LED lights are diffused by small holes in the perforation in the vinyl which diffusing the LED lighting by 50%. The proposed canopy sign facing the one-way traffic and driveway would allow for much needed visibility to the Hotel and keep traffic moving.
- 4) This Variance will not have an adverse effect or impact the physical or environmental conditions in the neighborhood or district.
 - a. The signage is comparable to other Hotels with brand standards and trying to make sure that it's visible and easy to navigate.
 - b. There would be no light pollution as the proposed illuminated signs have painted dark blue retainers/returns which diffuses the lighting pollution. Just the faces illuminate. During daylight hours the signs will be a dark blue and will illuminate white in the evening, the LED lights are diffused by small holes in the perforation in the vinyl which diffusing the LED lighting by 50%.
- 5) The need for the area variance is not a self-created difficulty on our part, it's a unique area and next to the Civic Center that gets a lot of traffic. Requesting relief from the sign illumination code wording but will still be reflected in our signs, the proposed signage will still reflect lighting diffusion and will not cause lighting pollution to the community. Having the proposed canopy signage will allow for Customers to know where to enter and park for the Hotel and for foot traffic clearly identify the Hotel's entrance.

If you have any questions or require any additional information, please let me know.

Thank you,



Alyson Ibbotson



**CITY OF POUGHKEEPSIE
DEVELOPMENT DEPARTMENT
JUNE 11, 2024
AREA VARIANCE(S) REVIEW ANALYSIS**

Project Description:	40 CIVIC CENTER PLAZA - AREA VARIANCES Application for area variances relative to the proposed placement of signs on the property at 430 Civic Center Plaza, requiring variances of Section 19-4.9(8)(c)(2)(b)(ii), requiring that internally illuminated signs have dark backgrounds with light lettering, to allow no dark background on two wall signs and one canopy sign, Section 19-4.9(9)(b)(2), requiring that lettering on a canopy sign not exceed 8 feet in width nor 18 inches in height to allow lettering 30'3" in width and 2'8" in height, and Section 19-4.9(9)(b)(1), requiring that the bottom of a canopy sign be a minimum of 7 feet and a maximum of 9 feet above the sidewalk, to allow something outside of that range. Owner: Hudson Valley Lodging Associates, LLC/Rakesh Patel (IDA); Applicant: Laurentano Sign Group; Zoning District: PID-CC; Grid #6162-69-038151; File #Application #2023-052
Review Date(s):	May 31, 2024
Staff:	Judith Knauss, Deputy Zoning Administrator

VARIANCES REQUESTED:

- 1) Section 19-4.9(8)(c)(2)(b)(ii), requiring that internally illuminated signs have dark backgrounds with light lettering, to allow no dark background;
- 2) Section 19-4.9(9)(b)(2), requiring that the lettering on a canopy sign not exceed 8 feet in width nor 18 inches in height, to allow lettering 30'3" in width and 2'8" in height; and,
- 3) Section 19-4.9(9)(b)(1), requiring that the bottom of a canopy sign be a minimum of 7 feet and a maximum of 9 feet above the sidewalk, to allow something outside of that range.

SEQR: The project has been classified as an unlisted action for the purposes of SEQR.

INSTRUCTIONS TO THE ZONING BOARD OF APPEALS:

The Board of Appeals shall grant the minimum variance deemed necessary and adequate while preserving the character of the neighborhood and health, safety and welfare of the community. The Board of Appeals shall have authority to impose reasonable conditions directly related to and incidental to the proposed use of the property, consistent with the spirit and intent of the Ordinance. In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance(s) is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In

making such determination, the Board shall also consider the following criteria:

CRITERIA FOR GRANTING AN AREA VARIANCE

(i) Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variances?

The requested variances will not produce an undesirable change in the character of the neighborhood.

(ii) Can the benefit sought by the applicant be achieved by some method feasible for the applicant to pursue, other than an area variance(s)?

There are existing conditions that make compliance difficult. Redesign of the signs might be possible, but not desirable from a business perspective.

iii) Are the requested variances substantial?

The variances are not substantial.

iv) Will the proposed variances have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

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

v) Is the alleged difficulty self-created? (Consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.)

The difficulty in meeting the requirements of the ordinance would not appear to be self-created, particularly with regard to the canopy, which is an existing feature of the building since construction.

Recommendations:

It is recommended that the Board open the public hearing.

Motion:

Second:

Carried:

Public Comment(s) to be received:

*

It is recommended that the Board close the public hearing.

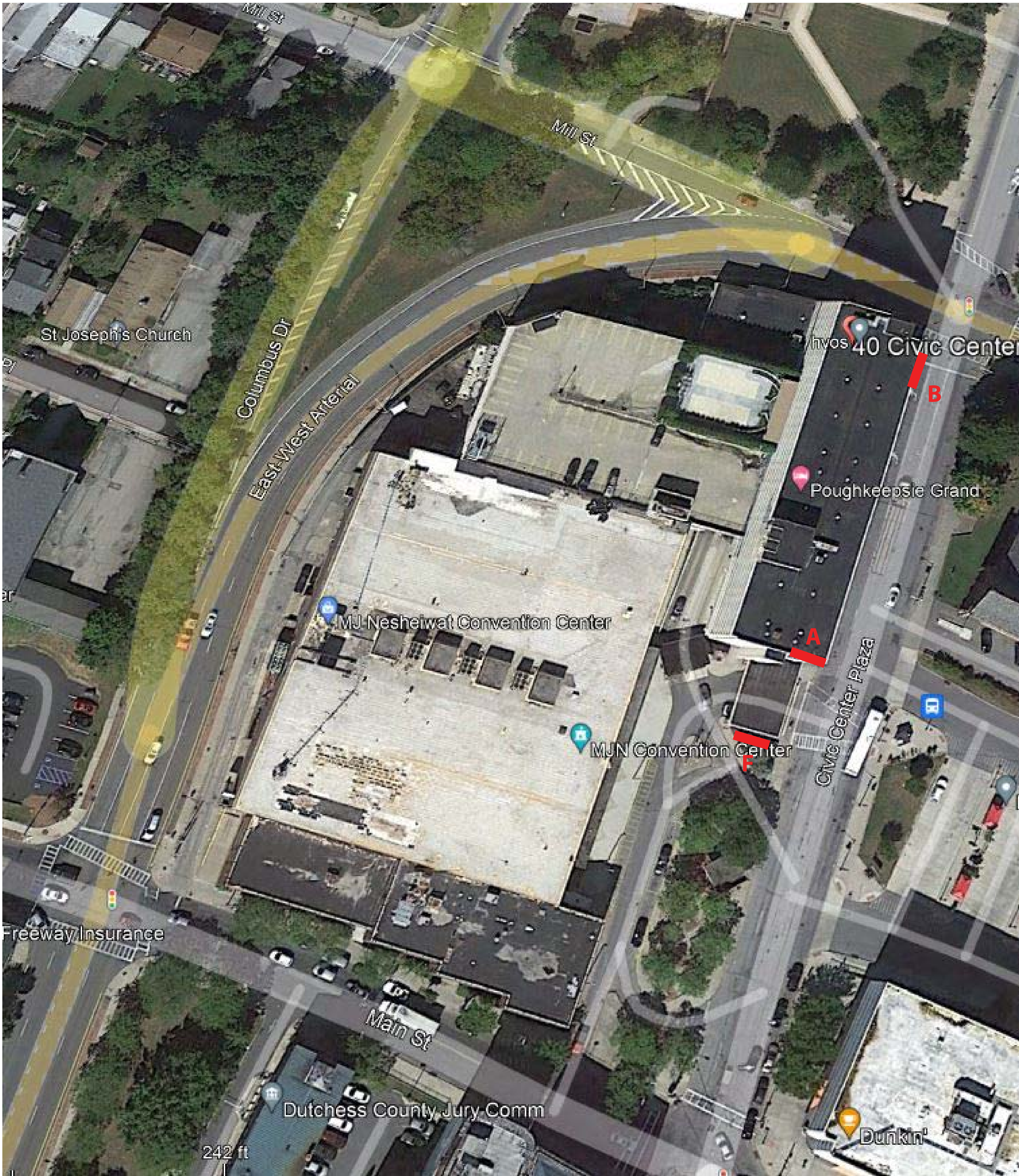
Motion:

Second:

Carried:

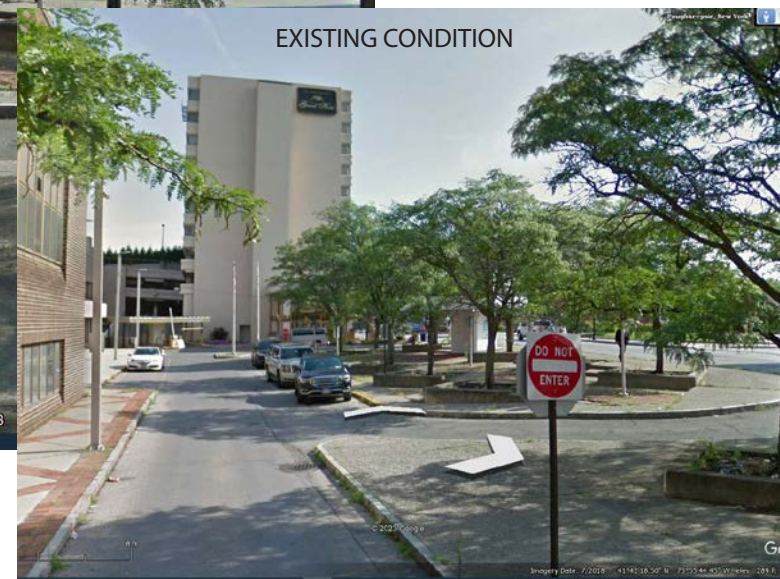
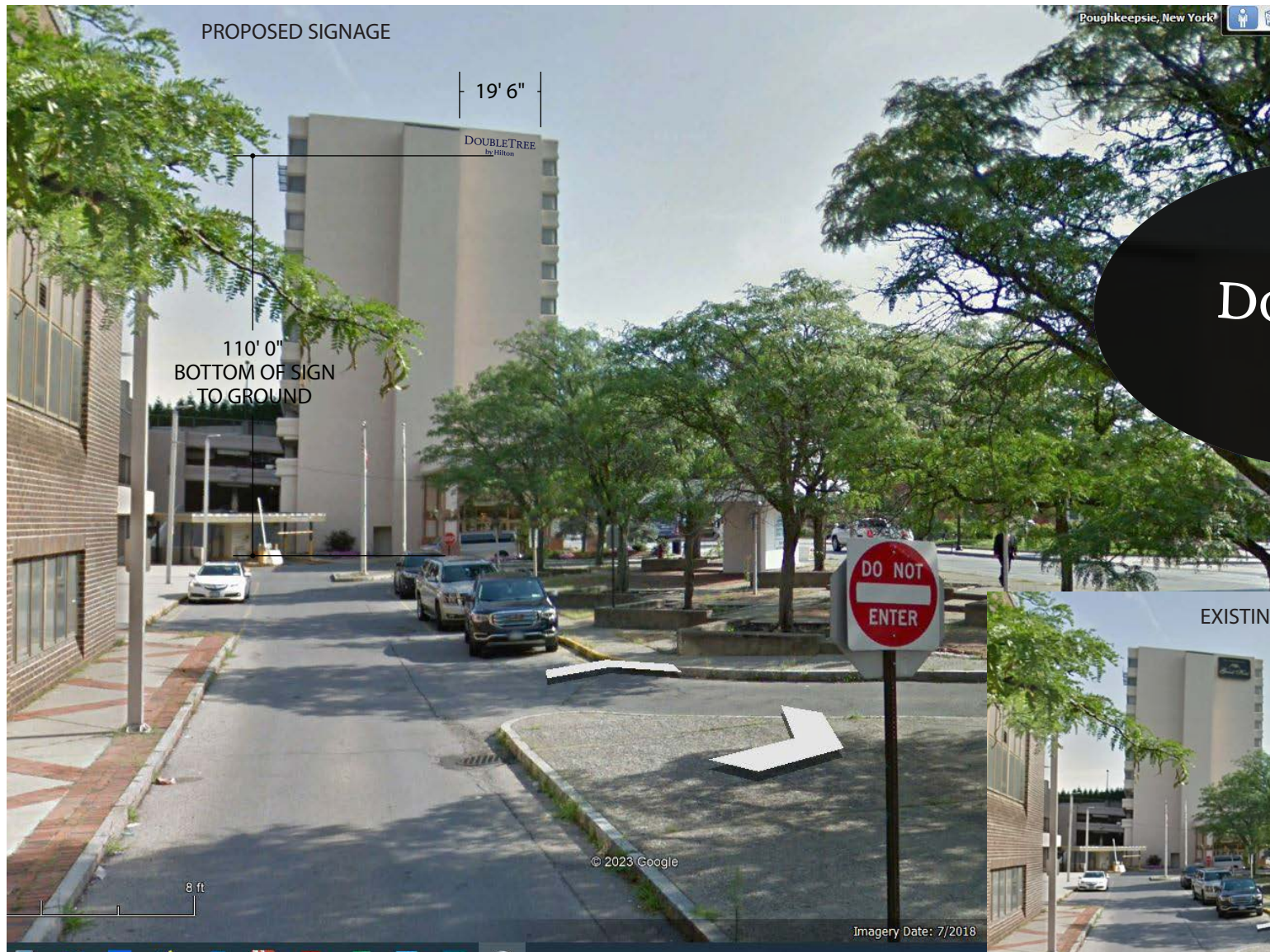
If the Board feels the applicant has provided sufficient information regarding the proposed project they may request that the City Staff to draft a resolution of approval/denial OR the Board may request the applicant to submit further documentation.

NOT TO SCALE



Print: 9381GG-2	Date: 10/12/23	Est: 47389	SP: AC	SITE PLAN
CLIENT APPROVAL		Title: DoubleTree		NOT TO SCALE
		City/State: Poughkeepsie NY		
		Customer: DoubleTree		
AUTHORIZED SIGNATURE		DATE		
2 of 2		This drawing contains original elements created by Lauretano Sign Group, Inc. and is subject to all applicable copyright laws. This drawing may not be used in any way until full payment is received. It is intended for review and approval purposes only and is not to be reproduced, copied, transmitted by electronic media, or exhibited in any form to anyone outside your organization without the express written consent of Lauretano Sign Group, Inc.		

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SIGN GROUP
1 Tremco Drive, Terryville, CT 06786
Phone: 860.582.0233 Fax: 860.583.0949
www.lauretano.com

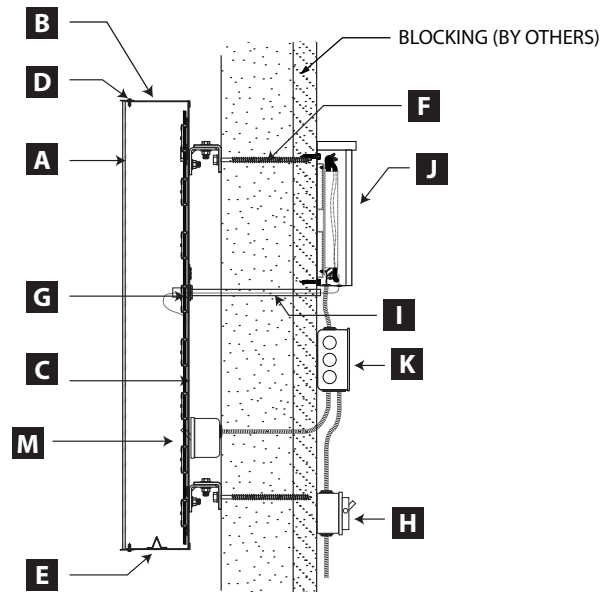


Print 9374GG-2	Date 10/12/23	ES# 47389	Line A	SP AC	Sign Type DT-CL24S-BW
CLIENT APPROVAL		Title DoubleTree	Location South/Side Elevation		
		City/State Poughkeepsie NY	Size 4' 4.375" x 16' 10.75" (73.75 sq ft)		
		Customer DoubleTree	Description Blue day / white night LED CLs		
AUTHORIZED SIGNATURE		DATE	Int. Note		
1 of 2	This drawing contains original elements created by Lauretano Sign Group, Inc., is property of Lauretano Sign Group, Inc. and is subject to all applicable copyright laws. This drawing may not be used in any way until full payment is received by Lauretano Sign Group, Inc. It is intended for review and approval purposes only, and is not to be reproduced, copied, transmitted by electronic media, or exhibited in any fashion to anyone outside your organization without the expressed written consent of Lauretano Sign Group, Inc.				

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signs@lauretano.com www.lauretano.com

Scale: 1/4" = 1' 0"



Letters: Typical Construction and Mounting Detail

MATERIALS / COLORS

- A** .177" THK. WHITE ACRYLIC FACES.
W/ 1ST SURFACE APPLIED BLUE DAY/WHITE NIGHT PSV
- B** 3" deep .040" ALUMINUM COIL (Metallic Gray - Gloss Finish)
- C** ALUM. CAD-CUT BACKS: .063 ALUMINUM CAD-CUT
- D** 1" JEWELITE (Metallic Gray - Gloss Finish)
- E** WEEP HOLES IN LOW POINTS (2) MIN.
- F** 2" x 2" shoes with appropriate hardware determined by technical survey (blocking by others may be required)
- G** WHITE LEDS (3 LEDS/MODULE, 1 MOD./1.5 FT.)
- H** LOCKABLE PRIMARY POWER DISCONNECT SWITCH (BY OTHERS) INSIDE THE BUILDING
- I** WALL BUSTER OR EQUIVALENT. PLTC CABLE, SEAL PASS-THRU w/ SILICONE
- J** POWER SUPPLIES: REMOTE PS12-60 POWER SUPPLIES MOUNTED IN TRANSFORMER ENCLOSURES.
- K** J-BOX WITH PRIMARY ELECTRICAL (BY OTHERS)
- L** N/A
- M** PRIMARY POWER DISCONNECT SWITCH INSTALLED ADJACENT TO SIGN

PROCEED TO PRODUCTION		Print 9374GG-2	Date 10/12/23	Installation Method	
		ES# 47389	Line A	2" x 2" shoes with appropriate hardware determined by technical survey (blocking by others may be required)	
		 = Critical Dimension for Internal Quality Control	UL FILE NO. E70436		
AUTHORIZED SIGNATURE _____		DATE _____	Amps	TBD	Volts 120
2 of 2	This drawing contains original elements created by Lauretano Sign Group, Inc., is property of Lauretano Sign Group, Inc. and is subject to all applicable copyright laws. This drawing may not be used in any way until full payment is received by Lauretano Sign Group, Inc. It is intended for review and approval purposes only, and is not to be reproduced, copied, transmitted by electronic media, or exhibited in any fashion to anyone outside your organization without the expressed written consent of Lauretano Sign Group, Inc.				



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GC to remove trees

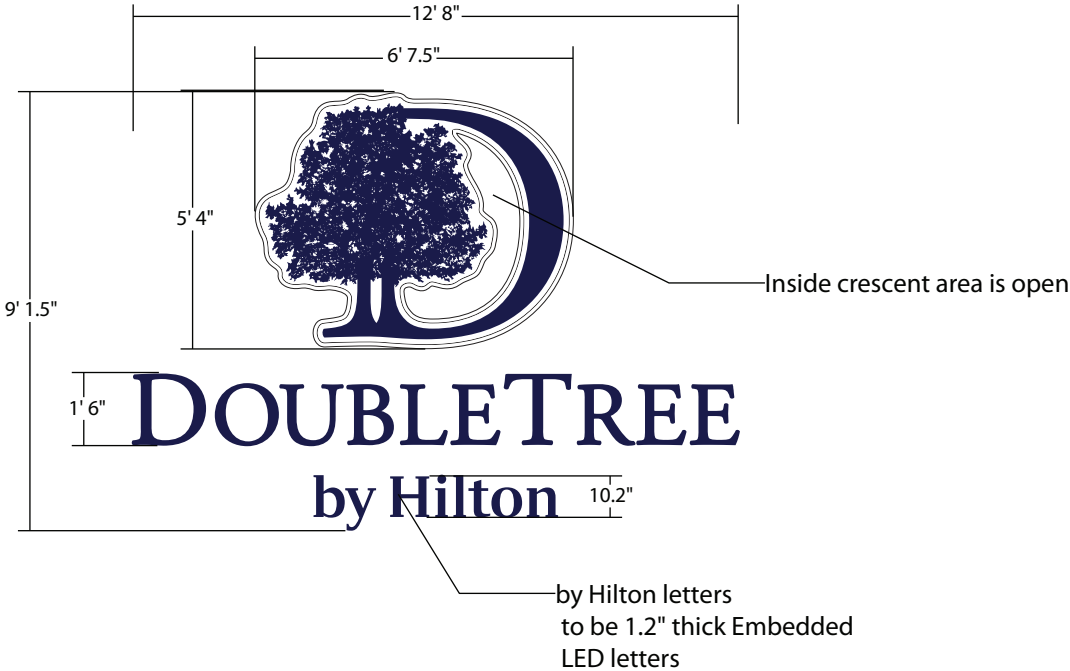


Print 9375GG-2	Date 10/12/23	ES# 47389	Line B	SP AC	Sign Type DT-CL185-BW
CLIENT APPROVAL		Title	DoubleTree		Location East Elevation
		City/State	Poughkeepsie NY		Size 9' 1.5" x 12' 8" (115.5 sq ft)
		Customer	DoubleTree		Description Blue day / white night LED CLs
		AUTHORIZED SIGNATURE	DATE	Int. Note	with logo
1 of 4	This drawing contains original elements created by Lauretano Sign Group, Inc., is property of Lauretano Sign Group, Inc. and is subject to all applicable copyright laws. This drawing may not be used in any way until full payment is received by Lauretano Sign Group, Inc. It is intended for review and approval purposes only, and is not to be reproduced, copied, transmitted by electronic media, or exhibited in any fashion to anyone outside your organization without the expressed written consent of Lauretano Sign Group, Inc.				

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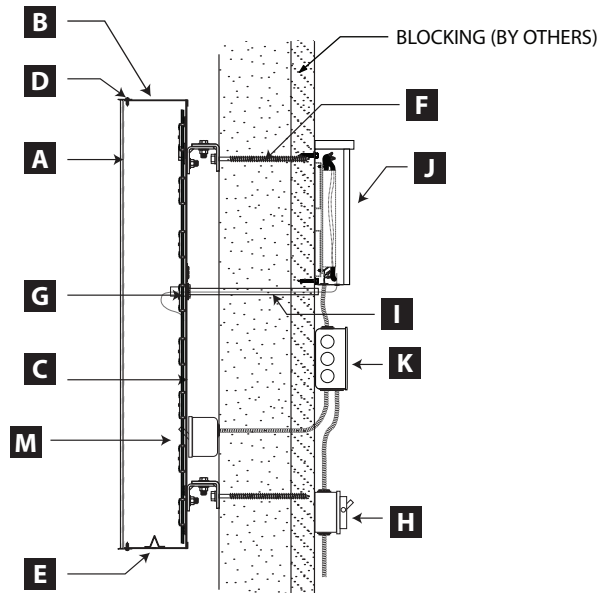
Scale: 1/4" = 1' 0"



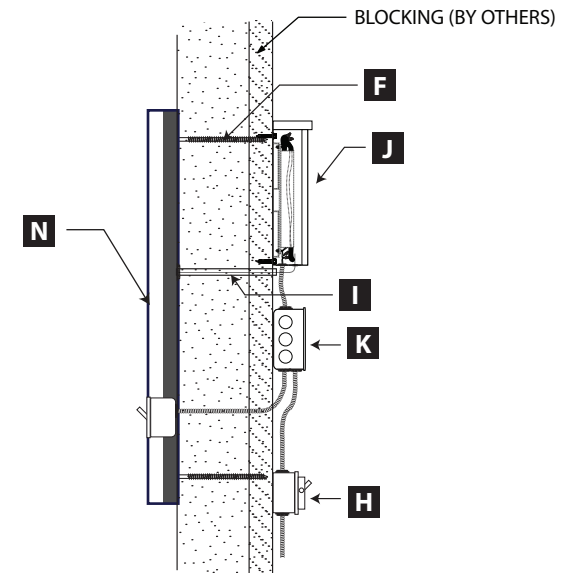
PROCEED TO PRODUCTION		Print 9375GG-2	Date 10/12/23		 1 Tremco Drive., Terryville, CT 06786 • Phone: 860.582.0233 signs@lauretano.com www.lauretano.com	
		ES# 47389	Line B	2" x 2" shoes with appropriate hardware determined by technical survey (blocking by others may be required)		
		6 = Critical Dimension for Internal Quality Control	UL FILE NO. E70436	TBD		120
AUTHORIZED SIGNATURE				DATE		
2 of 4	This drawing contains original elements created by Lauretano Sign Group, Inc., is property of Lauretano Sign Group, Inc. and is subject to all applicable copyright laws. This drawing may not be used in any way until full payment is received by Lauretano Sign Group, Inc. It is intended for review and approval purposes only, and is not to be reproduced, copied, transmitted by electronic media, or exhibited in any fashion to anyone outside your organization without the expressed written consent of Lauretano Sign Group, Inc.					

