



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

Common Council Chambers
Tuesday, August 13, 2024
6:00 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. Approve the July 10, 2024 Meeting Minutes

III. PUBLIC HEARINGS & DELIBERATIONS

1. 654 MAIN STREET: AREA VARIANCE

Revised 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 18 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 and Section 19-4.3(11), which requires 172 off-street parking spaces, to allow 87 off-street parking spaces; 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, 526859; Zoning District: C-2A/R-4. File #2024-009

2. “8” SOUTH CLINTON STREET: AREA VARIANCE

Revised application for area variance relative to the proposed mixed use development at “8” South Clinton Street, requiring a variance of Section 19-3.17(4)(b), requiring 16,400 square feet of lot area to allow a lot area of 6,770 square feet. While Section 194.3(11) requires 29 off-street parking spaces, 7 off-street parking spaces are proposed and a parking waiver from the Planning Board for the balance is being requested. Owner: South Clinton Equities, LLC; Applicant/Consultant: Jason Lichwick Architecture PLLC; Zoning District: C-2; Grid #6161-22-239997; File #2024-011

IV. BOARD BUSINESS

V. ADJOURNMENT

Minutes Approved
Motion:
Second:
Carried:



City of Poughkeepsie
Zoning Board of Appeals
Draft Meeting Minutes
July 10, 2024 6:00 PM

Present

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

Staff

Rebecca Valk, Assistant Corporation Counsel
Tyler Maegerle, Jr. City Planner
Lori Garcia, Board Administrative Assistant

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

Approval of June 11, 2024 Meeting Minutes
Motion: Justin Phillips
Second: Thomas Klug
Carried: 6:00

III. APPLICATIONS ADJOURNING TO THE AUGUST 13TH MEETING

1. 654 MAIN STREET: AREA VARIANCE

Open Public Hearing
Motion: Scott Parker
Second: Thomas Klug
Carried: 6:00

Speaker: James Montanino

Adjourn Public Hearing and Application Review to August 13, 2024
Motion: Scott Parker
Second: James Patterson
Carried: 6:00

IV. REVIEW OF RESOLUTIONS

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: PIO-CC; Grid #6162-69-038151; File #2023-052

Presenting: Jim Hutchinson, General Manager

A motion was made to approve that was posted and received in print

Motion: Scott Parker

Second: Justin Phillips

Carried: 6:00

V. APPLICATION REVIEW

1. 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

A motion was made to approve that was posted and received in print

Motion: Scott Parker

Sam Finnerman - Aye

Justin Phillips – Aye

Thomas Klug – Aye

Scott Parker – Aye

Jessical Vinall – Aye

James Patterson - Aye

Carried: 6:00

VI. PUBLIC HEARINGS & DELIBERATIONS

1. "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 194.3(11) requiring 29 off-street parking spaces to allow 7 off-street parking spaces. Owner: South Clinton Equities, LLC; Applicant/Consultant: Jason Lichtwick Architecture PLLC; Zoning District: C-2; Grid #6161-22-239997; File #2024-011

Presenting: Jason Lichtwick, Architect

Open Public Hearing

Motion: Scott Parker

Second: Thomas Klug

Carried: 6:00

Adjourn Public Hearing to August 13, 2024 meeting

Motion: Scott Parker

Second: James Patterson

Carried: 6:00

VII. BOARD BUSINESS

Approval to add Sign Requirement to Public Notices

Motion: Scott Parker

Second: Thomas Klug

Carried: 6:00

VIII. ADJOURNMENT

Adjourn the Meeting Tuesday, August 13, 2024

Motion: Scott Parker

Second: Thomas Klug

Carried: 6:00

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: 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>172 Parking Spaces</u>	<u>Relief of 85 spaces, 87 spaces provided</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

2 August 2024
DATE

Jay Diesing, Mauri Architects PC
Print Name



MARTIN J. DIESING AIA
RICHARD K. TOMPKINS AIA

August 2, 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 are updated plans for the above referenced project. We have revised our application based on the comments received during our last meeting.

As suggested, the project scale has been reduced for the apartment building on Reynolds Avenue. The proposed third story has been eliminated and the unit count has been reduced from 28 apartments to 18. This 35% reduction in project scope reduces the required Lot Area to 39,600 SF, which is under the 40,060 SF provided. Therefore, relief from Section 19-3.15(4)(c) is no longer requested.

The reduced proposal requires 13 less parking spaces (185 previously required, now only 172). Also, the parking area has been reconfigured to gain 6 additional spaces. These changes result in a total reduction in our parking relief request from 104 spaces to 85.

Per the Board's recommendation, a daily parking count was conducted between July 12th to July 31st. Vehicle counts were obtained twice each day; at 10am and 3pm. Results are below:

Date	Day	10:00 AM			3:00 PM		
		Employees	Customers	Total	Employees	Customers	Total
7/12	Friday	9	16	25			
7/13	Saturday	8	12	20	8	18	26
7/14	Sunday	9	22	31	7	29	36
7/15	Monday	8	20	28	9	28	37
7/16	Tuesday	9	14	23	9	18	27
7/17	Wednesday	8	13	21	6	16	22
7/18	Thursday	9	10	19	7	19	26
7/19	Friday	8	12	20	8	22	30
7/20	Saturday	9	14	23	10	26	36
7/21	Sunday	10	18	28	11	32	43
7/22	Monday	11	12	23	10	26	36
7/23	Tuesday	9	14	23	10	22	32
7/24	Wednesday	12	18	30	8	24	32
7/25	Thursday	11	21	32	9	20	29
7/26	Friday	8	11	19	10	27	37
7/27	Saturday	10	16	26	11	29	40
7/28	Sunday	11	18	29	9	31	40
7/29	Monday	10	8	18	10	9	19
7/30	Tuesday	9	19	28	8	24	32
7/31	Wednesday	10	9	19			
Average		9.4	14.9	24.3	8.9	23.3	32.2

Over this period the average grocery parking demand at 3pm was approximately 33 spaces, with a peak demand of 43 spaces on Sunday the 21st.

Per current zoning requirements, the proposed Main Street mixed-use building would require 19 spaces and the Reynolds Avenue 18-unit apartment building would need 26 spaces.

Our proposal includes 87 parking spaces, which would be adequate based on the observed 3pm average parking demand ($33+19+26 = 78$ spaces). If the maximum observed demand is considered ($43+19+26 = 88$ spaces) then the proposed parking count is deficient by a singular parking space.

Exterior elevations depicting the two proposed structures are also included for your review. The mixed-use building located along Main Street uses materials and massing similar to other buildings on the Main Street corridor. The lower level is designed as a storefront-style façade and the upper levels use a mixture of classic brick details and modern metal panels. The two-story apartment building on Reynolds Avenue is designed with varying materials, roof styles, colors and articulating frontage to simulate row-style residential homes. This design will complement the predominantly two-story residential structures in the area.

In summary, the new proposal respectfully requests the following area variances from the Board:

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 172 parking spaces for the overall site. 87 parking spaces are proposed. Relief is requested from the remaining 85 parking spaces.

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 as shown by the observed parking demand in the chart above. Many store patrons use public transportation or walk. The new buildings will share and jointly use the remaining parking areas with the supermarket. Apartment residents generally will use the parking areas overnight, when they are home. Alternatively, the supermarket will utilize the parking areas during the day when

residents are typically out to work. 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. The mixed-use building is similar in scale to other structures on the Main Street corridor. The multifamily apartment building along Reynolds Avenue is a two-story residential structure like the surrounding two-story residences and townhomes. The facades of each building have been individually designed to complement and enrich the surrounding community fabric. Further, the project is being developed in an existing paved parking area resulting in little change to the impervious surfaces.

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.

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,



Brandon Petrella, RA AIA



<u>SYMBOL</u>	<u>GRID NUMBER</u>	<u>OWNER OF RECORD</u>
	6161-33-543870 -530834 -530858 -533851 -537856 -540855 -544854 -548853 -551852 -555851 -559850 -563844 -567848	EPDS REALTY CORP PO BOX 869 NEUMBUHG, NJ 12551
	6161-33-564864	JUST & PAUL LLC PO BOX 869 NEUMBUHG, NJ 12551
(A)	6161-25-510877	CATHERINE MAIN ST PROPERTY LLC 650 MAIN ST POUGHKEEPSIE, NY 12601
(B)	6161-33-513868	NESHEIWAT, JEHAD 40 CRESTWOOD BLVD POUGHKEEPSIE, NY 12603
(C)	6161-33-515865	NESHEIWAT, JEHAD 5 FOUNTAIN FL POUGHKEEPSIE, NY 12601
(D)	6161-33-522860	PATTERSON, JOHN A 2 REYNOLDS AVE POUGHKEEPSIE, NY 12603
(E)	6161-33-564862	GERMATTI, ANTONIO 17 MILLER RD POUGHKEEPSIE, NY 12603
(F)	6161-33-513861	GERMATTI BROTHER INC 30 MANCHESTER RD POUGHKEEPSIE, NY 12603



INDEX TO DRAWINGS

119 EXISTING PARKING SPACES ON SITE		
PROPOSED PARKING CALCULATIONS		
BUILDING / USE	REQUIRED	PROPOSED
<u>MARKET FRESH</u> RETAIL SALES	127 PS	33 PS
<u>MIXED-USE BUILDING</u> RETAIL SALES & APARTMENTS	0 PS 11 PS	11 PS
<u>APARTMENT BUILDING</u> APARTMENTS	26 PS	43 PS
TOTAL	172 PS	87 PS

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	REQUIRED	PROPOSED				
LOT AREA	MIN	-----	75,555 SF± (1.73 ACRES±)	MIN	R-6 DENSITY: (5) 1-BR @ 800 (2) 2-BR @ 1,200 6,400 SF	11,145 SF± (0.27 ACRES±)	MIN	(B) STUDIO @ 1-BR @ 2,200 34,600 SF	40,060 SF± (0.92 ACRES±)				
LOT WIDTH	MIN	-----	415'-1"±	MIN	-----	74'-11"±	MIN	30'	270'-0"±				
FRONTAGE	MIN	40'	414'-1"±	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 (15') 15' or 1/2 HEIGHT OF BUILDING (15')	20'-0"±				
REAR YARD SETBACK	MIN	20'	84'-4"±	MIN	20'	48'-1"±	MIN	26'-5"±					
FLOOR AREA RATIO (FAR)	MAX	2.0	0.50± (31,950 / 75,555)	MAX	2.0	0.81± (10,240 / 11,145)	MAX	-----	N/A				
LOT COVERAGE	MAX	60%	50.2%± (31,950 / 75,555)	MAX	60%	24.1%± (3,430 / 11,145)	MAX	40%	17.6%± (7,086 / 40,060)				
BUILDING HEIGHT	MAX	-----	26'-4"± (EXISTING)	MAX	-----	34'-0"±	MAX	3 STORIES, 40'	2 STORIES, 24'-4"±				
OPEN SPACE	MIN	200 SF / STUDIO 300 SF / 1-BR 400 SF / 2-BR	N/A	MIN	R-4 OPEN SPACE (5) 1-BR @ 300 (2) 2-BR @ 400 2,300 SF TOTAL	2,640 SF±	MIN	(B) STUDIO @ 200 (10) 1-BR @ 300 4,600 SF TOTAL	8,310 SF±				
PARKING	MIN	MULTI-FAMILY, 1 PS / STUDIO 1.5 PS / 1-BR 2 PS / 2-BR +10% VISITOR RETAIL SALES, 1 PS / 300 SF	RETAIL SALES, 31,950 / 300 127 PS TOTAL	MIN	31 PS	MULTI-FAMILY, (5) 1-BR @ 15 = 75 (2) 2-BR @ 2 = 4 11.5 + 10% = 11 PS RETAIL SALES, 2,145 / 300 14 PS TOTAL	MIN	11 PS	MULTI-FAMILY, (8) STD @ 1 = 8 (10) 1-BR @ 1.5 = 15 23 + 10% = 26 PS TOTAL	MIN	43 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. 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.
5. FIRE SPRINKLER SYSTEMS WILL BE INSTALLED THROUGHOUT THE NEW BUILDINGS IN ACCORDANCE WITH THE 2020 BUILDING CODE OF NEW YORK STATE & NFPA 13.
6. FIRE ALARM SYSTEMS WILL BE INSTALLED THROUGHOUT THE 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.



