



The City of Poughkeepsie New York

Common Council Meeting Minutes

Monday, November 4, 2024

6:30 PM

Common Council Chambers

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is November 4, 2024, and the time is 6:30pm

I. ROLL CALL:

8 Present, 1 Absent (Councilmember Brown)

II. REVIEW OF MINUTES:

A motion to Postpone was made by Councilmember - 2nd Ward Menist and seconded by Council Member- 6th Ward Grant.

MOTION TO POSTPONE APPROVAL OF THE MINUTES - VOICE VOTE	
Yes/Aye:	Council Member- 1st Ward Henry, Councilmember - 2nd Ward Menist, Council Member- 5th Ward James, Council Member- 6th Ward Grant, Council Member- 8th Ward Deichler, Council Member- 7th Ward Patterson Thompson, Council Member- 4th Ward Shook, Council Member At-Large Wilson
No/Nay:	None
Abstain:	None
Absent:	Councilmember - 3rd Ward Brown
Result:	PASSED

1. Common Council Public Hearing of October 15, 2024 - Adopting a New Zoning Code
2. Common Council Public Hearing of October 15, 2024 - Proposed Local Law Amending Chapter 6 "Building and Utility Code"

3. Common Council Meeting of October 15, 2024

III. **READING OF ITEMS by the City Chamberlain of any resolutions not listed on the printed agenda**

NONE

IV. **PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:**

A motion to defer items 1-5 to Corporation Counsel was made by Council Member- 4th Ward Shook and seconded by Council Member- 6th Ward Grant.

Motion to Defer Items 1-5 to Corporation Counsel - VOICE VOTE	
Yes/Aye:	Council Member- 1st Ward Henry, Councilmember - 2nd Ward Menist, Council Member- 5th Ward James, Council Member- 6th Ward Grant, Council Member- 8th Ward Deichler, Council Member- 7th Ward Patterson Thompson, Council Member- 4th Ward Shook, Council Member At-Large Wilson
No/Nay:	None
Abstain:	None
Absent:	Council Member - 3rd Ward Brown
Result:	Passed

1. **FROM WAVE'S LOUNGE, LLC**, a 30 Day Notice of NYS Liquor License Application
2. **FROM INFINITY LOUNGE, INC.**, 30 Day Notice of NYS Liquor License Application
3. **FROM NATASHA BROWN**, a notice of property damage sustained on July 25, 2024
4. **FROM LISA DAY**, a notice of personal injury sustained on July 21, 2024
5. **FROM SYLVIA LEMBERT**, a notice of personal damages by 2 private attorneys and a Dutchess County Supreme Court Judge

V. PUBLIC PARTICIPATION:

Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda item.

Daniel Atonna
Cooper Miller
Maria Kelly
Laurie Sandow*
Brandon Kelly

***Submitted written comments**

Laurie Sandow public comments, Common Council mtg, November 4, 2024

A well-informed citizenry is the foundation of a democratic society. Week after week, I beat this same dead horse. And week after week, this Council undermines democracy and a well-informed citizenry through use of backroom decisions that place resolutions on a consent agenda for which this Council has no written policy; continuing to do as they please, when they please. And speaking of when they please, how come the public has yet to see a Council announcement, required by the City Charter, seeking applicants to fill the seat of 8th Ward member Megan Deichler on the heels of her resignation notice.

At the last Council meeting, Mayor Flowers used her comments for her own propaganda purposes, once again trying to set the stage for alienation of a portion of College Hill Park, as well as to gaslight the public on more than one count. Quoting from the meeting transcript, Flowers said: “I am not against, you know, preserving our historical homes much in favor of that. I brought the map out because I wanted people to see that this hangs up in my office so I can see all the districts that are in the city of Poughkeepsie. And tonight it was mainly individuals that came from one [district].”

She went on to dismiss the speakers at the Zoning public hearing as coming from “a particular area, which is a very small area”. She proceeded to attack historic preservation by saying “The problem is, is that for some reason, the historical commission seems to be an issue that comes up continuously. And it seems like it’s a core group that seems to be dictating about what that commission should look like.” She even had the brass to say, “But there’s a lot of outside individuals that are also interfering of what’s happening with that commission.” Outside individuals?!?!?! You mean people who live in this City, who are supremely knowledgeable about, and have long cared about preservation? Are those the people you calling outsiders, Mayor Flowers?

How very not amusing that Flowers paints dedicated preservationists as thorns in her side who dictate the nature of preservation. It’s shocking to have the chief executive of this City understand so little about preservation and its value to any municipality, and also acting as if she had no clue about the secret revision to the zoning code that appeared out of nowhere and was inserted into the Zoning document. The zoning item on tonight’s consent agenda

might or might not be a remedy to the Mayor's hostility, but only the best informed and diligent members of the public even became aware of, and were able to find that November 1st memo hidden in the overview links posted for tonight's Council meeting. One has to wonder how many other memo's exist that the public never gets to see, even when requested by right under Freedom of Information Law.

Flowers went on to take a swipe at people complaining about crime in this City, as if no one but those who live on the north side have the right to talk about crime. Quoting the Mayor, again from the transcript, "So what's happening on Main Street has been happening in some of our neighborhoods that not one person has came here and start complaining about that they didn't live in that neighborhood. But all of a sudden now people are starting to see them scattering through the city. And now I'm getting the phone calls like, how dare you do that? That's what I'm getting right now. Now, the certain people are seeing individuals in their backyards and on their streets. Now, I'm being criticized, why? I'm moving people around."

Well, let me respond to that additional bit of gaslighting: I've been to plenty of north side meetings, more meetings than many current council members, whether from the north or south side. Meetings that Flowers never announced publicly or invited the public while she was on the Council and probably since. Some meetings that I learned about only because former Councilmember Ann Perry called to alert and invite me to attend. County Legislature meetings and other meetings throughout this city. So please stop BS'ing and dividing this City about people not caring about the north side when there are people all over this city with a history of showing up at County meetings and local meetings, making concerted efforts to bring equity to both residents and services throughout this City. People who would attend way more meetings if you, Mayor Flowers, and every other council member actually made those meetings public and not just "announced" their meetings through little, hidden, last-minute Facebook posts that people have to search for or accidentally stumble across, but instead maintained and used an actual email contact list to alert the public and properly schedule and announce their meetings in advance.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

My comments will be really short today. Thank you, everyone that came out for the public hearings and for our regular meeting once again. As was stated earlier, I'd like to congratulate the city administration for the lead line replacement grants.

And, also, I want to definitely give a shout out, as been stated earlier, to our councilmember Deichler for definitely taking this by the straps and riding it out and making sure this was definitely part of our legacy; to make sure that the youth of the City of Poughkeepsie - the entire city of Poughkeepsie - did not have to deal with lead poisoning and lead in their water from this point on and moving forward. Also, I want to shout out to Chief Wilson, who was now just sworn in the other day for to be the [Police] Chief of our City of Poughkeepsie.

And, like I stated earlier, make sure everyone goes out to vote, vote, vote. Local elections do matter. Vote, vote, vote. Look at the ballot. Flip the ballot over and vote, vote, vote. Make sure you go out and vote.

And that's it for my comments. I turn it over to mayor's comments.

VII. MAYOR'S COMMENTS:

Thank you, Chair.

I just want to address the - there were two people that came forward . One young lady mentioned about - I think this is what she's saying about the percentage that is going up in the budget. It has to do with offsetting, I guess, the businesses profit. That has nothing to do with that, so I'm not really sure. And I'd like to have more conversation with you in regard to that. I think you're a little - you might be misunderstanding about how this is all done. And if you did reach out to the office, I don't recall getting that, but we can exchange numbers or you can come in, and we can have more of a discussion in regards to it.

If you're referring to the IDA, we are talking with the IDA because the thing is we do have to ensure that, you know, we're not just giving tax breaks to anybody out here. The thing is, is that to make sure that when they're going through UTEP [Uniform Tax Exemption Policy], which is actually given guidelines of who they would actually give the IDA PILOTS to, that it doesn't hurt the city, because right now we have a lot of expenses and we have no control over - like what pensions costs, health care costs. There's quite a bit. Utilities. Everyone knows what they're going through in our household of expenses that are increasing that they don't have control over. And you have to find a way of trying to, you know, balance it out and be able to pay that. So we can talk, because this is not a back and forth thing, but we'll definitely talk. So that way you fully understand where this is coming from because of the fact that, you know, the percentage was pretty high. And our Commissioner of Finance and his team has really been working hard to bring that down,

had to make some tough decisions and also work with our Finance Department, I mean, Finance Committee with the council members, so they can continue to work on whatever they can to bring this down further. We're actually trying not to actually reduce our staff in any way, but this is a difficult time for us. And so, for a person who's a homeowner here, you know, we're all struggling. So we're trying to find a way of how we can make this moving forward and be able to position ourselves financially to be able to move forward. So, that way, we're not continually hitting with these high percentage increases. So we're all working tirelessly on this budget to ensure that that is not, you know, too much of a hard hit on our residents. So, I do appreciate all the work going into that.

This gentleman that came forward in regards to information and going out, we did continuously. We encourage our residents to sign up for The Buzz and to also sign up on our website because they actually get text messages on all the meetings and what is being discussed at the meetings. There is information that goes out and we encourage people to go on the website. We don't refer people to go on the social media page, because not everybody uses that. A lot of our seniors are not on social media. They don't know much about Instagram, they don't know much about Facebook or they don't want to be bothered with that. So, we just try to refer people to go The Buzz, which if you sign up, you get an email every week on a Friday after 12:00pm and it would tell you any meetings that are coming up, events that are happening. And, sometimes our council members, when they're doing any kind of ward meetings, they will put that out as well.

The ward meetings are usually for the residents that are in their ward, so they do very good about getting information out to all of them. It's not necessarily for the whole city to attend. It's because each ward has their own individual kind of challenges. So, some people feel that the whole world needs to know when someone's having a particular ward meeting. So, I just want to mention that to you. So, if you want to know what's going on there, if you go on the city website, just sign up for The Buzz, you'll get things sent to your email every week. Our Community Engagement Director, John Penny, who's here today with us, he's putting things out continuously. Press releases, and he does The Buzz every week and he also manages the Facebook page, Instagram page and LinkedIn. And so there's been many people been contacting us and happy the fact that there's information going out to the public. So, if you're looking for anything like that, just sign up for it and it will come to you and please spread the word out to other people as well and you'll be well informed of it because - this went out to people to let them know that this meeting was happening today. So, I just wanted to make sure we put that out there, let people know that.

Also too, I want to congratulate everyone for their efforts and the funding that we received for the replacement project. I thank Governor Hochul for coming along with our Congressman, Pat Ryan. We've been working very closely with that particular department and also with the state and with the federal government. And the thing is, that I went to the U.S. Conference of Mayors and we also went to NYCOM. And so, what happened is this: a lot of information that was given to us about what we needed to do to actually be eligible for a lot of these grants. And, I have to say, our Engineer, Rich Dupilka, along with his staff, along with Dr. Martinez and his staff, a lot of them participated in workshops, in boot camps. We enrolled in to the local infrastructure hub

that the federal government has to get us eligible for different resources. And with all of that work put together, we were able to become eligible for several grants. And so the departments have been aggressively working on applying for these grants and we end up getting this one. And, originally we were told we were eligible, it was going to be a loan.

And then, later on, just before the announcement, we were told their loan changed into a grant. So there are some funding coming from the state. You know, so, I mean, it's going to be coming from the feds. We have been already working on a plan about the replacement.

There is a map that is drawn up and we have to go through and definitely finalize that and actually put in place exactly how we're going to go through the process of replacing the lead pipes. We did look at projects that are already going to be done based on water and sewer replacement projects. And so while, you know, the streets are what are already open, that is our opportunity to go through and do some of that replacement. We don't have a lot of money compared to what we need to replace the main. So we do have to be strategic of how we're actually going to do that. So we are going into these populations so that we can really hit more pipes. But we are having more of a discussion of how we do this throughout the city, especially areas that we know that are being tested were high levels. So we are strategic in looking at that and having those conversations. And once we actually finalize that, we'll kind of put that out more out to the public as well. So just to let you know that we're not just sitting over to the side and we got the money and now we're not doing anything with it. We are we have been working on it even before getting the money just to figure out how. Once we do get it, what do we do as far as going into that plan? Because here in Poughkeepsie, unlike some of the other southern states, we have winter months, so we can't do this year round. So we have to look at, you know, what happens as soon as it gets warm. What areas are we going to cover and can actually stretch those dollars? Because we need, you know, as it was brought up, it could be close to almost 45, 50 to \$100 million to do this work.