MATERIALS / COLORS

- A** .177" THK. WHITE ACRYLIC FACES.
W/ 1ST SURFACE APPLIED BLUE DAY/WHITE NIGHT PSV
- B** 3" deep .040" ALUMINUM COIL (Metallic Gray - Gloss Finish)
- C** ALUM. CAD CUT BACKS: .063 ALUMINUM CAD-CUT
- D** 1" JEWELITE (Metallic Gray - Gloss Finish)
- E** WEEP HOLES IN LOW POINTS (2) MIN.
- F** 2" x 2" shoes with appropriate hardware determined by technical survey, into blocking (by others)
- G** WHITE LEDS (3 LEDS/MODULE, 1 MOD./1.5 FT.)
- H** LOCKABLE PRIMARY POWER DISCONNECT SWITCH (BY OTHERS) INSIDE THE BUILDING
- I** WALL BUSTER OR EQUIVALENT. PLTC CABLE, SEAL PASS-THRU w/ SILICONE
- J** POWER SUPPLIES: REMOTE PS12-60 POWER SUPPLIES MOUNTED IN TRANSFORMER ENCLOSURES.
- K** J-BOX WITH PRIMARY ELECTRICAL (BY OTHERS)
- L** N/A
- M** PRIMARY POWER DISCONNECT SWITCH INSTALLED ADJACENT TO SIGN
- N** 1.2" deep white acylic letters with white LEDs embedded,
1st surface dual color vinyl (Blue Day / White Night)
Opaque Metallic Gray vinyl on edge closest to wall



Doubletree Letters: Typical Construction and Mounting Detail

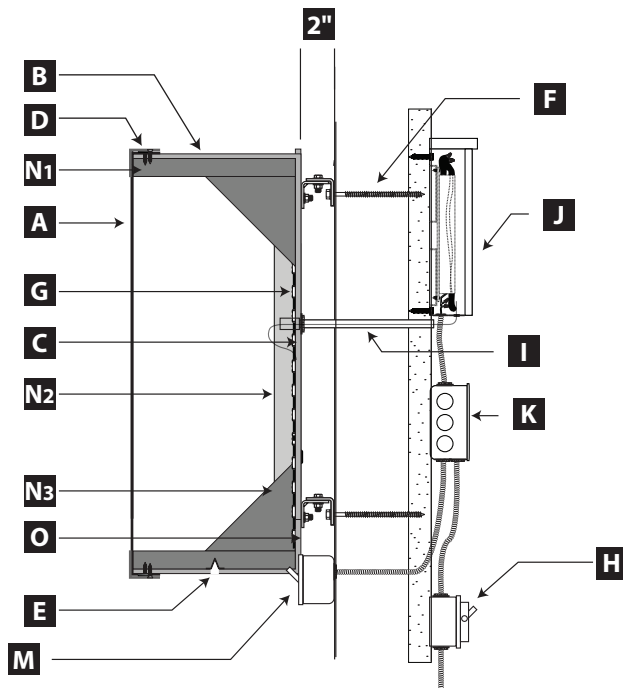


by Hilton Letters: Typical Construction and Mounting Detail

PROCEED TO PRODUCTION		Print 9375GG-2	Date 10/12/23	
		ES# 47389	Line B	
AUTHORIZED SIGNATURE _____ DATE _____		 = Critical Dimension for Internal Quality Control	UL FILE NO. E70436	
3 of 4	This drawing contains original elements created by Lauretano Sign Group, Inc., is property of Lauretano Sign Group, Inc. and is subject to all applicable copyright laws. This drawing may not be used in any way until full payment is received by Lauretano Sign Group, Inc. It is intended for review and approval purposes only, and is not to be reproduced, copied, transmitted by electronic media, or exhibited in any fashion to anyone outside your organization without the expressed written consent of Lauretano Sign Group, Inc.			

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Logo: Typical Construction and Mounting Detail

MATERIALS / COLORS

- A** FLEX FACE w/ DIGITALLY PRINTED DT BLUE 1st SURFACE AND OVERLAMINENT APPLIED. OPAQUE BLACK 2nd SURFACE TO MIRROR 1st SURFACE PRINTING. 2nd SURFACE WHITE BLOCKOUT APPLIED IN CASE OF CLOSED CRESCENT AREA.
- B** RETURNS: 8" DEEP, .125" ALUM., PAINTED WHITE.
- C** BACKS: .125" ALUM. CAD-CUT
- D** TRIMCAP: 1.5" x 1.5" FABRICATED ALUMINUM, PAINTED WHITE
- E** WEEP HOLES IN LOW POINTS (2) MIN.
- F** 2" x 2" shoes with appropriate hardware determined by technical survey, into blocking (by others)
- G** L.E.D.'S: White LEDs
(3 LEDs/module, 1.5 modules/ft.)
- H** LOCKABLE PRIMARY POWER DISCONNECT SWITCH (BY OTHERS) INSIDE THE BUILDING
- I** WALL BUSTER OR EQUIVALENT. PLTC CABLE, SEAL PASS-THRU w/ SILICONE
- J** REMOTE POWER SUPPLIES
- K** J-BOX with PRIMARY ELECTRICAL (BY OTHERS)
- L** N/A
- M** PRIMARY POWER DISCONNECT SWITCH INSTALLED ADJACENT TO SIGN
- N1** 1" X 1" ALUM. TUBE
- N2** 1-1/2" X 1-1/2" X 3/16" ALUM. ANGLE
- N3** GUSSET

NOTES

- 1) BLOCKING BY OTHERS REQUIRED.
- 2) UL LABELS REQUIRED - INSTALL IN ACCORDANCE WITH NEC
- 3) PRIMARY ELECTRICAL BY OTHERS.
- 4) IF AVAILABLE POWER IS NOT 120 VOLT, THEN A DIFFERENCE IN PRICE WILL APPLY OR A STEP DOWN TRANSFORMER WILL NEED TO BE USED.

PROCEED TO PRODUCTION

Print 9375GG-2

Date 10/12/23

ES# 47389

Line B

6 = Critical Dimension for Internal Quality Control

UL FILE NO. E70436

AUTHORIZED SIGNATURE

DATE

4 of 4

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PROPOSED SIGNAGE

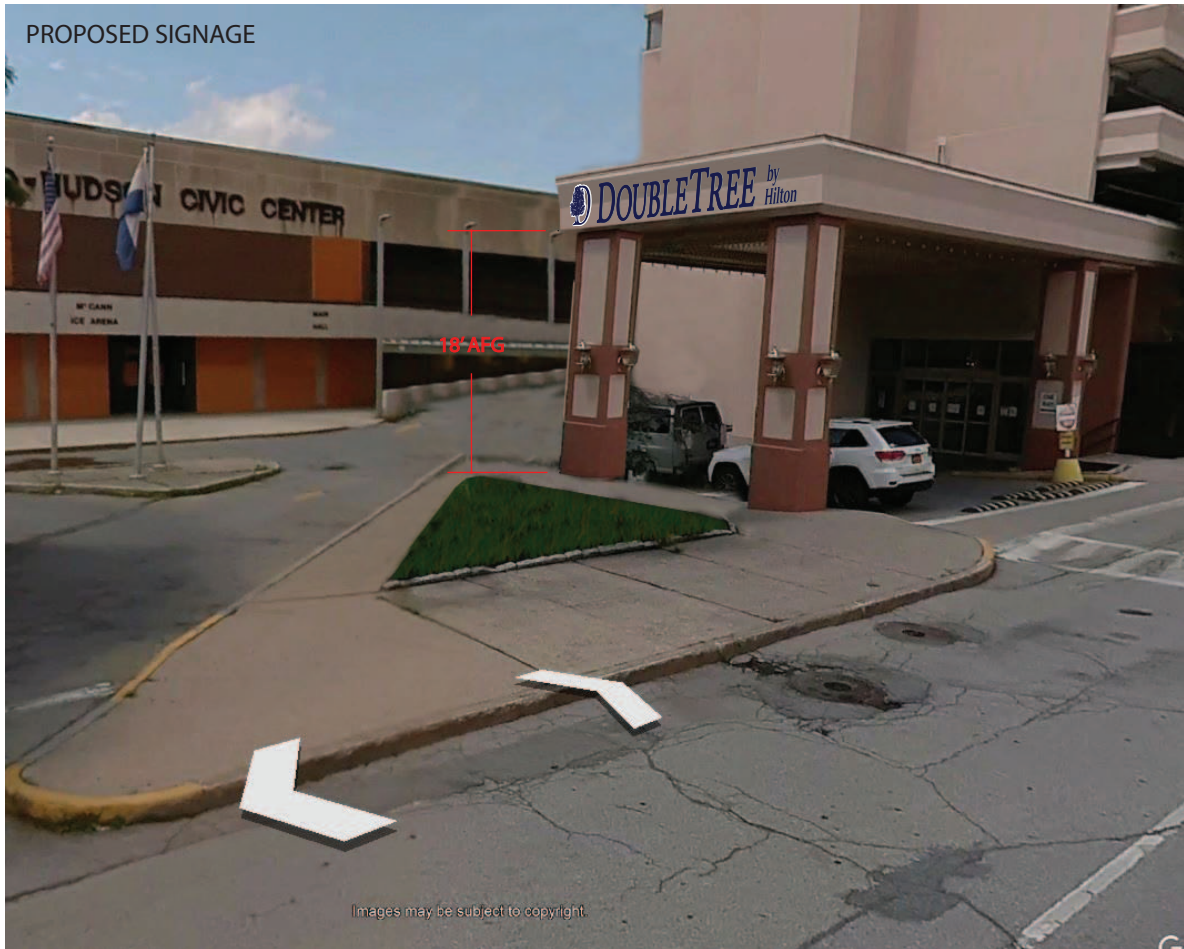


Plate letters by entrance
to be removed



Note: For preliminary design purposes only.
Accurate field survey and dimension verification
required before beginning construction.

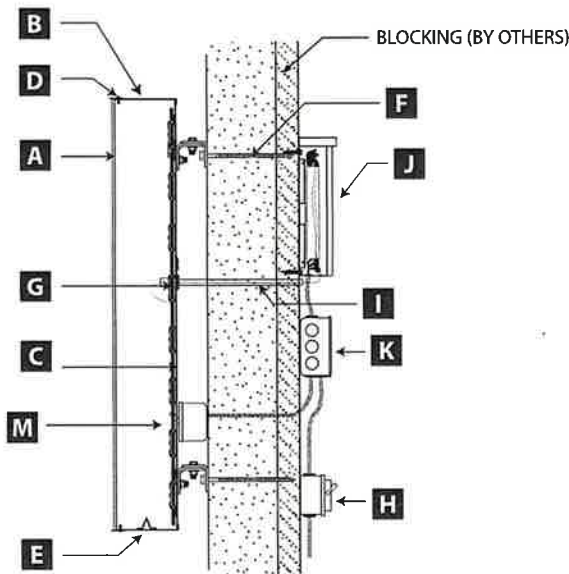
GC to remove landscaping/tree

Print 2759GG	Date 3/5/24	ES# 47389	Line F	SP AC	Sign Type	DT-CL30-BW-LOGO
CLIENT APPROVAL		Title	DoubleTree		Location	Front of Canopy
		City/State	Poughkeepsie NY		Size	2' 8" x 30' 3.32" (80.73 sq ft)
		Customer	DoubleTree		Description	Blue day / white night channel letters with logo
		AUTHORIZED SIGNATURE	DATE	Int. Note		

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



Letters: Typical Construction and Mounting Detail

MATERIALS / COLORS

- A** .177" THK. WHITE ACRYLIC FACES.
W/ 1ST SURFACE APPLIED BLUE DAY/WHITE NIGHT PSV
- B** 3" deep .040" ALUMINUM COIL (Metallic Gray - Gloss Finish)
- C** ALUM. CADCUT BACKS: .063 ALUMINUM CAD-CUT
- D** 1" JEWELITE (Metallic Gray - Gloss Finish)
- E** WEEP HOLES IN LOW POINTS (2) MIN.
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- G** WHITE LEDs (3 LEDS/MODULE, 1 MOD./1.5 FT.)
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- I** WALL BUSTER OR EQUIVALENT. PLTC CABLE, SEAL PASS-THRU w/ SILICONE
- J** POWER SUPPLIES: REMOTE PS12-60 POWER SUPPLIES MOUNTED IN TRANSFORMER ENCLOSURES.
- K** J-BOX WITH PRIMARY ELECTRICAL (BY OTHERS)
- L** N/A
- M** PRIMARY POWER DISCONNECT SWITCH INSTALLED ADJACENT TO SIGN

PROCEED TO PRODUCTION		Print 9374GG-2	Date 10/12/23	Installation Method		 LAURETANO SIGN GROUP 1 Tremco Drive., Terryville, CT 06786 • Phone: 860.582.0233 signs@lauretano.com www.lauretano.com	
		ES# 47389	Line A	2" x 2" shoes with appropriate hardware determined by technical survey (blocking by others may be required)			
		Ⓢ = Critical Dimension for Internal Quality Control	UL FILE NO. E70436				
				Amps TBD	Volts 120		
AUTHORIZED SIGNATURE _____		DATE _____					
2 of 2		This drawing contains original elements created by Lauretano Sign Group, Inc., is property of Lauretano Sign Group, Inc. and is subject to all applicable copyright laws. This drawing may not be used in any way until full payment is received by Lauretano Sign Group, Inc. It is intended for review and approval purposes only, and is not to be reproduced, copied, transmitted by electronic media, or exhibited in any fashion to anyone outside your organization without the expressed written consent of Lauretano Sign Group, Inc.					

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			
Doubletree Hotel - Signage			
Name of Action or Project: Doubletree Hotel - Signage			
Project Location (describe, and attach a location map): 40 Civic Center Plaza			
Brief Description of Proposed Action: Signage proposed: - Ground Sign at Entrance - Directional Sign at Parking Gargae - Wall Porte-Cochere Sign facing South - Wall Plaque facing South			
Name of Applicant or Sponsor: Lauretano Sign Group - Alyson Ibbotson		Telephone: 860-582-0233 x155 E-Mail: alyson@lauretano.com	
Address: 1 Tremco Drive			
City/PO: Terryville		State: CT	Zip Code: 06786
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☐
			YES ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: signage will require a Building Permit			NO ☐
			YES ☒
3. a. Total acreage of the site of the proposed action? 0.66 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			

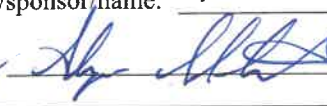
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed 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: _____ _____	☒	☐	
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: _____ _____ _____			

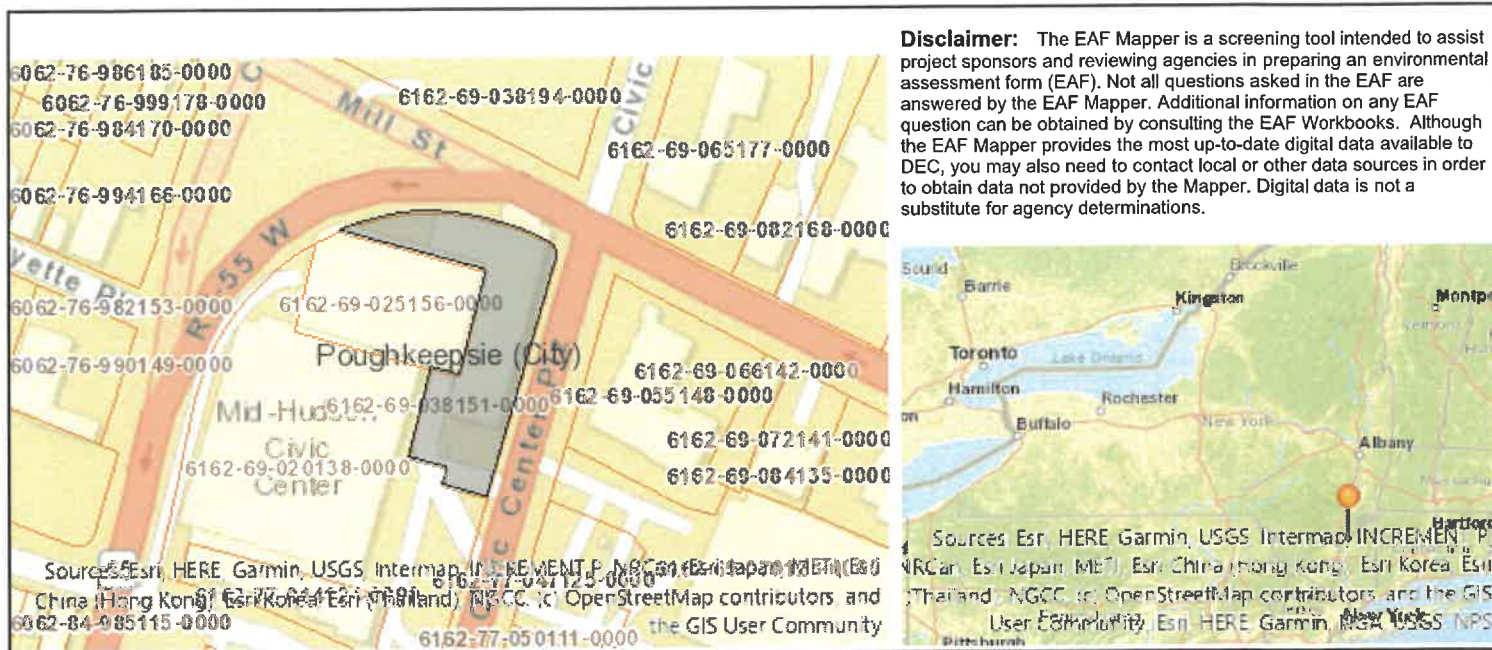
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or 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>Alyson Ibbotson</u> Date: <u>12/20/23</u>		
Signature: <u></u> Title: <u>Government Relations</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

OWNER AUTHORIZATION FORM

**I/WE GIVE LAURETANO SIGN GROUP AND OR THEIR AGENTS PERMISSION
TO SIGN THE ZONING/BUILDING PERMIT APPLICATIONS AS MY AGENT,
AND TO FURNISH AND/OR INSTALL SIGN(S)**

AT: Doubletree
40 Civic Center Plaza
Poughkeepsie, NY 12601

SIGNATURE OF OWNER/OWNER REPRESENTATIVE

NAME: Thomas J Sawyer
(Signature)

NAME: Thomas J. Sawyer
(Please Print)

TITLE: Vice President of Construction

TELEPHONE #: 716-866-1572

TODAY'S DATE: 8/31/23

COMPANY NAME: Hudson Valley Lodging Associates, LLC

STREET ADDRESS: 11751 East Corning Road

CITY, STATE, ZIP CODE: Corning, NY 14830

DRAWINGS:

QUOTE #: 47389

Please fax this form back to 860-583-0949, Attn. Alyson Ibbotson,
or e-mail to alyson@lauretano.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

May 7th, 2024

Alyson Ibbotson/Lauretano Sign Group
1 Tremco Drive
Terryville CT 06786

RE: 40 Civic Center Plaza
ID: 079190
Application # PB-2023-077

To whom it may concern,

The Building Department has received your sign application # PB-2023-077 for a wall sign located at 40 Civic Center Plaza. Please be advised that the property at 40 Civic Center Plaza is located in an area of the City zoned The Civic Corridor subdistrict (PID-CC). Please note that although wall signs are permitted, the application does not meet the following code requirement(s).

1. Section 19-4.9(8)(c)2.b.ii states that in order to reduce light pollution and to contribute to readability, internally illuminated signs shall have dark backgrounds with light lettering.

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

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

Very truly yours,
Joseph O'Brien
Deputy Zoning Administrator



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

May 7th, 2024

Alyson Ibbotson/Lauretano Sign Group
1 Tremco Drive
Terryville CT 06786

RE: 40 Civic Center Plaza
ID: 079190
Application # PB-2023-078

To whom it may concern,

The Building Department has received your sign application # PB-2023-078 for a canopy sign located at 40 Civic Center Plaza. Please be advised that the property at 40 Civic Center Plaza is located in an area of the City zoned The Civic Corridor subdistrict (PID-CC). Please note that although canopy signs are permitted, the application does not meet the following code requirement(s).

1. Section 19-4.9(8)(c)2.b.ii states that in order to reduce light pollution and to contribute to readability, internally illuminated signs shall have dark backgrounds with light lettering.
2. Section 19-4.9(9)(b)1 states that the bottom of a canopy shall be a minimum of seven feet or a maximum of nine feet above the sidewalk. A clear walkway with a minimum width of eight feet shall be provided beneath each canopy. No dimension was provided.
3. Section 19-4.9(b)2 states that the lettering on a canopy sign shall not exceed eight feet in width nor 18 inches in height. The proposed lettering height is 2'8" or 32" and the proposed width is 30'3".

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

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

Very truly yours,
Joseph O'Brien
Deputy Zoning Administrator



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601

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

Eric Philipp
Building Inspector

May 7th, 2024

Alyson Ibbotson/Lauretano Sign Group
1 Tremco Drive
Terryville CT 06786

RE: 40 Civic Center Plaza
ID: 079190
Application # PB-2023-079

To whom it may concern,

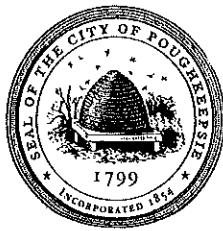
The Building Department has received revised plans for your sign permit application # PB-2023-079 to add lighting to the previously approved sign. Please note that due to the addition of lighting for this sign, the application does not meet the following code requirement(s).

1. Section 19-4.9(8)(c)2.b.ii states that in order to reduce light pollution and to contribute to readability, internally illuminated signs shall have dark backgrounds with light lettering.

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

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

Very truly yours,
Joseph O'Brien
Deputy Zoning Administrator



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 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: 233-237 Main Street

ZONING DISTRICT: PID-CC, Civic Corridor

OWNER INFORMATION:

Name: Elian & Justin Realty, LLC
Address: 971 Allen Lane
Woodmere, NY 11598
Phone: 646-358-9089
Email: bardof18@yahoo.com

APPLICANT INFORMATION:

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

CONSULTANT INFORMATION:

Name: Same as Applicant
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: Judith Knauss

Date of decision/determination/violation: 22 April 24

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 233-237 Main Street

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-3.37(13)(a)</u>	<u>26 Parking Spaces Required</u>	<u>Relief of 26 Parking Spaces</u>

VARIANCE REQUEST JUSTIFICATION

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

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

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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 233-237 Main 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

23 Apr 24

DATE

Jay Diesing, Mauri Architects PC

Print Name



MARTIN J. DIESING AIA
RICHARD K. TOMPKINS AIA

April 23, 2024

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

**RE: Area Variance request for:
233-237 Main Street
Poughkeepsie, NY 12601**

Dear Chair Parker and Zoning Board of Appeals Members:

Enclosed for your review is an application for an Area Variance regarding the above referenced property. The existing building is former commercial office space that is being converted to a mixed-use building with residential apartment units and some commercial space maintained on the First Floor.

Our application to the Zoning Board of Appeals is a request for relief from the off-street parking requirements listed in Section 19-3.37(13)(a) of the Zoning Code. This requires a total of 26 off-street parking spaces for the uses proposed in the building. Built in 1975, the existing building has been used for commercial office space and has never had off-street parking available onsite. The footprint of the building occupies almost all of the subject property.

The former office space in the building (totaling 31,254 SF) would require 79 parking spaces based on the requirement in Section 19-3.37(13)(a) of 1 space per 400 square feet. The proposed conversion to a mixed-use building is a significant reduction in the parking load generated by the Building and will result in 53 less parking spaces required.

Variance Request Justification:

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

No - Granting of these variances will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties. This project will result in a reduction of 53 required parking spaces for the new use. This will reduce the potential for excess cars parking on the surrounding streets and be a benefit to nearby properties.

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

There are no physical alternatives to granting of the requested variances. There is no additional lot area, or adjacent available property, that would permit the development of a parking area to reduce the parking variance required. Section 19-3.37(13)(e) is a provision for a “fee in lieu of parking”. However, as mentioned above, this project does not generate additional parking load requirements above the former commercial office use. This project actually results in a reduction of required parking by 53 spaces.