revision	date	description
02	AUG 2024	APARTMENT BUILDING REVISIONS



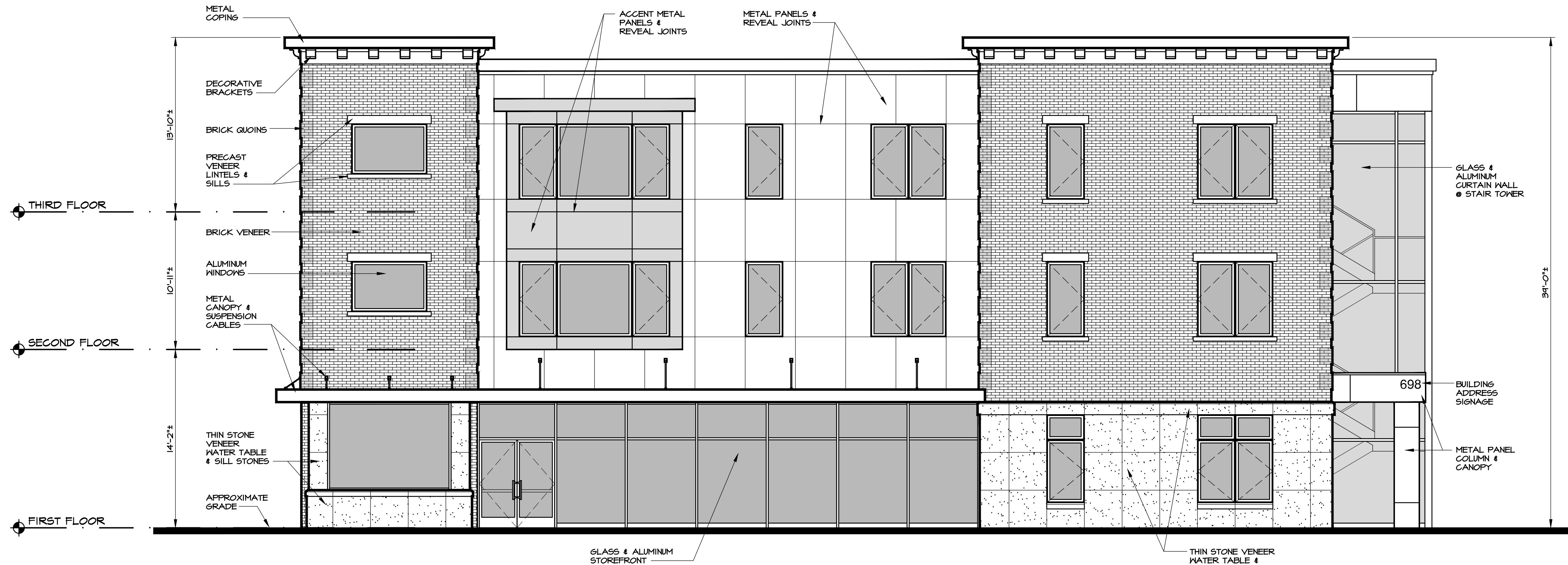
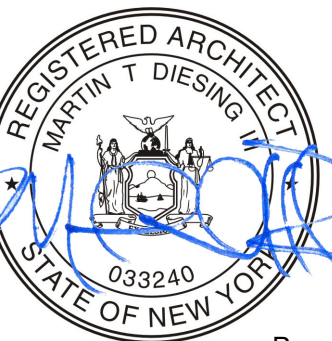
PROPOSED LOT
LINE ADJUSTMENTS
& COMMERCIAL/
MULTI-FAMILY
DEVELOPMENT AT:



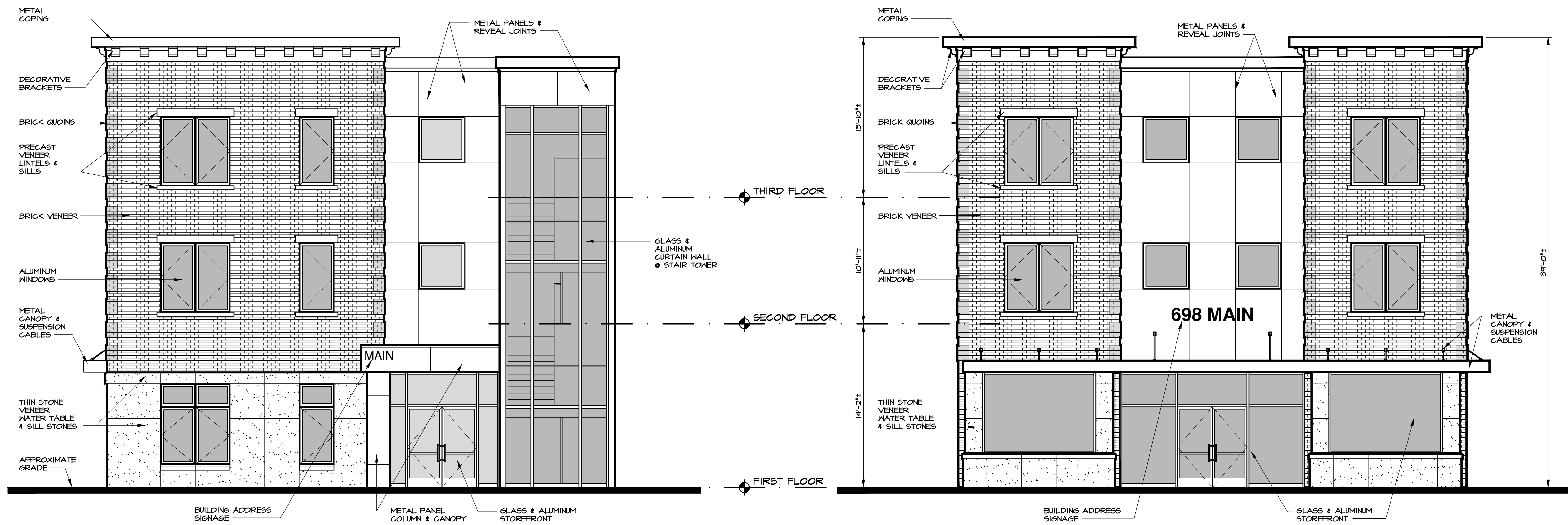
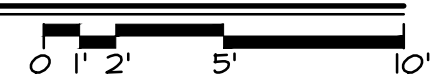
MAURI ARCHITECTS PC
17 HANSON STREET POUGHKEEPSIE NY 12601 845-462-0290 mauri-architects.com

SHEET NO.
ZB-2

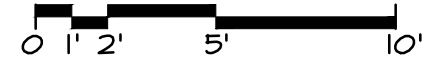
PURSUANT TO SECTION 645 (b) OF
THE REGULATIONS OF THE
COMMISSIONER OF EDUCATION
AUTHORIZED ALTERATIONS TO THIS
DOCUMENT IS A VIOLATION OF THE LAW



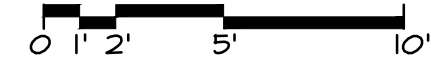
1
ZB-2
MIXED-USE: WEST ELEVATION
SCALE: 3/16" = 1'-0"

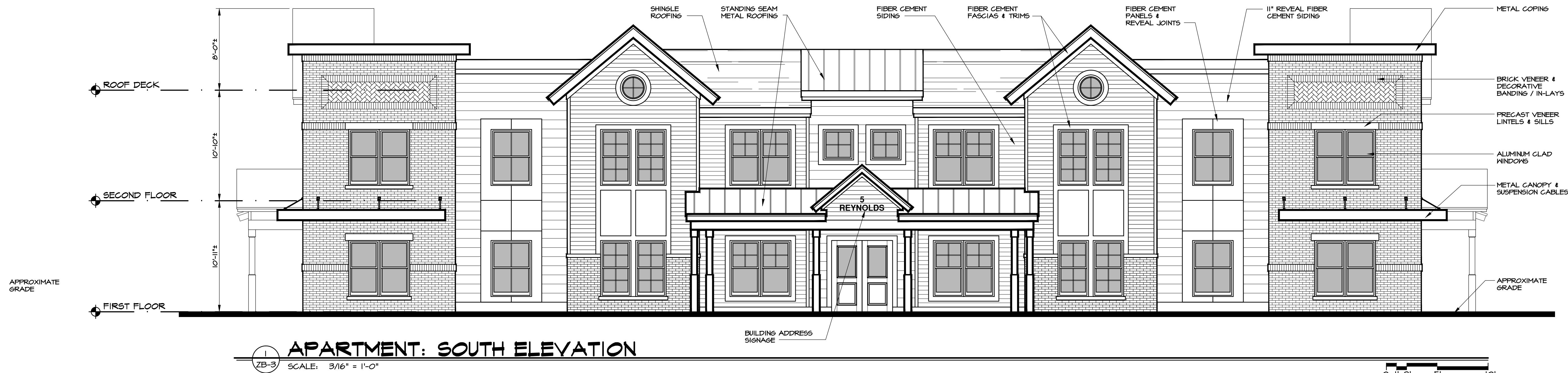


2
ZB-2
MIXED-USE: SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



3
ZB-2
MIXED-USE: NORTH ELEVATION
SCALE: 3/16" = 1'-0"





1 APARTMENT: SOUTH ELEVATION

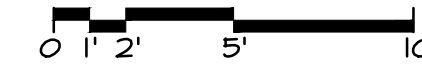
SCALE: 3/16" = 1'-0"



2 APARTMENT: WEST ELEVATION

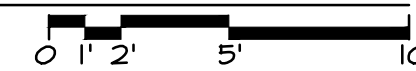
SCALE: 3/16" = 1'-0"

EAST ELEVATION SIMILAR



3 APARTMENT: NORTH ELEVATION

SCALE: 3/16" = 1'-0"



project no.
09-33.23

date
23 APR 2024

drawn by
BP

revision	date	description
02 AUG 2024	BP	APARTMENT BUILDING REVISIONS



PROPOSED LOT
LINE ADJUSTMENTS
& COMMERCIAL/
MULTI-FAMILY
DEVELOPMENT AT:

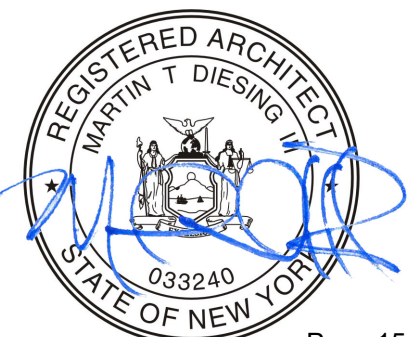


APARTMENT BUILDING EXTERIOR ELEVATIONS

MAURI ARCHITECTS PC
73 HANSON STREET Poughkeepsie NY 12601 845-480-0290 mauri-architects.com

sheet no.
ZB-3

PERMIT TO SECTION 645 (b) OF
THE REGULATIONS OF THE
COMMISSIONER OF EDUCATION
AUTHORIZED ALTERATIONS TO THIS
DOCUMENT IS A VIOLATION OF THE LAW



Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Proposed Lot Line Adjustments & Commercial / Multi-Family Development at: 654 Main Street		
Project Location (describe, and attach a general location map): 654 & 698 Main Street, Poughkeepsie, NY 12601		
Brief Description of Proposed Action (include purpose or need): Construction of a new three story mixed-use building on Main Street with ground level retail space and seven apartment units. Construction of a second two story building facing Reynolds Avenue containing eighteen apartment units. The project will be developed mostly within an existing under-utilized parking lot for an existing on-site grocery store which will remain. The proposal also includes new lighting, landscaping and parking area improvements. Several parcels will be combined and reconfigured into three new parcels, one each for the existing grocery store, Main Street mixed-use building and the Reynolds Avenue multi-family building.		
Name of Applicant/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
Project Contact (if not same as sponsor; give name and title/role): Same as Applicant		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): EFDS Realy Corp		Telephone: (646) 358-9089
		E-Mail: bardof18@yahoo.com
Address: PO Box 868		
City/PO: Newburgh	State: NY	Zip Code: 12551

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☐ Yes ☒ No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission ☒ Yes ☐ No	City Planning Board - Site Plan, Special Permit & Facade Approvals	January 2024
c. City, Town or Village Zoning Board of Appeals ☒ Yes ☐ No	City Zoning Board of Appeals - Parking & Area Variances	April 2024
d. Other local agencies ☒ Yes ☐ No	City Building Department - Building Permit	TBD
e. County agencies ☒ Yes ☐ No	Dutchess County Planning	
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☒ No		
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

C-2A (Main Street Commercial) & R-4 (Medium High-Density Residence)

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? City of Poughkeepsie

b. What police or other public protection forces serve the project site?

City of Poughkeepsie Police

c. Which fire protection and emergency medical services serve the project site?

City of Poughkeepsie Fire Department

d. What parks serve the project site?

King Street & Bartlett Parks

D. Project Details**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial and residential.

b. a. Total acreage of the site of the proposed action? 2.92 +/- acres

b. Total acreage to be physically disturbed? 0.65 +/- acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 2.92 +/- acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☒ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

Mixed: Commercial and residential apartments.

ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No

iii. Number of lots proposed? 3

iv. Minimum and maximum proposed lot sizes? Minimum 11,795 +/- sf Maximum 75,555 +/- sf

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: 18 months

ii. If Yes:

- Total number of phases anticipated _____

- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

- Anticipated completion date of final phase _____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☒ Yes ☐ No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	0	0	0	25 Units (See Plans for Types)
At completion of all phases	0	0	0	25 Units (See Plans for Types)

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No	
If Yes,	
i. Total number of structures <u>1</u> (Portion of First Floor of Mixed-Use Building)	
ii. Dimensions (in feet) of largest proposed structure: <u>40</u> height; <u>44'-0"</u> width; and <u>90'-0"</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>2,200 +/-</u> square feet (Commercial Area Only)	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☒ Yes ☐ No	
If Yes:	
i. What is the purpose of the excavation or dredging? <u>Excavation for building foundation elements.</u>	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): <u>900 cubic yards</u> • Over what duration of time? <u>3-6 months</u>	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. <u>Excavations will be used as fill material for building foundations and regarding of yard areas to the maximum extent possible.</u>	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☒ No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? <u>0.25 +/-</u> acres	
vi. What is the maximum area to be worked at any one time? <u>0.16</u> acres	
vii. What would be the maximum depth of excavation or dredging? <u>5</u> feet	
viii. Will the excavation require blasting? ☐ Yes ☒ No	
ix. Summarize site reclamation goals and plan: <u>N/A</u>	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ 3,200 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No
If Yes:

- Name of district or service area: Poughkeepsie Joint Water Board
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 3,200 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☒ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: Poughkeepsie Sewer Plan
- Name of district: Poughkeepsie Joint District
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☒ Yes ☐ No ☐ Yes ☒ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____	
• If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? _____	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: N/A vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ 312,000 kWh ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): Local grid / utility company - Central Hudson Gas & Electric Corp. iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☒ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ 7:00am - 6:00pm • Saturday: _____ 7:00am - 6:00pm • Sunday: _____ N/A • Holidays: _____ N/A </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ TBD • Saturday: _____ TBD • Sunday: _____ TBD • Holidays: _____ TBD </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ 7:00am - 6:00pm • Saturday: _____ 7:00am - 6:00pm • Sunday: _____ N/A • Holidays: _____ N/A	ii. During Operations: • Monday - Friday: _____ TBD • Saturday: _____ TBD • Sunday: _____ TBD • Holidays: _____ TBD
i. During Construction: • Monday - Friday: _____ 7:00am - 6:00pm • Saturday: _____ 7:00am - 6:00pm • Sunday: _____ N/A • Holidays: _____ N/A	ii. During Operations: • Monday - Friday: _____ TBD • Saturday: _____ TBD • Sunday: _____ TBD • Holidays: _____ TBD		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: <u>Construction vehicles and equipment during construction hours of construction operations to confirm with the City Noise Ordinance.</u>	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: <u>A mixture of pole, wall and soffit mounted fixtures, fixture heights vary between 10'-0" and 18'-0". Refer to lighting plans for additional details.</u>	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No If Yes: i. Describe proposed treatment(s): _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☒ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ 5 +/- tons per _____ week (unit of time) • Operation : _____ 3 +/- tons per _____ month (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: <u>Recycling of applicable packaging and construction materials.</u> • Operation: <u>Apartment unit residents will be provided recycling collection for applicable household packaging waste.</u> iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: <u>Collected in temporary roll-off dumpster and removed off-site by local refuse company.</u> • Operation: <u>Collected and stored in new dumpster refuse area and removed off-site by local refuse company.</u>	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site			
a. Existing land uses.			
i. Check all uses that occur on, adjoining and near the project site.			
☒ Urban	☐ Industrial	☒ Commercial	☒ Residential (suburban)
☐ Forest	☐ Agriculture	☐ Aquatic	☐ Rural (non-farm)
ii. If mix of uses, generally describe: _____			
b. Land uses and covertypes on the project site. (Calculations based on entire project - all three sites)			
Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	2.43	2.45	+ 0.02
• Forested	N/A	N/A	N/A
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	N/A	N/A	N/A
• Agricultural (includes active orchards, field, greenhouse etc.)	N/A	N/A	N/A
• Surface water features (lakes, ponds, streams, rivers, etc.)	N/A	N/A	N/A
• Wetlands (freshwater or tidal)	N/A	N/A	N/A
• Non-vegetated (bare rock, earth or fill)	N/A	N/A	N/A
• Other Describe: Lawn / Landscaped Area	0.49	0.47	- 0.02

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	☐ Yes ☒ No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: Poughkeepsie High and Middle Schools, Smith School Early Learning Center _____	☒ Yes ☐ No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____	☐ Yes ☒ No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____	☐ Yes ☒ No ☐ Yes ☐ No
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	☐ Yes ☒ No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes – Spills Incidents database Provide DEC ID number(s): _____ ☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____ ☐ Neither database	☐ Yes ☒ No ☐ Yes ☐ No
ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____ _____	
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____	☐ Yes ☒ No

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No - If yes, DEC site ID number: _____ - Describe the type of institutional control (e.g., deed restriction or easement): _____ - Describe any use limitations: _____ - Describe any engineering controls: _____ - Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No - Explain: _____ _____																			
E.2. <u>Natural Resources On or Near Project Site</u>																			
a. What is the average depth to bedrock on the project site? _____ 10 +/- feet																			
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %																			
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Ur (Urban Land)</td> <td style="width: 20%; text-align: right;">100 %</td> <td style="width: 20%;"></td> </tr> <tr> <td>_____</td> <td style="text-align: right;">%</td> <td></td> </tr> <tr> <td>_____</td> <td style="text-align: right;">%</td> <td></td> </tr> </table>		Ur (Urban Land)	100 %		_____	%		_____	%										
Ur (Urban Land)	100 %																		
_____	%																		
_____	%																		
d. What is the average depth to the water table on the project site? Average: _____ 2 +/- feet																			
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">☐ Well Drained:</td> <td style="width: 30%; text-align: right;">_____ % of site</td> <td style="width: 40%;"></td> </tr> <tr> <td>☐ Moderately Well Drained:</td> <td style="text-align: right;">_____ % of site</td> <td></td> </tr> <tr> <td>☒ Poorly Drained</td> <td style="text-align: right;">100% of site</td> <td></td> </tr> </table>		☐ Well Drained:	_____ % of site		☐ Moderately Well Drained:	_____ % of site		☒ Poorly Drained	100% of site										
☐ Well Drained:	_____ % of site																		
☐ Moderately Well Drained:	_____ % of site																		
☒ Poorly Drained	100% of site																		
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">☒ 0-10%:</td> <td style="width: 30%; text-align: right;">100 % of site</td> <td style="width: 30%;"></td> </tr> <tr> <td>☐ 10-15%:</td> <td style="text-align: right;">_____ % of site</td> <td></td> </tr> <tr> <td>☐ 15% or greater:</td> <td style="text-align: right;">_____ % of site</td> <td></td> </tr> </table>		☒ 0-10%:	100 % of site		☐ 10-15%:	_____ % of site		☐ 15% or greater:	_____ % of site										
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☐ 10-15%:	_____ % of site																		
☐ 15% or greater:	_____ % of site																		
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No If Yes, describe: _____ _____																			
h. Surface water features. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?</td> <td style="width: 20%; text-align: right;">☐ Yes ☒ No</td> </tr> <tr> <td>ii. Do any wetlands or other waterbodies adjoin the project site?</td> <td style="text-align: right;">☐ Yes ☒ No</td> </tr> </table> If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?</td> <td style="width: 20%; text-align: right;">☐ Yes ☒ No</td> </tr> </table> iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 50%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?	☐ Yes ☒ No	ii. Do any wetlands or other waterbodies adjoin the project site?	☐ Yes ☒ No	iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	☐ Yes ☒ No	• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name _____	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____	
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• Lakes or Ponds:	Name _____	Classification _____																	
• Wetlands:	Name _____	Approximate Size _____																	
• Wetland No. (if regulated by DEC)	_____																		
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____																			
i. Is the project site in a designated Floodway? ☐ Yes ☒ No																			
j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No																			
k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No																			
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No If Yes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">i. Name of aquifer: _____</td> <td style="width: 20%;"></td> </tr> </table>		i. Name of aquifer: _____																	
i. Name of aquifer: _____																			

m. Identify the predominant wildlife species that occupy or use the project site: _____ N/A _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. <u>Designated Public Resources On or Near Project Site</u>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site: _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. 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? ☒ Yes ☐ No	
If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☒ Historic Building or District ii. Name: <u>Glebe House</u> iii. Brief description of attributes on which listing is based: <u>One of the earliest houses in Poughkeepsie and rare for its early use of brick in this location. Initial construction c. 1767.</u>	
f. 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? ☒ Yes ☐ No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No	
If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☒ Yes ☐ No	
If Yes: i. Identify resource: <u>Empire State Trail, Walkway over the Hudson State Historic Park</u> ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>State Park and County Scenic Trail</u> iii. Distance between project and resource: _____ <u>1.5 miles.</u>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No	
If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? ☐ Yes ☐ No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