So, we definitely have to continue to work for these grants. And we are working on it. The other thing is, too, is that residents will end up getting a letter because that's the requirement of the grant that you have to send the letter out to individuals. So that's already in process. So, you know, just to ease your mind, we're not just getting a grant again and then all of a sudden we put it on to on, you know, on a wall and say, hey, we got to come in, but we're not moving forward of the things that are required of us. So that was one of the requirements. And the letter is actually being drafted now. So, those that it's suspected that they have the pipes, it's my understanding that that letter is going to go out soon. So, just to let everybody know that that's going to happen.

It is important that everybody do go out to vote tomorrow because of the fact that we need the people that are going to be in those positions that continue to help us with these efforts. So, please be well-informed of who these individuals are and make sure to please go out and vote.

I did have an opportunity to attend a mayor's institute on city Design in Gainesville, Florida for a couple of days. We were - they actually reached out, invited seven mayors

throughout the country to come out. They knew what kind of work we were doing on Main Street. So, I had to do a presentation based on what we're doing on Main Street and also how that arterial highways kind of intertwine with Main Street. They came out with some really good ideas, some things that we can do to kind of help with the foot traffic on Main Street and also working with the Department of - New York State Department of Transportation about reducing the roads, you know, on the arterial highway even though we had a presentation and some things that we could do. But the suggestion that they made is making them two-way streets and each of them kind of slowing down some of the traffic that it's been coming where people are coming through the City of Poughkeepsie becomes like a 3 lane highway. So, I'm looking forward to them sending their actual report about, you know, some suggestions that we might want to look at. So, I will share it with the councilmembers. So it is something that, you know, it's a project that we can start working on just from Main Street and also working with our New York State Department of Transportation.

I want to thank the Council for working on the zoning. I know you've been really looking at your areas and finding ways of making some changes. I do - I know you have it on your agenda today to actually vote on it. I did an email asking that maybe if you can put it off until the following meeting because of the fact that the last minute changes that were made recently is going to have a major impact on our city. And it's not like I'm against it, but at the same time is that I didn't think it was enough time for the residents in the city to give it over to really be, if you would, that change is going to look like how it's going to impact the city.

It's basically taking the ADUs out of RNA, which means the whole south side of the city would no longer have any ADU's -attached ADU's or any changes to the zoning at all. And there are some people who live in those two wards that have ADU's. So we have to look at how that is going to be addressed.

But again, you know, that's why I just asked if you can, you know, put it off until the following meetings. That way people would understand what the change was made over on that Friday. I didn't think a couple of days was long enough. So I just want to put that on the record. I mean, I'm not going to veto your decision on it. It's just - I just want to convey my thoughts about it and my concerns that I had, that it wasn't enough time for people not knowing that this was being taken out. And this is a major change in our zoning code.

So I just wanted you to, you know, to have that to think about that that particular change and moving that forward. At this meeting, there were some other things that were brought up by this other person that comes here. Every meeting and seems to complain about everything. I'm not going to entertain myself with that. So just know that we're doing everything that we possibly can to hear the voices of all people in the City of Poughkeepsie. And the comments that I have made is the fact that, you know, sometimes we have individuals that come forward and they complain when it only hits their area. And the thing is, is this is a whole one city and we're trying to address the issues throughout the city, you know, and it's, you know, it happens sometimes where the fact is, is that if it doesn't affect me, I don't want to have anything to do with it does and I'm going to come

out. You know, I just like people when they come out and notice that we have challenges throughout the entire city.

And that should come out to help us, to help, you know, if North Side challenges that are happening, that even if people are living on the South Side to come out to fight with us and there have been individuals that have but this room gets filled if anything gets touched over in the Fourth Ward or Eighth Ward. But when things are happening in other areas and why we're not seeing that same kind of reaction. So I just ask that we come together when the shootings, when there's gun violence, when we're dealing with the homeless shelter. You know, we've been fighting for years for a homeless shelter, but we don't see that same kind of energy when it comes to that part of it, because sometimes people forget that it's the whole city that we're talking about that's affected.

So that's the comments that I made that, you know, I it and we look at it and just don't look at what just a fix my neighborhood but looks at what affects the whole city. So we're fighting this together because it's it's a hard fight sometimes. And I just ask that we look at this whole city as our city and not just a North Side / South Side thing, but we also have people who come in and make very negative comments that makes it even worse.

So I'm not going to go back to how I feel or my comments that I've made because I really feel we should be coming together as one city and addressing some of the issues that we have going on all throughout the city.

So that's my comment.

Thank you, Chair.

VIII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

IX. REPORTS OF COMMITTEES AND BOARDS:

NONE

X. CONSENT AGENDA: MOTIONS AND RESOLUTIONS:

A motion to Approve was made by Councilmember - 2nd Ward Menist and seconded by Council Member- 1st Ward Henry.

CONSENT AGENDA: MOTIONS & RESOLUTIONS - VOICE VOTE	
Yes/Aye:	Council Member- 1st Ward Henry, Councilmember - 2nd Ward Menist, Council Member- 5th Ward James, Council Member- 6th Ward Grant, Council Member- 8th Ward Deichler, Council Member- 7th Ward Patterson Thompson, Council Member- 4th Ward Shook, Council Member At-Large Wilson
No/Nay:	None
Abstain:	None
Absent:	Councilmember - 3rd Ward Brown
Result:	Passed

1. **R-24-78**, Resolution Approving Fiscal Year 2023 Audit Close-Out

**RESOLUTION
FISCAL YEAR 2023 AUDIT CLOSE-OUT
(R-24-78)**

INTRODUCED BY CHAIRMAN WILSON, COUNCILMEMBERS GRANT, SHOOK, PATTERSON-THOMPSON, BROWN, DEICHLER & HENRY

WHEREAS, the Common Council by resolution R-22-93 adopted a budget for the fiscal year 2023 (the “2023 Budget”); and

WHEREAS, adjustments are required to complete the City of Poughkeepsie’s 2023 fiscal audit; and

WHEREAS, best practices from Generally Accepted Accounting Principles (GAAP), the Government Finance Officers Association (GFOA) and the Governmental Accounting Standards Board (GASB) require the City to rebalance funds and general ledger accounts before closing an audited fiscal year; and

WHEREAS, the attached Schedule A includes the transfers of up to \$1,341,000 from the Water Fund to the General Fund and up to \$1,341,000 to balance general ledger accounts to accurately reflect expenses and to complete the 2023 audited fiscal year.

NOW THEREFORE,

BE IT RESOLVED, that the Common Council gives the Commissioner of Finance the authority to adjust the 2023 budget lines identified in the attached “Schedule A” to complete the fiscal year audit.

Schedule A, page 1

Proposed Adjustments to Correct 2023 Overspent Budget Lines

Fund	Account Number	Account Description	YTD Transactions	Current Budget	Amendment	Final Budget
General Fund						
	Expenditures					
	09.3120.7104	Salaries-Police	6,192,449.51	6,480,124.00	(280,744.00)	6,199,380.00
	09.3120.7104.VF	Vacancy Factor	-	(116,744.00)	116,744.00	-
	09.3120.7114	Overtime-Police	1,153,318.57	688,000.00	470,000.00	1,158,000.00
	09.3123.7104	Salaries-Police	1,082,433.13	1,173,011.00	(90,000.00)	1,083,011.00
	09.3124.7102	Salaries-Management	471,193.47	346,949.00	125,000.00	471,949.00
	09.3124.7178	Accumulated Pay-Sick	-	102,071.00	(100,000.00)	2,071.00
	09.3128.7114	Overtime-Police	366,686.54	230,000.00	137,000.00	367,000.00
	09.3131.7103	Salaries-CSEA	1,117,691.45	1,252,172.00	(134,000.00)	1,118,172.00
	09.3131.7469.AR	Contracted Services-ARP	-	80,000.00	(80,000.00)	-
	10.3410.7105	Salaries-Fire	4,911,021.65	5,098,129.00	(187,000.00)	4,911,129.00
	10.3410.7115	Overtime-Fire	931,954.17	400,000.00	532,000.00	932,000.00
	10.3410.7177	Accum Pay-Compensatory	195,296.84	5,000.00	191,000.00	196,000.00
	10.3410.7175	Accum Pay-Holiday-Fire	301,383.96	343,618.00	(32,000.00)	311,618.00
	08.1440.7256.AR	Parks-ARP	1,301,927.76	2,152,500.00	(775,000.00)	1,377,500.00
	08.1440.7257.AR	Pools-ARP	2,437,582.94	1,100,000.00	1,340,000.00	2,440,000.00
	03.1230.7102	Salaries-Management	277,750.20	226,415.00	55,000.00	281,415.00
	08.1620.7217.AR	Building Equipment - ARP	93,671.58	175,000.00	(81,000.00)	94,000.00
	08.1640.7233.AR	Trucks/Vans - ARP	-	108,000.00	(108,000.00)	-
	08.1640.7424	Mat & Supplies-Vehicles	110,078.78	25,000.00	100,000.00	125,000.00
	08.1640.7444	Repair/Maint-Vehicles	307,522.51	165,000.00	175,000.00	340,000.00
	14.1430.7158.AR	Stipend - City-wide ARP	290,759.00	432,000.00	(140,000.00)	292,000.00
	20.1900.7408	Office-Telephones	182,663.43	83,000.00	100,000.00	183,000.00
	20.1900.7471	Utilities-Electric Lighting	414,448.30	291,000.00	125,000.00	416,000.00
	20.1900.7498.AR	Contingency - ARP	-	100,000.00	(100,000.00)	-
	08.5142.7429.AR	Materials & Supplies-Snow Removal-ARP	58,114.49	270,000.00	(126,000.00)	144,000.00
	11.6420.7134.002	Bilingual Pay CSEA	1,999.92	-	2,000.00	2,000.00
	11.6420.7177	Accumulated Pay - Compensatory	4,211.06	-	6,000.00	6,000.00
	11.6420.7178	Accumulated Pay - Sick	15,214.15	-	20,000.00	20,000.00
	11.6420.7179	Accumulated Pay - Vacation	7,084.98	-	10,000.00	10,000.00
	08.8160.7221.AR	Sanitation Equipment - ARP	171,450.00	10,000.00	165,000.00	175,000.00
	11.8020.7469.AR	Contracted Services - ARP	-	95,000.00	(95,000.00)	-
	21.9789.7600	Principal on Debt	566,533.00	-	567,000.00	567,000.00
	21.9789.7700	Interest on Debt	31,856.00	-	32,000.00	32,000.00
	22.9901.7918	IFT to Sanitation	-	100,000.00	(100,000.00)	-
	22.9901.7930	IFT to Capital Project Fund	-	500,000.00	(500,000.00)	-
	22.9901.7920	IFT to Debt Service Fund	4,198,926.47	4,197,955.00	1,000.00	4,198,955.00
			27,195,223.86	26,113,200.00	1,341,000.00	27,454,200.00
	Revenues					
	00.5002	IFT from Water	2,350,000.00	2,350,000.00	1,341,000.00	3,691,000.00
	Water Fund					
	Expense					
	22.9901.7901	IFT to General	2,350,000.00	2,350,000.00	1,341,000.00	3,691,000.00
	Revenue					
	00.2140	Metered Sales-City	7,950,079.07	6,219,469.00	1,341,000.00	7,560,469.00

Schedule A, page 2

	General	Water	Sewer	Sanitation	Capital	Debt Service	Various Grant Funds	Total
2023 Net Increase/(Decrease)								
Current	(1,331,789)	1,671,845	1,917,117	759,924	2,926,068	(43,755)	828,887	6,728,297
Interfund Transfer Increase	1,341,000	(1,341,000)	-	-	-	-	-	-
Adjusted	9,211	330,845	1,917,117	759,924	2,926,068	(43,755)	828,887	6,728,297
2023 Ending Fund Balance								
Current	1,105,383	1,741,474	2,313,144	(2,324,066)	(10,018,627)	69,015	7,377,114	263,437
Interfund Transfer Increase	1,341,000	(1,341,000)	-	-	-	-	-	-
Adjusted	2,446,383	400,474	2,313,144	(2,324,066)	(10,018,627)	69,015	7,377,114	263,437

2. **R-24-79**, Resolution for Final Approval of Tax Refund or Credit of Real Property Taxes for 13 and 15 Duane St and 1 Fallkill Place