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

Although the requested area variance may initially seem numerically substantial, the result will be less vehicle parking required than the former office use of the building. This conversion will cause a reduction of parking demand in the area by 53 spaces. When compared to the reduction of necessary parking spaces, the variance for the required 26 parking spaces is 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?**

There will be no adverse effect or impact to the physical or environmental conditions in the neighborhood. As mentioned above, this project will actually result in a significant reduction of parking spaces from the former office use of the building and be a benefit.

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

The need for the requested variances is unique to this property and the existing conditions. Being an existing building that occupies almost all of the project acreage, there is no onsite space for parking, nor has there been since the building was originally constructed.

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

Sincerely,



Jay Diesing RA AIA



**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**

April 22, 2024

Jay Diesing,
Mauri Architecture
73 Mansion Street
Poughkeepsie, NY 12601

RE: 233-237 Main Street

Dear Mr. Diesing:

Relative to our telephone conversation earlier today, when you inquired as to options regarding the off-street parking requirement for the development of the building at 233-237 Main Street from offices to a mixed use building containing 6200 square feet of retail space and 22 dwelling units (15 studios, 6 one-bedroom units and 1 two-bedroom unit).

Section 19-3.37(13)(a) requires that 26 off-street parking spaces be provided for the mix of uses proposed. The site provides no off-street parking. The options for addressing the parking requirement are as follows:

1. Pay the fee-in-lieu of parking and receive an automatic waiver of the requirement from the Planning Board. A version of this project previously received this waiver in 2020, although the fee in lieu was never received by the City;
2. Request a waiver from the Planning Board predicated on availability of off-street parking facilities within 600 feet of the property. Those facilities would need to be identified and availability of parking documented; or,
3. Request a variance of the parking requirement from the Zoning Board of Appeals.

Should you choose to make application to the Zoning Board of Appeals, you must do so within sixty (60) days of the date of this letter.

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

Very truly yours,

Judith Knauss
Deputy Zoning Administrator



**CITY OF POUGHKEEPSIE
DEVELOPMENT DEPARTMENT
JUNE 11, 2024**

AREA VARIANCE(S) REVIEW ANALYSIS

Project 233-237 MAIN STREET: AREA VARIANCE
Description: Application for area variance for 233-237 Main Street relative to Section 19-3.37(13)(a) of the Zoning Ordinance, which requires that 26 off-street parking spaces be provided for the mixed use development proposed, to allow for no off-street parking to be provided. Owner: Elian & Justin Realty, LLC; Applicant/Consultant: Jay Diesing, Mauri Architects, PC; Grid #6162-77-014124; File #2024-008

Zoning District: Poughkeepsie Innovation District – Civic Corridor Subdistrict

Review Date: May 31, 2024

Public Hearings: June 11, 2024

Staff: Judith Knauss, Deputy Zoning Administrator
Lori Garcia, Municipal Administrative Assistant

VARIANCE REQUESTED:

Section 19-3.37(13)(a) of the Zoning Ordinance requires that 26 off-street parking spaces be provided for the mixed use development proposed: No off-street parking is provided.

SEQR: The proposal has been classified as an unlisted action for the purposes of SEQR.

DEFINITION OF "AREA VARIANCE:" Authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

INSTRUCTIONS TO THE ZONING BOARD OF APPEALS: The Board of Appeals, in the granting of area variances, shall grant the minimum variance deemed necessary and adequate and at the same time preserve and protect the character of the neighborhood and health, safety and welfare of the community. The Board of Appeals shall have authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the Zoning Ordinance and shall be imposed for purpose of minimizing any adverse impact such variance may have on a neighborhood or community. In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance(s) is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider the following criteria:

CRITERIA FOR GRANTING AN AREA VARIANCE

(i) Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variances?

It is not clear whether or not the granting of the variance will produce an undesirable change or be a detriment to nearby properties. How and where is the required parking to be provided?

(ii) Can the benefit sought by the applicant be achieved by some method feasible for the applicant to pursue, other than an area variance(s)?

There is an alternative to the granting of the variance that was contemplated when the Common Council adopted the Poughkeepsie Innovation District regulations in 2019, and that is the automatic granting of a parking waiver upon payment of a fee in lieu of parking. It is interesting that no objections to the fee in lieu of parking were raised during the original review of the conversion in 2020. A copy of the Planning Board resolution is attached.

Additionally, it is immaterial what the parking requirement was at the time of the original construction of the Building, and it is not relevant what the parking requirement for an office building is. This is not a reduction in the parking requirement. It is a new use which is required to meet the parking requirements. These requirements are already reduced in the PID as opposed to other districts.

iii) Are the requested variances substantial?

The variance could be considered substantial, especially since:

- 1) The variance is not required; and,
- 2) The variance would override the fee in lieu of parking, to which the City is entitled in contemplation of the use of municipal parking facilities, and which was specifically built into the regulations.

iv) Will the proposed variances have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

The proposed variance could have an adverse impact on the physical or environmental conditions in the neighborhood. Pursuant to the provisions of Section 19-3.37(13)(e), the fees imposed are to be set aside for capital improvements to municipal public parking facilities or for the acquisition of property for municipal public parking facilities. It could be said that the granting of the variance could impact the improvement of municipal parking facilities.

v) Is the alleged difficulty self-created? (Consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.)

As the variance is not needed, given that a waiver is automatic upon payment of the fee in lieu of parking and, therefore, it is therefore self-created. It would appear that the applicant is requesting a variance simply to avoid payment of the fee in lieu of parking.

Recommendations:

It is recommended that the Board open the public hearing.

Motion:

Second:

Carried:

Public Comment(s) to be received:

*

It is recommended that the Board close/adjourn the public hearing.

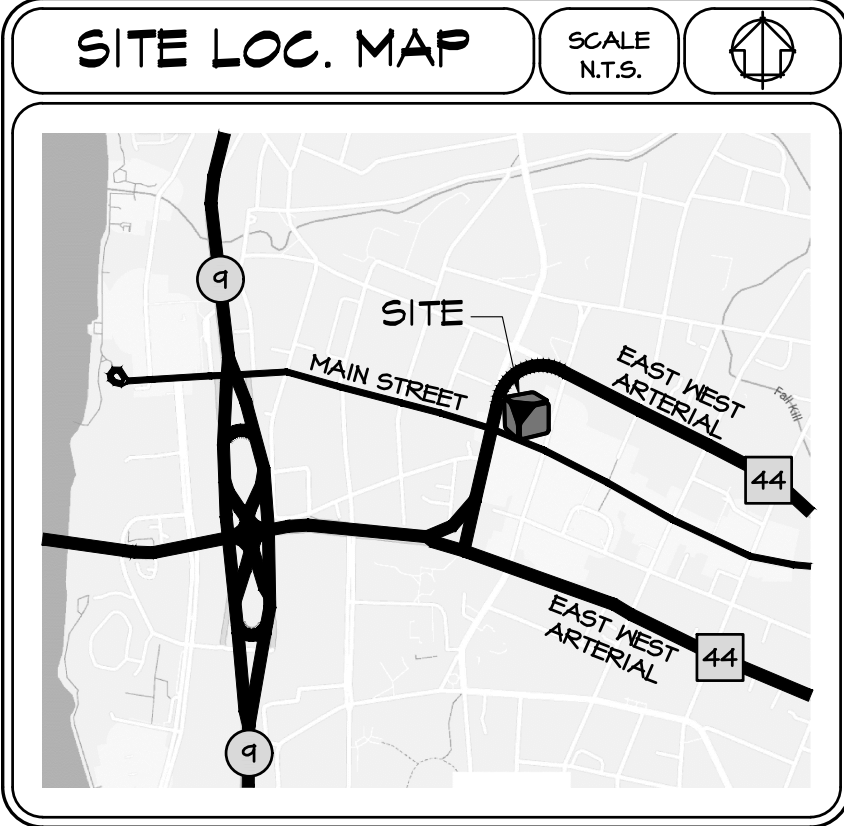
Motion:

Second:

Carried:

If the Board feels the applicant has provided sufficient information regarding the proposed project, it may request that the City Staff to draft a resolution. Alternatively, the Board may request the further documentation.

INDEX TO DRAWINGS	
SHT. #	TITLE
ZB-1	PROPOSED SITE PLAN & ZONING DATA CHART
ZB-2	PROPOSED FLOOR PLANS



TAX MAP INFORMATION

SYMBOL	GRID NUMBER	OWNER OF RECORD
	6162-TT-014124	ELIAN & JUSTIN REALTY LLC 471 ALLEN LANE WOODMERE, NY 11548
	6162-69-020138	MID-HUDSON CIVIC CENTER, INC. 14 CIVIC CENTER PLZ POUGHKEEPSIE, NY 12601
	6162-TT-008107	COUNTY OF DUTCHESS 22 MARKET STREET POUGHKEEPSIE, NY 12601
	6162-TT-004112	DUTCHESS COUNTY 22 MARKET STREET POUGHKEEPSIE, NY 12601
	6162-TT-014105	COUNTY OF DUTCHESS 22 MARKET STREET POUGHKEEPSIE, NY 12601
	6162-TT-019107	COUNTY OF DUTCHESS 22 MARKET STREET POUGHKEEPSIE, NY 12601
	6162-TT-022102	COUNTY OF DUTCHESS COURT HOUSE 22 MARKET STREET POUGHKEEPSIE, NY 12601

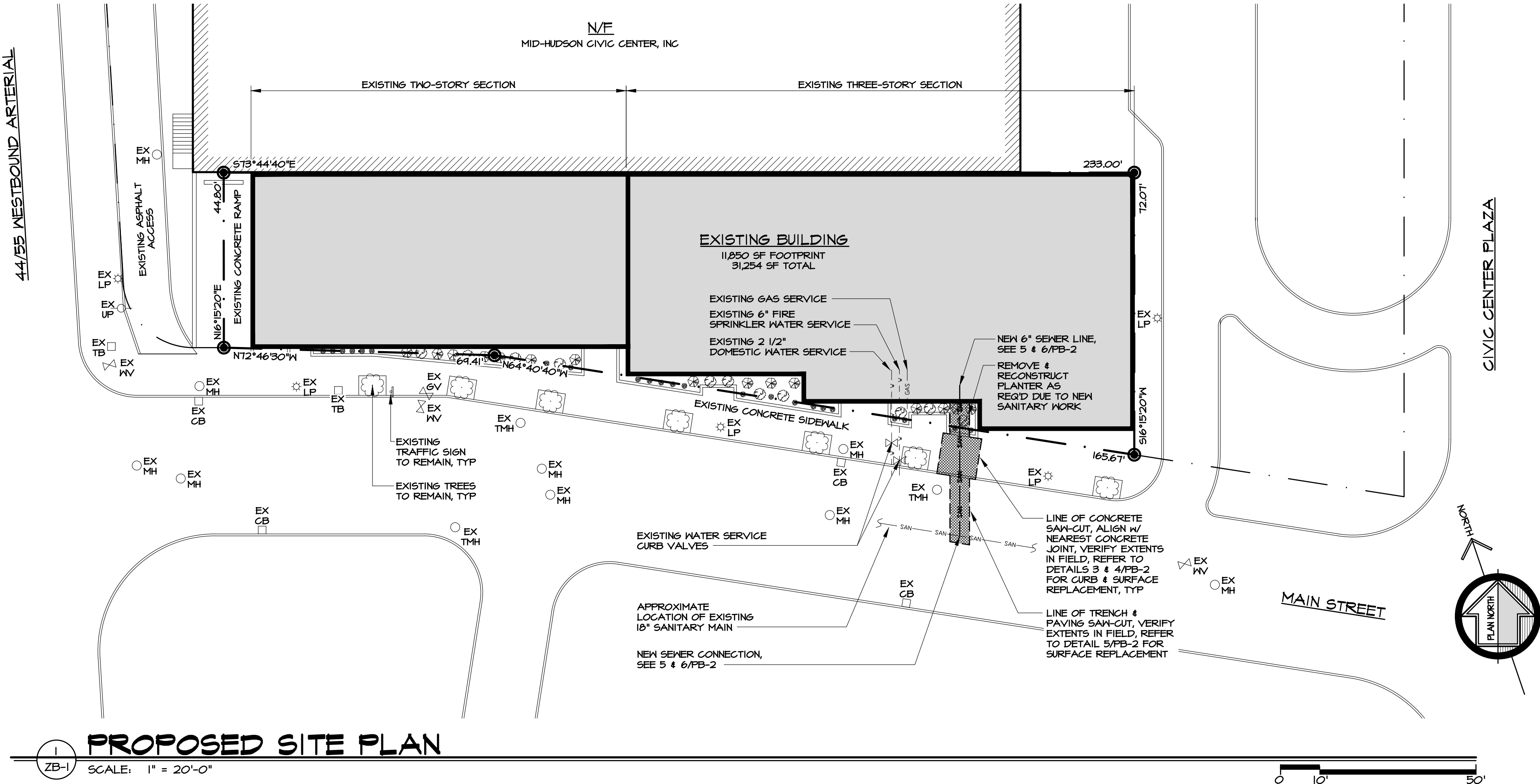
PROPOSED MIXED-USE BUILDING:
235 MAIN STREET
233-237 MAIN STREET
POUGHKEEPSIE, NY

ZONING DATA CHART

ZONE		PID-CC	REQUIRED		EXISTING	PROPOSED
LOT AREA			MIN	N/A	0.29 ACRES ± (12,804 SF ±)	0.29 ACRES ± (12,804 SF ±)
BUILDING HEIGHT			MIN	3 STORIES	3 STORIES	3 STORIES
			MAX	6 STORIES		
LOT COVERAGE			MIN	50%	42.5% ±	42.5% ±
OPEN SPACE			MIN	15%	0%	0%
FRONT YARD SETBACK			MIN	0'-0"	0'-0" ±	0'-0" ±
			MAX	15'-0"		
SIDE YARD SETBACK			MIN	0'-0"	0'-0" ± (EAST) 6'-11" ± (WEST)	0'-0" ± (EAST) 6'-11" ± (WEST)
REAR YARD SETBACK			MIN	8'-0"	0'-0" ±	0'-0" ±
FRONTAGE OCCUPANCY			MIN	80%	97% ±	97% ±
			MAX	100%		
PARKING:				0.5 X 22 UNITS = 11 + 22 / 10 = 2.2 13.2	0 PARKING SPACES	0 PARKING SPACES
MULTIFAMILY RESIDENTIAL DWELLING 0.5 SPACE / UNIT PLUS 1 VISITOR / 10 UNITS		MIN	6,200 SF / 500 = 12.4			
GENERAL RETAIL 1 SPACE / 500 SF			13.2 + 12.4 = 25.6 26 SPACES TOTAL			

GENERAL NOTES

- THE PROPOSED BUILDING SHALL COMPLY WITH THE 2020 BUILDING CODE OF NEW YORK STATE, LOCAL CODES & ALL OTHER APPLICABLE CODES & ORDINANCES.
- PROJECT LOCATED IN THE CITY OF POUGHKEEPSIE FIRE DISTRICT.
- PROJECT LOCATED IN THE POUGHKEEPSIE CITY SCHOOL DISTRICT.
- A KNOX BOX FOR BUILDING ACCESS BY EMERGENCY SERVICES WILL BE INSTALLED AT EACH BUILDING ENTRANCE. LOCATION & INSTALLATION REQUIREMENTS TO BE COORDINATED WITH THE FIRE DEPARTMENT.
- THE EXISTING FIRE SPRINKLER SYSTEM WILL BE RECONFIGURED FOR THE NEW OCCUPANCY IN ACCORDANCE WITH THE 2020 BUILDING CODE OF NEW YORK STATE & NFPA 13 STANDARDS & REQUIREMENTS.
- A FIRE ALARM SYSTEM WILL BE INSTALLED THROUGHOUT THE BUILDING IN ACCORDANCE WITH THE 2020 BUILDING CODE OF NEW YORK STATE & NFPA 72 STANDARDS & REQUIREMENTS.



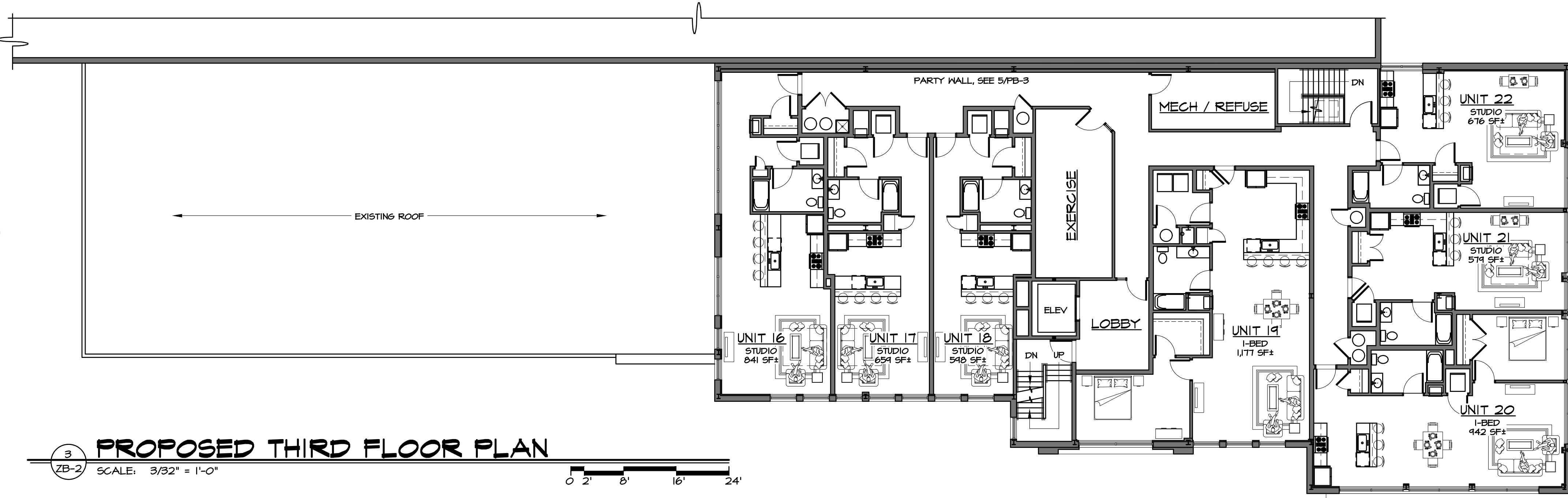
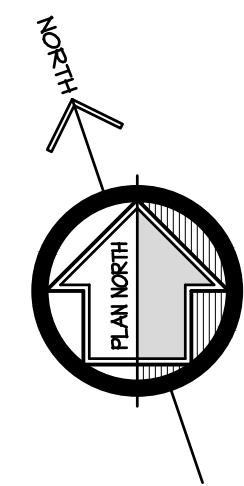
project no.	19-56.23
date	23 Apr 24
drawn by	BP
description	
revision	

PROPOSED MIXED-USE BUILDING:
235 MAIN STREET
233 - 237 MAIN STREET
POUGHKEEPSIE, NY

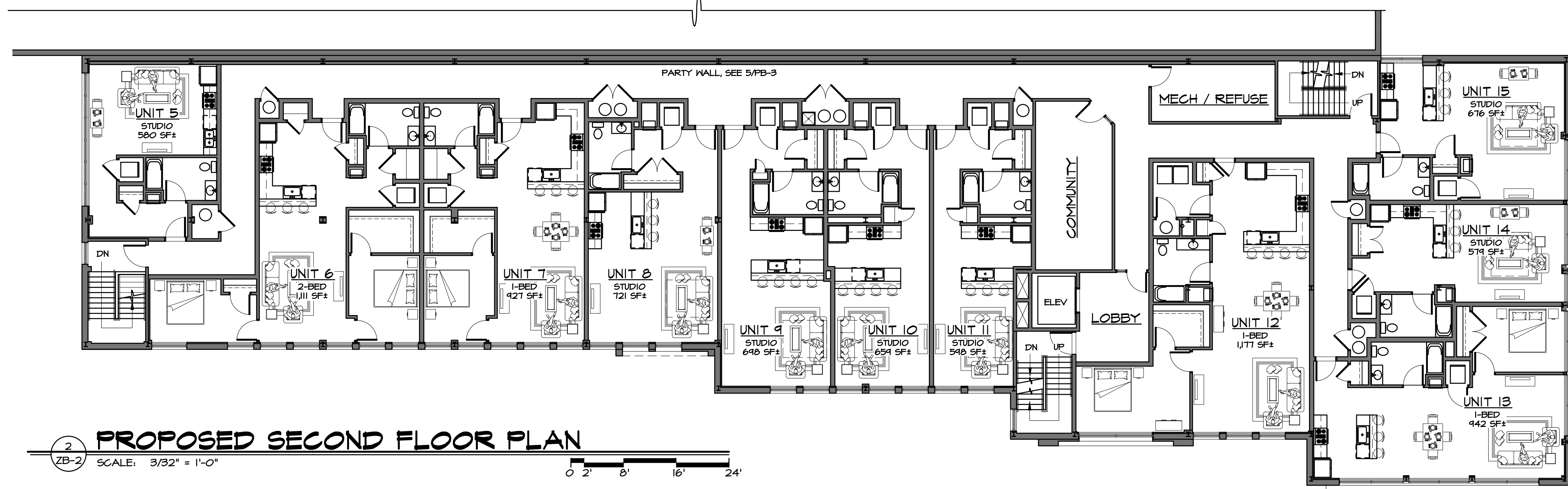
PROPOSED SITE PLAN & ZONING DATA CHART
MAURI ARCHITECTS PC
73 MANSON STREET POUGHKEEPSIE NY 12601 845.452.0090 mauri-architects.com

PROJECT NO.
ZB-1

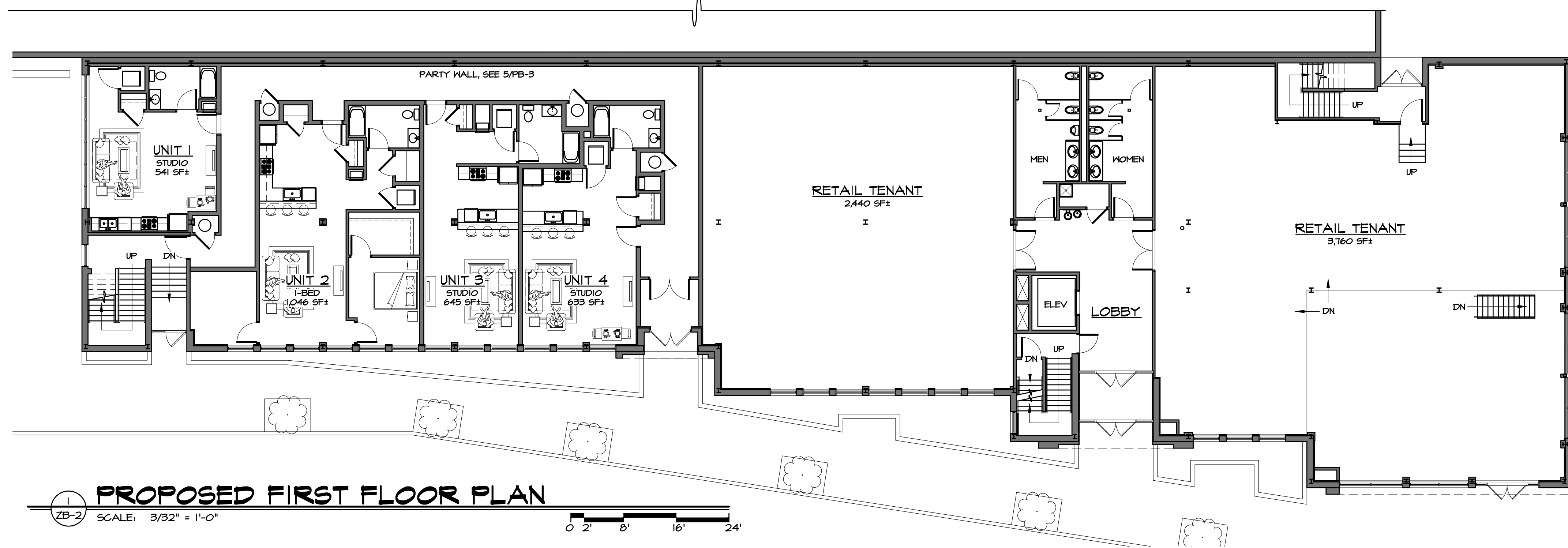
REGISTERED ARCHITECT
MARTIN T. DIESEL
033240
STATE OF NEW YORK



3 PROPOSED THIRD FLOOR PLAN
SCALE: 3/32" = 1'-0"
0' 2' 8' 16' 24'



2 PROPOSED SECOND FLOOR PLAN
SCALE: 3/32" = 1'-0"
0' 2' 8' 16' 24'



1 PROPOSED FIRST FLOOR PLAN
SCALE: 3/32" = 1'-0"
0' 2' 8' 16' 24'

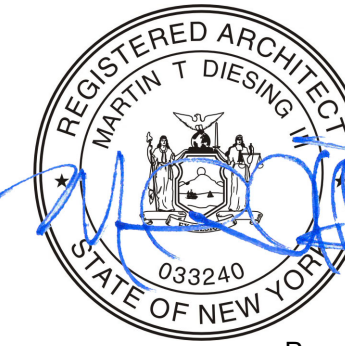
project no.	19-56.23
date	23 Apr 24
drawn by	BP
revision	
description	