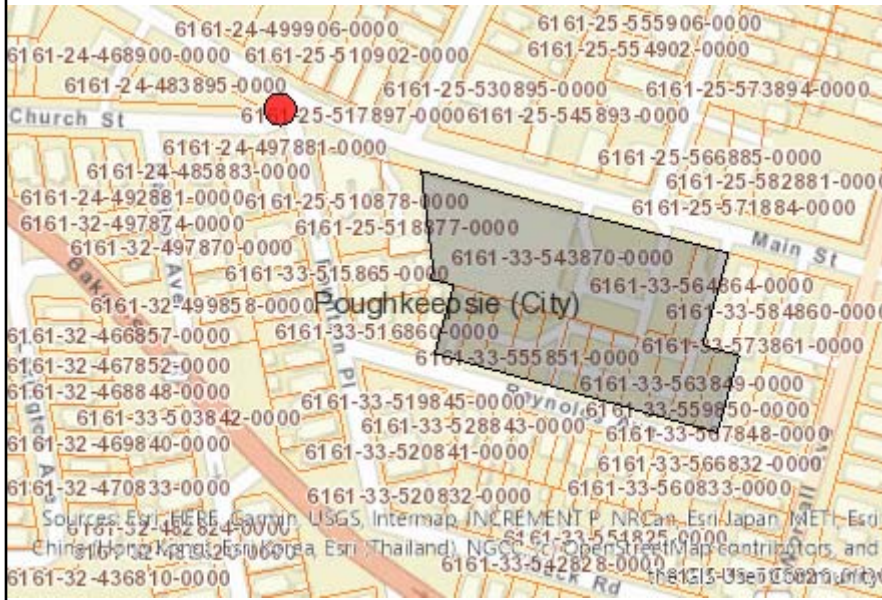
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Jay Diesing, RA AIA - Mauri Architects PC Date 2 August 2024

Signature  Title Architect



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.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No

E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Glebe House
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

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", is written over a horizontal line.

Dylan Tuttle, Senior Planner



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



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.

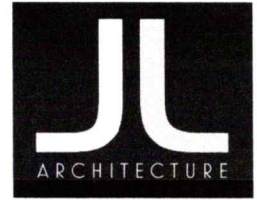
- 4) Will the variance(s) have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Why not?

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.



August 1, 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 with an amendment to our application. We are now seeking only one (1) area variance in lieu of the previous three for the proposed project located at 8 South Clinton Street in the City of Poughkeepsie. The proposed project is the construction of new a four-story, mixed-use multifamily building in the C-2 zoning district.

The following area variances are requested:

	REQUIRED	PROPOSED	VARIANCE
1. Section 19-3.17(4)(b) Lot Area	16,400 SF	6,770 SF	9,630 SF

The following variances have been resolved:

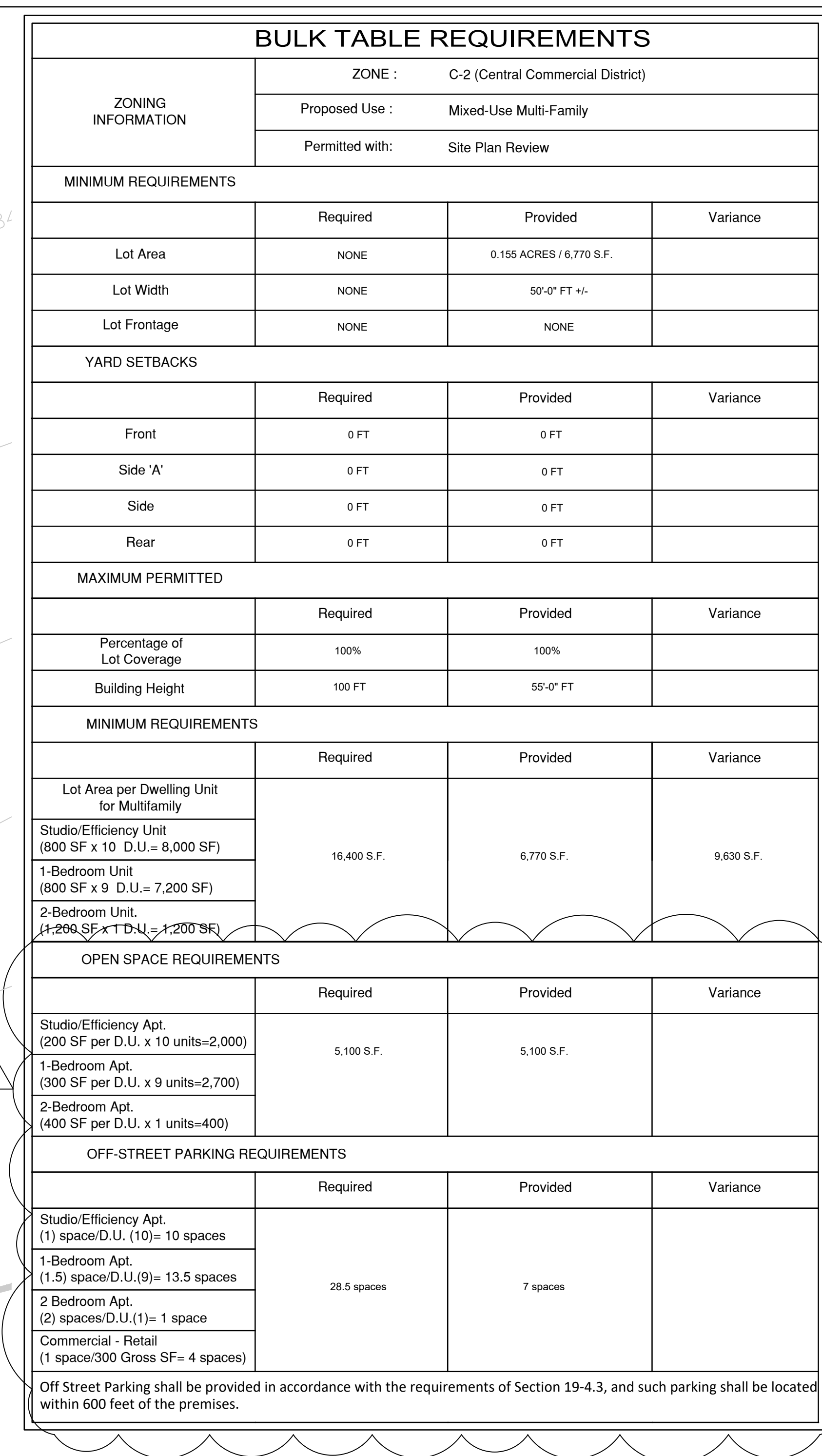
	REQUIRED	PROPOSED
1. Section 19-3.15(4)(i) Open Area	5,100 SF	5,100 SF
The variance has been resolved by relocating the condenser units from the roof and dedicating the entire roof area to the rooftop terrace open space.		
2. Section 19-4.3(11) Off Street Parking	28.5	7 spaces
We will seek a parking waiver/permit from the Planning Board in lieu of a variance.		

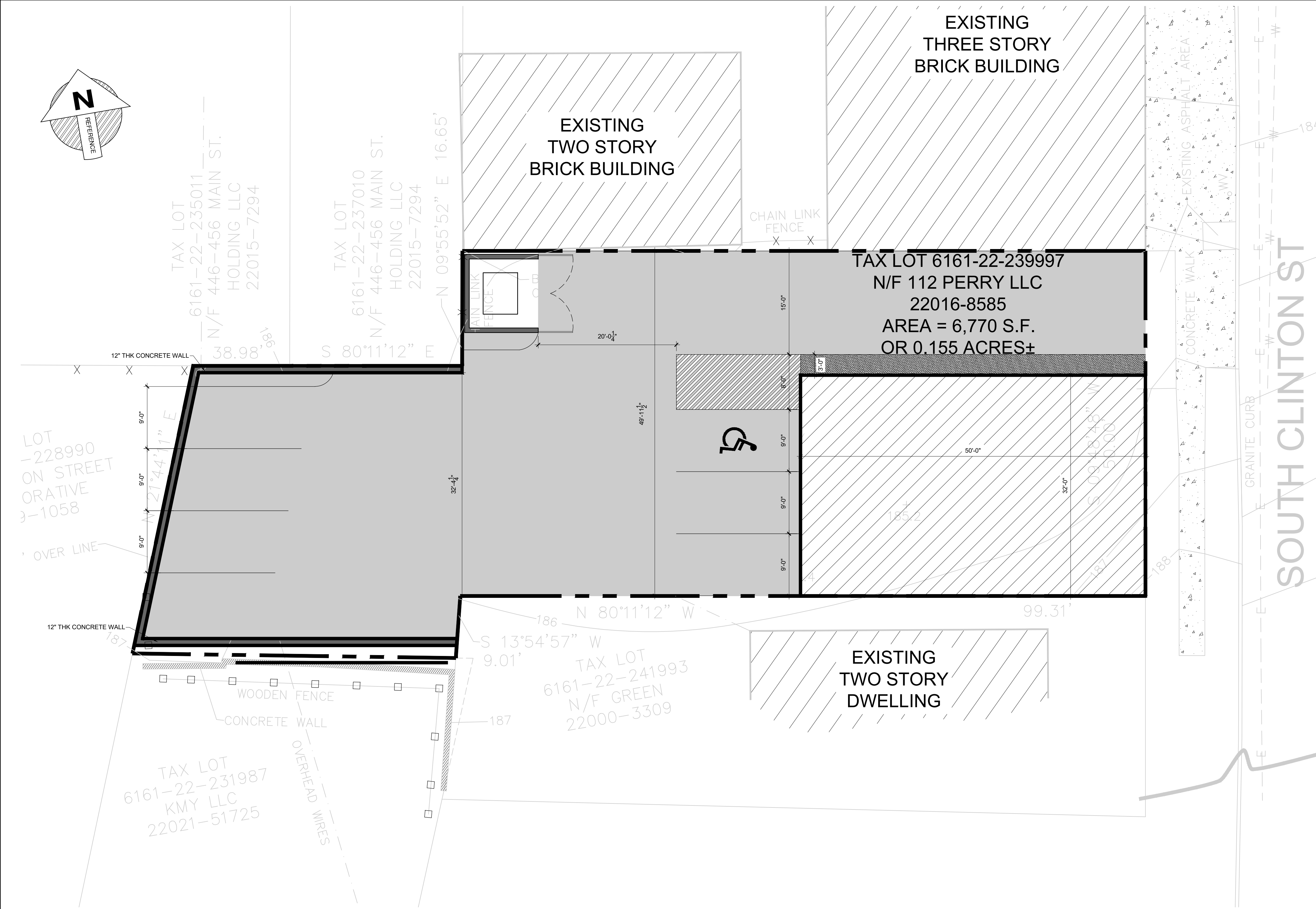
Thank you for your time and consideration as we seek approval for the Lot Area variance to move our project forward.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'J. Lichwick'.