RESOLUTION
FINAL APPROVAL OF TAX REFUND OR CREDIT OF REAL PROPERTY
TAXES
13 Duane Street, 15 Duane Street and 1 Fallkill Place
(R-24-79)

INTRODUCED BY CHAIRMAN WILSON, COUNCILMEMBER PATTERSON-THOMPSON, MENIST, BROWN, JAMES, GRANT & DEICHLER

WHEREAS, pursuant to the provisions of Real Property Tax Law - RPT§556, an appropriate tax levying body may refund or credit to any person the amount of any tax paid by him or her, where such tax was attributable to a clerical error; and

WHEREAS, the City of Poughkeepsie Commissioner of Finance has requested, due to billing errors, the removal of re-levies from the 2024 Property Tax bills for 13 Duane Street, 15 Duane Street and 1 Fallkill Place; and

WHEREAS, Gina Burley and Gary Fishwick, property owners of 13 Duane Street, Poughkeepsie, NY 12601, have applied for the removal of the sanitation re-levy in the amount of \$1,510.50 and water/sewer re-levy of \$4,629.37 from their 2024 Property Tax bill per New York State Department of Taxation and Finance Office of Real Property Tax Services form RP-556; and

WHEREAS, Gina Burley and Gary Fishwick, property owners of 15 Duane Street, Poughkeepsie, NY 12601, have applied for the removal of the sanitation re-levy in the amount of \$2,385.00 from their 2024 Property Tax bill per New York State Department of Taxation and Finance Office of Real Property Tax Services form RP-556; and

WHEREAS, JASA 1 Fallkill, LLC, the property owner of 1 Fallkill Place, Poughkeepsie, NY 12601, has applied for the removal of the water/sewer re-levy of \$14,470.45 from their 2024 Property Tax bill per New York State Department of Taxation and Finance Office of Real Property Tax Services form RP-556; and

WHEREAS, Dutchess County Real Property Tax Service Agency has conducted their investigations and has recommended that these applications be approved as requested by the City of Poughkeepsie Commissioner of Finance.

NOW THEREFORE,
BE IT RESOLVED, that the Common Council approves the application of Gina Burley and Gary Fishwick, property owners of 13 Duane Street, Poughkeepsie, NY 12601, for the

Official Minutes of the Common Council Meeting of November 4, 2024

removal of the sanitation re-levy in the amount of \$1,510.50 and water/sewer re-levy of \$4,629.37 from their 2024 Property Tax bill; and

BE IT RESOLVED, that the Common Council approves the application of Gina Burley and Gary Fishwick, property owners of 15 Duane Street, Poughkeepsie, NY 12601, for the removal of the sanitation re-levy in the amount of \$2,385.00 from their 2024 Property Tax bill; and

BE IT RESOLVED, that the Common Council approves the application of JASA 1 Fallkill, LLC, the property owner of 1 Fallkill Place, Poughkeepsie, NY 12601, for the removal of the water/sewer re-levy of \$14,470.45 from their 2024 Property Tax bill.

Dutchess County Real Property Tax Services

Correction of Errors Investigative Report

Legal Description (Grid #): 131300-6062-68-881297-0000

Owner's Name: Gary Fishwick and Gina C. Burley

Mailing Address: 7 Redondo Dr. Poughkeepsie NY 12603

Property Location: 13 Duane St.

School District: Poughkeepsie City School Dist. Special District: _____

Total Assessed Value on roll: 27,000 Corrected to: Same

Taxable Assessed Value on roll: 27,000 Corrected to: Same

Exemptions and amounts, if applicable:

Amount Levied: \$6,509.57 Should be: \$369.70

Tax Bill Paid: ☒ Yes ☐ No

Error Claimed is defined in Real Property Tax Law §550:

- ☒ Subdivision 2, Paragraph H (clerical error)
- ☐ Subdivision 3, Paragraph _____ (error in essential fact)
- ☐ Subdivision 7, Paragraph _____ (unlawful entry)

Reason:

- ☐ Exemption was approved by assessor, but not entered on roll
- ☐ Exemption amount incorrectly calculated
- ☐ Assessed value on roll does not match assessor's final work product
- ☐ Structure did not exist on taxable status date or was present on another parcel
- ☐ Assessment based on incorrect acreage
- ☐ Parcel should be Wholly Exempt
- ☐ Parcel Misclassified as homestead or non-homestead
- ☒ Other: Incorrect re-levy of a previously paid water/sewer and sanitation bills.

Recommendation: ☒ **APPROVE APPLICATION** ☐ **DENY APPLICATION**

Details:

It is recommended that the application for a partial refund of the 2023/24 County/City tax bill be approved.

Investigator: Margaret Burns Director: Cathleen Klein Date: 9/26/24



Department of Taxation and Finance
Office of Real Property Tax Services

Application for Refund or Credit of Real Property Taxes

RP-556
(12/19)

RECEIVED

Part 1 – General Information: To be completed in duplicate by the applicant.

SEP 13 2024

Names of owners Gina Burley and Gary Fishwick			DC REAL PROPERTY TAX SERVICES		
Mailing address of owners (number and street or PO box) 7 Redondo Dr.			Location of property (street address) 13 Duane St.		
City, village, or post office Poughkeepsie		State NY	ZIP code 12603		City, town, or village Poughkeepsie
Daytime contact number 845-453-0367		Evening contact number Same		Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) 131300-6062-68-881297-0000	
Account number (as appears on tax bill) 1770060-0014128060-001		Amount of taxes paid or payable 7,106.55		Date of payment 12/15/20, 1/11/21, 12/15/23, 12/22/23	
Reasons for requesting a refund or credit: Water and sanitation bills written off to taxes when balances should have been zero.					

I hereby request a refund or credit of real property taxes levied by City of Poughkeepsie for the year(s) 2020, 2021, 2023
(County, city, village, etc.)

Signature of applicant Gina Burley	Date 9/12/24
--	------------------------

Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received 9-13-2024	Date warrant annexed 1-5-2024
Last day for collection of taxes without interest Paid 2-7-24	Recommendation Approve application* ☒ Deny application ☐
Signature of official Cathleen Weiss	Date 9/26/24

* If this application is approved, and the same error appears on a current assessment roll, send a copy of this form, including all attachments, to the assessor and board of assessment review. They must treat this application as a petition for the correction of that current roll (Form RP-553).

Part 3 – For use by the tax levying body or official designated by resolution _____ :
(insert number or date, if applicable)

Application approved (Mark an X in the applicable box):

Clerical error ☐ Error in essential fact ☐ Unlawful Entry ☐

Amount of taxes paid	Amount of taxes due	Amount of refund or credit
----------------------	---------------------	----------------------------

Application denied (reason): _____ _____

Signature of chief executive officer or official designated by resolution	Date
---	------

Yvonne Flowers
Mayor

Joseph Donat
City Administrator

Brian E. Martinez, PhD
Commissioner of Finance



The City of Poughkeepsie
New York

RECEIVED

SEP 25 2024

DC REAL PROPERTY
TAX SERVICES

September 20, 2024

Duchess County
Real Property Tax Service Agency
22 Market Street
Poughkeepsie, NY 12601

Attention: Cathy Weisse, Director of Real Property Tax Services

Re: 13 Duane St., Poughkeepsie, NY 12601
6062-68-881297-0000

Ms. Weisse,

The City of Poughkeepsie re-levied \$1,510.50 for unpaid sanitation and \$4,629.37 for unpaid water/sewer to the 2024 property tax bill of 13 Duane Street, Poughkeepsie, NY 12601. This re-levy was made in error. Please review and adjust the tax bill accordingly.

If you have any questions, please feel free to contact me at the number below.

Sincerely,

Brian Martinez, PhD
Commissioner of Finance

September 25, 2024
01:31 PM

Poughkeepsie City
Property Tax Payment Detail

Page No: 1

Account Id: 128060	Swis/Map/Block/Lot: 131300-6062-68-881297-0000
Property Location: 13 DUANE ST	Owner Name: FISHWICK GARY
Report Type: Condensed	Date Range: 01/01/24 to 09/25/24
Include Service Type: Property: Y School: Y	

Payment Total for 02/07/24:	<u>6,509.57</u>	Ck Num: CORELOGICPAY Description: Corelogic Escrow
	6,509.57	

Total Payments for Account:											
Cash:	0.00	Credit:	0.00	Check:	6,509.57	Voucher:	0.00	V Term:	0.00	Total:	6,509.57
Total NSF Reversals for Account:											
Cash:	0.00	Credit:	0.00	Check:	0.00	Voucher:	0.00	V Term:	0.00	Total:	0.00
Total Payments less NSF Reversals:											
Cash:	0.00	Credit:	0.00	Check:	6,509.57	Voucher:	0.00	V Term:	0.00	Total:	6,509.57

Note: Totals include only payments/reversals in the date range selected!

RECEIVED

SEP 25 2024

**DC REAL PROPERTY
TAX SERVICES**

2024 TAX BILL : THE CITY OF POUGHKEEPSIE, NY

Bill No. 001511

Fiscal Year: 01/01/24 to 12/31/24

Warrant Date: 01/05/24

Sequence No. 005359

MAKE CHECKS PAYABLE TO:

The City Of Poughkeepsie

MAIL CHECKS TO:

The City of Poughkeepsie

P.O. Box 1690

Buffalo, NY 14240-1690

(845) 451-4030 or (845) 451-4031

TO PAY IN PERSON:

City Of Poughkeepsie City Hall

62 Civic Center Plaza, 1st Fl

Poughkeepsie, NY 12601

(845) 451-4030 / 4031

Monday - Friday 8:30am-4:30pm

SWIS: 131300 GRID: 6062-68-881297-0000

Address: 13 DUANE ST

Account No.: 128060

Parcel Dimensions: 0.21

Property Class: 312 Vac w/imprv

HOMESTEAD PARCEL

Please Write Account No. In Memo

Bank Code: C080370 Roll Sect. 1

PAYMENTS CAN ALSO BE MADE ONLINE BY E-CHECK OR
DEBIT/CREDIT CARD AT WWW.CITYOFPOUGHKEEPSIE.COM AND
CLICK ON "MAKE A PAYMENT"

Estimated State Aid: CNTY 101,752,159

CITY 6,287,168

Library 281,685

PROPERTY TAXPAYER'S BILL OF RIGHTS:

The assessor estimates the Full Market Value of this property as of 7/1/22 \$27,000

The Total Assessed Value of this property is \$27,000

The Uniform Percentage of Value used to establish assessments in your municipality was: 100%

A publication entitled 'Contesting Your Assessment in New York State' is available online at www.tax.ny.gov/pdf/publications/orpls/grievancebooklet.pdf. Please note that the period for filing complaints on this assessment has passed. You may be eligible for a senior citizen tax exemption on your primary residence if you are over 65 years of age and meet the income requirement. Other exemptions may also be available. For more information, please contact your Assessor's Office at (845) 451-4040. You must apply by March 1st. If the words "PRIOR TAXES DUE" appear on the tax bill below, please call the Tax Division for more information at (845) 451-4030/4031 or e-mail taxclerks@cityofpoughkeepsie.com.

PLEASE NOTE: In December 2021, LL-21-05 was signed into legislation. The new law eliminates the "Installment Fee" also known as the "Late Fee". There shall be no interest or penalty on taxes paid in full on or before February 15. When not paid in full by February 15, partial payments in any amount will be accepted by the Commissioner of Finance until balance is paid in full. Payments shall be applied in the following order: Outstanding Fees, Interest, Newest Tax Due. Payments made February 16 or after shall be subject to interest charges at 1% per month retroactive to January 1 on the outstanding remaining principal balance. In 2021, the City transitioned to the NY State In-Rem foreclosure process, replacing the tax lien sale process for delinquencies. Delinquent tax levies against property will result in loss of property.