PROPOSED MIXED-USE BUILDING:
235 MAIN STREET
233 - 237 MAIN STREET
POUGHKEEPSIE, NY

PROPOSED FLOOR PLANS
MAURI ARCHITECTS PC
73 MANSION STREET POUGHKEEPSIE NY 12601 845-452.0890 mauri-architects.com

3/24/2024
ZB-2

FURTHER TO SECTION 64.5 (b) OF THE REGULATION OF THE COMMISSIONER OF EDUCATION UNAUTHORIZED ALTERATIONS TO THIS DOCUMENT IS A VIOLATION OF THE LAW



Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

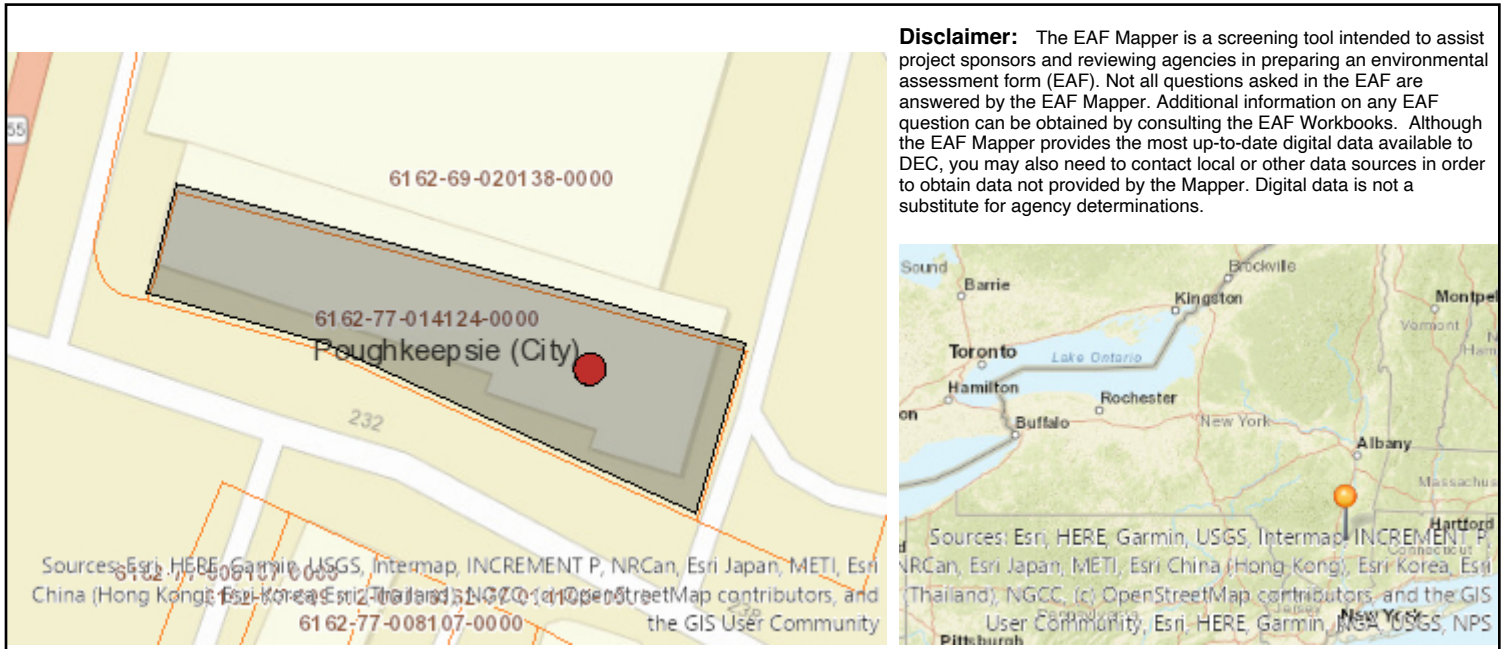
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: 235 Main Street			
Project Location (describe, and attach a location map): 233-237 Main Street, Poughkeepsie, NY 12601			
Brief Description of Proposed Action: Existing three-story office building to be converted to mixed-use building with multi-family residential dwellings (22 apartment units) and approximately 6,200 square-feet of retail space on the first floor.			
Name of Applicant or Sponsor: Jay Diesing, RA AIA - Mauri Architects PC		Telephone: (845) 452-1030 E-Mail: jay@mauri-architects.com	
Address: 73 Mansion Street			
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City of Poughkeepsie - Building Permit City of Poughkeepsie - Site Plan Approval		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		0.29 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.29 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☐	☐
	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: NYS DEC Spill Record: 9604976 - #2 Fuel Oil, 235 Main Street, Closed July 29, 1996	NO	YES
	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Jay Diesing, RA AIA - Mauri Architects PC</u> Date: <u>December 26, 2023</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]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



**CITY OF POUGHKEEPSIE
PLANNING DEPARTMENT
AUGUST 18, 2020**

RESOLUTION OF SITE PLAN APPROVAL

**235 MAIN STREET: CONVERSION OF OFFICE BUILDING TO A MIXED USE
File #2020-13**

WHEREAS, the Planning Board has received an application for site plan approval relative to the proposed conversion of the vacant office building at 235 Main Street to a mixed use development with twenty eight apartments and 2,044 square feet of commercial space, including a 4320 square foot addition on the third floor; and,

WHEREAS, this application for site plan is considered a Type II action under SEQR, and no further action is required; and,

WHEREAS, the action is more fully detailed on revised drawings dated August 7, 2020, prepared by Jay Diesing, RA AIA, and related materials; and,

WHEREAS, the proposed use requires twenty-one (21) off-street parking spaces while none are provided on the site, which is fully developed; and,

WHEREAS, the required twenty-one (21) parking spaces will be provided via fee in lieu of off-street parking as outlined in Section 19-3.37(13)(e) of the Zoning Ordinance, a total of \$105,000; and,

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

NOW THEREFORE BE IT FURTHER RESOLVED that the Board grant Site Plan approval for the proposed conversion of the building at 235 Main Street to a mixed use development with twenty eight apartments and 2,044 square feet of commercial space, including a 4320 square foot addition on the third floor, File #2020-013, with the following conditions (if any):

- Any remaining comments from the City Engineering Department shall be addressed to the satisfaction of the department;
- Replacement of Honey Locust street trees shall be based upon their condition, the condition of the sidewalk, and recommendations of the Shade Tree Commission

Motion: Marge Smith
Second: Anne Saylor
Carried: 7:0:0

Dutchess County Department of Planning and Development		Fax Info Only	To	Date	#pgs
			Co./Dept.	From	
			Fax #	Phone #	

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Poughkeepsie**

Referring Agency: **Zoning Board of Appeals**

Tax Parcel Numbers(s): **0141240000**

Project Name: **233-237 Main Street Mixed Use Parking Variance**

Applicant: **Jay Diesing, Mauri Architects PC**

Address of Property: **233-237 Main St, Poughkeepsie, NY 12601**

**Exempt Actions:*
239 Review is NOT Required**

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☐ Rezoning involving all map changes
- ☐ Architectural Review
- ☐ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☒ Area Variances for all non-residential uses
- ☐ Other (Describe):

Parcels within 500 feet of:

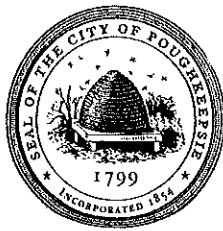
- ☒ State Road:
- ☐ County Road:
- ☐ State Property (with recreation area or public building)
- ☒ County Property (with recreation area or public building)
- ☐ Municipal Boundary
- ☐ Farm operation in an Agricultural District

Date Response Requested: **6/3/2024**

Entered By: **Knauss, Judith**

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☒ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted:	Notes:	☐ Major Project	
Date Received: 5/9/2024		Referral #: ZR24-153	
Date Requested: 6/3/2024			
Date Required: 6/7/2024	☐ Also mailed hard copy	Reviewer:	
Date Transmitted: 5/24/2024			



**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: 654 Main Street

ZONING DISTRICT: C-2A / R-4

OWNER INFORMATION:

Name: EFDS Realty Corp.

Address: PO Box 868

Newburgh, NY 12551

Phone: 646-358-9089

Email: bardof18@yahoo.com

APPLICANT INFORMATION:

Name: Jay Diesing, Mauri Architects PC

Address: 73 Mansion Street

Poughkeepsie, NY 12601

Phone: 845-452-1030

Email: Jay@Mauri-Architects.com

CONSULTANT INFORMATION:

Name: Same as Applicant

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: Judith Knauss

Date of decision/determination/violation: March 15, 2024

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 654 Main Street

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-4.11</u>	<u>Landscape strips along all property lines</u>	<u>Relief of landscape strips along internal property lines</u>
<u>19-4.3(11)</u>	<u>185 Parking Spaces</u>	<u>Relief of 104 spaces, 81 spaces provided</u>
<u>19-3.15(4)(c)</u>	<u>61,600 SF Lot Area (Parcel 3)</u>	<u>Relief of 21,540 SF, 40,060 SF Lot Area Provided</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

VARIANCE REQUEST JUSTIFICATION

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

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

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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 654 Main 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

23 Apr 24

DATE

Jay Diesing, Mauri Architects PC

Print Name



MARTIN J. DIESING AIA
RICHARD K. TOMPKINS AIA

April 23, 2024

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

**RE: Area Variance request for:
654 Main Street
Poughkeepsie, NY 12601**

Dear Chair Parker and Zoning Board of Appeals Members:

Enclosed for your review is an application for Area Variances regarding the above referenced property. The site is located partially within the C-2A and R-4 Zoning Districts. It is currently used as the Market Fresh Supermarket and associated parking.

With many of the store patrons using public transportation or being pedestrians, the majority of the existing parking area on the east side of the site is vastly underutilized. The proposal for this project is to construct a three-story, mixed use building fronting on Main Street. This building will contain retail space on the First Floor along with seven apartment units. A second three-story building is proposed fronting on Reynolds Avenue which will contain twenty-eight apartment units. These two new buildings will share and jointly use the remaining parking lot with the Market Fresh Supermarket.

The area variances that are respectfully requested from your Board are as follows:

1. Section 19-4.11 – Requiring landscape strips along all property lines. The proposed site will be comprised of three separate parcels, each containing one of the buildings. Relief is requested from installing planting strips along the property lines that are internal to the site only. Landscape strips will be installed along perimeter property lines as required.
2. Section 19-4.3(11) – Requiring 185 parking spaces for the overall site. 81 parking spaces are proposed. Relief is requested from the remaining 104 parking spaces.
3. Section 19-3.15(4)(c) – Requiring a minimum Lot Area of 61,600 SF for Parcel #3 (Reynold Avenue parcel). A lot area of 40,060 SF is proposed. Relief is requested from the remaining 21,540 SF.

Variance Request Justification:

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

No - Granting of these variances will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties. This project will eliminate a large, underutilized asphalt parking area. New mixed use and residential structures will be built along with landscaping and outdoor open space areas for resident's use. The existing neighborhood is comprised of multi-family buildings along Reynolds Avenue and mixed-use buildings along Main Street. This project will maintain that character and enhance the neighborhood.

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

There are no additional contiguous properties that could be utilized to reduce the amount or scale of the variances being requested. The property owner has already obtained the only available adjacent property (former Pickwick Pub) and incorporated it into the project.

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

Although the requested parking area variance may seem numerically substantial, the current parking lot is vastly underutilized with many store patrons using public transportation or walking. The new buildings will share and jointly use the remaining parking areas with the supermarket. Apartment residents generally will use the parking areas when home overnight. Alternatively, the supermarket will utilize the parking areas during the day when residents are typically out to work.

The Lot Area Variance for Parcel #3 is an approximately 35% variance in area versus what is required. However, the benefit of adding housing opportunities where a shortage currently exists should be considered and that benefit could outweigh the scale of the required variance.

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

There will be no adverse effect or impact to the physical or environmental conditions in the neighborhood. This project is similar in character to the surrounding neighborhood uses of multifamily apartment and mixed-use developments. Further, the project is being developed in an existing paved parking area resulting in little change to the impervious surfaces on the site.

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

The need for the requested variances could be considered self-created. However, as stated above, the current parking lot is underutilized and parking spaces are proposed to be jointly used in connection with the existing supermarket. In addition, there is a shortage of housing opportunities in the area which this project will help to alleviate. The benefit of additional housing should be considered in conjunction with the Parcel #3 Lot Area variance to allow these housing opportunities.

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

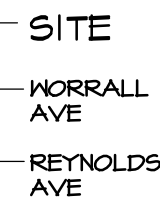
Sincerely,

A handwritten signature in black ink, appearing to read "Jay Diesing". The signature is stylized with a large, looped "J" and a cursive "Diesing".

Jay Diesing RA AIA



<u>SYMBOL</u>	<u>GRID NUMBER</u>	<u>OWNER OF RECORD</u>
	6161-53-543870 -530834 -530858 -533851 -537856 -540855 -544854 -548853 -550852 -555851 -559850 -563844 -567848	EPDS REALTY CORP PO BOX 865 NEUMBURGH, NY 12551
	6161-53-564864	JUST & PAUL LLC PO BOX 868 NEUMBURGH, NY 12551
(A)	6161-25-510877	CATHERINE MAIN ST PROPERTY LLC 650 MAIN ST POUGHKEEPSIE, NY 12601
(B)	6161-53-513868	NESHEIWAT, JEHAD 40 CRESTWOOD BLVD POUGHKEEPSIE, NY 12603
(C)	6161-53-515865	NESHEIWAT, JEHAD 5 FOUNTAIN PL POUGHKEEPSIE, NY 12601
(D)	6161-53-522860	PATTERSON, JOHN A 2 REYNOLDS AVE POUGHKEEPSIE, NY 12603
(E)	6161-53-564862	GERMATTI, ANTONIO 17 MILLER RD POUGHKEEPSIE, NY 12603
(F)	6161-53-573861	GERMATTI BROTHER INC 30 MANCHESTER RD POUGHKEEPSIE, NY 12603



ZONING DATA CHART

REGULATION	PARCEL 1 (MARKET FRESH)			ZONE C-2A	PARCEL 2 (MIXED USE)		ZONE C-2A	PARCEL 3 (APARTMENT)		ZONE R-4
	REQUIRED		PROPOSED		REQUIRED	PROPOSED		REQUIRED	PROPOSED	
LOT AREA	MIN	-----	75,555 SF± (1.13 ACRES±)	MIN	R-6 DENSITY: (5) 1-BR @ 800 (2) 2-BR @ 1,200 6,400 SF	11,145 SF± (0.21 ACRES±)	MIN	(28) STUDIO & 1-BR @ 2,200 61,600 SF	40,060 SF± (0.92 ACRES±)	
LOT WIDTH	MIN	-----	415'-7"±	MIN	-----	79'-11"±	MIN	30'	270'-0"±	
FRONTAGE	MIN	40'	414'-7"±	MIN	40'	80'-0"±	MIN	-----	270'-0"±	
FRONT YARD SETBACK	MIN	10'	0'-10"±	MIN	10'	10'-0"±	MIN	20'	20'-0"±	
SIDE YARD SETBACKS	MIN	10'	1'-1"±	MIN	10'	10'-0"±	MIN	15' or 1/2 HEIGHT OF BUILDING (20')	26'-0"±	
REAR YARD SETBACK	MIN	20'	84'-4"±	MIN	20'	48'-1"±	MIN	15' or 1/2 HEIGHT OF BUILDING (20')	26'-5"±	
FLOOR AREA RATIO (FAR)	MAX	2.0	0.5± (31,450 / 75,555)	MAX	2.0	0.81± (10,240 / 11,145)	MAX	-----	N/A	
LOT COVERAGE	MAX	60%	50.2%± (31,450 / 75,555)	MAX	60%	24.1%± (3,430 / 11,145)	MAX	40%	17.6%± (1,040 / 40,060)	
BUILDING HEIGHT	MAX	-----	26'-4"± (EXISTING)	MAX	-----	34'-0"±	MAX	3 STORIES, 40'	3 STORIES, 40'-0"±	
OPEN SPACE	MIN	-----	N/A	MIN	R-4 OPEN SPACE (5) 1-BR @ 300 (2) 2-BR @ 400 2,300 SF TOTAL	2640 SF±	MIN	(14) STUDIO @ 200 (14) 1-BR @ 300 7,000 SF TOTAL	8,310 SF±	
PARKING	MIN	MULTI-FAMILY: 1 PS / STUDIO 15 PS / 1-BR 2 PS / 2-BR +10% VISITOR RETAIL SALES: 1 PS / 300 SF	RETAIL SALES: 31 PS 127 PS TOTAL	MIN	MULTI-FAMILY: (5) 1-BR @ 1.5 = 7.5 (2) 2-BR @ 2 = 4 11.5 + 10% = 11.5 RETAIL SALES: 2,145 / 300 14 PS TOTAL	11 PS	MIN	MULTI-FAMILY: (14) STD @ 1 = 14 (14) 1-BR @ 1 = 21 35 + 10% = 38.5 34 PS TOTAL	34 PS	

1. THE PROPOSED BUILDING SHALL COMPLY WITH THE 2020 BUILDING CODE OF NEW YORK STATE, LOCAL CODES & ALL OTHER APPLICABLE CODES & ORDINANCES.
2. PROJECT LOCATED IN THE CITY OF POUGHKEEPSIE FIRE DISTRICT.
3. PROJECT LOCATED IN THE POUGHKEEPSIE CITY SCHOOL DISTRICT.
4. KNOX BOX FOR BUILDING ACCESS BY FIRE DEPARTMENT SERVICES, WILL BE INSTALLED AT EACH BUILDING ENTRANCE. LOCATION & INSTALLATION REQUIREMENTS TO BE COORDINATED WITH THE FIRE DEPARTMENT.
5. FIRE SPRINKLER SYSTEMS WILL BE INSTALLED THROUGHOUT THE NEW BUILDINGS IN ACCORDANCE WITH THE 2020 BUILDING CODE OF NEW YORK STATE & NFPA 13 STANDARDS & REQUIREMENTS.
6. FIRE ALARM SYSTEMS WILL BE INSTALLED THROUGHOUT THE NEW BUILDINGS IN ACCORDANCE WITH THE 2020 BUILDING CODE OF NEW YORK STATE & NFPA 72 STANDARDS & REQUIREMENTS.

ALL EXISTING SITE INFORMATION
TAKEN FROM SITE PLAN PREPARED
BY CHAZEN COMPANIES, ENGINEERS,
SURVEYORS, ENTITLED "RITE-AID
PHARMACY 654 MAIN STREET",
DATED JANUARY 18, 1996.
ADDITIONAL FIELD OBSERVATIONS
TAKEN BY MAURI ARCHITECTS PC.



Dutchess County Department of Planning and Development		Fax Info Only	To	Date	#pgs
			Co./Dept.	From	
			Fax #	Phone #	

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Poughkeepsie**

Referring Agency: **Zoning Board of Appeals**

Tax Parcel Numbers(s): **5438700000, 5648640000, 5678480000, 5679280000, 5638490000, 5598500000, 5558510000, 5518520000, 5488530000, 5448540000, 5408550000, 5378560000, 5338570000, 5308580000, 5268590000**

Project Name: **EFDS Realty Mixed Use Development Area Variances**

Applicant: **Jay Diesing, Mauri Architects PC**

Address of Property: **654 Main St, 698 Main St, 12 lots on Reynolds Avenue**

Exempt Actions:*
239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☐ Rezoning involving all map changes
- ☐ Architectural Review
- ☐ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☒ Area Variances for all non-residential uses
- ☐ Other (Describe):

Parcels within 500 feet of:

- ☒ State Road:
- ☐ County Road:
- ☐ State Property (with recreation area or public building)
- ☐ County Property (with recreation area or public building)
- ☒ Municipal Boundary
- ☐ Farm operation in an Agricultural District

Date Response Requested: **6/3/2024**

Entered By: **Knauss, Judith**

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☐ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☒ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted:	Notes:	☐ Major Project	
Date Received: 5/9/2024		Referral #: ZR24-151	
Date Requested: 6/3/2024			
Date Required: 6/7/2024	☐ Also mailed hard copy	Reviewer:	
Date Transmitted: 5/31/2024			



DUTCHESS COUNTY GOVERNMENT
DEPARTMENT OF PLANNING & DEVELOPMENT

May 31, 2024

To: Zoning Board of Appeals, City of Poughkeepsie
Re: **ZR24-151, EFDS Realty Mixed Use Development Area Variances**
Lot: 543870 et al, Main Street

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

ACTION

The applicant is seeking three variances for this project to allow:

- No landscape strips along property lines (internal property lines only);
- 81 parking spaces where 185 are required;
- 28 units on a 40,060sf lot where 61,600sf is required

COMMENTS

While the code-required number of parking spaces appears far too high for this location, the Board may wish to ask the applicant to conduct a parking use survey for peak times at the grocery store to help establish the actual need. The applicant may also wish to consider whether supplemental off-site parking could be available for grocery store employees and apartment visitors. The city could also consider switching the Reynolds Ave parking lane to the north side of the street, which has fewer driveways and thus greater capacity, especially if the spaces were marked to ensure efficient use.

RECOMMENDATION

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP
Commissioner
By

A handwritten signature in dark ink, appearing to read "D. Tuttle", followed by a horizontal line.

Dylan Tuttle, Senior Planner



**CITY OF POUGHKEEPSIE
DEVELOPMENT DEPARTMENT
JUNE 11, 2024**

AREA VARIANCE(S) REVIEW ANALYSIS

**Project
Description:**

654 MAIN STREET/695 MAIN STREET/REYNOLDS AVENUE

Application for area variances relative to the proposed development which will include the reconfiguration of fourteen lots of record into three lots. One lot, 654 Main Street, contains an existing building with a supermarket which will not be altered. Another lot, 698 Main Street, will contain a mixed-use building with commercial on the first floor and 7 dwelling units. The third lot will front Reynolds Avenue and contain 28 dwelling units. The residential developments will contain usable open space. The existing parking lot will be reconfigured to include fewer spaces overall and additional landscaping. The parking lot is proposed to be shared between the three properties. The applicant is seeking the following variances: Section 19-4.11, which requires landscape strips on all property lines, to allow no landscape strips on the internal property lines of the development; Section 19-4.3(11), which requires 185 off-street parking spaces, to allow 81 off-street parking spaces; and, Section 19-3.15(4)(c), which requires that 61,600 square feet of lot area be provided for the Reynolds Avenue residential parcel, to allow 40,600 square feet of lot area. Owner: EFDS Realty Corp; Applicant/Consultant: Jay Diesing, RA AIA, Mauri Architects PC; Grid #6161-33-543870, 564864, 526859, 530858, 533857, 537856, 540855, 544854, 548853, 551852, 555851, 559850, 563849, 567848; Zoning District: C-2A/R-4. File #2024-009

Zoning District: C-2A and R-4

Review Date: May 31, 2024

Public Hearings: June 11, 2024

Staff: Judith Knauss, Deputy Zoning Administrator
Lori Garcia, Municipal Administrative Assistant

VARIANCE REQUESTED:

- 1) Section 19-4.11, which requires landscape strips on all property lines, to allow no landscape strips on the internal property lines of the development;
- 2) Section 19-4.3(11), which requires 185 off-street parking spaces, to allow 81 off-street parking spaces; and,
- 3) Section 19-3.15(4)(c), which requires that 61,600 square feet of lot area be provided for the Reynolds Avenue residential parcel, to allow 40,600 square feet of lot area

SEQR: The Planning Board issued a Negative Declaration for the purposes of SEQR.

DEFINITION OF "AREA VARIANCE:" Authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

INSTRUCTIONS TO THE ZONING BOARD OF APPEALS: The Board of Appeals, in the granting of area variances, shall grant the minimum variance deemed necessary and adequate and at the same time preserve and protect the character of the neighborhood and health, safety and welfare of the community. The Board of Appeals shall have authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the Zoning Ordinance and shall be imposed for purpose of minimizing any adverse impact such variance may have on a neighborhood or community. In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance(s) is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider the following criteria:

CRITERIA FOR GRANTING AN AREA VARIANCE

(i) Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variances?