Jason Lichwick
NYSRA Lic. No. 038612





1
SP1.1

Preliminary Site Plan

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

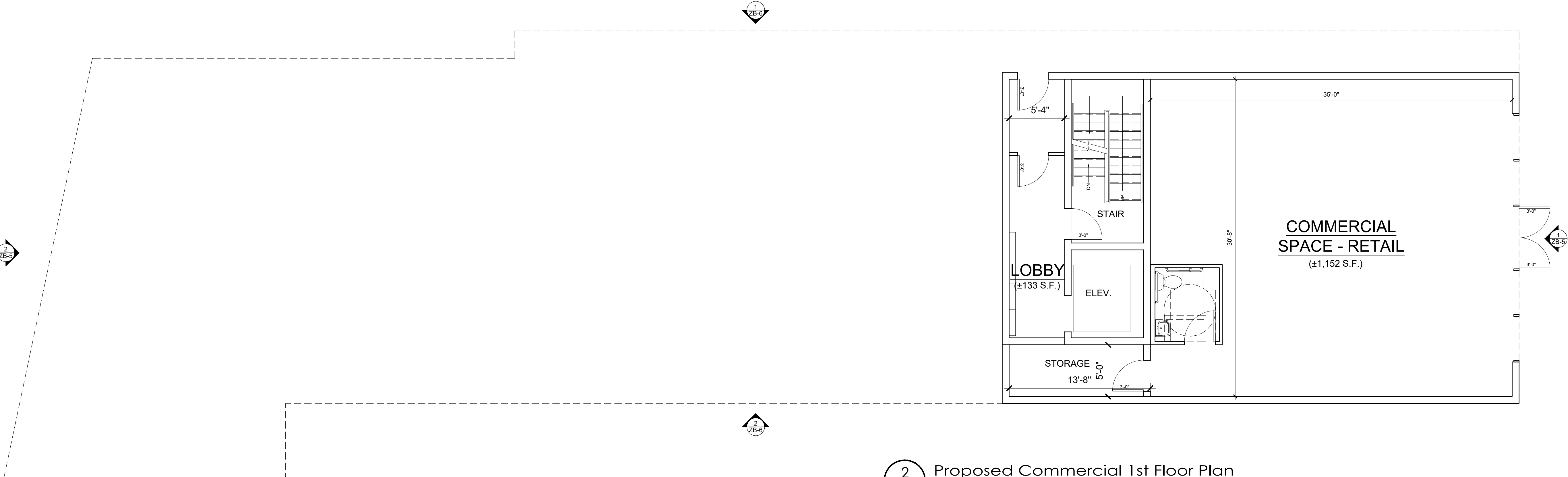
For Zoning Board of Appeals Review

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"

JL
ARCHITECTURE

JASON LICHWICK ARCHITECTURE PLLC
387 HOOKER AVENUE, SUITE E
POUGHKEEPSIE, NEW YORK 12603
P: 845.284.1844
jason@lichwick.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.

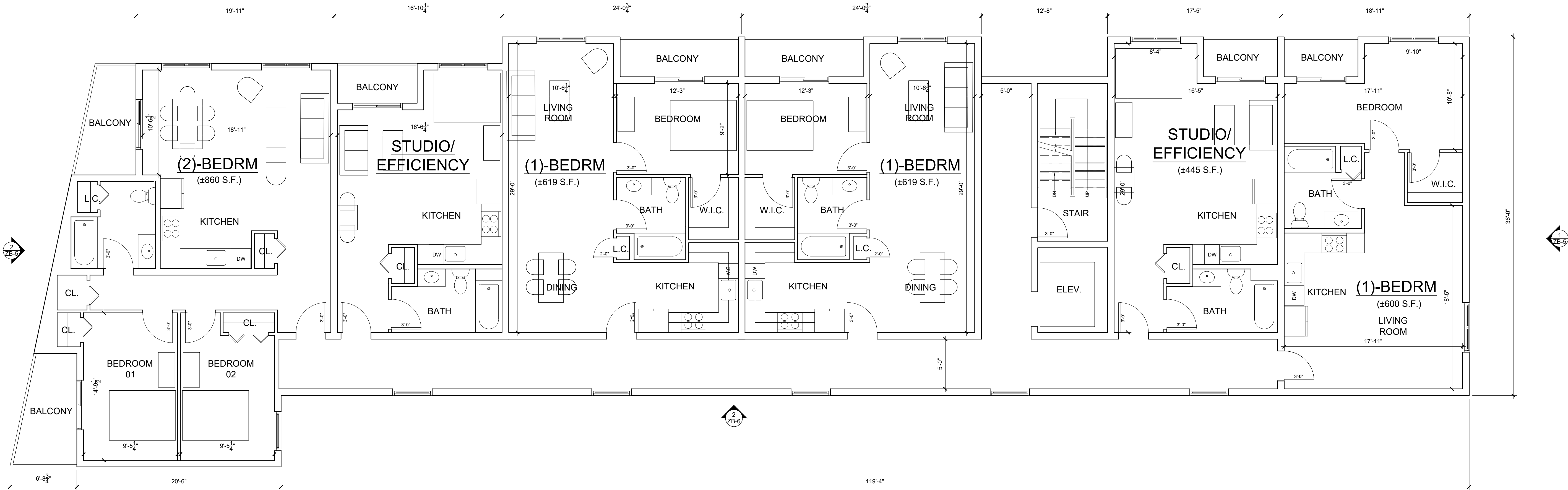
REGISTERED ARCHITECT
JASON R. LICHWICK
038612
STATE OF NEW YORK

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

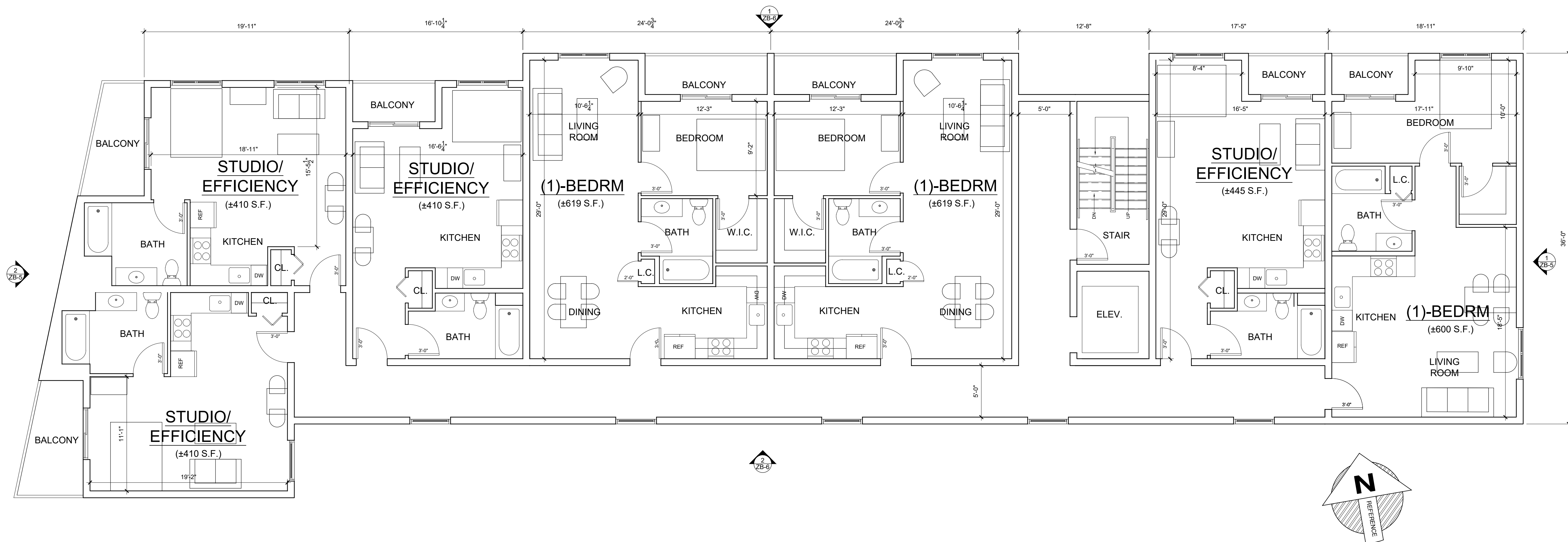
For Zoning Board of Appeals Review

Date: 03.20.2024
Revisions:
Drawn By: JL/HP

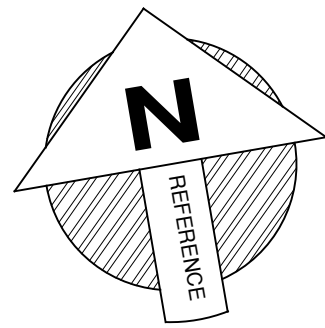
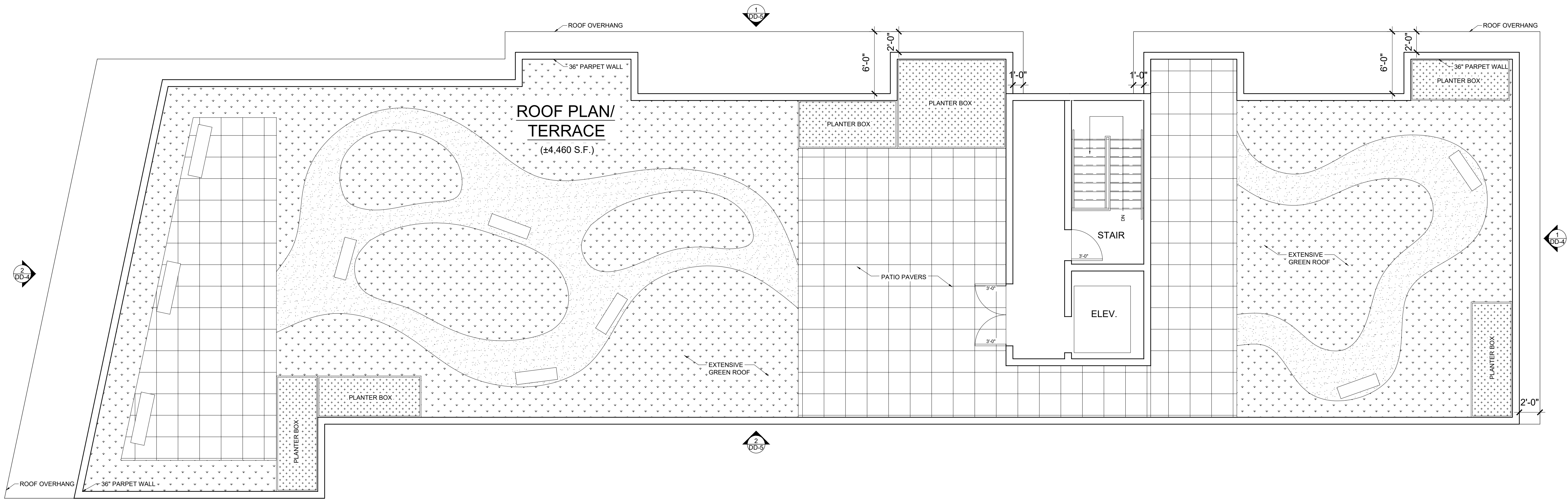
ZB-2
2 of 7