Exemption	Value	Tax Purpose	Full Value Estimate
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Property Taxes Taxing Purpose	Total Tax Levy	% Chg From Prior Yr	Taxable Value	Tax Rate per \$1000	Tax Amount
County Tax	\$99,296,380	-0.1	\$27,000	2.225225	\$60.08
City Tax	\$28,594,366	8.2	\$27,000	10.102526	\$272.77
Greater Pk Lib Dist	\$3,897,852	10.7	\$27,000	1.364958	\$36.85
Unpaid Sanitation	\$0	0	\$0	0	\$1,510.50
Unpaid Water/Sewer	\$0	0	\$0	0	\$4,629.37

RETURN THE RECEIVER'S STUB BELOW WITH PAYMENT INCLUDING YOUR ACCOUNT NO. IN THE MEMO OF CHECK

RECEIVER'S STUB (RETURN WITH PAYMENT)

TOTAL TAXES DUE BY 02/15/24 : \$6,509.57

369.70

Account No.: 128060

Address: 13 DUANE ST

Owner: FISHWICK GARY

BURLEY GINA C

7 REDONDO DR

POUGHKEEPSIE, NY 12603

Would you like a receipt sent to you? ☐ Yes ☐ No

The City of Poughkeepsie, NY
Commissioner of Finance, Tax Division
62 Civic Center Plaza, 1st Floor
Poughkeepsie, NY 12601

TAX BILL ENCLOSED

FISHWICK GARY
BURLEY GINA C
7 REDONDO DR
POUGHKEEPSIE, NY 12603

*Clerical error
"H"
Refund*

Dutchess County Real Property Tax Services

Correction of Errors Investigative Report

Legal Description (Grid #): 131300-6062-68-884296-0000

Owner's Name: Gary Fishwick and Gina C. Burley

Mailing Address: 7 Redondo Dr. Poughkeepsie NY 12603

Property Location: 15 Duane St.

School District: Poughkeepsie City School Dist. Special District: _____

Total Assessed Value on roll: 27,000 Corrected to: Same

Taxable Assessed Value on roll: 27,000 Corrected to: Same

Exemptions and amounts, if applicable:

Amount Levied: \$2,754.70 Should be: \$369.70

Tax Bill Paid: ☒ Yes ☐ No

Error Claimed is defined in Real Property Tax Law §550:

- ☒ Subdivision 2, Paragraph H (clerical error)
- ☐ Subdivision 3, Paragraph _____ (error in essential fact)
- ☐ Subdivision 7, Paragraph _____ (unlawful entry)

Reason:

- ☐ Exemption was approved by assessor, but not entered on roll
- ☐ Exemption amount incorrectly calculated
- ☐ Assessed value on roll does not match assessor's final work product
- ☐ Structure did not exist on taxable status date or was present on another parcel
- ☐ Assessment based on incorrect acreage
- ☐ Parcel should be Wholly Exempt
- ☐ Parcel Misclassified as homestead or non-homestead
- ☒ Other: Incorrect re-levy of a previously paid sanitation bill.

Recommendation: ☒ **APPROVE APPLICATION** ☐ **DENY APPLICATION**

Details:

It is recommended that the application for a partial refund of the 2023/24 County/City tax bill be approved.

Investigator: Margaret Burns Director: Cathleen Wiese Date: 9/26/24



Department of Taxation and Finance
Office of Real Property Tax Services

Application for Refund or Credit of Real Property Taxes

RP-556
(12/19)

RECEIVED

Part 1 – General information: To be completed in duplicate by the applicant.

SEP 13 2024

Names of owners <i>Gina Burley and Gary Fishwick</i>			DC REAL PROPERTY TAX SERVICES		
Mailing address of owners (number and street or PO box) <i>7 Redondo Dr.</i>			Location of property (street address) <i>15 Duane St.</i>		
City, village, or post office <i>Poughkeepsie</i>		State <i>NY</i>	City, town, or village <i>Poughkeepsie</i>		State <i>NY</i>
ZIP code <i>12603</i>		ZIP code <i>12601</i>			
Daytime contact number <i>845-453-0367</i>		Evening contact number <i>same</i>		Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) <i>131300-6062-68-884296-0000</i>	
Account number (as appears on tax bill) <i>1770070-001+128070-001</i>		Amount of taxes paid or payable <i>2,951.28</i>		Date of payment <i>12/15/20, 1/11/21, 12/22/23</i>	
Reasons for requesting a refund or credit: <i>Water and sanitation bills written off to taxes when balances should have been zero.</i>					

I hereby request a refund or credit of real property taxes levied by City of Poughkeepsie for the year(s) 2020, 2021, 2023
(County, city, village, etc.)

Signature of applicant <i>Gina Burley</i>	Date <i>9/12/24</i>
--	------------------------

Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received <i>9-13-2024</i>	Date warrant annexed <i>1-5-2024</i>
Last day for collection of taxes without interest <i>paid 2-7-24</i>	Recommendation Approve application* ☒ Deny application ☐
Signature of official <i>Cuthbert Weiss</i>	Date <i>9/26/24</i>

* If this application is approved, and the same error appears on a current assessment roll, send a copy of this form, including all attachments, to the assessor and board of assessment review. They must treat this application as a petition for the correction of that current roll (Form RP-553).

Part 3 – For use by the tax levying body or official designated by resolution _____ :
(insert number or date, if applicable)

Application approved (Mark an X in the applicable box):

Clerical error ☐ Error in essential fact ☐ Unlawful Entry ☐

Amount of taxes paid	Amount of taxes due	Amount of refund or credit
----------------------	---------------------	----------------------------

Application denied (reason): _____ _____
--

Signature of chief executive officer or official designated by resolution	Date
---	------

Yvonne Flowers
Mayor

Joseph Donat
City Administrator

Brian E. Martinez, PhD
Commissioner of Finance



The City of Poughkeepsie
New York

September 20, 2024

RECEIVED

SEP 25 2024

Dutchess County
Real Property Tax Service Agency
22 Market Street
Poughkeepsie, NY 12601

DC REAL PROPERTY
TAX SERVICES

Attention: Cathy Weisse, Director of Real Property Tax Services

Re: 15 Duane St., Poughkeepsie, NY 12601
6062-68-884296-0000

Ms. Weisse,

The City of Poughkeepsie re-levied \$2,385.00 for unpaid sanitation to the 2024 property tax bill of 15 Duane Street, Poughkeepsie, NY 12601. This re-levy was made in error. Please review and adjust the tax bill accordingly.

If you have any questions, please feel free to contact me at the number below.

Sincerely,

Brian Martinez, PhD
Commissioner of Finance

September 25, 2024
01:29 PM

Poughkeepsie City
Property Tax Payment Detail

Page No: 1

Account Id: 128070
Property Location: 15 DUANE ST
Report Type: Condensed
Include Service Type: Property: Y School: Y

Swis/Map/Block/Lot: 131300-6062-68-884296-0000
Owner Name: FISHWICK GARY S
Date Range: 01/01/24 to 09/25/24

Payment Total for 02/07/24: 2,754.70 Ck Num: CORELOGICPAY Description: Corelogic Escrow
2,754.70

Total Payments for Account:
Cash: 0.00 Credit: 0.00 Check: 2,754.70 Voucher: 0.00 V Term: 0.00 Total: 2,754.70

Total NSF Reversals for Account:
Cash: 0.00 Credit: 0.00 Check: 0.00 Voucher: 0.00 V Term: 0.00 Total: 0.00

Total Payments less NSF Reversals:
Cash: 0.00 Credit: 0.00 Check: 2,754.70 Voucher: 0.00 V Term: 0.00 Total: 2,754.70

Note: Totals include only payments/reversals in the date range selected!

RECEIVED

SEP 25 2024

DC REAL PROPERTY
TAX SERVICES

2024 TAX BILL : THE CITY OF POUGHKEEPSIE, NY

Bill No. 001512

Fiscal Year: 01/01/24 to 12/31/24

Warrant Date: 01/05/24

Sequence No. 006767

MAKE CHECKS PAYABLE TO:

The City Of Poughkeepsie

MAIL CHECKS TO:

The City of Poughkeepsie

P.O. Box 1690

Buffalo, NY 14240-1690

(845) 451-4030 or (845) 451-4031

Please Write Account No. In Memo**TO PAY IN PERSON:**

City Of Poughkeepsie City Hall

62 Civic Center Plaza, 1st Fl

Poughkeepsie, NY 12601

(845) 451-4030 / 4031

Monday - Friday 8:30am-4:30pm

SWIS: 131300 GRID: 6062-68-884296-0000

Address: 15 DUANE ST

Account No.: 128070

Parcel Dimensions: 0.19

Property Class: 312 Vac w/imprv

HOMESTEAD PARCEL

Bank Code: C190615 Roll Sect. 1

PAYMENTS CAN ALSO BE MADE ONLINE BY E-CHECK OR DEBIT/CREDIT CARD AT WWW.CITYOFPOUGHKEEPSIE.COM AND CLICK ON "MAKE A PAYMENT"

Estimated State Aid: CNTY 101,752,159

CITY 6,287,168

Library 281,685

PROPERTY TAXPAYER'S BILL OF RIGHTS:

The assessor estimates the Full Market Value of this property as of 7/1/22 \$27,000

The Total Assessed Value of this property is \$27,000

The Uniform Percentage of Value used to establish assessments in your municipality was: 100%

A publication entitled 'Contesting Your Assessment in New York State' is available online at www.tax.ny.gov/pdf/publications/orpts/grievancebooklet.pdf. Please note that the period for filing complaints on this assessment has passed. You may be eligible for a senior citizen tax exemption on your primary residence if you are over 65 years of age and meet the income requirement. Other exemptions may also be available. For more information, please contact your Assessor's Office at (845) 451-4040. You must apply by March 1st. If the words "PRIOR TAXES DUE" appear on the tax bill below, please call the Tax Division for more information at (845) 451-4030/4031 or e-mail taxclerks@cityofpoughkeepsie.com.

PLEASE NOTE: In December 2021, LL-21-05 was signed into legislation. The new law eliminates the "Installment Fee" also known as the "Late Fee". There shall be no interest or penalty on taxes paid in full on or before February 15. When not paid in full by February 15, partial payments in any amount will be accepted by the Commissioner of Finance until balance is paid in full. Payments shall be applied in the following order: Outstanding Fees, Interest, Newest Tax Due. Payments made February 16 or after shall be subject to interest charges at 1% per month retroactive to January 1 on the outstanding remaining principal balance. In 2021, the City transitioned to the NY State In-Rem foreclosure process, replacing the tax lien sale process for delinquencies. Delinquent tax levies against property will result in loss of property.

Exemption	Value	Tax Purpose	Full Value Estimate
-----------	-------	-------------	---------------------

Property Taxes Taxing Purpose	Total Tax Levy	% Chg From Prior Yr	Taxable Value	Tax Rate per \$1000	Tax Amount
County Tax	\$99,296,380	-0.1	\$27,000	2.225225	\$60.08
City Tax	\$28,594,366	8.2	\$27,000	10.102526	\$272.77
Greater Pk Lib Dist	\$3,897,852	10.7	\$27,000	1.364958	\$36.85
Unpaid Sanitation	\$0	0	\$0	0	\$2,385.00

RETURN THE RECEIVER'S STUB BELOW WITH PAYMENT INCLUDING YOUR ACCOUNT NO. IN THE MEMO OF CHECK

RECEIVER'S STUB (RETURN WITH PAYMENT)

TOTAL TAXES DUE BY 02/15/24 : \$2,754.70

369.70

Account No.: 128070

Address: 15 DUANE ST

Owner: FISHWICK GARY S

BURLEY GINA C

7 REDONDO DR

POUGHKEEPSIE, NY 12603

Would you like a receipt sent to you? ☐ Yes ☐ No

The City of Poughkeepsie, NY
Commissioner of Finance, Tax Division
62 Civic Center Plaza, 1st Floor
Poughkeepsie, NY 12601

TAX BILL ENCLOSED

FISHWICK GARY S
BURLEY GINA C
7 REDONDO DR
POUGHKEEPSIE, NY 12603

*Clerical
error
"H"
refused*

Dutchess County Real Property Tax Services

Correction of Errors Investigative Report

Legal Description (Grid #): 131300-6162-61-004309-0000

Owner's Name: JASA 1 Fallkill LLC

Mailing Address: 517 N Highland Ave. Nyack NY 10960

Property Location: 1 Fallkill Pl

School District: Poughkeepsie City School Dist. Special District: _____

Total Assessed Value on roll: 308,000 Corrected to: Same

Taxable Assessed Value on roll: 308,000 Corrected to: Same

Exemptions and amounts, if applicable:

Amount Levied: \$19,970.80 Should be: \$5,500.35

Tax Bill Paid: ☒ Yes ☐ No

Error Claimed is defined in Real Property Tax Law §550:

- ☒ Subdivision 2, Paragraph H (clerical error)
- ☐ Subdivision 3, Paragraph _____ (error in essential fact)
- ☐ Subdivision 7, Paragraph _____ (unlawful entry)

Reason:

- ☐ Exemption was approved by assessor, but not entered on roll
- ☐ Exemption amount incorrectly calculated
- ☐ Assessed value on roll does not match assessor's final work product
- ☐ Structure did not exist on taxable status date or was present on another parcel
- ☐ Assessment based on incorrect acreage
- ☐ Parcel should be Wholly Exempt
- ☐ Parcel Misclassified as homestead or non-homestead
- ☒ Other: Incorrect re-levy of a previously paid water/sewer bill.