The variances might produce an undesirable change or be a detriment to nearby properties, inasmuch as the parking variance is considerable, with less than half of the required spaces for the combined uses provided, and the density of the Reynolds Avenue apartment building is significantly greater than any other buildings in the area and specifically on this block, which is exclusively one and two family dwellings.

(ii) Can the benefit sought by the applicant be achieved by some method feasible for the applicant to pursue, other than an area variance(s)?

No information has been provided to justify the need for 28 dwelling units on Reynolds Avenue. Fewer units would need less lot area, and require less parking, which might eliminate the lot area variance altogether and reduce the amount of the parking variance. For example, 18 one-bedroom units could be constructed on the 40,060 square foot lot with no area variance, and require at least 12 fewer off-street parking spaces. This option should be explored. Additionally, the County recommends that a parking use survey for peak times at the grocery store be conducted to establish the actual need for parking.

It seems to staff that it is feasible to meet the requirements of lot area at the very least, and reduce the amount of the off-street parking variance.

iii) Are the requested variances substantial?

The off-street parking variance is quite substantial. Only 43% of the parking required is provided. While overall requirement may be excessive, the variance is also large. Again, as mentioned above, the County recommends that a parking use survey for peak times at the grocery store be conducted to establish the actual need for parking. Hours of operation of the grocery store and other commercial uses on the premises should also be considered. The lot area variance for the Reynolds Avenue apartment building is also substantial, as only 65% of the required lot area is provided.

iv) Will the proposed variances have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

The proposed variances could have an adverse impact on the physical or environmental conditions in the neighborhood. The off-street parking variance could lead to on-street parking congestion on Reynolds Avenue, and even Main Street, and the density of the Reynolds Avenue apartment building is not in keeping with the neighborhood in which it is proposed to be located, which is a mix of one and two family dwellings. As a multiple dwelling, it is already out of character with the other dwellings on Reynolds Avenue, but allowing such an increase in density above what is actually permitted could impact the neighborhood negatively in a variety of ways, including traffic and parking.

v) Is the alleged difficulty self-created? (Consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.)

The applicant has provided no justification for the variance for the lot area on Reynolds Avenue, other than to suggest there is a housing shortage. A reduction in the number of units proposed would eliminate the need for an area variance altogether, and reduce the off-street parking variance requested. Therefore, the difficulty appears to be self-created.

Recommendations:

It is recommended that the Board open the public hearing.

Motion:

Second:

Carried:

Public Comment(s) to be received:

*

It is recommended that the Board close/adjourn the public hearing.

Motion:

Second:

Carried:

If the Board feels the applicant has provided sufficient information regarding the proposed project, it may request that the City Staff to draft a resolution. Alternatively, the Board may request the further documentation.



**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: 650 Main St
ZONING DISTRICT: Main street Commercial (C-2A)

OWNER INFORMATION:

Name: Saleh Hijazeen
Address: 17 DeGarmo Rd
Poughkeepsie NY 12603
Phone: (845) 243-1106
Email: dutchesscountyauto-repair@gmail.com

APPLICANT INFORMATION:

Name: Same as above
Address: _____

Phone: _____
Email: _____

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: 2/28/2024

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: _____

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-4.9(a)(1)</u>	<u>minimum 5 ft from property line</u>	<u>21" from property line</u>
<u>19-4.9(a)(2)</u>	<u>height 8 ft</u>	<u>height of 11'</u>
<u>19-4.9(a)(4)</u>	<u>Five words</u>	<u>six words</u>
<u>19-4.9(i)(2)</u>	<u>height of 3 feet</u>	<u>height of 4'4"</u>
<u>19-4.9(i)(3)</u>	<u>3 colors</u>	<u>4 colors</u>
<u>19-4.9(i)(4)</u>	<u>5 words</u>	<u>11 words</u>

VARIANCE REQUEST JUSTIFICATION

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

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

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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 650 Main st

LIST OF REQUIRED ATTACHMENTS

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

SIGNATURE AND VERIFICATION

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

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

Saleh
SIGNATURE OF APPLICANT

3/22/24
DATE

Saleh Hijazeen
Print Name

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why? No, because both signs are for business use, away from the neighborhood, and are non-harmful.
- 2) Can the benefits sought be achieved by some other method feasibility for the applicant to peruse, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties) why is the variance necessary? No, benefits sought cannot be achieved by some other method feasibility other than a variance.

Yes, alternatives have been explored like having three different companies give opinions on both signs, they all stated no free-standing sign will work because it has to be five feet from property line, which puts the sign in the middle of the parking lot and they stated the wall sign would have to be totally changed which will cost almost \$3,000, unless we do a variance.

Variance is necessary to approve the existing signs which will help our customers visualize our business. Our business is hidden between two apartments/businesses and many customers gave attested that they have never seen our business until the free sign was more visible to them. Also, the wall sign did exist from 2017/2018 and was approved with same height which is 4 feet and 4 inches.

- 3) Is/ are the requested area variance(s) substantial? Explain why they are not substantial. Yes, requested area variance(s) substantial due to the fact that the business is hidden and cannot be seen by future customers and to get customers and for customers to know that the business exists. This allows the business to be seen by passing traffic.
- 4) Will the variance(s) have an adverse effect on or impact on the physical environmental conditions in the neighborhood or district? Why not? No, this variance will not have an impact or adverse effect on the physical environmental conditions in the neighborhood or the district because both signs are for advertising purposes of the business.
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain
yes, in regard to the wall sign had to be brought down from above the overhead door due to renovations, while it was down we decided to change the only the wording on the sign since the other dealership did not exist anymore, company sign were contacted and they made the changes however, never mentioned anything about needing permits,

we also were not aware that we needed permits for that as well. In regard to the freestanding sign, it was changed as well, however as stated above same situation, not knowing permit needed and sign company not warning us, after the change was done, the sign fell on one of the dealer cars causing damage, sign company once again contacted, and it was moved due to that cause.

Saleh Hijazeen
650 Main St.
Poughkeepsie, NY 12601

3/22/2024

Planning & Zoning
62 Civic Center Plaza, 2nd Floor
Poughkeepsie, NY 12601

Dear Respected Members of the Zoning Board,

We are writing this letter in regard to 650 Main St, where your approval is needed to keep an exciting wall sign and a freestanding sign.

The old freestanding sign was dark in color, our business had lost financially due to poor visibility of our business. After installing this yellow bright color, many individuals have found this business. Many stated that they never knew this business/place existed until they saw the freestanding sign which had caught their attention, this had made a difference financially for the business. The wall sign did not make a difference.

Our business is hidden, pictures provided for review. Many individuals do not realize that our business is there due to having a long parking lot and the building being way back and in between two other buildings.

Thank you for the time and consideration.

Respectfully,
Saleh Hijazeen
650 Main St
(845) 243-1106



DUTCHESS COUNTY
AUTO REPAIR
Complete Mechanic • 845 309-9122 • NYS INSPECTIONS
USED CAR DEALERSHIP

115

122

4132

←
DUTCHESS COUNTY
AUTO
REPAIR
NYS INSPECTIONS

650

446

436

W 37

DUTCHESS COUNTY
845-473-8424
3

2967

4165

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

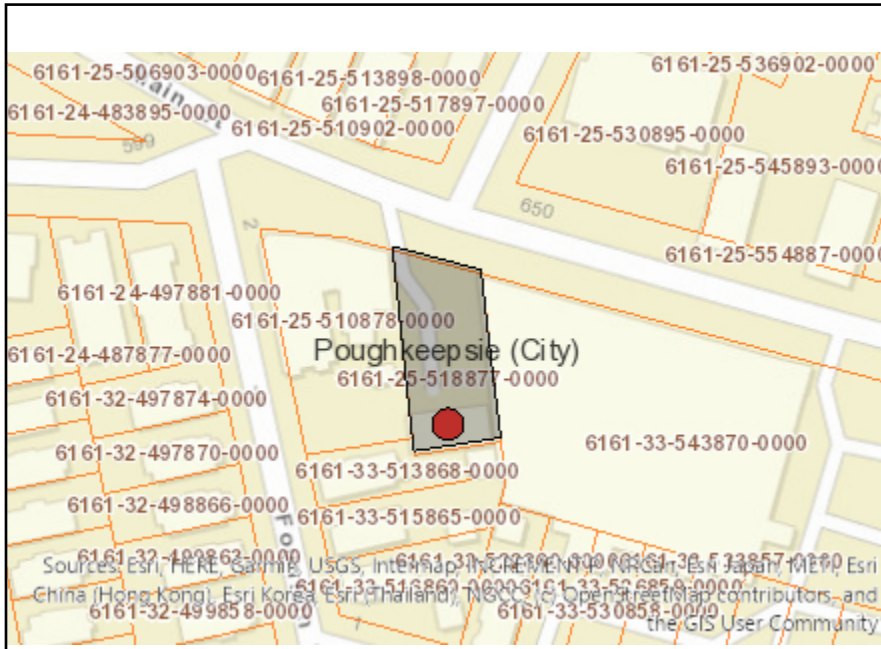
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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			
Saleh Hijazeen			
Name of Action or Project: Standing and Freesign variance approval			
Project Location (describe, and attach a location map): 650 Main St, Poughkeepsie NY, 12601			
Brief Description of Proposed Action: Seeking approval from board for current wallsign and freestanding sign.			
Name of Applicant or Sponsor: Saleh Hijazeen		Telephone: 8452431106	
		E-Mail: dutchesscountyaautorepair@gmail.com	
Address: 17 DeGarmo Rd			
City/PO: Poughkeepsie		State: NY	Zip Code: 12603
1. <u>Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</u>		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		☒	☐
2. <u>Does the proposed action require a permit, approval or funding from any other government Agency?</u>		NO	YES
If Yes, list agency(s) name and permit or approval:		☒	☐
3. a. <u>Total acreage of the site of the proposed action?</u>		_____ acres	
b. <u>Total acreage to be physically disturbed?</u>		_____ acres	
c. <u>Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</u>		_____ acres	
4. <u>Check all land uses that occur on, are adjoining or near the proposed action:</u>			
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. <u>A permitted use under the zoning regulations?</u>	☐	☐	☐
b. <u>Consistent with the adopted comprehensive plan?</u>	☐	☐	☐
6. <u>Is the proposed action consistent with the predominant character of the existing built or natural landscape?</u>	NO	YES	
	☐	☒	
7. <u>Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</u>	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. <u>Will the proposed action result in a substantial increase in traffic above present levels?</u>	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. <u>Does the proposed action meet or exceed the state energy code requirements?</u>	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. <u>Will the proposed action connect to an existing public/private water supply?</u>	NO	YES	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. <u>Will the proposed action connect to existing wastewater utilities?</u>	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. <u>Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?</u>	NO	YES	
	☒	☐	
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. <u>Identify the typical habitat types that occur on, or are likely to be found on the project site</u> Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. <u>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?</u>	NO	YES
	☒	☐
16. <u>Is the project site located in the 100-year flood plan?</u>	NO	YES
	☒	☐
17. <u>Will the proposed action create storm water discharge, either from point or non-point sources?</u> If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☒	☐
	☒	☐
18. <u>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)?</u> If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. <u>Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</u> If Yes, describe:	NO	YES
	☒	☐
20. <u>Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</u> 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: _____ Date: _____ <u>Signature</u> _____ Title: _____		



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



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Mid States on Main Street is less than 5 feet from the property line, is greater than 8 feet, and has more than 8 words.



McDonalds on Main Street is less than 5 feet from the property line, is greater than 8 feet and has 10 words.

Kane Motors on Main Street is over 8 feet.

Gino's (wall sign) has more than three colors and more than five words more than 3 feet.

Poughkeepsie Wines & Liquor is more than 8 feet tall closer than 5 feet from property line

Market Fresh, less than 5 feet from property line, taller than 8 feet

Big Tomato (wall sign) more than three colors, more than five words, more than 3 feet.

Casa Latina, directly across the street. Greater than 8 feet, 8 words

RAC, Main Street. Greater than 8 feet, 4 colors

Mid Estates on Main Street is less than 5 feet from the property line, is greater than 8 feet, and has more than 8 words.

Updated per planning board requirements
7-18-17





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

February 28th, 2024

Saleh Hijazeen
17 DeGarmo Rd
Poughkeepsie NY 12603

RE: 650 Main Street
ID: 299200
Application # PB-2024-009

To whom it may concern,

The Building Department has received your sign application # PB-2024-009 for a freestanding sign located at 650 Main Street. Please be advised that the property at 650 Main Street is located in an area of the City zoned Main Street Commercial (C-2A). Please note that although freestanding signs are permitted, the application does not meet the following code requirement(s).

1. **Section 19-4.9(9)(d)1** states that freestanding signs shall be located in a front yard and a minimum of five feet from the front property line. No dimension was provided for the proposed location but appears to be less than 1' from the property line.
2. **Section 19-4.9(9)(d)2** states that the maximum height, including sign face and base, shall not exceed eight feet in nonresidential districts. The proposed freestanding sign height is 11'.
3. **Section 19-4.9(9)(d)4** states that no more than five words are permitted per freestanding sign. The proposed freestanding sign contains 6 words.

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

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

Very truly yours,
Joseph O'Brien
Deputy Zoning Administrator



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

February 28th, 2024

Saleh Hijazeen
17 DeGarmo Rd
Poughkeepsie NY 12603

RE: 650 Main Street
ID: 299200
Application # PB-2024-010

To whom it may concern,

The Building Department has received your sign application # PB-2024-010 for a wall sign located at 650 Main Street. Please be advised that the property at 650 Main Street is located in an area of the City zoned Main Street Commercial (C-2A). Please note that although wall signs are permitted, the application does not meet the following code requirement(s).

1. Section 19-4.9(9)(i)2 states that wall signs shall not exceed a height of three feet. The proposed wall sign has a height of 4'4".
2. Section 19-4.9(9)(i)3 states that no more than three colors are permitted per wall sign. The proposed wall sign contains 4 colors.
3. Section 19-4.9(9)(i)4 states that no more than five words are permitted per wall sign. The proposed wall sign contains 11 words.

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

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

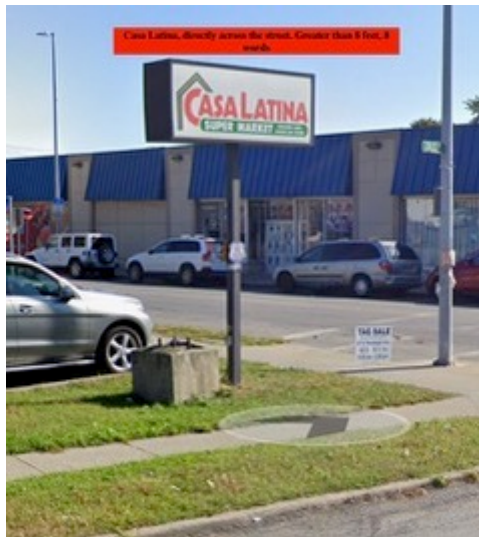
Very truly yours,
Joseph O'Brien
Deputy Zoning Administrator







Gino's (wall sign) has more than three colors and more than five words more than 3 feet



Casa Latina, directly across the street. Greater than 8 feet, 8 words.

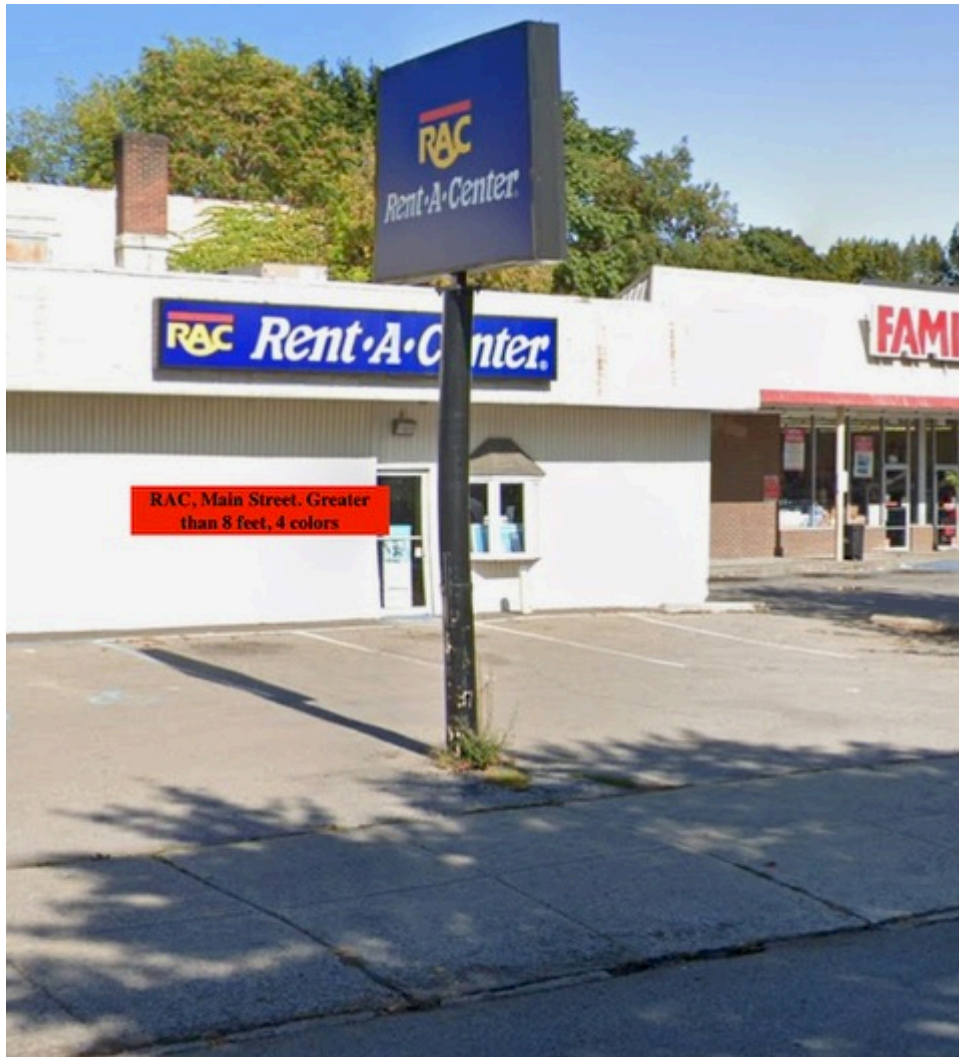


Big Tomato (wall sign) more than three colors, more than five words, more than 3 feet.

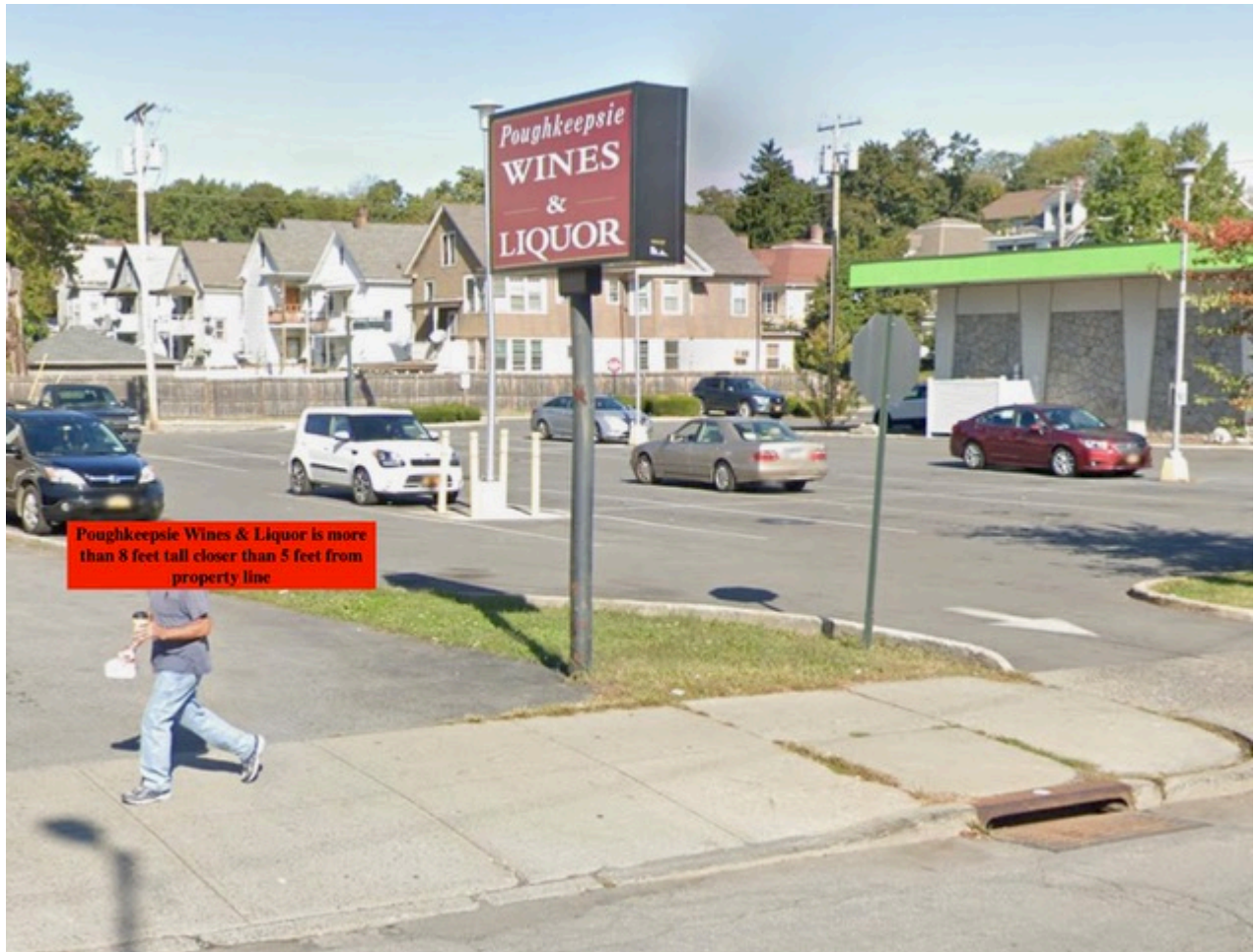


Kane Motors on Main Street is over 8 feet in height





RAC, Main Street. Greater than 8 feet, 4 colors



**McDonalds on Main
Street is less than 5 feet
from the property line,
is greater than 8 feet
and has 10 words.**





**CITY OF POUGHKEEPSIE
DEVELOPMENT DEPARTMENT
JUNE 11, 2024**

AREA VARIANCE(S) REVIEW ANALYSIS

Project Description: **650 MAIN STREET: AREA VARIANCE**
Application for area variances for 650 Main Street to allow placement of a freestanding sign, requiring variances of Section 19-4.9(9)(d)(1) relative to set-backs, Section 19-4.9(9)(d)(2) relative to height, Section 19-4.9(9)(d)(4) relative to number of words, and a wall sign, requiring variances of Section 19-4.9(9)(i)(2) relative to height, Section 19-4.9(9)(i)(3) relative to number of colors and Section 19-4.9(9)(i)(4) relative to number of words. Owner/Applicant: Saleh Hijaze; Zoning District: C-2A; Grid #6161-49-620556; File #2024-010

Review Date: May 31, 2024

Staff: Judith Knauss, Deputy Zoning Administrator
Lori Garcia, Municipal Administrative Assistant

VARIANCES REQUESTED:

- 1) Section 19-4.9(9)(d)(1), which requires a minimum set-back of 5 feet to a front property line for freestanding signs, to allow a set-back off less than one foot;
- 2) Section 19-4.9(9)(d)(2), which limits the height of freestanding signs to 8 feet, to allow 11 feet;
- 3) Section 19-4.9(9)(d)(4), which limits the number of words on a freestanding sign to five, to allow 6 words;
- 4) Section 19-4.9(9)(i)(2), which limits the height of wall signs to 3 feet, to allow 4 feet;
- 5) Section 19-4.9(9)(i)(3), which limits the number of colors for wall signs to 3, to allow 4 colors;
- 6) Section 19-4.9(9)(i)(4), which limits the number of words on a wall sign to 5, to permit 11 words.

SEQR: Pursuant to the provisions of 6 CRR-NY 617.5, this project is classified as an unlisted action under SEQRA.

DEFINITION OF "AREA VARIANCE:"

Authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

INSTRUCTIONS TO THE ZONING BOARD OF APPEALS:

The Board of Appeals, in the granting of area variances, shall grant the minimum variance deemed necessary and adequate and at the same time preserve and protect the character of the neighborhood and health, safety and welfare of the community. The Board of Appeals shall have authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the Zoning Ordinance and shall be imposed for purpose of minimizing any adverse impact such variance may have on a neighborhood or community. In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance(s) is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider the following criteria:

CRITERIA FOR GRANTING AN AREA VARIANCE

(i) Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variances?