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



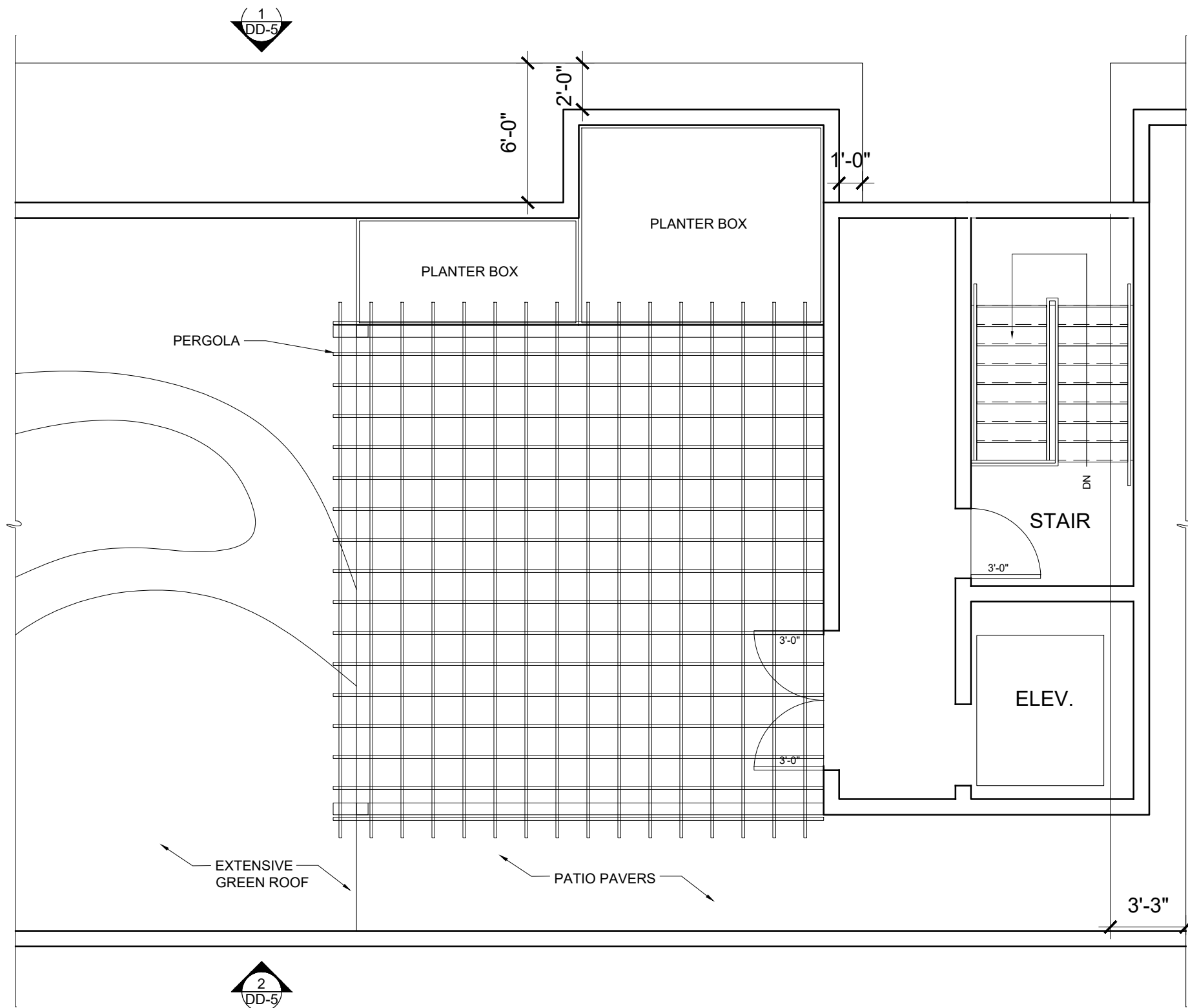
2 Proposed 3rd & 4th Floor Layout
DD-2 Scale: 3/16" = 1'-0"



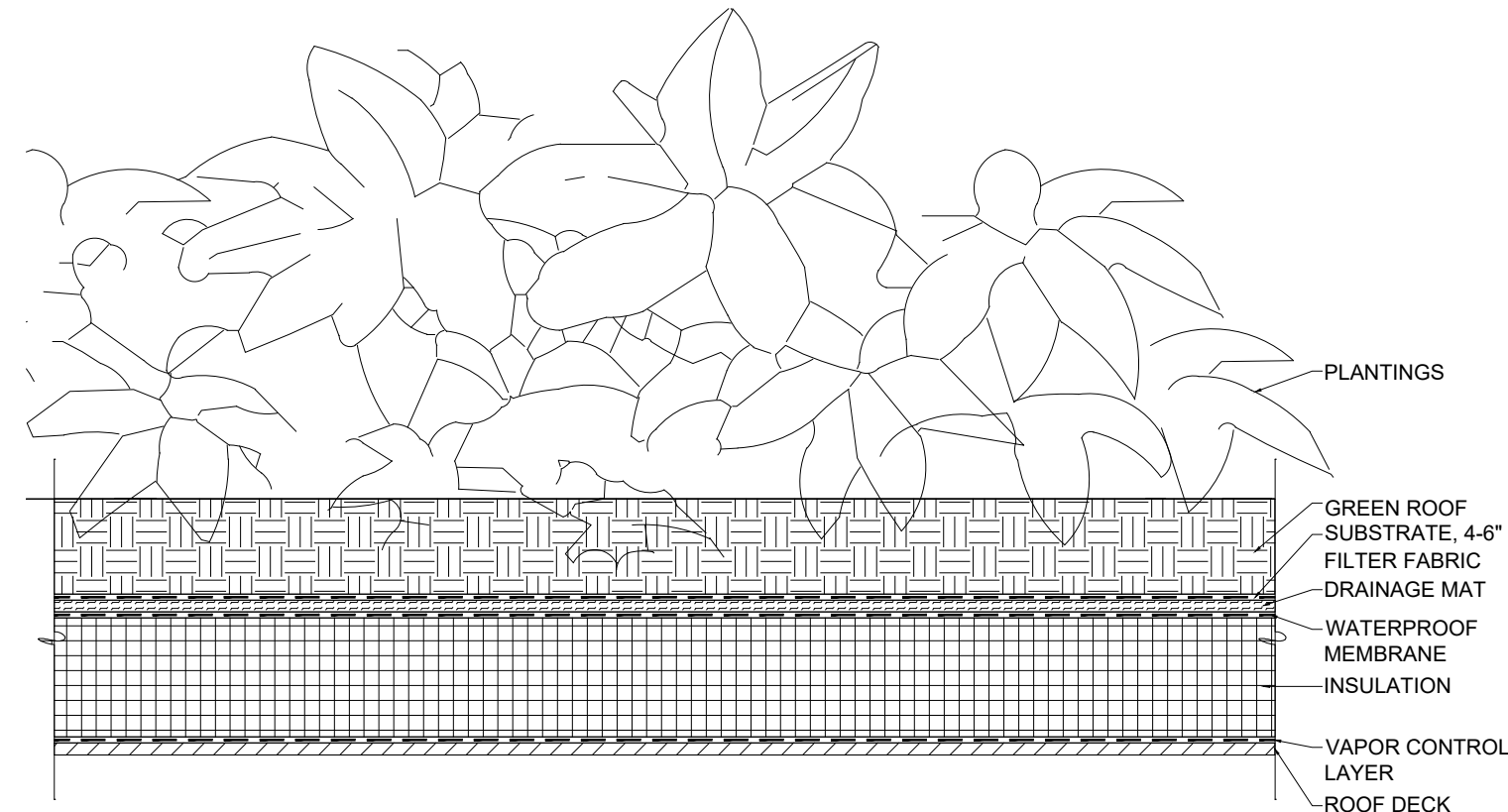
1 Preliminary Roof Layout
DD-2 Scale: 3/16" = 1'-0"

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	

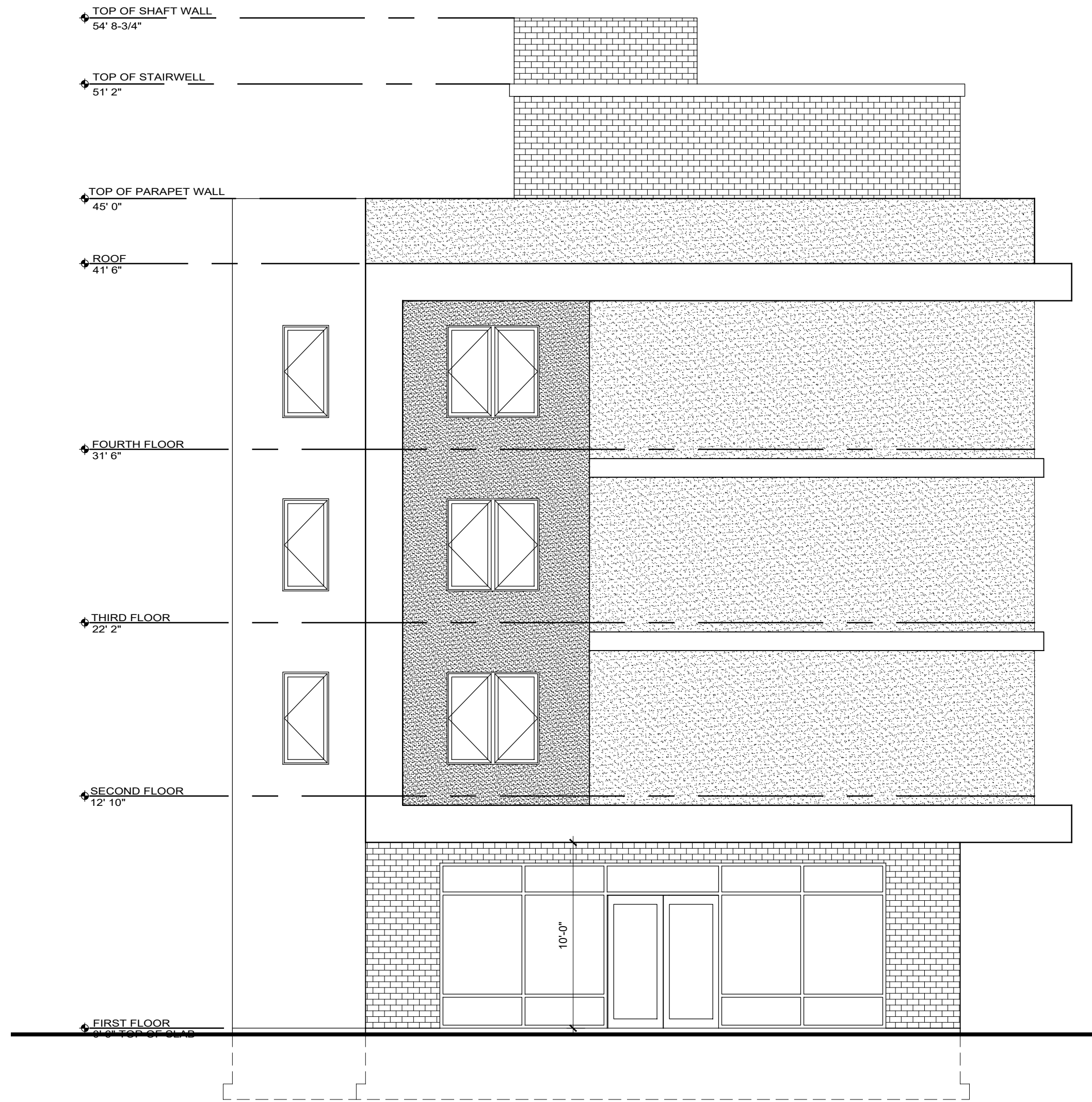
3 Green Roof Planting Recommendations
DD-2 Scale: 1/4" = 1'-0"