Recommendation: ☒ **APPROVE APPLICATION** ☐ **DENY APPLICATION**

Details:

It is recommended that the application for a partial refund of the 2023/24 County/City tax bill be approved.

Investigator: Margaret Burns Director: Catherine Weiss Date: 9/26/24



Department of Taxation and Finance
Office of Real Property Tax Services

Application for Refund or Credit of Real Property Taxes

RP-556

(12/19)

RECEIVED

SEP 26 2024

Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners JASA 1 Falkill LLC			DC REAL PROPERTY TAX SERVICES		
Mailing address of owners (number and street or PO box) 517 N. Highland Avenue			Location of property (street address) 1 Falkill Place		
City, village, or post office Nyack	State NY	ZIP code 10960	City, town, or village Poughkeepsie	State NY	ZIP code 12601
Daytime contact number 917-417-8308	Evening contact number		Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) .6162-61-004309-0000		
Account number (as appears on tax bill) 144010	Amount of taxes paid or payable 19,970.80		Date of payment 02-07-2024		
Reasons for requesting a refund or credit: Request a credit of \$14,470.45 on the 2024 Property Tax bill for re-levied unpaid water/sewer bills. This re-levy was made in error by the City of Poughkeepsie.					

I hereby request a refund or credit of real property taxes levied by City of Poughkeepsie for the year(s) 2024.
(County, city, village, etc.)

Signature of applicant 	Date 09-25-24
----------------------------	------------------

Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received 9-26-2024	Date warrant annexed 1-5-2024
Last day for collection of taxes without interest Paid 2-7-2024	Recommendation Approve application* ☒ Deny application ☐
Signature of official 	Date 9/26/24

* If this application is approved, and the same error appears on a current assessment roll, send a copy of this form, including all attachments, to the assessor and board of assessment review. They must treat this application as a petition for the correction of that current roll (Form RP-553).

Part 3 – For use by the tax levying body or official designated by resolution _____:
(insert number or date, if applicable)

Application approved (Mark an **X** in the applicable box):

Clerical error ☐ Error in essential fact ☐ Unlawful Entry ☐

Amount of taxes paid	Amount of taxes due	Amount of refund or credit
----------------------	---------------------	----------------------------

Application denied (reason):

Signature of chief executive officer or official designated by resolution	Date
---	------

Yvonne Flowers
Mayor

Joseph Donat
City Administrator

Brian E. Martinez, PhD
Commissioner of Finance



The City of Poughkeepsie
New York

September 20, 2024

RECEIVED

SEP 25 2024

DC REAL PROPERTY
TAX SERVICES

Dutchess County
Real Property Tax Service Agency
22 Market Street
Poughkeepsie, NY 12601

Attention: Cathy Weisse, Director of Real Property Tax Services

Re: 1 Fallkill Place, Poughkeepsie, NY 12601
6162-61-004309-0000

Ms. Weisse,

The City of Poughkeepsie re-levied \$14,470.45 for unpaid water/sewer to the 2024 property tax bill of 1 Fallkill Place, Poughkeepsie, NY 12601. This re-levy was made in error. Please review and adjust the tax bill accordingly.

If you have any questions, please feel free to contact me at the number below.

Sincerely,

Brian Martinez, PhD
Commissioner of Finance

September 20, 2024
10:06 AM

Poughkeepsie City
Property Tax Payment Detail

Page No: 1

Account Id: 144010
Property Location: 1 FALLKILL PL
Report Type: Condensed
Include Service Type: Property: Y School: Y

Swis/Map/Block/Lot: 131300-6162-61-004309-0000
Owner Name: JASA 1 FALLKILL LLC
Date Range: 01/01/24 to 09/20/24

Payment Total for 02/07/24: 19,970.80 Ck Num: 0510 Description: PNC MTG
19,970.80

Total Payments for Account:

Cash: 0.00 Credit: 0.00 Check: 19,970.80 Voucher: 0.00 V Term: 0.00 Total: 19,970.80

Total NSF Reversals for Account:

Cash: 0.00 Credit: 0.00 Check: 0.00 Voucher: 0.00 V Term: 0.00 Total: 0.00

Total Payments less NSF Reversals:

Cash: 0.00 Credit: 0.00 Check: 19,970.80 Voucher: 0.00 V Term: 0.00 Total: 19,970.80

Note: Totals include only payments/reversals in the date range selected!

RECEIVED

SEP 25 2024

DC REAL PROPERTY
TAX SERVICES

2024 TAX BILL : THE CITY OF POUGHKEEPSIE, NY

Bill No. 001704

Fiscal Year: 01/01/24 to 12/31/24

Warrant Date: 01/05/24

Sequence No. 006169

MAKE CHECKS PAYABLE TO:

The City Of Poughkeepsie

MAIL CHECKS TO:

The City of Poughkeepsie

P.O. Box 1690

Buffalo, NY 14240-1690

(845) 451-4030 or (845) 451-4031

Please Write Account No. In Memo**TO PAY IN PERSON:**

City Of Poughkeepsie City Hall

62 Civic Center Plaza, 1st Fl

Poughkeepsie, NY 12601

(845) 451-4030 / 4031

Monday - Friday 8:30am-4:30pm

SWIS: 131300 GRID: 6162-61-004309-0000

Address: 1 FALLKILL PL

Account No.: 144010

Parcel Dimensions: 0.07

Property Class: 411 Apartment

NON-HOMESTEAD PARCEL

Bank Code: C140100 Roll Sect. 1

**PAYMENTS CAN ALSO BE MADE ONLINE BY E-CHECK OR
DEBIT/CREDIT CARD AT WWW.CITYOFPOUGHKEEPSIE.COM AND
CLICK ON "MAKE A PAYMENT"**

Estimated State Aid: CNTY 101,752,159

CITY 6,287,168

Library 281,685

PROPERTY TAXPAYER'S BILL OF RIGHTS:

The assessor estimates the Full Market Value of this property as of 7/1/22 \$308,000

The Total Assessed Value of this property is \$308,000

The Uniform Percentage of Value used to establish assessments in your municipality was: 100%

A publication entitled 'Contesting Your Assessment in New York State' is available online at www.tax.ny.gov/pdf/publications/orpts/grievancebooklet.pdf. Please note that the period for filing complaints on this assessment has passed. You may be eligible for a senior citizen tax exemption on your primary residence if you are over 65 years of age and meet the income requirement. Other exemptions may also be available. For more information, please contact your Assessor's Office at (845) 451-4040. You must apply by March 1st. If the words "PRIOR TAXES DUE" appear on the tax bill below, please call the Tax Division for more information at (845) 451-4030/4031 or e-mail taxclerks@cityofpoughkeepsie.com.

PLEASE NOTE: In December 2021, LL-21-05 was signed into legislation. The new law eliminates the "Installment Fee" also known as the "Late Fee". There shall be no interest or penalty on taxes paid in full on or before February 15. When not paid in full by February 15, partial payments in any amount will be accepted by the Commissioner of Finance until balance is paid in full. Payments shall be applied in the following order: Outstanding Fees, Interest, Newest Tax Due. Payments made February 16 or after shall be subject to interest charges at 1% per month retroactive to January 1 on the outstanding remaining principal balance. In 2021, the City transitioned to the NY State In-Rem foreclosure process, replacing the tax lien sale process for delinquencies. Delinquent tax levies against property will result in loss of property.

Exemption	Value	Tax Purpose	Full Value Estimate
-----------	-------	-------------	---------------------

Property Taxes Taxing Purpose	Total Tax Levy	% Chg From Prior Yr	Taxable Value	Tax Rate per \$1000	Tax Amount
County Tax	\$99,296,380	-0.1	\$308,000	2.225225	\$685.37
City Tax	\$28,594,366	8.2	\$308,000	13.762979	\$4,239.00
Greater Pk Lib Dist	\$3,897,852	10.7	\$308,000	1.870081	\$575.98
Unpaid Water/Sewer	\$0	0	\$0	0	\$14,470.45

RETURN THE RECEIVER'S STUB BELOW WITH PAYMENT INCLUDING YOUR ACCOUNT NO. IN THE MEMO OF CHECK

RECEIVER'S STUB (RETURN WITH PAYMENT)

TOTAL TAXES DUE BY 02/15/24 : \$19,970.80

Account No.: 144010

Address: 1 FALLKILL PL

Owner: JASA 1 FALLKILL LLC
517 N HIGHLAND AVE
NYACK, NY 10960Would you like a receipt sent to you? ☐ Yes ☐ No

The City of Poughkeepsie, NY
Commissioner of Finance, Tax Division
62 Civic Center Plaza, 1st Floor
Poughkeepsie, NY 12601

TAX BILL ENCLOSED

JASA 1 FALLKILL LLC
517 N HIGHLAND AVE
NYACK, NY 10960

Clerical
error
"H"
Refund

\$5,500.35

3. R-24-80, Resolution Approving Tax Anticipation Note 2024-2025

**RESOLUTION
(R-24-80)**

**INTRODUCED BY CHAIR WILSON, COUNCILMEMBERS SHOOK,
PATTERSON THOMPSON, MENIST, DEICHLER, GRANT, HENRY,
BROWN AND JAMES**

**EXTRACT OF MINUTES
(TAN Resolution)**

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session at the Council Chambers, City Hall, Poughkeepsie, New York on November 4, 2024 at 6:30 o'clock p.m., local time.

The meeting was called to order by Councilmember At Large Da’Ron Wilson, and, upon roll being called, the following members were:

PRESENT:

Councilmember At Large Da’Ron
Wilson Councilmember Ernest
Henry Councilmember Evan
Menist Councilmember Nathan
Shook Councilmember Ondie
James Councilmember Christopher
Grant Councilmember Nedra
Patterson Thompson
Councilmember Megan Deichler

ABSENT:

Councilmember Terricena Brown

The following persons were ALSO PRESENT:
Commissioner of Finance Brian Martinez, PhD

The following resolution was offered by Councilmember Evan Menist,
seconded by Councilmember Ernest Henry, to wit;

**TAX ANTICIPATION NOTE RESOLUTION DATED
NOVEMBER 4, 2024**

**A RESOLUTION DELEGATING TO THE COMMISSIONER OF FINANCE OF THE
CITY OF POUGHKEEPISE, DUTCHESS COUNTY, NEW YORK, THE POWER TO**

AUTHORIZE THE ISSUANCE OF TAX ANTICIPATION NOTES OF SAID CITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,000,000 OUTSTANDING AT ANY ONE TIME PURSUANT TO THE LOCAL FINANCE LAW IN ANTICIPATION OF THE COLLECTION OF REAL ESTATE TAXES AND ASSESSMENTS FOR FISCAL YEARS 2025 OR 2026

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Poughkeepsie, Dutchess County, New York (the "City") (by the favorable vote of not less than a majority of all of the members of the Common Council) as follows:

SECTION 1. The power to authorize the issuance and sale of tax anticipation notes of the City, including renewals thereof, in the aggregate principal amount not to exceed \$4,000,000 outstanding at any one time, in anticipation of the collection of real estate taxes or assessments levied or to be levied for fiscal year 2025 or levied or to be levied for fiscal year 2026, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such power shall include the issuance of such notes within thirty days prior to the commencement of such fiscal year in anticipation of real estate taxes or assessments to be levied in such fiscal year.

SECTION 2. The maturity date of the notes, including renewals thereof, shall not extend beyond the close of the applicable period provided by Section 24.00 of the Law.

SECTION 3. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00, 60.00 and 61.00, of said Law, the power to authorize issuance of the tax anticipation notes and the renewals of said notes and the power to prescribe the terms, form and contents of said notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, manner of execution and redemption rights), and the power to sell and deliver said notes, is hereby delegated to the Commissioner of Finance, the Chief Fiscal Officer of the City. The Commissioner of Finance is hereby authorized to sign any notes issued pursuant to this resolution, and the Chamberlain is hereby authorized to affix the corporate seal of the City to any of said notes and to attest such seal.

SECTION 4. The full faith and credit of the City are and shall be pledged to the punctual payment of principal of and interest on the notes authorized herein.