The signs could be said to add to the visual pollution of the area.

(ii) Can the benefit sought by the applicant be achieved by some method feasible for the applicant to pursue, other than an area variance(s)?

The applicant could consider modifications to both signs that would bring them closer in line to the requirements of the Ordinance. For example, the number of words on both signs could be reduced, as could the wall sign. Additionally, the height of both signs could be reduced, and the location of the freestanding sign could be changed so that it does not overhang the public sidewalk.

iii) Are the requested variances substantial?

It could be said that the variances are substantial, as no effort appears to have been made to comply or bring the signs into closer compliance with the requirements of the sign ordinance.

iv) Will the proposed variances have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

The variances might be said to have an adverse effect on the physical/environmental conditions in the area. The new sign ordinance was adopted in 2018 to address concerns about signage, including aesthetic concerns and concerns about proliferation of signs.

The only signs under review before the ZBA are the wall and freestanding signs of the instant application. While the applicant mentions other signs and includes photographs, these other signs are not relevant, as the signs may have been 1) installed prior to the adoption of the new sign ordinance in 2018; and/or 2) installed without permits or approvals.

v) Is the alleged difficulty self-created? (Consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.)

The difficulty in complying with the ordinance is entirely self-created as the applicant installed the new signs without benefit of permits or approvals.

Recommendations:

It is recommended that the Board open the public hearing.

Motion:

Second:

Carried:

Public Comment(s) to be received:

*

It is recommended that the Board close/adjourn the public hearing.

Motion:

Second:

Carried:

If the Board feels the applicant has provided sufficient information regarding the proposed project they may request that the City Staff to draft a resolution of approval/denial OR the Board may request the applicant to submit further documentation.

Dutchess County Department of Planning and Development		Fax Info Only	To	Date	#pgs
			Co./Dept.	From	
			Fax #	Phone #	

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Poughkeepsie**

Referring Agency: **Zoning Board of Appeals**

Tax Parcel Numbers(s): **5188770000**

Project Name: **Dutchess County Auto Repair Sign Variances**

Applicant: **Saleh Hijazeen**

Address of Property: **650 Main St, Poughkeepsie, NY 12601**

**Exempt Actions:*
239 Review is NOT Required**

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☐ Rezoning involving all map changes
- ☐ Architectural Review
- ☐ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☒ Area Variances for all non-residential uses
- ☐ Other (Describe):

Parcels within 500 feet of:

- ☒ State Road:
- ☐ County Road:
- ☐ State Property (with recreation area or public building)
- ☐ County Property (with recreation area or public building)
- ☐ Municipal Boundary
- ☐ Farm operation in an Agricultural District

Date Response Requested: **6/3/2024**

Entered By: **Knauss, Judith**

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☐ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☒ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted:	Notes: Additional materials received 5/30	☐ Major Project	
Date Received: 5/30/2024		Referral #: ZR24-152	
Date Requested: 6/3/2024			
Date Required: 6/28/2024	☐ Also mailed hard copy	Reviewer:	
Date Transmitted: 6/7/2024			



DUTCHESS COUNTY GOVERNMENT
DEPARTMENT OF PLANNING & DEVELOPMENT

June 7, 2024

To: Zoning Board of Appeals, City of Poughkeepsie
Re: **ZR24-152, Dutchess County Auto Repair Sign Variances**
Lot: 518877, 650 Main Street

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

ACTION

The applicant is seeking six variances:

For the monument sign:

1. Less than 5 feet from the property line
2. 11 feet tall where 8 feet is the maximum
3. Six words where five are permitted

For the wall sign:

1. 4 feet 4 inches high where 3 feet is the maximum
2. Four colors where three is the maximum
3. Eleven words where five are permitted

COMMENTS

1. This property previously had a raised landscape bed that separated the parking area from the sidewalk. A similar pole sign was located at the rear edge of that barrier. The raised bed has since been removed, and the sign moved forward. The landscape barrier serves an important purpose, providing a barrier between people walking and cars in the lot, preventing cars from parking over the sidewalk, making the entrance clear, and visually distinguishing between the public way and private property. It is also required by 19-4.11 (b). Approval of any of the requested variances should be contingent on replacement of a buffer as described in that section.
2. With the above condition, we find the variances for word count on the monument sign, the height of the wall sign, the colors of the wall sign, and the word count for the wall sign to be matters of local concern, though we suggest that the Board and applicant consider ways to reduce the substantiality of the wall sign word count variance, which as proposed is more than double what is allowed.
3. The city has placed limits on the height and location of monument signs to reduce highway-style signage and ensure that the right-of-way remains clear. The applicant notes that the business across the street has a similar sign, which is taller and closer to the sidewalk than permitted. The existence of a nonconforming sign, especially one that has been in existence for a long time, is not in and of itself a reason to allow additional nonconforming signs. The goal is to slowly bring signage into conformance as the opportunity arises. We recommend that the variances for monument sign height and proximity to the property line be denied.

(ZR24-152, cont.)

RECOMMENDATION

For the reasons stated above, we recommend the Board **condition** approval of any variances on reestablishment of a landscaped buffer in accordance with 19-4.11 (b) and **deny** the requested variances for freestanding sign height and proximity to the parcel line.

Voting and Reporting Requirements: If the Board acts contrary to our recommendation, the law requires that it do so by a majority plus one of the full membership of the Board and that it notify us of the reasons for its decision.

Eoin Wrafter, AICP

Commissioner

By

A handwritten signature in black ink, appearing to read 'D. Tuttle', followed by a horizontal line.

Dylan Tuttle, Senior Planner



6161-22-239997
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# 090160
IPS# 2822624

011

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

Lot 239997
PROPERTY ADDRESS: 8 South Clinton Street

ZONING DISTRICT: C-2

OWNER INFORMATION:

Name: South Clinton Equities, LLC
Address: 18 Sophia Street
Monsey, NY 10952
Phone: 917-642-0410
Email: shragy@ccofny.com

APPLICANT INFORMATION:

Name: Jason Lichwick Architecture PLLC
Address: 387 Hooker Avenue, Suite 5
Poughkeepsie, NY 12603
Phone: 845-284-6344
Email: jason@JLArchitectureNY.com

CONSULTANT INFORMATION:

Name: Same as Applicant
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: April 30, 2024

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

PAID
✓ 1152
MAY 06 2024
\$350



ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 8 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
<u>19-3.17(4)(b)</u>	<u>16,400 sf / 6,770 sf</u>	<u>9,630 sf</u>
<u>19-3.15(4)(i)</u>	<u>5,100 sf / 4,460 sf</u>	<u>640 sf</u>
<u>19-4.3(11)</u>	<u>28.5 spaces / 7 spaces</u>	<u>21.5 spaces</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

VARIANCE REQUEST JUSTIFICATION

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

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

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

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why. **See Attached**
- 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? **See Attached**
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial. **See Attached**
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not? **See Attached**
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain. **See Attached**

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 8 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):

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

05.06.2024

DATE

Jason Lichwick, R.A.

Print Name

VARIANCE REQUEST JUSTIFICATION QUESTIONS/ANSWERS

8 South Clinton Street – Proposed Four Story Mixed-Use Building

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

No, the expansion does not negatively impact the character of the neighborhood. Other four-story mixed-use multifamily structures exist in the neighborhood. The project has been designed to complement the existing massing and character seen in other structures nearby, adding visual interest and activity to the street.

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

With the proposed addition, the property's current lot size is not sufficient to accommodate the minimum lot requirements and therefore needs a variance. As it was not possible to purchase other contiguous lots, no feasible alternatives existed to expand the available area. The design seeks to make efficient use of the lot in question, but a variance is required.

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

The requested variance is not substantial. Both dedicated parking and open space are part of the proposed design. Only a 640SF variance is required for open space, and ample open space exists nearby in the neighborhood. For the parking variance, several dedicated parking spaces will be available and a bus stop in front of the building will also allow tenants access to public transport.

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

No, the project is designed to positively contribute to the overall physical, social, and environmental conditions in the neighborhood. The structure will aesthetically complement the other four-story mixed-use multifamily structures present in the vicinity. Dedicated parking and open space are part of the proposed design, and new retail space on the ground floor will contribute to the maintenance, cleanliness, and care of the street.

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



The need for variances is due to the constraints of the lot size. Despite the limited size of the property, the design works to maximize open space and parking on site to accommodate the areas required by code, yet a variance is still required.



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

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

Eric Philipp
Building Inspector

April 30th, 2024

Jason Lichwick

Re: S Clinton St (239997)

ID: 090160

Zoning Review Request PD-2024-037

Dear Applicant,

The Development Department is in receipt of your zoning review request relative to the property at S Clinton St (239997) and the proposed construction of a Mixed-use building containing 1st floor Retail/Offices and 20 dwelling units on the upper floors on the current vacant lot.

This property is located within the Central Commercial District (C-2) which does permit Multiple dwellings in new structures at urban density (R-6), provided that the first floor is devoted to retail, service or restaurant use; and further provided that the usable open space requirements of Section 19-3.15(4)(i) are satisfied per code Section 19-3.23(2)(a)14 of the Zoning Ordinance but would be subject to Site Plan approval from the Planning Board.

Therefore, due to the proposed office space on the 1st floor, a Use Variance will be required to be obtained from the Zoning Board of Appeals per Section 19-3.23(2)(a)14 before Site Plan approval from the Planning Board can be obtained.

Based off the provided plot plan, some deficiencies have been identified which will require Area Variances from the Zoning Board of Appeals which are as follows.

1. Section 19-3.17(4)(b) states that the minimum required lot area for your proposed use is 16,400 square feet. This lot contains 6,770 square feet of lot area.
2. Section 19-3.15(4)(i) states that the minimum required usable open space for the proposed use is 5,100 square feet with a minimum dimension of 40' and such usable open space shall be devoted to improved and landscaped play and sitting areas for use of residents thereof, and the design and layout of the usable open space shall be subject to approval by the Planning Board. No usable open space is proposed.
3. Section 19-4.3(1) states that whenever a parking area containing three or more spaces faces a street or a property line, a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center shall be provided between the parking area and the street line or property line. No landscaping is proposed.



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

4. Section 19-4.3(2) states that where a parking area for three or more vehicles abuts a residential property, it shall be screened from view by landscaping, opaque fence or wall or other means approved by the Planning Board. No such screening is proposed.
5. Section 19-4.3(5)(b) states that parking spaces shall be not less than 20 feet long. The proposed parking spaces are 18' long.
6. Section 19-4.3(5)(c) states 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 lighting is proposed.
7. Section 19-4.3(11) states that 32 parking spaces are the minimum required for the proposed use. 7 parking spaces are proposed.
8. Section 19-4.11(1)(b) states that landscape strips shall be provided along all property lines of multifamily uses as detailed further in this section. No landscaping is proposed.

After the Use Variance is granted by the Zoning Board of Appeals along with all Area Variances, 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.

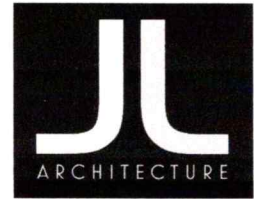
If you have any questions or comments, please feel free to contact me, info is listed below, thanks.

Joseph D. O'Brien

Deputy Zoning Administrator

Office - 845-451-4273

jobrien@cityofpoughkeepsie.com



May 6, 2024

Mr. Scott Parker, Chairman
City of Poughkeepsie Zoning Board
62 Civic Center Plaza, Second Floor
Poughkeepsie, NY 12601

Re: New Construction- Mixed-Use Multifamily Building
8 South Clinton Street
Poughkeepsie, NY 12601

Dear Mr. Parker,

We come before the board seeking three area variances for a proposed project located at 8 South Clinton Street in the City of Poughkeepsie. The proposed project is new construction of a four-story, mixed-use multifamily building in the C-2 zoning district.

The proposed building has commercial retail space on the ground floor, approximately 1,152 sf, and three stories above of residential apartments, each floor level is approximately 5,100 sf. The building will consist of ten (10)- studio, nine (9) one-bedroom, and one (1) two-bedroom apartments. Each apartment has an exterior balcony. There is a proposed rooftop terrace, approximately 4,460 sf to accommodate the open space requirements. We are proposing seven off-street parking spaces with a dumpster enclosure.

The following area variances are required:

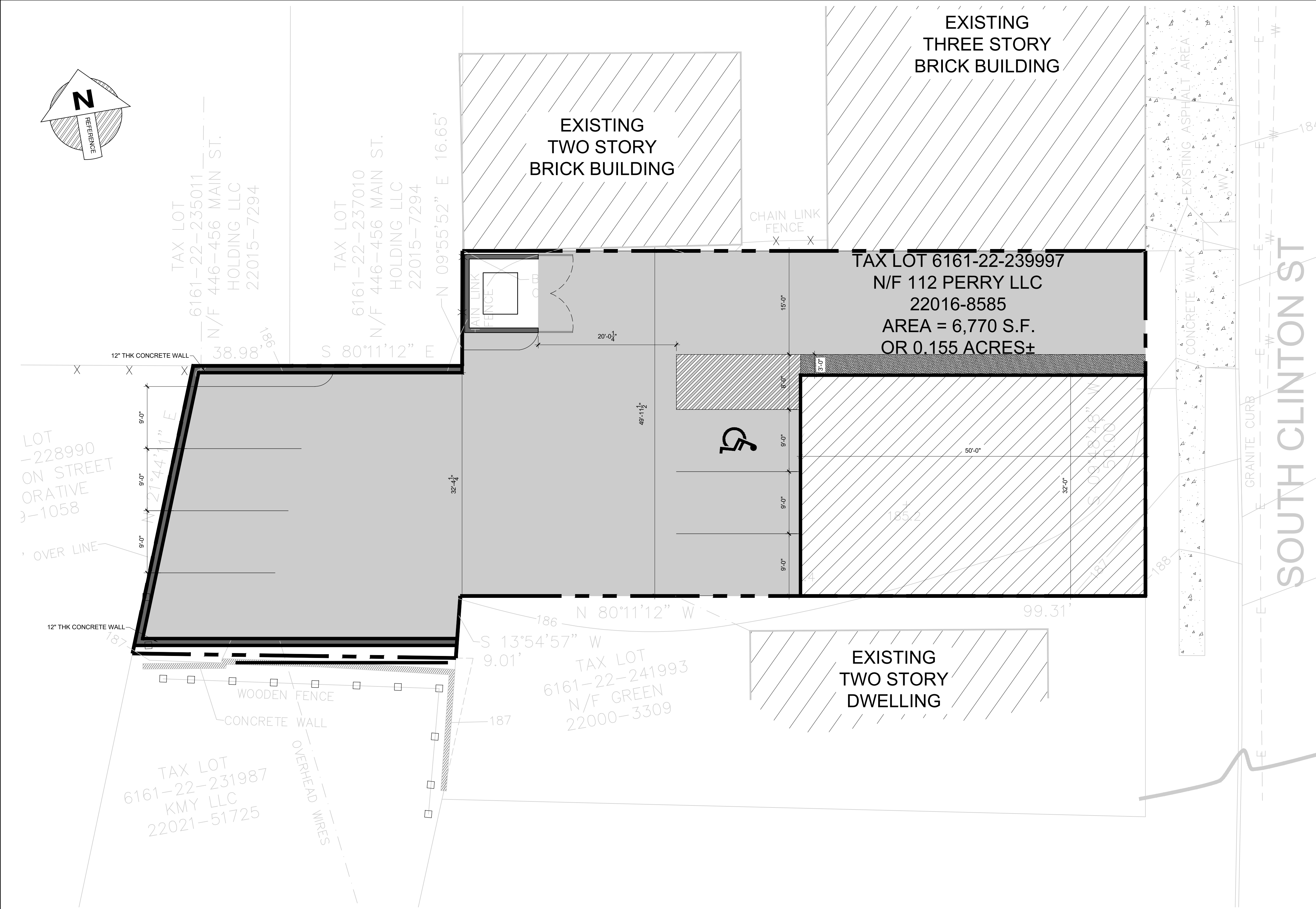
- | | | |
|--------------------------|--------------------|-------------|
| 1. Section 19-3.17(4)(b) | Lot Area | 9,630 sf |
| 2. Section 19-3.15(4)(i) | Open Area | 640 sf |
| 3. Section 19-4.3(11) | Off-Street Parking | 21.5 spaces |

Thank you for your time and consideration as we seek approval for the area variances to move our project forward.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Jason Lichwick', written over a horizontal line.

Jason Lichwick
NYSRA Lic. No. 038612



1 Preliminary Site Plan
SP1.1 Scale: 1/8" = 1'-0"

BULK TABLE REQUIREMENTS			
ZONING INFORMATION	ZONE : C-2 (Central Commercial District)		
	Proposed Use : Mixed-Use Multi-Family		
	Permitted with: Site Plan Review		
MINIMUM REQUIREMENTS			
	Required	Provided	Variance
Lot Area	NONE	0.155 ACRES / 6,770 S.F.	
Lot Width	NONE	50'-0" FT +/-	
Lot Frontage	NONE	NONE	
YARD SETBACKS			
	Required	Provided	Variance
Front	0 FT	0 FT	
Side 'A'	0 FT	0 FT	
Side	0 FT	0 FT	
Rear	0 FT	0 FT	
MAXIMUM PERMITTED			
	Required	Provided	Variance
Percentage of Lot Coverage	100%	100%	
Building Height	100 FT	55'-0" FT	
MINIMUM REQUIREMENTS			
	Required	Provided	Variance
Lot Area per Dwelling Unit for Multifamily	16,400 S.F.	6,770 S.F.	9,630 S.F.
Studio/Efficiency Unit (800 SF x 10 D.U.= 8,000 SF)			
1-Bedroom Unit (800 SF x 9 D.U.= 7,200 SF)			
2-Bedroom Unit. (1,200 SF x 1 D.U.= 1,200 SF)			
OPEN SPACE REQUIREMENTS			
	Required	Provided	Variance
Studio/Efficiency Apt. (200 SF per D.U. x 10 units=2,000)	5,100 S.F.	4,460 S.F.	640 S.F.
1-Bedroom Apt. (300 SF per D.U. x 9 units=2,700)			
2-Bedroom Apt. (400 SF per D.U. x 1 units=400)			
OFF-STREET PARKING REQUIREMENTS			
	Required	Provided	Variance
Studio/Efficiency Apt. (1) space/D.U. (10)= 10 spaces	28.5 spaces	7 spaces	21.5 spaces
1-Bedroom Apt. (1.5) space/D.U.(9)= 13.5 spaces			
2 Bedroom Apt. (2) spaces/D.U.(1)= 1 space			
Commercial - Retail (1 space/300 Gross SF= 4 spaces)			
Off Street Parking shall be provided in accordance with the requirements of Section 19-4.3, and such parking shall be located within 600 feet of the premises.			



JASON LICHWICK ARCHITECTURE PLLC
387 HOOKER AVENUE, SUITE 5
POUGHKEEPSIE, NEW YORK 12603
P: 845.284.8344
jason@jlichwick.com

IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED ARCHITECT OR ENGINEER, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF AN ARCHITECT OR ENGINEER IS ALTERED, THE ALTERING ARCHITECT OR ENGINEER SHALL AFFIX TO HIS ITEM THE SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION. NOTE: DO NOT SCALE



South Clinton Mixed-Use New Construction

South Clinton Equities, LLC
S.B.L.: 6161-22-239997
8 South Clinton Street
Poughkeepsie, New York 12601

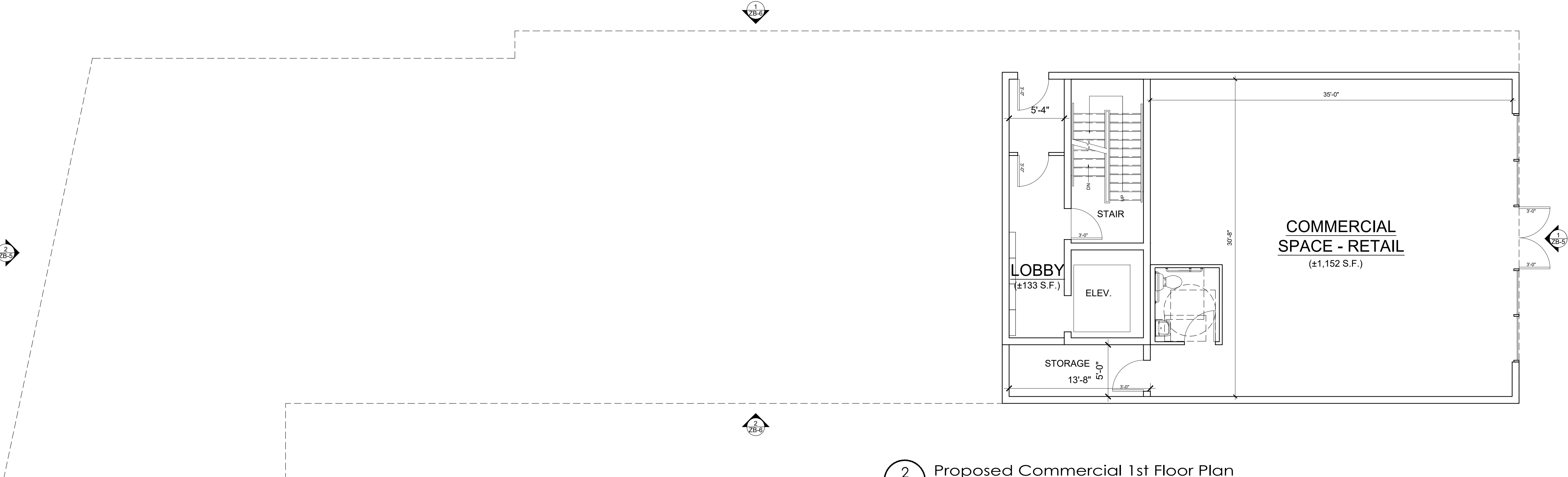
For Zoning Board of Appeals Review

Date: 03.20.2024

Revisions:

Drawn By: JL/HP

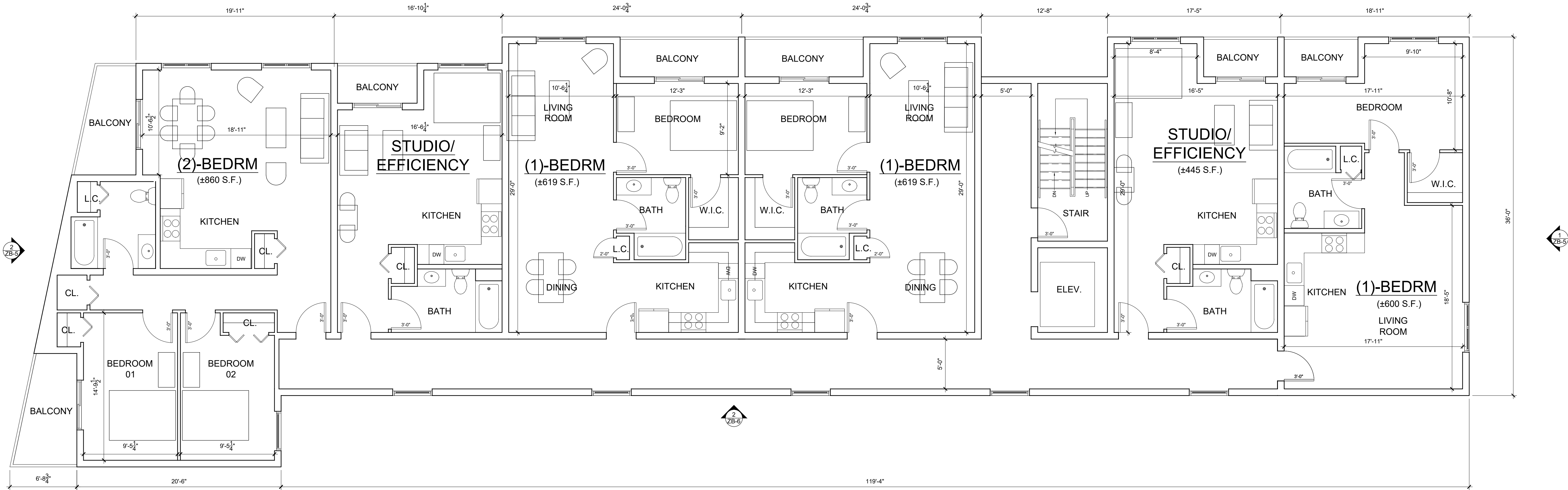
ZB-1



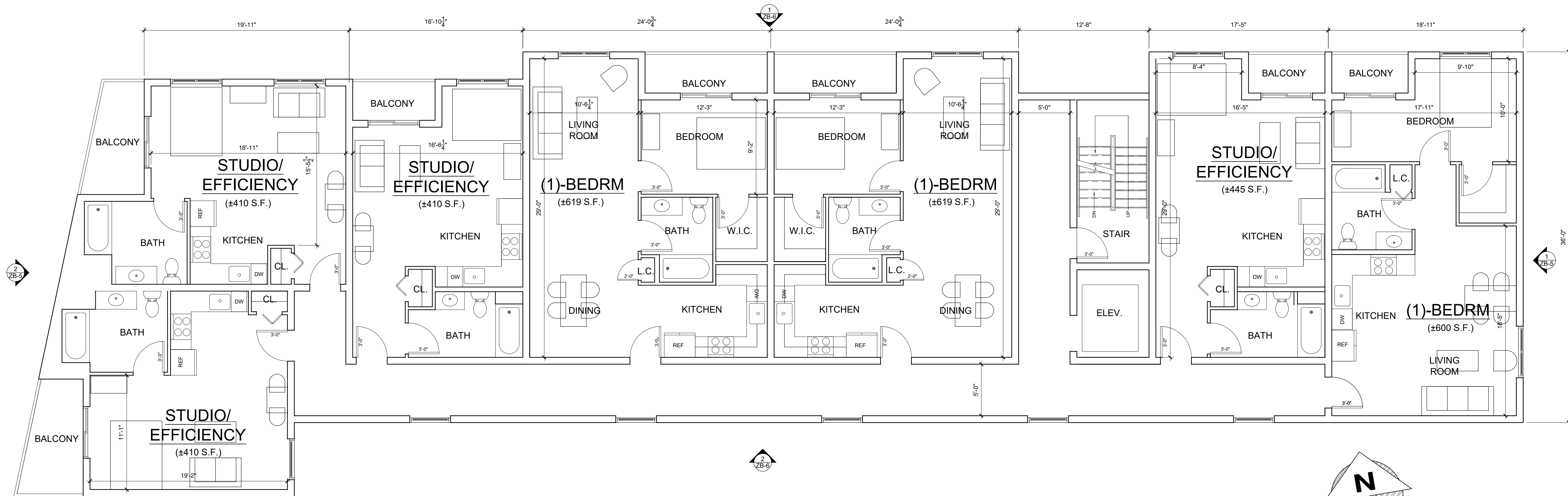
2 Proposed Commercial 1st Floor Plan
DD-1 Scale: 3/16" = 1'-0"