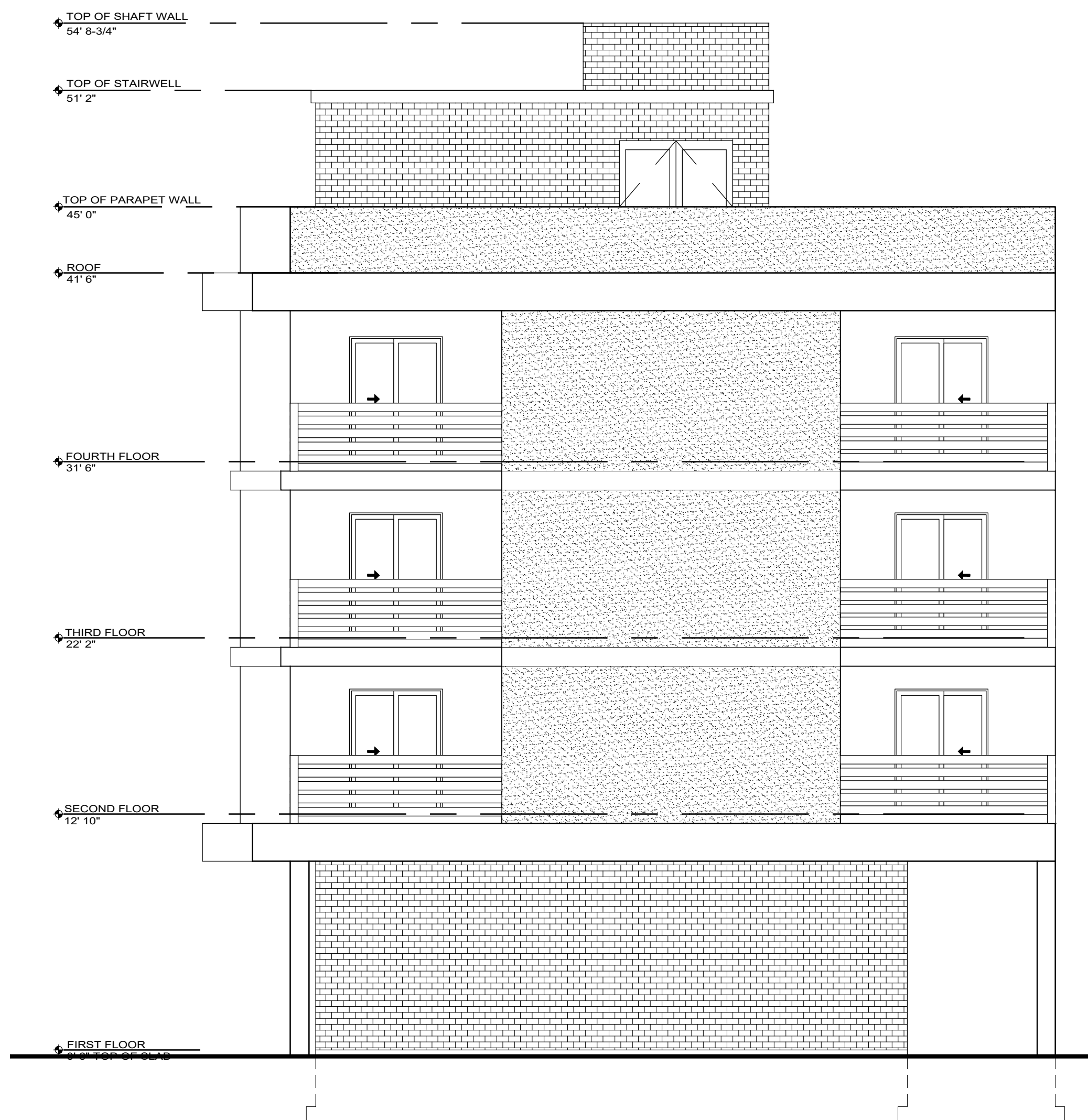
2 Roof Plan - Pergola
DD-2 Scale: 3/16" = 1'-0"



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



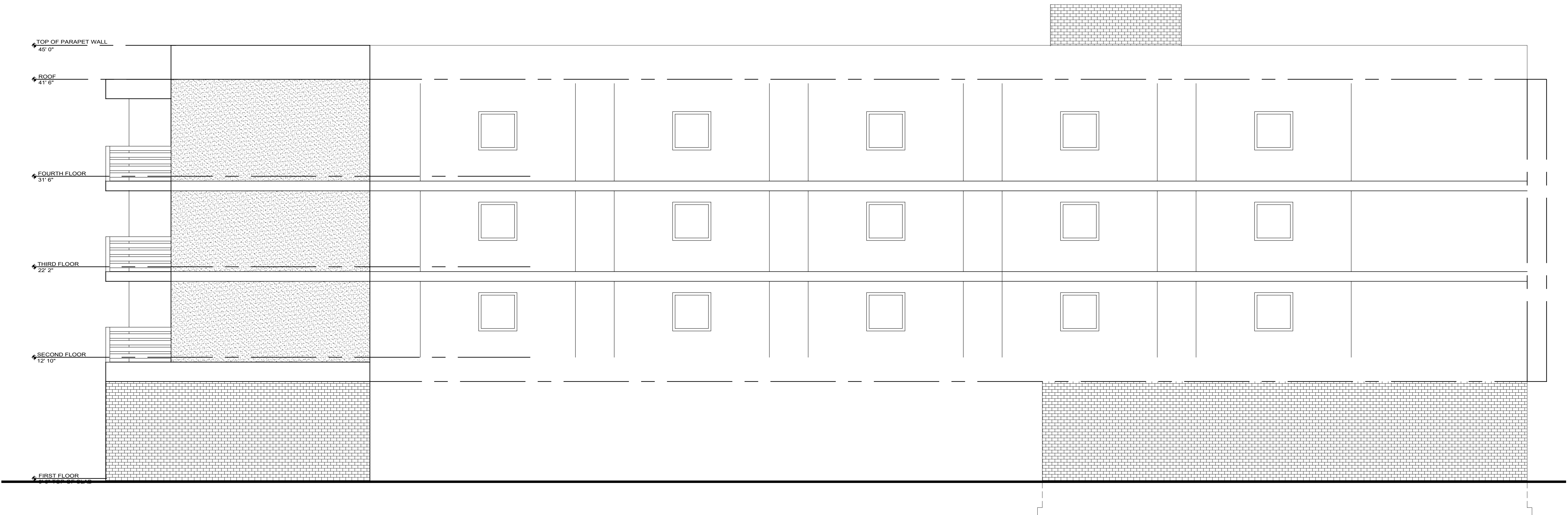
1 Proposed Front Elevation (East)
DD-4 Scale: 3/16" = 1'-0"



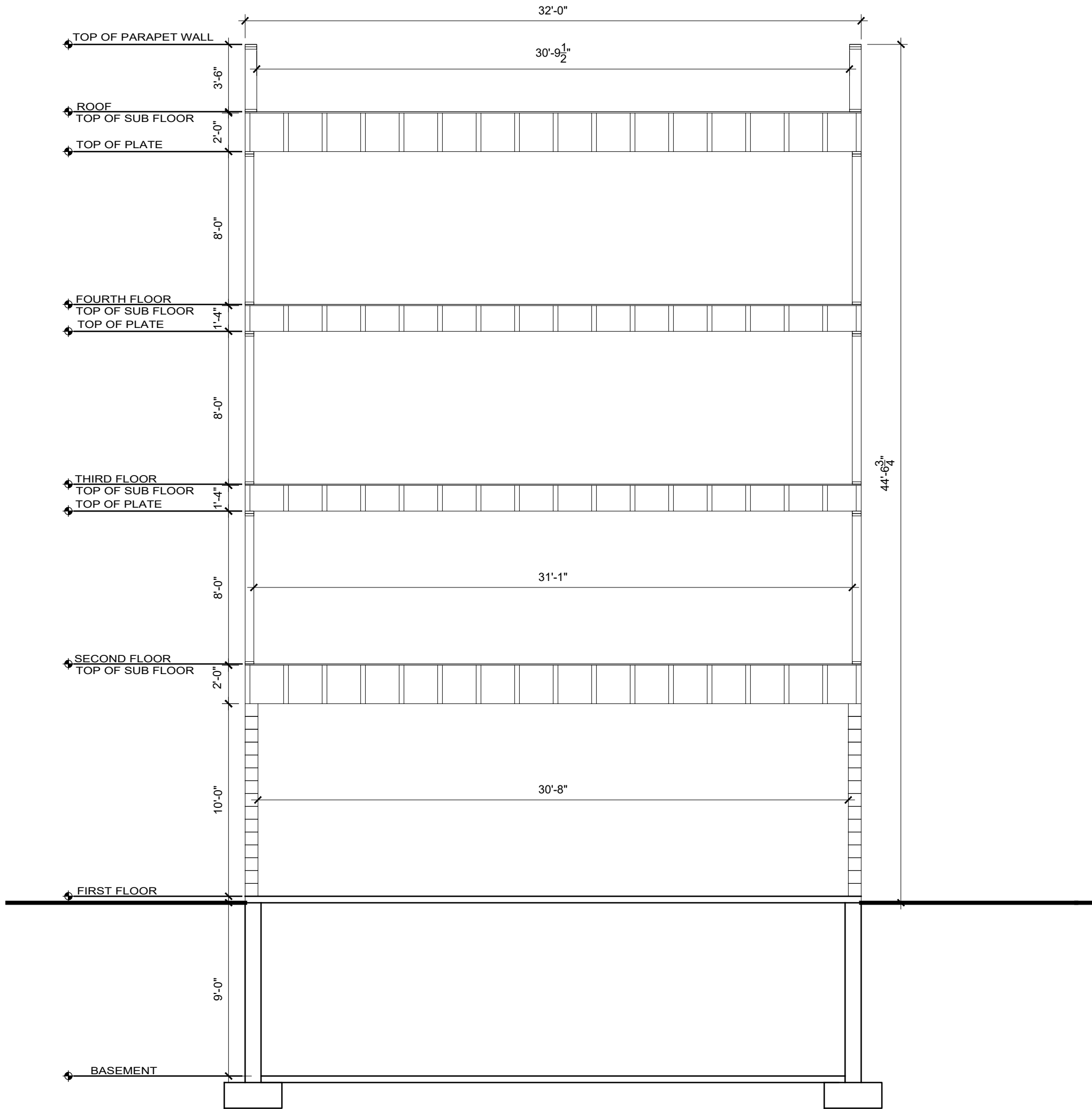
2 Proposed Rear Elevation (West)
DD-4 Scale: 3/16" = 1'-0"