SECTION 5. The Commissioner of Finance is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the tax anticipation notes authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, to the extent applicable, to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

Official Minutes of the Common Council Meeting of November 4, 2024

SECTION 6. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Councilmember At Large Da’Ron Wilson	VOTING ____
Councilmember Ernest Henry	VOTING ____
Councilmember Evan Menist	VOTING ____
Councilmember Terricena Brown	VOTING ____
Councilmember Nathan Shook	VOTING ____
Councilmember Ondie James	VOTING ____
Councilmember Christopher Grant	VOTING ____
Councilmember Nedra PattersonThompson	VOTING ____
Councilmember Megan Deichler	VOTING ____

The foregoing resolution was thereupon declared duly adopted. Approved: November 4, 2024 _____

Yvonne Flowers

Mayor

4. R-24-81, Resolution Introducing Proposed Downtown Poughkeepsie Business Improvement District and Setting Public Hearing

RESOLUTION

(R-24-81)

**NOTICE AND HEARING ON THE PROPOSED DOWNTOWN POUGHKEEPSIE
BUSINESS IMPROVEMENT DISTRICT**

**SPONSORED BY CHAIRMAN WILSON, COUNCILMEMBERS PATTERSON-
THOMPSON, HENRY, MENIST, JAMES, GRANT & DEICHLER**

WHEREAS, by resolution R-24-50, the Common Council authorized the preparation of a District Plan for the Downtown Poughkeepsie Business Improvement District; and

WHEREAS, pursuant to General Municipal Law §980-e, the Common Council wishes to hold a public hearing on the District Plan for the Downtown Poughkeepsie Business Improvement District.

NOW, THEREFORE, BE IT RESOLVED by the Common Council as follows:

1. A copy of District Plan for the Downtown Poughkeepsie Business Improvement District dated October 28, 2024 is on file in the office of the municipal clerk (a/k/a City Chamberlain) and is available for public inspection; and
2. A copy of District Plan for the Downtown Poughkeepsie Business Improvement District is also attached hereto as Exhibit A and is available on the City website at:
https://www.cityofpoughkeepsie.com/DocumentCenter/View/3579DTPKBID_DistrictPlan
and;
3. **The Common Council shall hold a public hearing on the District Plan for the Downtown Poughkeepsie Business Improvement District on Tuesday, November 19, 2024 at 5:30 p.m.; and**
4. The Clerk shall publish or cause to be published a copy of this resolution as public notice ten (10) day prior thereto; and
5. Any owner of real property, deemed benefitted and therefore within the district, objecting to the plan must file an objection at the office of the municipal clerk (a/k/a City Chamberlain) within thirty days of the conclusion of the hearing on forms made available by the clerk.

**DT
PK**

CITY OF Poughkeepsie
CITY CHAMBERLAIN

2024 OCT 28 PM 3:37

Downtown Poughkeepsie
Business
Improvement
District

DISTRICT PLAN

Prepared by
DTPK BID Steering Committee

Rev: 10/28/2024

This is our moment in Downtown Poughkeepsie. The recent completion of major projects like Luckey Platt, The Academy, and 40 Cannon (just to name a few) have created great momentum in our city. Now, with record investment pouring in and plans to re-imagine our historic downtown with new restaurants, shops, hotels, and entertainment venues, the time is right for our citizens to band together and lead the way in establishing The Queen City as the next great jewel of the Hudson Valley.

By creating a Business Improvement District (BID) in our commercial core, local people - not politicians - will have a voice in what is the future of our city and direct control over funding to make a tangible impact on ensuring we have clean and safe streets, an engaging identity, and are welcoming to new residents, visitors, and businesses.

Pursuant to the City of Poughkeepsie Common Council resolution passed on July 2, 2024, the preparation of this district plan is one of the requirements necessary to comply with New York State General Municipal Law Article 19-A, which provides for and governs Business Improvement Districts.

This plan, written by the members of the DTPK BID Steering Committee (henceforth, “committee”), provides a summary of the legal requirements, formation process, goals, areas of focus, budget, and funding resources to establish and operate a business improvement district in Downtown Poughkeepsie. It includes input from property owners, business owners, commercial tenants, and residents.

A successful BID in Downtown Poughkeepsie will deliver a tremendous return on investment by helping raise property values, lower vacancy rates, increase foot traffic, and create a nimble, community-run apparatus to accept donations, apply for grant funding, and raise sponsorship dollars.

Every single dollar that the BID receives is spent in service of improving Downtown Poughkeepsie, and an open board of directors comprised solely of local stakeholders directs how the money is spent in response to the needs of the community at the time. There are no mandates, and the budget is not beholden to the priorities of any elected official.

Working together is the only way to fulfill our vast potential. The BID summarized in this plan will work together with our partners in City government to create an organization that is uniquely tailored to the needs of Poughkeepsie at both this present moment and long into the future.

BID Overview

What Is A BID?

A business improvement district is a geographical area where local stakeholders oversee and fund the maintenance, improvement, and promotion of their commercial corridor.

For more than 45 years, BIDs have been valuable and proven partners in ongoing initiatives of neighborhood revitalization and economic development across the country, and within New York State. Boasting over 100 BIDs throughout – including more than 75 in New York City – New York's BIDs serve more than 300 miles of commercial corridors and invest more than \$162 million into local economies in the form of supplemental services. (Source: NYC SBS, 2023).

The purpose of a BID is to improve conditions in a specific area, attract and retain businesses and enhance the district experience for anyone who lives, works or visits Downtown Poughkeepsie. Working independently, achieving these goals is difficult if not impossible. Joining together, the possibilities are limitless. A BID enables stakeholders to decide which services meet the district's unique needs and ensures that a consistent financial base is in place.

Why Start A BID?

The most basic principle of a sanctioned business improvement district is that it guarantees financial resources are applied consistently to the area for which they are intended, without diversion or competition from other obligations or changing priorities.

- A BID offers a sustainable and reliable revenue source to provide advocacy, supplemental services, promotions, events, and more.
- A BID allows local stakeholders to manage local priorities and decisions directly and provides a structure to respond quickly to the changing needs of the community.
- To build an apparatus able to apply for grant funding, solicit sponsorship, and accept contributions to multiply guaranteed assessment funding and deliver an outsized return on the investment of financing a BID.
- To create a cleaner, safer and more attractive business district
- To collectively market Downtown Poughkeepsie to expand the reach of businesses further than any one merchant could on his/her own
- To work to increase property values, improve sales, and decrease commercial vacancy rates
- To position our district to better compete with nearby retail and business centers and online shopping.

Governance

Each BID is run by a non-for-profit organization known as a District Management Association (DMA) that is led by a local Board of Directors, who are elected by members of the district. This body can comprise up to voting 20 members.

All decision making related to the BID is made by this Board, which must include property owners, commercial tenants, residents, and publicly elected officials. The Board decides how the BIDs budget is spent and who is hired to execute BID initiatives.

Anyone who owns property in the district, operates a business in the district, or lives in the district is eligible to run for election to the BID board.

Upon approval of the BID ordinance by the City of Poughkeepsie Common Council, the DTPK BID Steering Committee will be required to appoint an ongoing board to replace them. This board will become the oversight body as the Downtown Poughkeepsie BID begins operations.

DTPK BID Steering Committee

Carlos Russell

Business Owner, Queen City Lounge

Jim Sullivan

Property Owner, JSullivan Corporation

Jay Blumenfeld

Property Owners, Walkway Group/Chai Developers

Jenay Scarchilli-Parson

Business Owner, Dulce Cakes and Confections

Michael deCordova

Property Owner

MaryVaughn Williams and Jillian Grano

Property and Business Owners, Canvas and Clothier

Russell Beck

Business Owner, 1915 Wine Bar

Doug Nobiletti

Property Owner

Davina Thomasula

Business Owner, Goodnight Kenny

Outline Of Objectives

The Downtown Poughkeepsie Business Improvement District will focus on providing services that impact four key areas: beautification, safety and security, business climate, and downtown identity.

Beautification

Beautification includes things like on-street garbage pickup, adding additional litter receptacles to the district, planting new trees and maintaining current trees/tree pits, hanging baskets of flowers and blooming planters throughout the district, and offering power washing/graffiti removal services.

Safety and Security

Focusing on safety and security means working to purchase and install additional on-street cameras and lights, forming a downtown Ambassador corps, and advocating for additional walking patrols from City police.

Supporting Business Climate

Supporting the business climate is about advocating for ordinance enforcement and changes to parking, working to attract commercial real estate tenants and fill vacant storefronts, organizing community volunteer days, monitoring, and improving the Civic Center Plaza parking deck, and working with community stakeholders to provide additional support services for the unhoused.

Strengthening Downtown Identity

It's also important that the BID works to create an identity for the commercial core, establishing and hosting signature events, installing light pole banners, wayfinding, and other branding throughout the downtown, and commissioning additional public art and murals.

Supplementing City Services

All services provided by a Business Improvement District are over and above what is already provided by the municipality. Forming a BID does not reduce or replace the services provided by the City of Poughkeepsie in any way. The Downtown Poughkeepsie BID will seek to leverage additional funding for its district for things like storefront improvements, streetscape improvements and more through city, state and federal grants by hiring dedicated professional staff person who has the knowledge and expertise to identify and secure these funding sources.

BID Boundaries and Map

The Downtown Poughkeepsie BID defines Poughkeepsie’s consolidated commercial core and is an area that has seen both tremendous developments completed in the last ten years, with incredible investment and transformation projected during the next ten. Due to its central location, expansion opportunities exist both north and south of the initial boundaries as the city continues to grow and evolve.

NORTHERN BOUNDARY

Where Market St. reaches Mansion St. to Garden St. south to Mill St. where it reaches Hamilton St. The BID includes only properties on the west side of Garden St. The BID includes properties on both the north and south side of Mill St.

EASTERN BOUNDARY

Hamilton Street between Mill St. and Church St. The BID includes on properties on the west side of Hamilton St.

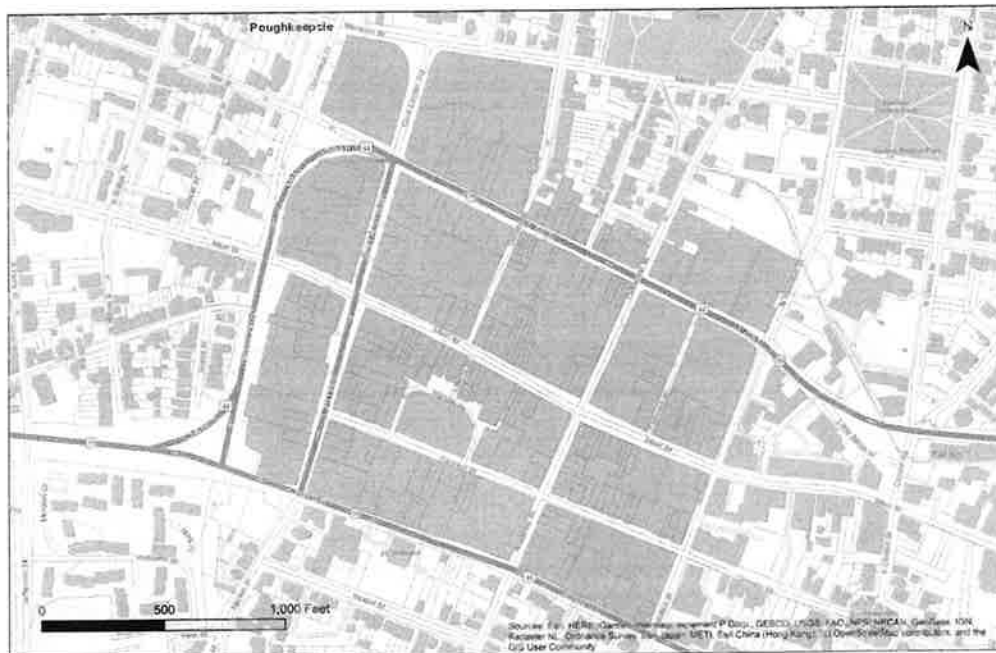
SOUTHERN BOUNDARY

Northernmost side of Church St. from the intersection of the westbound Rt. 44/55 arterial to Hamilton St.

WESTERN BOUNDARY

Mill St. and the westbound Rt. 44/55 arterial behind the Civic Center and County office buildings to its intersection with Church St.

Proposed Poughkeepsie Improvement District



Legal Requirements

New York State General Municipal Law, Article 19-A, Section 980 establishes the legality of BIDs, the formation, powers, plan requirements, organization, and other stipulations required. Key provisions include:

- The local district Plan
 - District boundaries and the district map
 - The district management organization
 - Establishment and definition of the district
 - Funding and expenditure plan
 - Municipal legislative approval
 - Review and approval by New York State Comptroller

According to Article 19-A of the General Municipal Law, the Downtown Poughkeepsie BID Plan is required to:

- 1) Demonstrate approval of the owners of commercial properties included in the proposed district
- 2) Be approved through passage of a local municipal ordinance by the City of Poughkeepsie Common Council.
- 3) Obtain formal review and sanctioning by the State Comptroller.