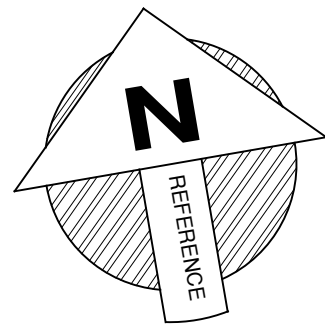
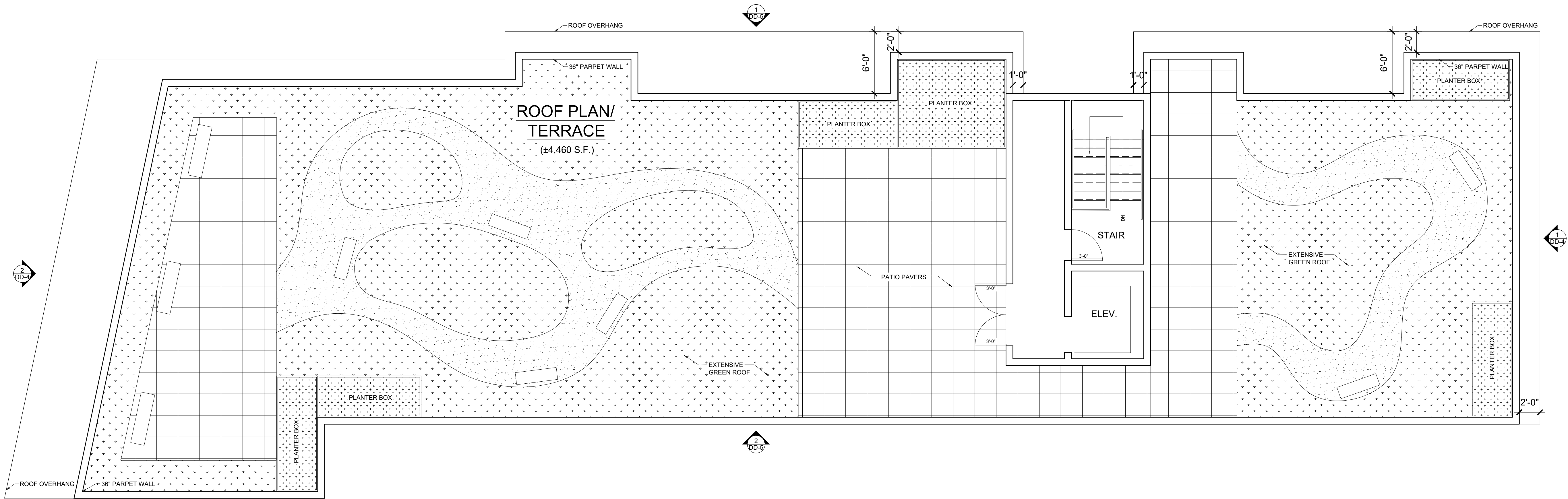
1 Proposed Basement Layout
DD-1 Scale: 3/16" = 1'-0"



1 Proposed 2nd Floor Layout
DD-2 Scale: 3/16" = 1'-0"



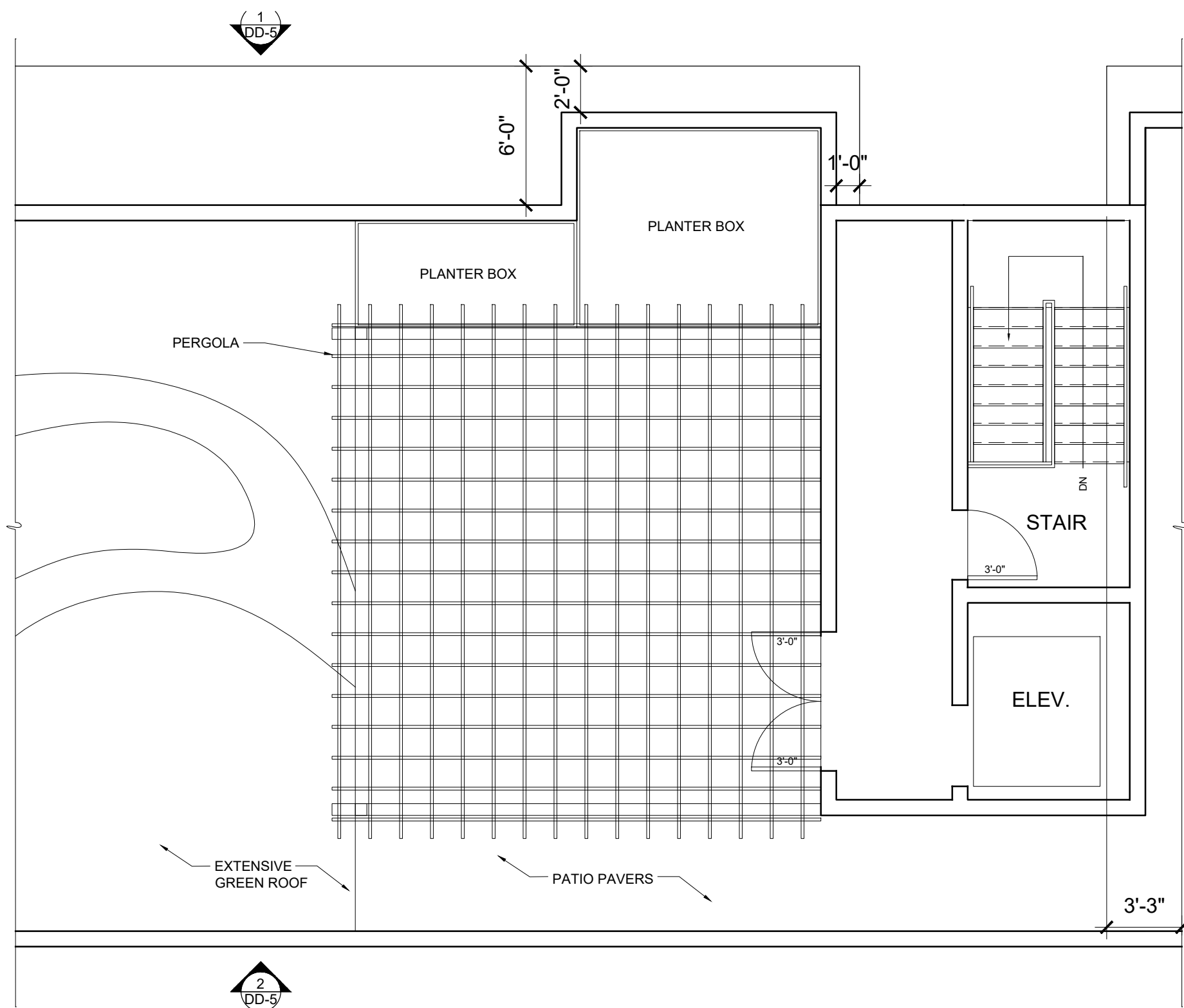
2 Proposed 3rd & 4th Floor Layout
DD-2 Scale: 3/16" = 1'-0"



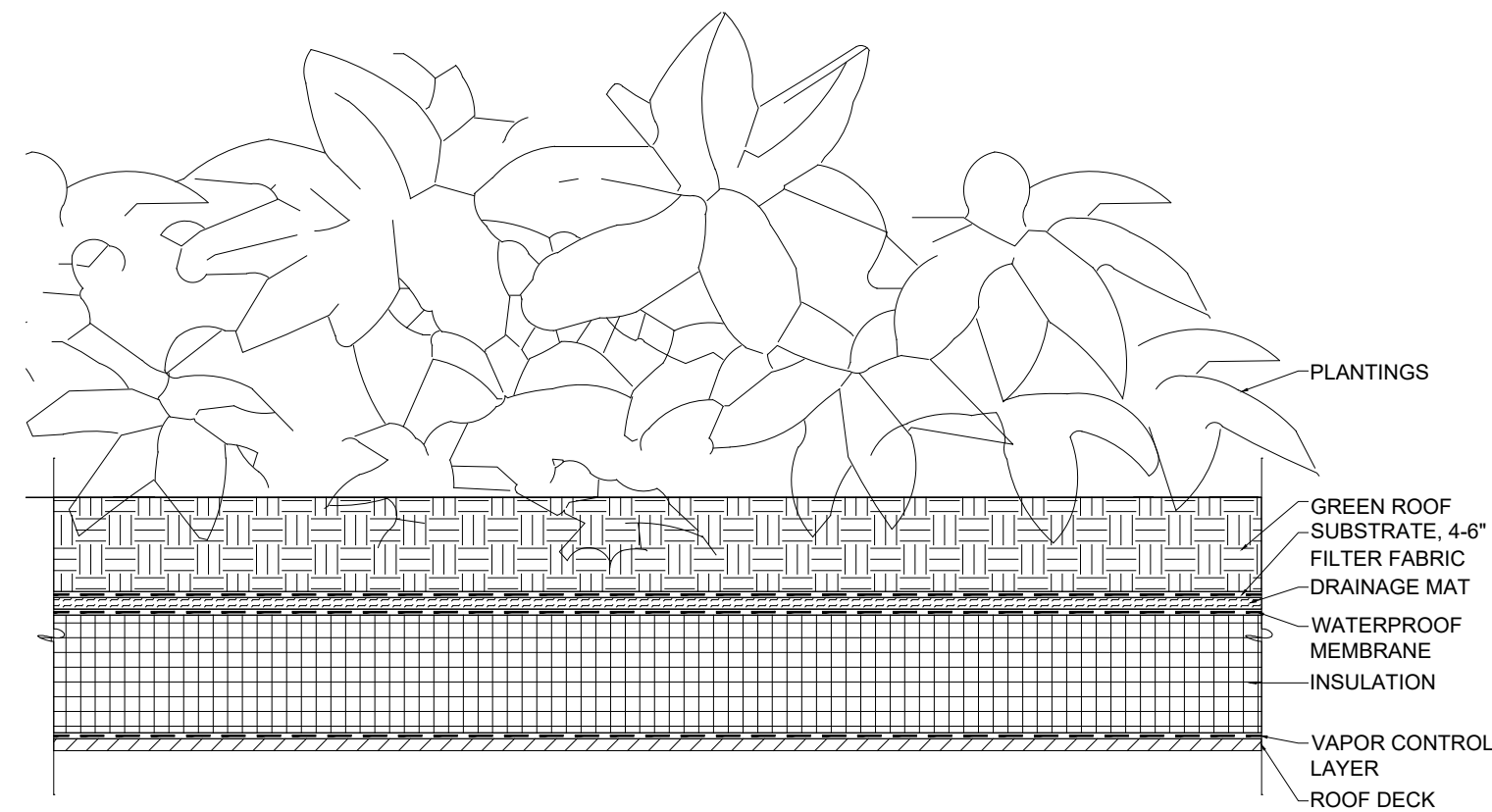
1 Preliminary Roof Layout
DD-2 Scale: 3/16" = 1'-0"

GREEN ROOF PLANTING RECOMMENDATIONS:		
WHITE STONECROP	SEDUM ALBUM	
GOLD MOSS STONECROP	SEDUM ACRE	
WIDOW'S CROSS	SEDUM PULCHELLUM	
MEADOW SAXIFRAGE	SAXIFRAGA GRANULATA	
TWO ROW STONECROP	SEDUM SPURIMUM	
ICE PLANT	DELOSPERMA COOPERII	
BIRDSFOOT TREFOIL	LOTUS CORNICULATUS	
HOUSELEEKS	SEMPERVIVUM	
SEA THRIFT	ARMERIA MARITIMA	
OREGANO	ORIGANUM VULGARE	
ALPINE ASTER	ASTER ALPINUS	
BLUE SEDGE	CAREX FLACCA	
COMMON THYME	THYMUS VULGARIS	

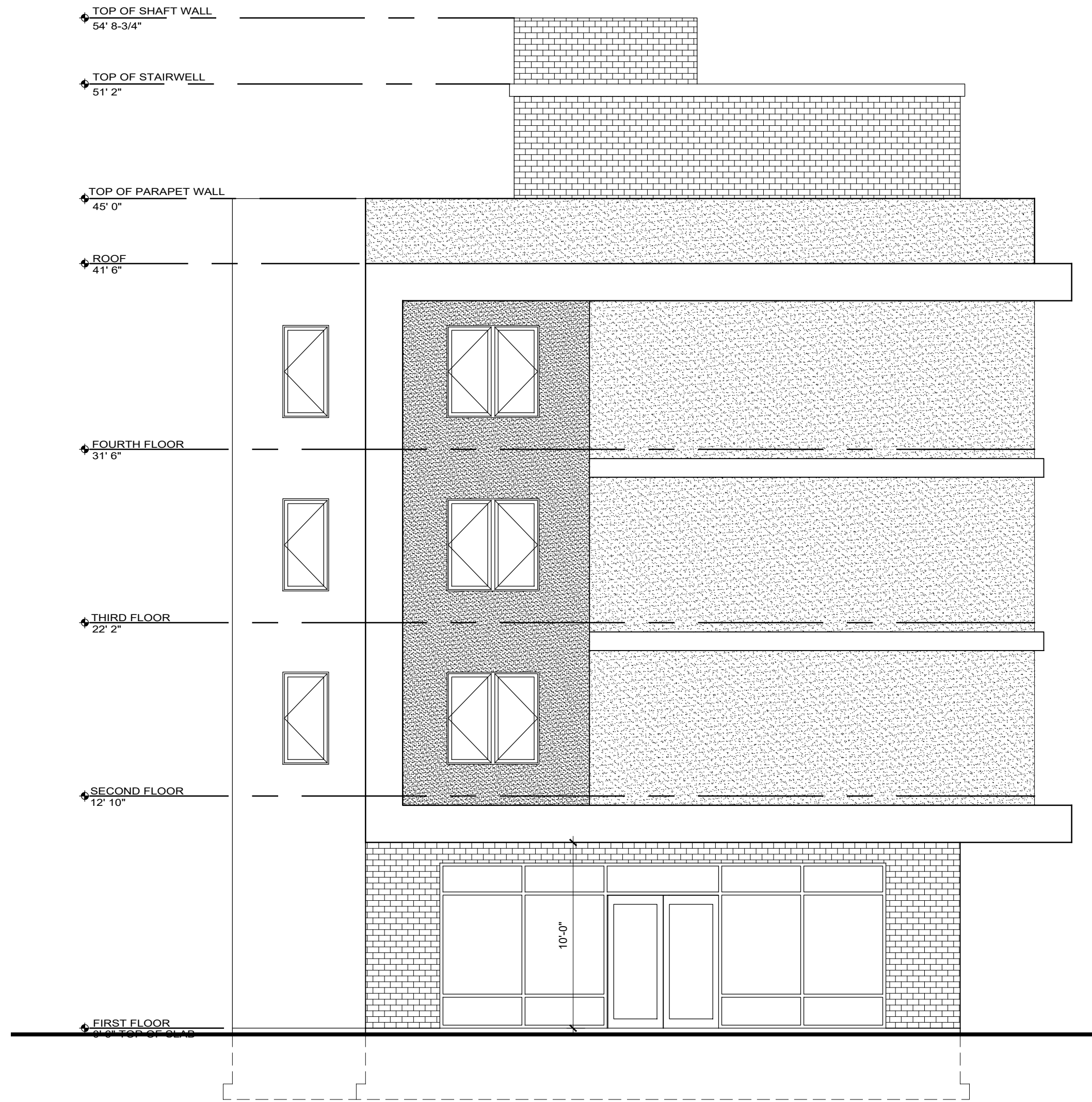
3 Green Roof Planting Recommendations
DD-2 Scale: 1/4" = 1'-0"



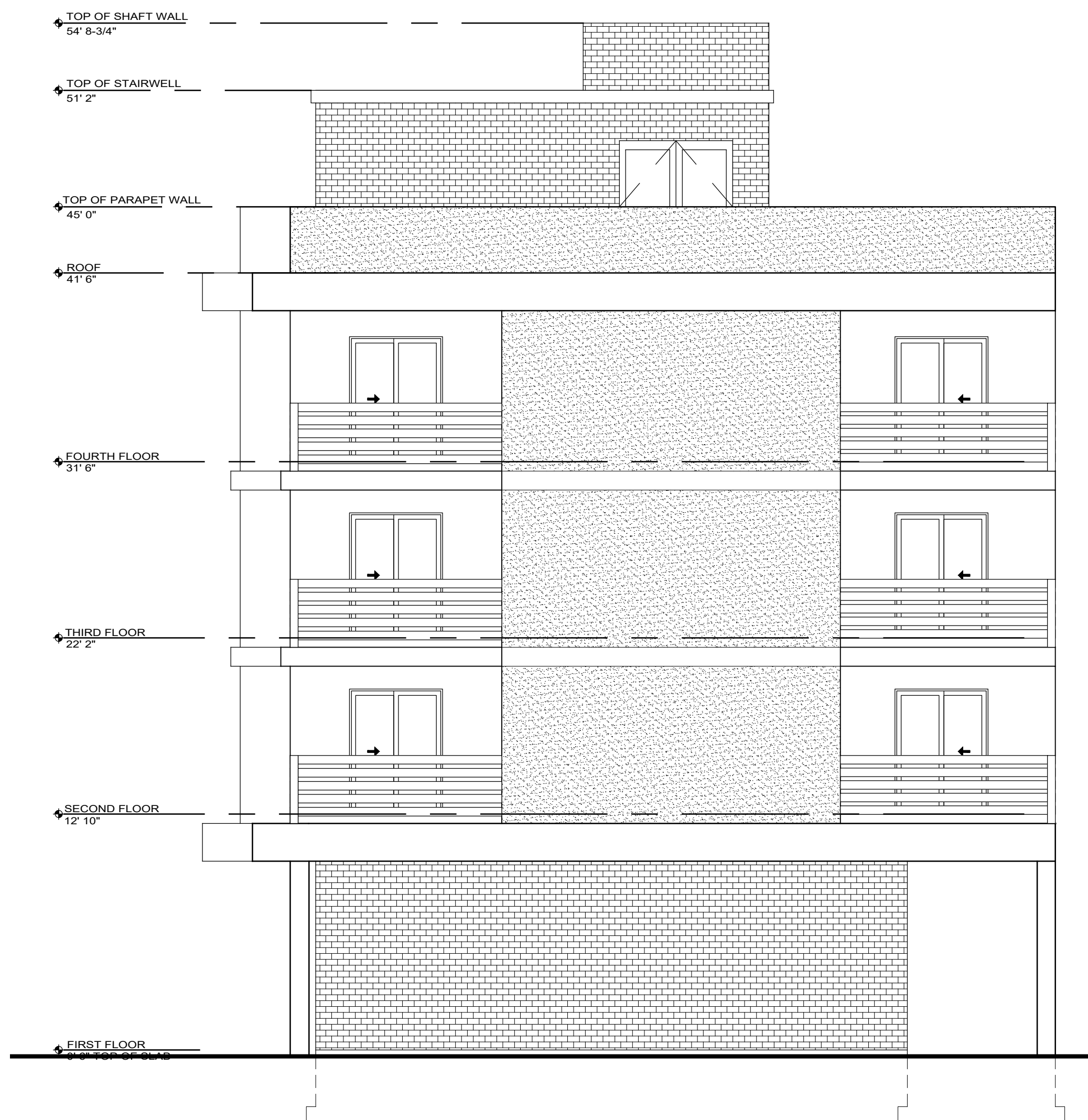
2 Roof Plan - Pergola
DD-2 Scale: 3/16" = 1'-0"



3 Green Roof Section Detail
DD-2 Scale: 1 1/2" = 1'-0"



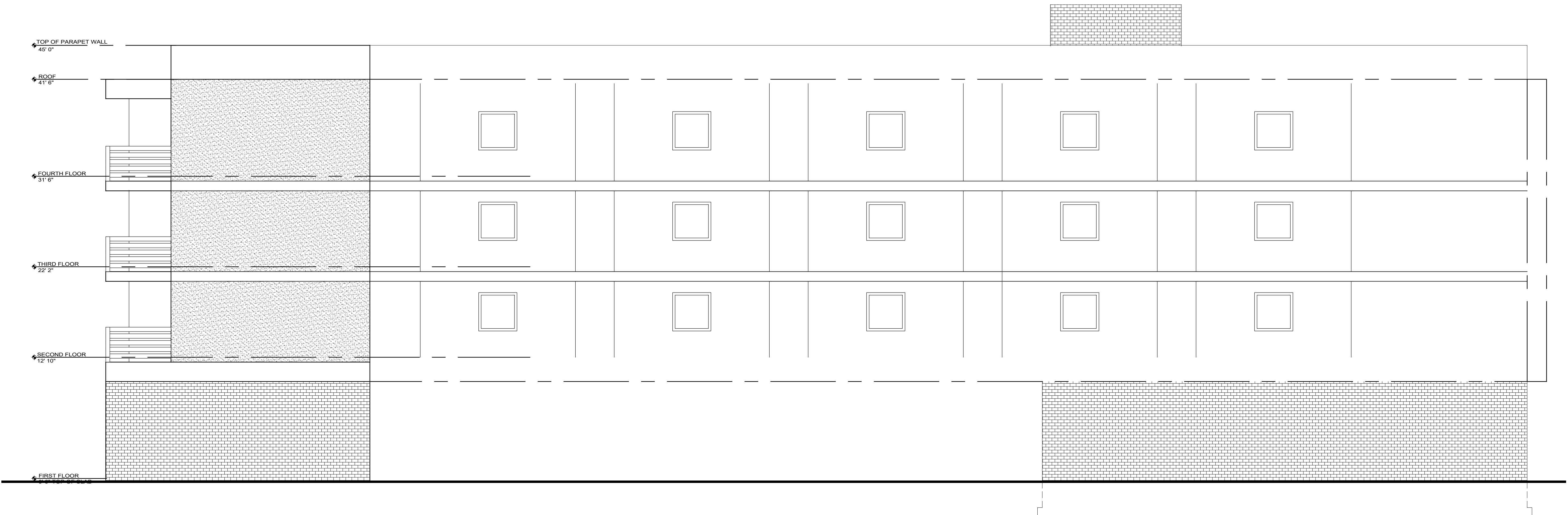
1 Proposed Front Elevation (East)
DD-4 Scale: 3/16" = 1'-0"