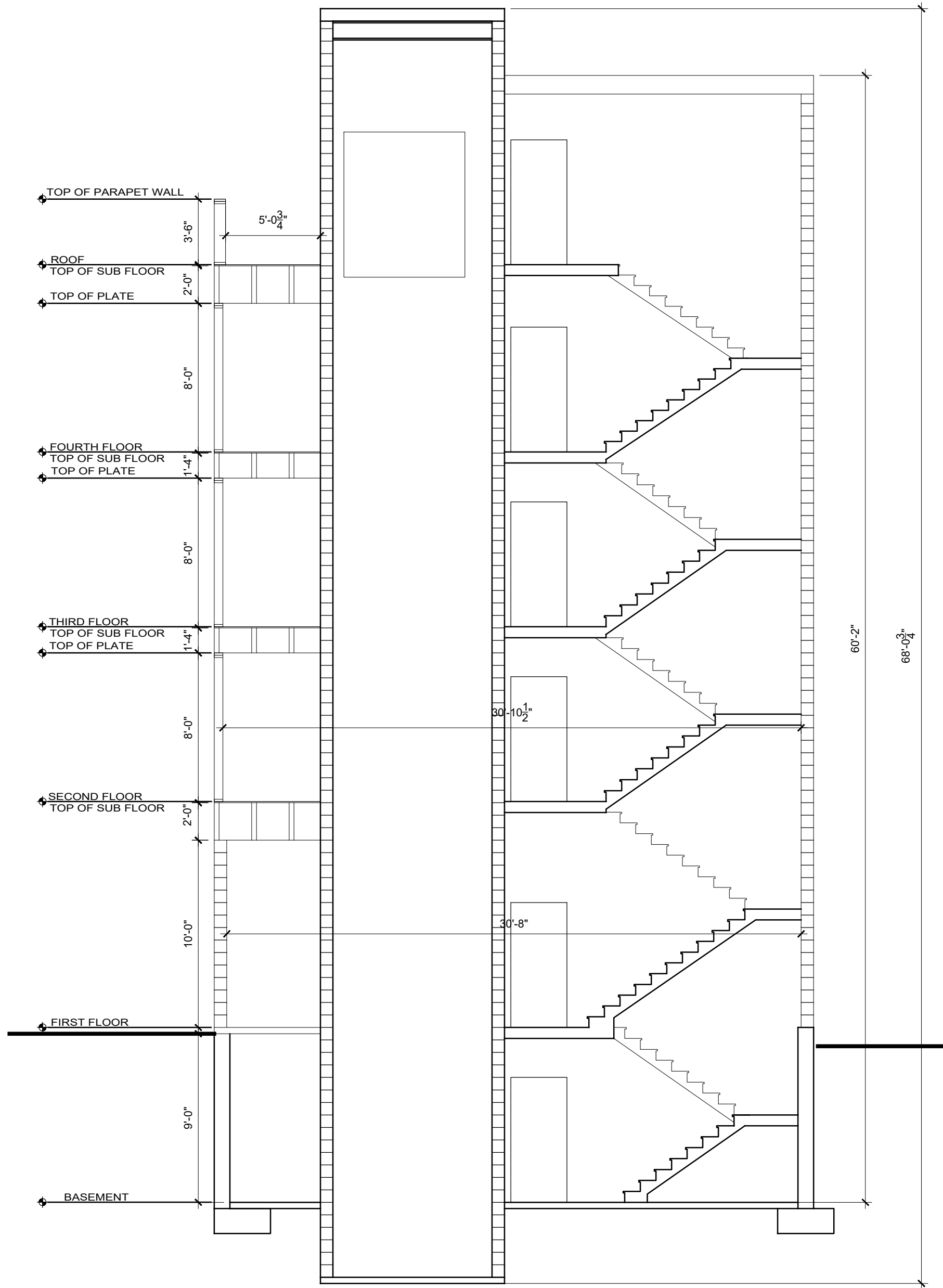
1 Proposed Right-Side Elevation (North)
DD-5 Scale: 3/16" = 1'-0"



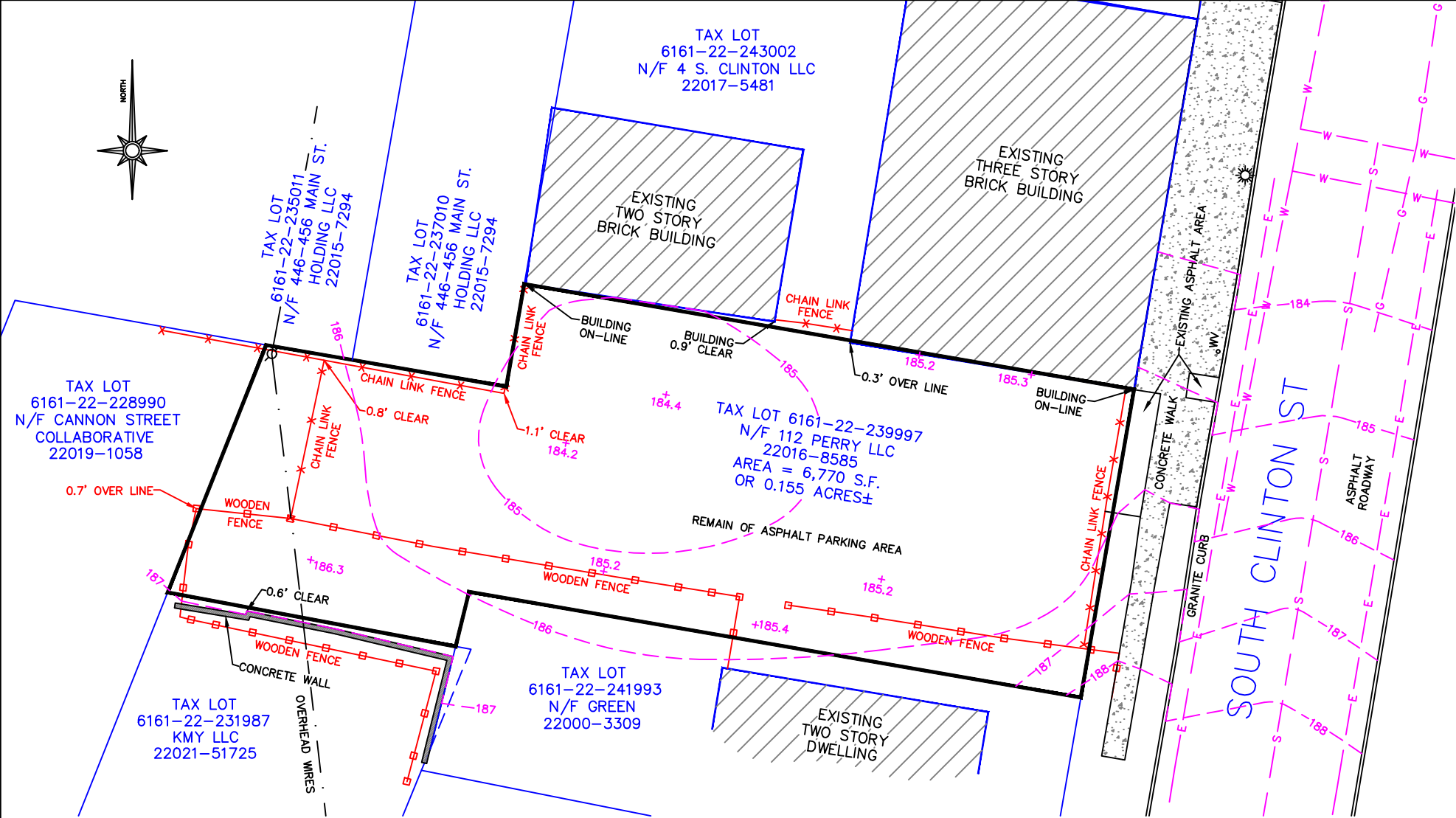
2 Proposed Left-Side Elevation (South)
DD-5 Scale: 3/16" = 1'-0"



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:
- CITY OF POUGHKEEPSIE TAX MAP SECTION 6161.
 - 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



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



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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

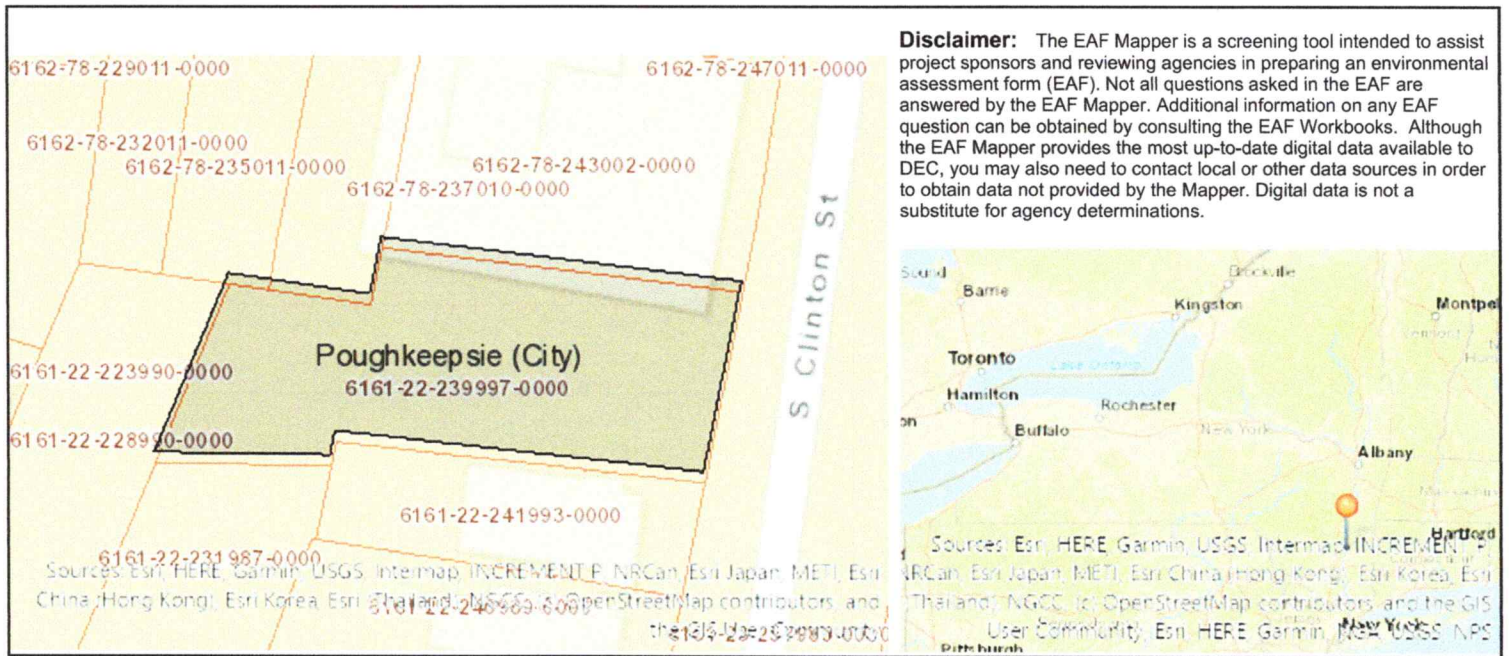
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☐	☒	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☒	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☐	☐
	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>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
AUGUST 13, 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 REVISED AUGUST 6, 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. **It has been determined that a coordinated review is required.**

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.

While the applicant is now seeking a parking waiver from the Planning Board relative to the off-street parking requirement, such waiver has not yet been granted. The lot area variance remains substantial.

- (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.

The applicant is now seeking a parking waiver from the Planning Board. However, no economic justification for the lot area variance has been provided. Reduction in the number of units could result in either no need for a variance or a substantially lesser variance, and still yield a reasonable return. There is no compelling evidence that a variance of 60% of the required lot area.

- 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%.

The applicant is now seeking a waiver of the off-street parking requirement from the Planning Board, but the lot area variance remains, at 60%, quite substantial.

- 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 determine that the project is subject to a coordinated review with the Planning Board, in part due to the fact that a substantial parking waiver is now being sought.

It is recommended that the Board re-open and adjourn the public hearing.

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): 2399970000	
Project Name: "8" South Clinton Street Mixed Use Area Variances	
Applicant: Jason Lichwick Architecture PLLC	
Address of Property: "8" South Clinton Street	

**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			