Prior to the creation of this document, the committee completed a census of all properties within the proposed district and built a database of contact names, phone numbers, and email addresses of a significant majority property owners, and addresses and business names of a significant majority of all commercial tenants. Committee members made direct, personal outreach to 65 property owners and commercial tenants. All affected property owners and commercial tenants were invited to participate in a public meeting and information session on July 22, 2024, to gauge community support for the BID. The committee also sought counsel and best practices on forming a BID from other business improvement district leaders around New York State.

As is stated in Article 19-A, Section 980-e, titled Notice and Hearing, the committee is submitting this plan to the City Clerk seeking legislative approval. Notice of this proposal will be mailed to owners of property within the district, and their tenants. The committee is asking that the City of Poughkeepsie Common Council hold a public hearing on the proposed formation of the Business Improvement District.

According to New York State law, "Any owner of real property deemed benefited and therefore within the District, objecting to the plan, must file an objection at the office of the municipal clerk within 30 days of the conclusion of the hearing on forms made available by the clerk."

The BID shall not be approved by the members of the District if "Owners of at least 51 percent of the assessed valuation of all the benefited real property situated within the boundaries of the district proposed for establishment or extension, as shown upon the latest completed assessment

roll of the municipality” OR “At least 51 percent of the owners of benefitted real property within the area included in the district proposed for establishment or extension, so file their objections, the District will not be established or extended.”

If the plan is approved by property owners, the committee will seek Common Council approval through Local Law. Within 20 days of legislative approval, the plan will be sent for review by the New York State Comptroller.

Establishing a District Management Association (DMA)

In accordance with New York State law, the activities of the Downtown Poughkeepsie BID will be guided by a District Management Association (DMA). The District Management Association is the formal name of the legal, not-for-profit entity that is the BID. The DMA will be governed by a Board of Directors representative of the commercial property owners, business tenants, and residents within the District.

The DMA will be governed by an all-volunteer board of directors comprised of direct stakeholders in the BID district. The certificate of incorporation of the DMA shall provide for voting representation of owners of property and tenants within the district. No individual member or class of member (i.e. property owners) shall be weighted to control more than 33.3 percent of the total number of votes which may be cast. By law, the board will include an individual appointed by the Mayor, City Comptroller, and City of Poughkeepsie Common Council.

The Board of Directors will be elected by the members of the district. BID members vote to elect directors in their respective classes – property owners vote for property owners and commercial tenants for commercial tenants. Board members will not receive a salary. Voting during board meetings will not be weighted - each Director will receive one vote, regardless of their District interests.

The Board of Directors has fiduciary responsibility and will hire an Executive Director to administer the BID on a day-to-day basis. In addition to other powers conferred on the DMA by law, it may make recommendations to the Common Council with respect to any matter involving or relating to the District. The Common Council may also license or grant to the DMA the right to undertake or permit commercial activities or other private uses of the streets or other parts of the District in which the City of Poughkeepsie has any real property interest.

Dissolution

In accordance with New York State law, the BID may be dissolved by vote of the Common Council or upon the written petition of (1) the owners of at least 51 percent or more of the total assessed valuation of all benefitted real property in the district and; (2) at least 51 percent of the owners of benefitted real property in the district, subject to considering the recommendations of the district management association concerning any proposed dissolution.

Funding and Expenditure Plan

Programs and services carried out annually by the Downtown Poughkeepsie BID will require funding of approximately \$325,000.

BID Assessment

Base operating funds for the Downtown Poughkeepsie BID will be provided by property owners within the BID boundaries that determine its programs. When the BID is approved the mechanism for implementing the assessment is put into place. Commercial property owners control this process, subject to state law.

The committee has chosen to leverage the following assessment formula based off each property's city tax liability (this number does not include school, county, or library taxes).

To fund the BID, each taxable parcel inside the BID boundaries will contribute a \$250 base fee plus \$125 for every \$1,000 of annual city tax liability. No property will contribute more than 0.005% of the total district tax base each year, which currently amounts to approximately \$9,000. By law, the disbursement of every dollar raised by the BID assessment is overseen by a board of directors comprised of property owners, commercial tenants, and residents from the district. Every dollar raised by the BID will be spent to directly benefit the BID district.

There are a total of 218 parcels in the BID district, with 168 on the tax rolls. This includes 19 vacant lots, 16 apartment buildings, 10 homesteads, and 22 parking lots. The total tax base of the proposed district is currently \$1,769,123. Projected annual BID assessment and fee revenue is \$232,266¹. The average assessment is projected to be \$89 per month. The median assessment is projected to be \$64 per month.

Homestead properties are exempt from the BID assessment. Properties owned by government, nonprofit, or religious institutions are exempt from the BID assessment, however the DMA will seek to forge shared services agreements with these entities as appropriate to benefit the downtown district.

BID assessments are not optional and are paid by all non-exempt property owners within the district.

ADDITIONAL FUNDING

Event Sponsorship

Fulfilling the objective of improving the business climate and creating a downtown identity, the Downtown Poughkeepsie BID will host key signature events throughout the year. These events will be designed to be attractive to corporate sponsorship and incorporate other revenue generating opportunities (i.e. sale of food/drink or merchandise, sale of vendor space, etc.) to positively impact the BID's bottom line.

Grant Funding

¹ The assessments have been calculated using the Mayor's proposed City budget dated October 15, 2024. Any amendments to that proposed budget may result in a reduction of the projected assessment.

As a mission-driven 501c3, the DMA will actively seek to supplement assessment funding via local, state, and federal grants as appropriate. Grant funds will be primarily used to directly fund special capital projects, allowing additional assessment revenue to be applied to BID objectives.

Commercial Tenant “Membership”

During the committee’s strategic planning and outreach process, numerous commercial tenants in the district indicated a willingness to voluntarily support the BID. The DMA will institute a tenant “membership” program seeking \$250 per year from interested participating businesses.

City Of Poughkeepsie

To support the downtown district and help the BID make an immediate impact, the City of Poughkeepsie has pledged \$140,000 in operating support from funds received via the American Rescue Plan Act (ARPA). These funds will be critical as the BID makes one-time, year one expenditures to purchase equipment and furnishings and hire staff.

Projected 2025 Income

SOURCE	AMOUNT
Assessment + Base Fees	\$0
City Of Poughkeepsie (ARPA)	\$140,000
Event Sponsorship	\$15,000
Grants	\$15,000
Optional Tenant Membership	\$12,500
TOTAL PROJECTED INCOME	\$182500

Projected 2026 Income

SOURCE	AMOUNT
Assessment + Base Fees	\$232,266
City Of Poughkeepsie (ARPA)	\$0
Event Sponsorship	\$20,000
Grants	\$15,000
Optional Tenant Membership	\$15,000
TOTAL PROJECTED INCOME	\$282,266

EXPENDITURES

Capital Expenditures

The District Plan does not entail any major capital projects for which bonds or other debt instruments would be required. The initial expense projections include relatively minor purchases to be made on a cash basis.

Proposed Annual Expenditure Breakdown

The following is a predicted layout of what the Steering Committee proposes the Poughkeepsie BID establish as an expenditure plan. All future expenses will be dictated at the direction of the BID Board of Directors.

ADMINISTRATIVE		
	Executive Staff Salaries	\$75,000
	Street Team Salaries	\$35,000
	Consultants/Contractors	\$10,000
	Office Space	\$20,000
	Supplies	\$8,500
	Computer Software/Hardware	\$4,500
	Misc. Fees, Costs, Utilities	\$5,000
		\$158,000
BEAUTIFICATION		
	Equipment/Supplies	\$10,000
	Seasonal Décor	\$12,500
	Flowers/Plants	\$12,500
		\$39,000
BUSINESS CLIMATE		
	Printing/Publishing	\$7,000
	B2B Networking	\$2,500
	District Advertising	\$5,000
		\$14,500
SAFETY & SECURITY		
	Ambassador Program	\$35,000
	Cameras & Equipment	\$15,000
	Needs Assessment	\$10,000
		\$60,000
DISTRICT IDENTITY		
	Branding Campaign	\$5,000
	Asset Management	\$2,500
		\$7,500
TOTAL INCOME		\$282,266
TOTAL EXPENDITURE		\$279,500

TIMELINE FOR IMPLEMENTATION

December 2024 – BID Resolution Passes Common Council

February 2025 – BID Assessment Plan Approved by NYS Comptroller

February 2025 – BID District Codified in City Law

March 2025 – Begin Formation of DMA & BID Bylaws/Structure

March 2025 – BID Assessment Included in Tax Bills

April – August 2025 – BID Administrative Startup

September – October 2025 – BID Operational Startup

October-December 2025 – BID Directors Election

January 2026 – First Annual Meeting; Board Election

January 2026 – BID Begins Normal Operation

5. **R-24-82**, Resolution Introducing a Local Law to Add a New Section 14.16
“Tax Search Fee Enumerated” and Setting Public Hearing

**RESOLUTION
(R-24-82)**

**RESOLUTION INTRODUCING A LOCAL LAW TO ADD A NEW SECTION
14.16
“TAX SEARCH FEE ENUMERATED”**

**INTRODUCED BY CHAIRMAN WILSON, COUNCILMEMBER PATTERSON-
THOMPSON, HENRY, MENIST, BROWN, JAMES, GRANT & DEICHLER :**

BE IT RESOLVED that an introductory Local Law entitled, “ A LOCAL LAW TO
ADD A NEW SECTION 14.16 ‘TAX SEARCH FEE ENUMERATED’” be and hereby
is introduced before the Common Council of the City of Poughkeepsie in the County of
Dutchess and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law
are laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on
said proposed local law to receive comment from the public on Tuesday, December 3,
2024 at 6:00 pm in the Common Council Chambers, Third Floor, City Hall, 62 Civic
Center Plaza, Poughkeepsie, New York;

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a
public notice in the official newspaper of the City of Poughkeepsie of said public hearing
at least five (5) days prior thereto.

(LL 24-XX)

**A LOCAL LAW TO ADD A NEW SECTION 14.16
“TAX SEARCH FEE ENUMERATED”**

SPONSOR: COUNCILMEMBERS GRANT, SHOOK, THOMPSON & HENRY

BE IT ENACTED, by the Common Council of the City of Poughkeepsie as follows:

~~STRIKETHROUGH INDICATES DELETION~~
BOLD and UNDERLINE INDICATES ADDED LANGUAGE

SECTION 1: A new section 14.16 is added to the City Code to read as follows:

Section 14.16 Tax search fee enumerated.

A person may make a request of the Department of Finance to conduct a tax search to be made of any parcel of land in the City of Poughkeepsie and for a letter certifying the results of said search. The fee for conducting a tax search shall be a fee for each year searched for any tax lot in the City of Poughkeepsie. The fee shall be set forth on a fee schedule adopted by the Common Council and as amended from time to time by the Common Council.

SECTION 2. This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law be laid upon the desk of each council member; and

BE IT FURTHER RESOLVED, that the Common Council shall hold a public hearing on said proposed Local Law and that the City Clerk shall publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

SECONDED BY COUNCILMEMBER _____ :

6. **R-24-83**, Resolution of The City of Poughkeepsie Common Council Concerning a Determination of Environmental Significance Pertaining to the Proposed Adoption of the New Zoning Code for the City Of Poughkeepsie

RESOLUTION

(R-24-83)

**RESOLUTION OF THE CITY OF POUGHKEEPSIE COMMON COUNCIL
CONCERNING A DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE
PERTAINING TO THE PROPOSED ADOPTION OF THE NEW ZONING CODE
FOR THE CITY OF POUGHKEEPSIE**

INTRODUCED BY CHAIRMAN WILSON, COUNCILMEMBERS PATTERSON-THOMPSON, HENRY, BROWN, JAMES, GRANT & DEICHLER

WHEREAS, the City of Poughkeepsie Common Council assigned the task of reviewing and updating the City's Comprehensive Plan and potential zoning changes to a steering committee that worked, in conjunction with the City of Poughkeepsie's Department of Planning & Zoning, czbLLC and Ingalls Planning & Design, to solicit feedback from the broader public and developed a draft document known as *PK4Keeps: A Comprehensive Plan for Poughkeepsie* (the "Comprehensive Plan") as well as targeted updates to the City of Poughkeepsie Zoning Code; and

WHEREAS, the Steering Committee submitted the draft Comprehensive Plan to the Common Council for their consideration; and

WHEREAS, after public hearing in compliance with General City Law, the Comprehensive Plan was adopted on September 5, 2022; and

WHEREAS, the City has held the following public engagement sessions to obtain public feedback and comment on the proposed zoning code:

- Public comment was accepted via online surveys at <https://www.pk4keeps.org/> in July 2021 and November 2021
- In March 2022, a joint open house was held for comment on both the then-proposed Comprehensive Plan and the proposed zoning code.
- In August 2022, an open house was held for feedback on the proposed zoning districts.
- The draft zoning code and map, as periodically revised, have been available online since March 2023 at <https://www.pk4keeps.org/>.
- In September 2023, the consultants and city staff held a public presentation of the Draft zoning document and map.
- Open house on the draft zoning document and map in early March 2024.