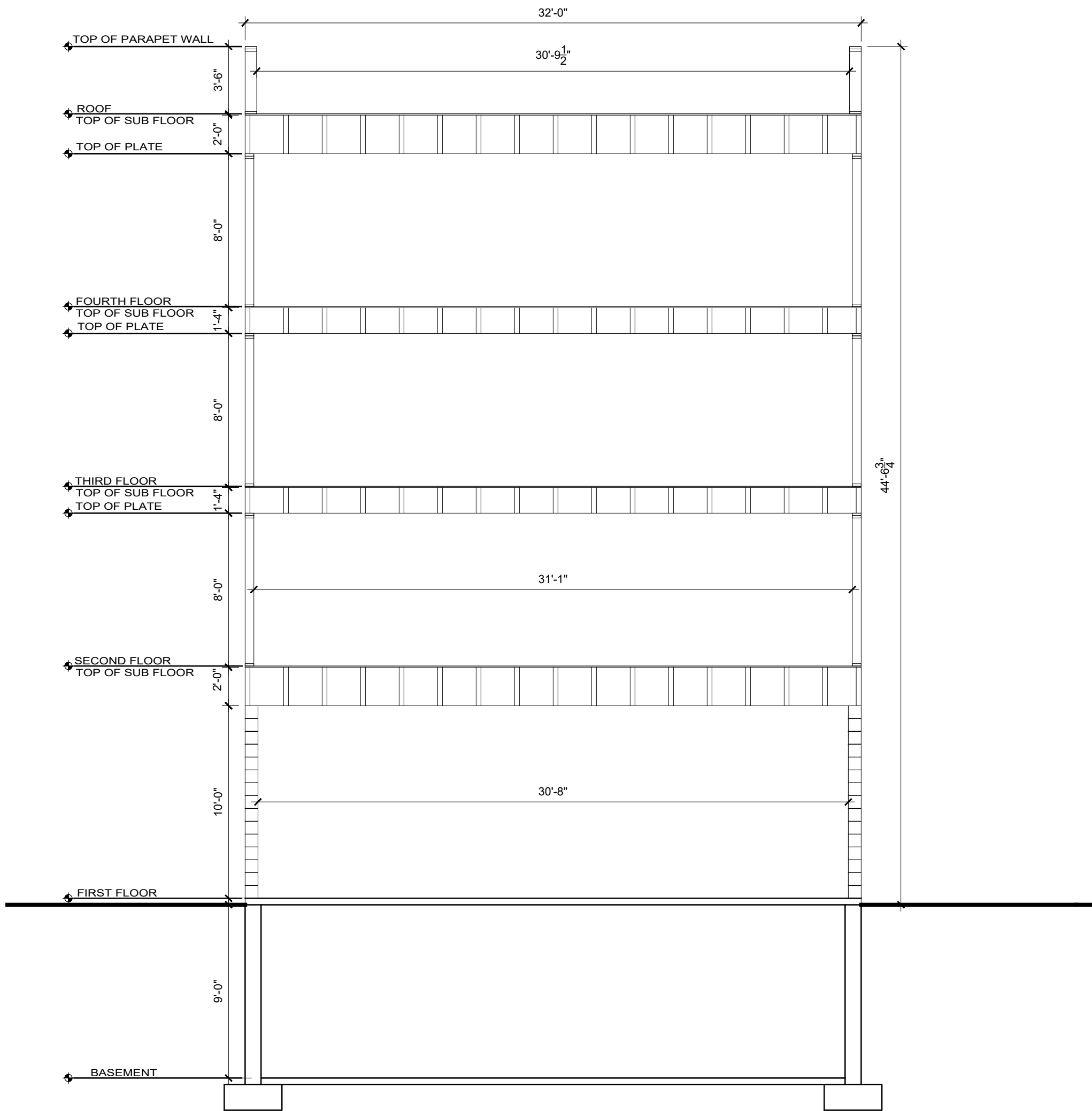
2 Proposed Rear Elevation (West)
DD-4 Scale: 3/16" = 1'-0"



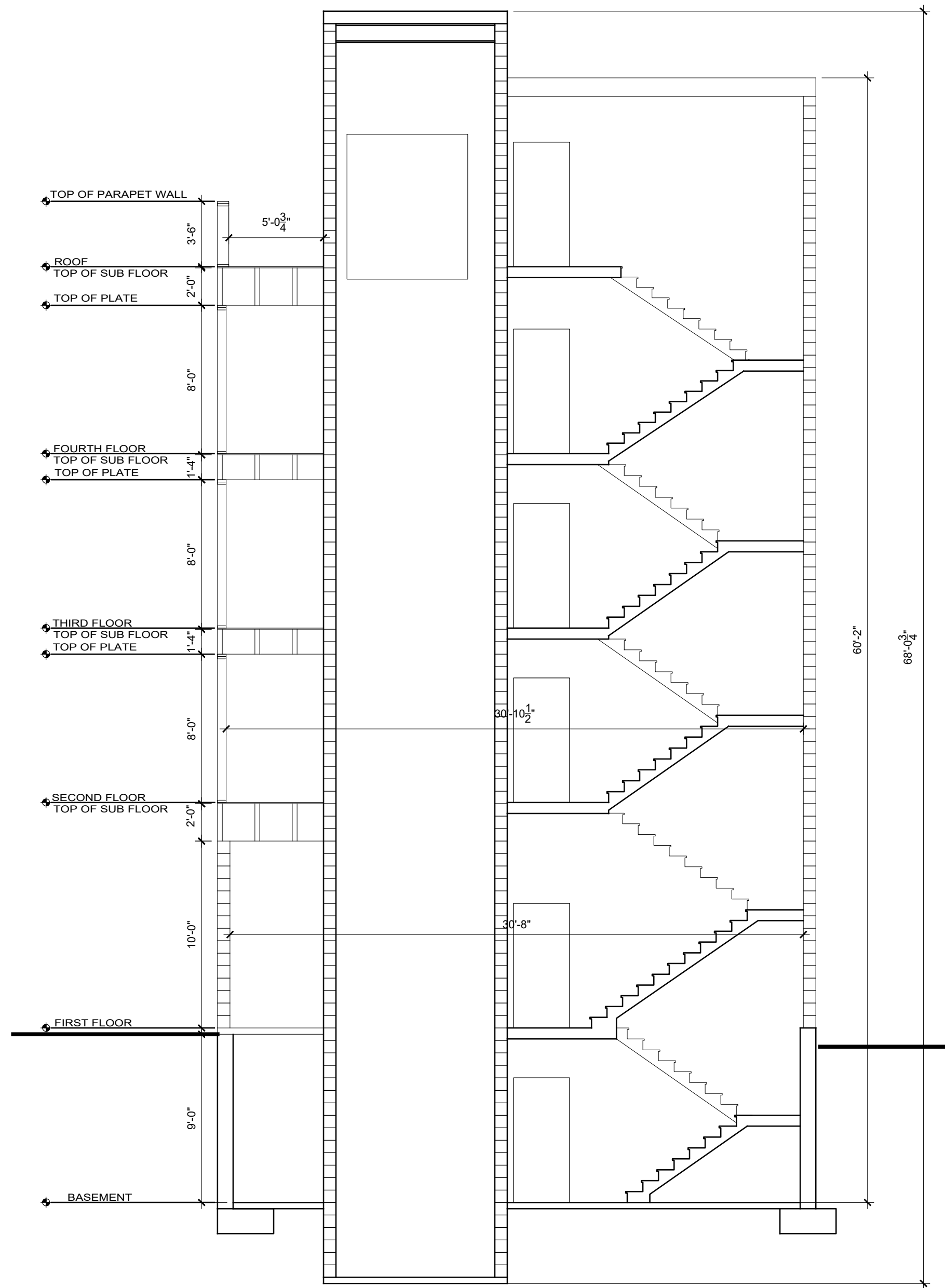
1 Proposed Right-Side Elevation (North)
DD-5 Scale: 3/16" = 1'-0"



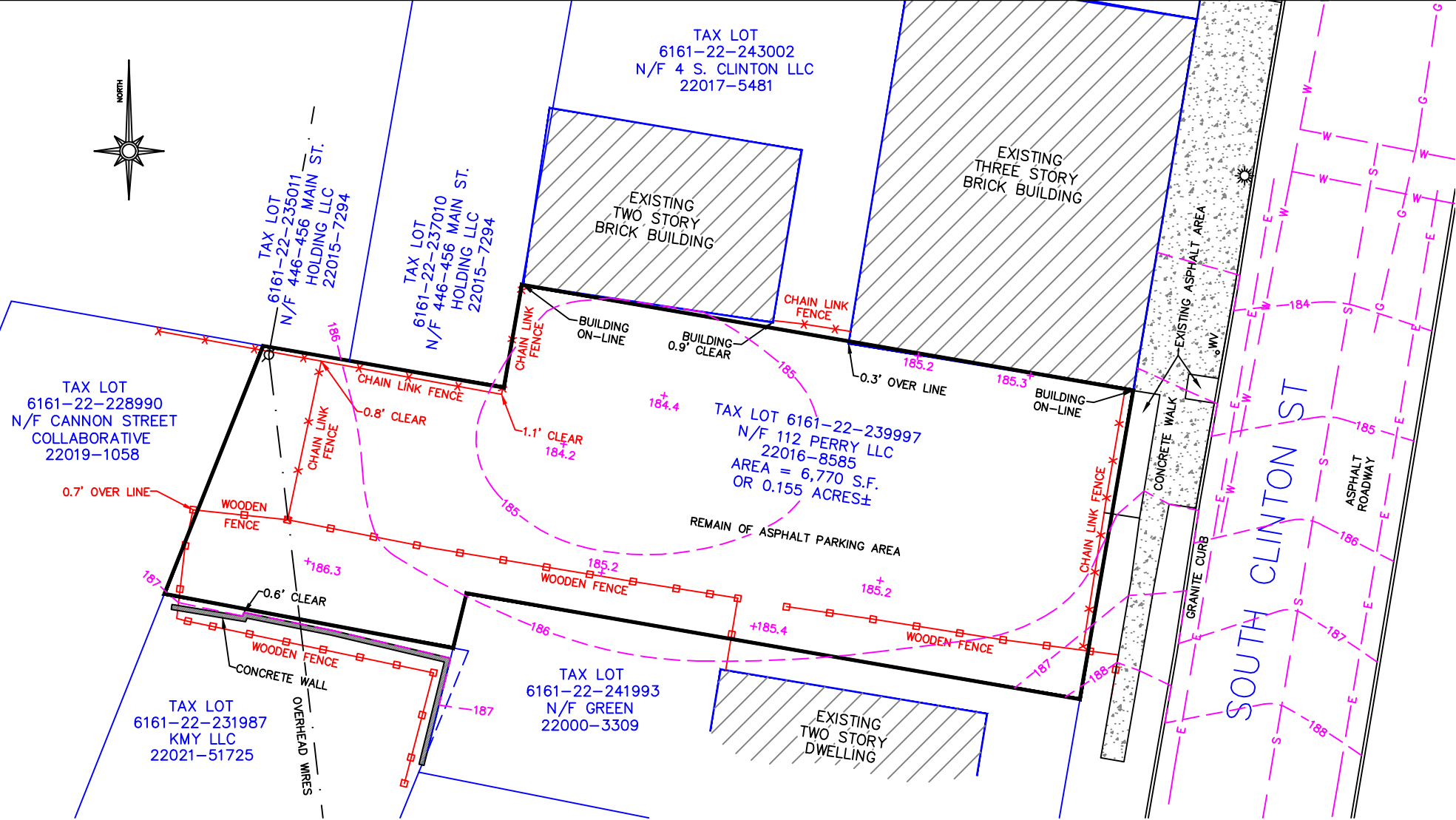
2 Proposed Left-Side Elevation (South)
DD-5 Scale: 3/16" = 1'-0"



1 Proposed Cross Section
DD-6 Scale: 3/16" = 1'-0"



2 Proposed Cross Section Thru Elevator/Stair Tower
DD-6 Scale: 3/16" = 1'-0"



- REFERENCES:
- 1. CITY OF POUGHKEEPSIE TAX MAP SECTION 6161.
 - 2. DEEDS FILED IN THE DUTCHESS COUNTY CLERK'S OFFICE AS:
 - INDEX No. 22016-8585
 - INDEX No. 22000-3309
 - LIBER 1894 PAGE 349
 - INDEX No. 22021-51725
 - INDEX No. 22019-1058
 - INDEX No. 22015-7294
 - INDEX No. 22017-5481
 - INDEX No. 22014-468



I HEREBY CERTIFY THAT:
THIS MAP OR PLAT IS BASED UPON THE FIELD NOTES OF THE SURVEY AND OTHER REFERENCES SHOWN.
ALL RECORDED EASEMENTS OR RIGHTS-OF-WAY AS SHOWN IN THE TITLE REPORT AND OTHER REFERENCES ARE SHOWN.
ALL OBSERVABLE EVIDENCE OF EASEMENTS ON THE GROUND ARE SHOWN.
ALL OBSERVABLE, ABOVE GROUND EVIDENCE OF BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS ARE SHOWN.

UNAUTHORIZED ALTERATION TO A MAP BEARING A LICENSED PROFESSIONAL LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
THIS CERTIFICATION IS NOT AN EXPRESS OR IMPLIED WARRANTY OR GUARANTEE, IT IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE.
CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
PLAN PREPARED PURSUANT TO SECTION 7208m OF THE NEW YORK STATE EDUCATION LAW.
SUBJECT TO THE FINDINGS OF AN UP-TO-DATE TITLE SEARCH.

Darren Stridiron
DARREN J. STRIDIRON, PROFESSIONAL LAND SURVEYOR
NEW YORK STATE LICENSE No. 050487

CV ASSOCIATES NY, PE, LS, P.C.
148 ROUTE 17M SUITE 2, HARRIMAN, NY 10926
TEL (845)774-1075, FAX (845)774-8139, e-mail: surveyingcva@cvassociatesny.com

BOUNDARY & TOPOGRAPHIC SURVEY

**SOUTH CLINTON STREET
LOCATED AT
TAX LOT 6161-22-239997
CITY OF POUGHKEEPSIE
COUNTY OF DUTCHESS, NEW YORK**

Date 7/13/22	Work Order	Drawing No.	SHEET
Scale 1"= 20'	1402-65	1402-65SURVEY	1/1

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

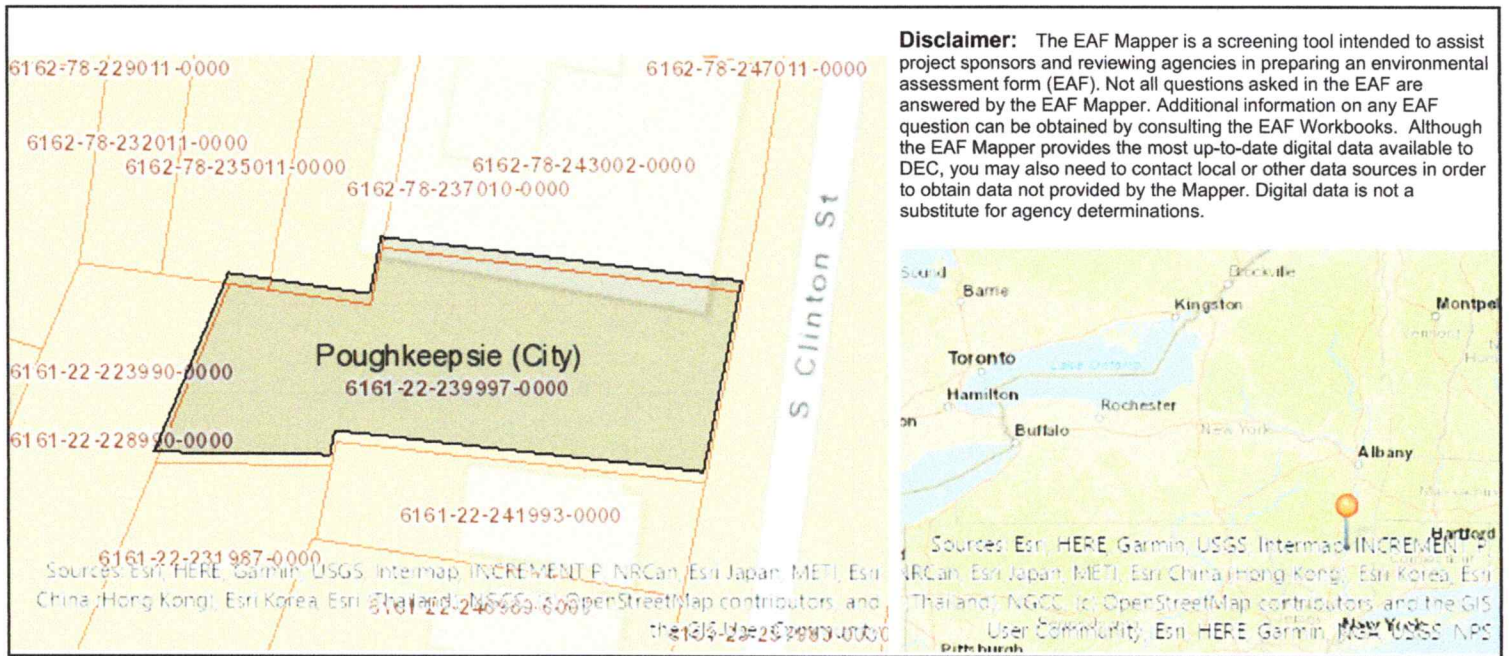
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 – Project and Sponsor Information			
8 South Clinton Street			
Name of Action or Project:			
Mixed-Use Multifamily Project			
Project Location (describe, and attach a location map):			
8 South Clinton Street			
Brief Description of Proposed Action:			
Proposed new construction for a four-story mixed-use building. Proposed Retail space on ground floor and three stories of residential above. Building will have a roof terrace. Seven off-street parking spaces are proposed.			
Name of Applicant or Sponsor:		Telephone: 845-284-6344	
Jason Lichwick Architecture PLLC		E-Mail: jason@JLArchitectureNY.com	
Address:			
387 Hooker Avenue, Suite 5			
City/PO:		State:	Zip Code:
Poughkeepsie		New York	12603
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: Zoning Board of Appeals Planning Board Site Plan review			YES
			☐
			☒
3. a. Total acreage of the site of the proposed action? 0.155 acres			
b. Total acreage to be physically disturbed? 0.155 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.155 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? 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 services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	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?	NO ☐	YES ☒	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☒	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☐	YES ☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☐	☐
	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Jason Lichwick, R.A.</u> Date: <u>05.06.2024</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]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



**CITY OF POUGHKEEPSIE
DEVELOPMENT DEPARTMENT
JUNE 11, 2024
AREA VARIANCE(S) REVIEW ANALYSIS**

Project Description:	"8" SOUTH CLINTON STREET Application for area variances relative to the proposed mixed-use development at "8" South Clinton Street, with 20 dwelling units and commercial space on the first floor, requiring variances of Section 19-3.17(4)(b), requiring 16,400 square feet of lot area to allow 6,770 square feet; Section 19-3.15(4)(i), requiring 5100 square feet of usable open space for tenant recreational purposes to allow 4640 square feet; and Section 194.3(11) requiring 29 off-street parking spaces to allow 7 off-street parking spaces. Owner: South Clinton Equities, LLC; Applicant/Consultant: Jason Lichwick Architecture PLLC; Grid #6161-22-239997; Zoning District: C-2; File #2024-011
Review Date(s):	May 31, 2024
Staff:	Judith Knauss, Deputy Zoning Administrator

VARIANCES REQUESTED:

- 1) Section 19-3.17(4)(b), requiring 16,400 square feet of lot area, to allow 6,770 square feet;
- 2) Section 19-3.15(4)(i), requiring 5100 square feet of usable open space for tenant recreational purposes, to allow 4640 square feet; and,
- 3) Section 19-4.3(11), requiring 29 off-street parking spaces, to allow 7 spaces..

SEQR: Pursuant to the provisions of 6 CRR-NY 617.5, this project is classified as an unlisted action under SEQRA.

DEFINITION OF "AREA VARIANCE:"

Authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

INSTRUCTIONS TO THE ZONING BOARD OF APPEALS:

The Board of Appeals, in the granting of area variances, shall grant the minimum variance deemed necessary and adequate and at the same time preserve and protect the character of the neighborhood and health, safety and welfare of the community. The Board of Appeals shall have authority to impose such reasonable conditions as are directly related to and incidental to the proposed use of the property, with such conditions consistent with the spirit and intent of the Ordinance and imposed for purpose of minimizing any adverse on a neighborhood or community. The Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance(s) is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider the following criteria:

CRITERIA FOR GRANTING AN AREA VARIANCE

(i) Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variances?

The variances might produce an undesirable change or be a detriment to nearby properties, inasmuch as the lot area and parking variances are considerable, with less than a quarter of the required spaces provided, and only 40% of the lot area provided. While the lot is zoned C-2, it fronts South Clinton Street in a block that contains a mix on one, two, three and four family dwellings. Further, though the applicant asserts that there are other four story buildings in the vicinity, these buildings front Main Street. There are three existing three story buildings on South Clinton, 4, 14 and 16 South Clinton Street. The remaining buildings on South Clinton Street are all two stories in height. This building will not be in character with the neighborhood.

(ii) Can the benefit sought by the applicant be achieved by some method feasible for the applicant to pursue, other than an area variance(s)?

No economic or other information has been provided to justify the need for 20 dwelling units. Fewer units would lessen both the lot area and off-street parking requirements, thereby reducing the amount of variances requested, if any. Additionally, it may be possible to meet the parking requirement by obtaining a waiver from the Planning Board based on proximity to municipal or private parking facilities, if available., negating the need for an off-street parking variance.

iii) Are the requested variances substantial?

Both variances must be considered quite substantial, with a lot area variance of 60% and an off-street parking variance of 75%.

iv) Will the proposed variances have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

The proposed variances could have an adverse impact on the physical or environmental conditions in the neighborhood. The off-street parking variance could lead to on-street parking congestion on South Clinton Street, and the density of the building is not in keeping with the neighborhood in which it is proposed to be located, which is a mix of one, two, three and four family dwelling (with the building one and two family dwellings. Allowing such an increase in density above what is actually permitted could impact the neighborhood negatively in a variety of ways, including traffic and parking.

v) Is the alleged difficulty self-created? (Consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.)

The applicant has provided no justification for the variances, other than to cite the size of the lot. Why not design a project with fewer units that requires fewer, if any variances? The applicant is seeking what appears, without meaningful justification, an over-development of the parcel in question. Therefore, the difficulty appears to be self-created.

Recommendations:

It is recommended that the Board open the public hearing.
Motion:

Second:
Carried:

Public Comment(s) to be received:

*

It is recommended that the Board close/adjourn the public hearing.

Motion:
Second:
Carried:

If the Board feels the applicant has provided sufficient information regarding the proposed project they may request that the City Staff to draft a resolution of approval/denial, or the Board may request further documentation.

Dutchess County Department of Planning and Development		Fax Info Only	To Co./Dept. Fax #	Date #pgs From Phone #	
239 Planning/Zoning Referral - Exemption Communities					
Municipality: City of Poughkeepsie					
Referring Agency: Zoning Board of Appeals					
Tax Parcel Numbers(s): 2399970000					
Project Name: "8" South Clinton Street Mixed Use Area Variances					
Applicant: Jason Lichwick Architecture PLLC					
Address of Property: "8" South Clinton Street					
Please Fill in this section	Exempt Actions:* 239 Review is NOT Required ● Administrative Amendments (fees, procedures, penalties, etc.) ● Special Permits for residential uses (accessory apts, home occupations, etc.) ● Use Variances for residential uses ● Area Variances for residential uses ● Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals No Authority to review these Actions ● Subdivisions / Lot Line Adjustments ● Interpretations ☐ Exempt Action submitted for informal review		Actions Requiring 239 Review ☐ Comprehensive/Master Plans ☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.) ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.) ☐ Rezoning involving all map changes ☐ Architectural Review ☐ Site Plans (all) ☐ Special Permits for all non-residential uses ☐ Use Variances for all non-residential uses ☒ Area Variances for all non-residential uses ☐ Other (Describe):		Parcels within 500 feet of: ☒ State Road: ☐ County Road: ☐ State Property (with recreation area or public building) ☐ County Property (with recreation area or public building) ☐ Municipal Boundary ☐ Farm operation in an Agricultural District
	Date Response Requested: 6/3/2024				
	Entered By: Knauss, Judith				

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☒ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted:	Notes:	☐ Major Project	
Date Received: 5/9/2024		Referral #: ZR24-150	
Date Requested: 6/3/2024			
Date Required: 6/7/2024	☐ Also mailed hard copy	Reviewer:	
Date Transmitted: 5/24/2024			