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- Open House on the draft zoning document and map in late March 2024.
- On June 18, 2024, consultants and city staff gave a presentation to City Council.

WHEREAS, a draft zoning code was transmitted to Dutchess County Planning on December 29, 2022 and the County responded by comment letter dated February 10, 2023, and the City has reviewed and considered those comments; and

WHEREAS, the updated draft zoning code was again circulated to Dutchess County Planning Board with a long form Environmental Impact Statement Part I on August 9, 2024 with comments received on September 5, 2024

WHEREAS, the adoption of the new Zoning Code is a Type I action pursuant to the State Environmental Quality Review Act (SEQRA) 6 NYCRR 617.4(b)(1) and the proposed plan will not require permits and approval from any other local, regional and State agencies prior to adoption of the plan and a coordinated SEQRA review is not required; and

WHEREAS, the Common Council, as the only involved agency, is acting as lead agency for the SEQRA review of the proposed Comprehensive Plan; and

WHEREAS, a public hearing on the draft zoning code was held on September 17, 2024 and continued to October 15, 2024 when the hearing was closed; and

WHEREAS, in consideration of issuing this negative declaration the Common Council of the City of Poughkeepsie the Common Council considered the Full Environmental Assessment Form including Parts 1-3 with additional narrative responses with final revision date of November 4, 2024.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the attached Full Environmental Assessment Form including Parts 1-3 with additional narrative responses with final revision date of November 4, 2024 is hereby accepted and incorporated as part of this resolution.
1. That the Common Council, as lead agency, hereby determines that the proposed action, as previously outlined herein, and for the reasons set forth in the attached determination of non-significance, will not result in a significant adverse impact on the environment and thus declares, authorizes and approves that a negative declaration in the form and substance annexed hereto be authorized and approved.
1. That based upon the determination that the proposed action will not have a significant impact on the environment, the Common Council further determines as lead agency that an Environmental Impact Statement (EIS) is not required for the proposed action.
1. That pursuant to Section 617.12(b)(2) of the New York State Environmental Quality

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Review Act (SEQRA), the Common Council shall, as lead agency, maintain a file of its determination and supporting reasons that shall be available for public inspection in the Office of the City Chamberlain, First Floor, Municipal Building, 62 Civic Center Plaza, Poughkeepsie, New York 12602; and shall file a copy with the City of Poughkeepsie chief executive officer.

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:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

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 Council, Town Board, or Village Board of Trustees ☐ Yes ☐ No		
b. City, Town or Village Planning Board or Commission ☐ Yes ☐ No		
c. City, Town or Village Zoning Board of Appeals ☐ Yes ☐ No		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
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?

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? _____

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

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

d. What parks serve the project site?

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)?

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

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

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)

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

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

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

i. If No, anticipated period of construction: _____ 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	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

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? ☐ Yes ☐ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____	
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? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____ _____ _____	

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: _____ 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: _____
- 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: _____ 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): _____

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

- Name of wastewater treatment plant to be used: _____
- Name of 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: _____ 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: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ 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%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		

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: _____ _____	
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: _____ _____	
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: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ _____ • Operation: _____ _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ _____ • Operation: _____ _____	

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) ☐ Rural (non-farm) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ii. If mix of uses, generally describe: _____ _____			
b. Land uses and covertypes on the project site.			
Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

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: _____ _____	☐ 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
iii. Describe any development constraints due to the prior solid waste activities: _____ _____	
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 ☐ Yes – Environmental Site Remediation database ☐ Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____	☐ Yes ☐ No ☐ Yes ☐ No
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. Natural Resources On or Near Project Site
a. What is the average depth to bedrock on the project site? _____ 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: _____ % _____ % _____ %
d. What is the average depth to the water table on the project site? Average: _____ feet
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site ☐ Moderately Well Drained: _____ % of site ☐ Poorly Drained _____ % of site
f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site ☐ 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. 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 If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: - Streams: Name _____ Classification _____ - 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: i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
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. Designated Public Resources On or Near Project Site	
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: _____ iii. Brief description of attributes on which listing is based: _____
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: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
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 6NYCRR 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 _____ Date _____

Signature _____ Title _____

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Project :

Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i> ☐ NO ☐ YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____ _____		☐	☐

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☐ NO ☐ YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐ NO ☐ YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If “Yes”, answer questions a - h. If “No”, move on to Section 5.</i>			
	☐ NO	☐ YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If “Yes”, answer questions a - g. If “No”, move on to Section 6.</i>			
	☐ NO	☐ YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. ☐ NO ☐ YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If “Yes”, answer questions a - f. If “No”, move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in “a” through “c”, above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐ NO ☐ YES <i>If “Yes”, answer questions a - j. If “No”, move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☐ NO ☐ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____ _____		☐	☐
If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3: e. i. The proposed action may result in the destruction or alteration of all or part of the site or property. ii. The proposed action may result in the alteration of the property’s setting or integrity. iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3g, E3f E3e, E3f, E3g, E1a, E1b E3e, E3f, E3g, E3h, C2, C3	☐ ☐ ☐	☐ ☐ ☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____ _____		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____ _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☐ NO

☐ YES

(See Part 1. D.2.j)

If “Yes”, answer questions a - f. If “No”, go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☐ NO

☐ YES

(See Part 1. D.2.k)

If “Yes”, answer questions a - e. If “No”, go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☐ NO

☐ YES

(See Part 1. D.2.m., n., and o.)

If “Yes”, answer questions a - f. If “No”, go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☐ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

Description of Action: The proposed action is the adoption of a Local Law that amends the City Code consistent with the recommendations of the City's adopted *PK4Keeps Comprehensive Plan* (2022). The Local Law amends the City Code by deleting Chapter 19 entitled "Zoning and Land Use Regulations" in its entirety, including the Zoning Map, and replacing it with a new Chapter 19 that is intended to: clarify the Zoning Law and address various inconsistencies; amend the Zoning Map to align it more closely with existing development conditions consistent with the recommendations of the City's Comprehensive Plan; amend the Use Table; add provisions for short-term rentals, attached dwellings, cannabis dispensaries, and to include specific use standards for a variety of other uses; add form-based standards for streetscapes, building design and infill; amend the requirements for off-street parking and lot coverage and other related amendments. The amendments are designed to protect the health, safety and welfare of City residents, and to bring the City's Zoning Law into conformance with the recommendations of the City's *Comprehensive Plan*. Readers are encouraged to consult the full text of the proposed Local Law to obtain a complete understanding of the action.

Impact on Land.

No construction or physical alteration of land is proposed as part of the action and therefore no impacts to land will occur. The City of Poughkeepsie is an urban area that primarily consists of developed lands. The Zoning Law already permits development throughout the City, and the proposed amendments will continue to permit development. In addition, the local law would encourage infill development by reducing lot area requirements in certain neighborhoods, which have made many lots difficult to build on without area variances. The proposed reduced lot area requirements are consistent with existing development in those neighborhoods.

Potential impacts to land that may occur as a result of future development activities permitted by the zoning law are too speculative to be analyzed here and will be investigated on a site-specific basis. If development of a specific site is proposed subsequent to adoption of the proposed Local Law, a separate site-specific environmental review, including an assessment of potential impacts on land, will be conducted under SEQR. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on land.

Impact on Geological Features.

The City does not contain any unique or unusual land forms such as caves, cliffs, dunes, or geological features listed as a registered Natural Landmark, and therefore no impacts to geological features will occur. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on geological features.

Impacts on Surface Water.

The proposed local law would maintain the language in Section 19-5.10 on Cluster Development, Section 19-5.17 on Fall Kill Creek setbacks, Section 19-5.19 on Flood Damage Prevention, Section 19-6.2 on off-street parking and loading, Section 19-6.5 on Landscaping, buffering, fences and walls, and Section 19-9.10 on the Board of Appeals, which include provisions for the prevention of erosion or excessive surface water.

No specific development is proposed as part of the action and therefore no impacts to surface water will occur. Potential impacts to surface water that may occur in the future as a result of development activities permitted under this zoning are too speculative to be analyzed here and must be investigated on a site-specific basis. If development of a specific site is proposed subsequent to adoption of the proposed Local Law, a separate site-specific environmental review, including an assessment of potential impacts on surface water, will be conducted under SEQR. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on surface water.

Impact on Groundwater.

In order to protect City groundwater, development subject to site plan review in the Local Waterfront Revitalization Zone must be consistent with the Local Waterfront Revitalization Plan (LWRP). Policies 38 through 39 of the LWRP mandate the protection of the quality and quantity of ground water. The proposed local law maintains the City's Waterfront Advisory Commission which reviews development in the Local Waterfront Revitalization Zone and determines their consistency with the LWRP.

No development is proposed as part of the action. If development of a specific site is proposed subsequent to adoption of the proposed Local Law, a separate site-specific environmental review, including an assessment of potential impacts on groundwater, will be conducted under SEQR. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on groundwater.

Impact on Flooding.

The proposed local law would maintain the language in Section 19-5.17 on Fallkill Creek setbacks, Section 19-6.6 on supplementary lot, yard and bulk regulations, Section 19-8.1 on site development plan review, Section 19-8.4 on natural resources and Section 19-9.10 on the Board of Appeals, all of which include provisions to reduce the potential impacts of flooding. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on flooding.

Impacts on Air.

The proposed action does not include a state-regulated air emission source, nor would it permit locating any large uses in the City that would result in air emissions that could pose a risk to human health, such as petroleum refineries or chemical plants. Some smaller uses that might result in air pollution, such as gasoline filling stations, are currently allowed and would continue to be allowed; if development of a specific site is proposed for such uses subsequent to adoption of the proposed Local Law, a separate site specific environmental review, including an assessment of potential impacts on air, will be conducted under SEQR. Automobile related uses, such as gasoline stations and automobile repair shops would be prohibited in certain areas where they are currently permitted. Gasoline stations are proposed to be permitted only in MU-3, I-M and C-D, only by special permit. Motor vehicle service and repair facilities would only be permitted in the I-M district by special permit. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on air.

Impact on Plants and Animals.

The Kingson-Poughkeepsie Deepwater segment of the Hudson River is a designated Significant Coastal Fish and Wildlife Habitat. The designation is intended to protect coastal fish and wildlife habitats of significant value to coastal communities. According to the NYS Department of Environmental Conservation EAF Mapper, the city is located in an area that has been identified as potential habitat for the Bald Eagle, Indiana Bat, Golden Club, Peregrine Falcon, Atlantic Sturgeon, Shortnose Sturgeon and Blanding's Turtle. To protect Hudson River and waterfront wildlife, development subject to site plan review in the Local Waterfront Revitalization Zone must be consistent with the Local Waterfront Revitalization Plan (LWRP). Policies 7 through 10 of the LWRP mandate the protection and preservation of coastal wildlife. The proposed local law maintains the City's Waterfront Advisory Board which reviews development in the Local Waterfront Revitalization Zone and determines their consistency with the LWRP.

The City of Poughkeepsie is an urban area that primarily consists of developed lands. The Zoning Law already permits development throughout the City, and the proposed amendments will continue to permit development. No development is proposed as part of the action and therefore the proposed action will not result in a direct loss of flora or fauna. If development of a specific site is proposed subsequent to adoption of the proposed Local Law, a separate site-specific environmental review, including an assessment of potential impacts on plants and animals, will be conducted under SEQR. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on plants and animals.

Impact on Agricultural Resources.

The City of Poughkeepsie is an urban center and does not include any lands in agricultural use or in a New York State certified Agricultural District. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on agricultural resources.

Impact on Aesthetic Resources.

The City's Hudson River waterfront is within the Esopus/Lloyd Scenic Area of Statewide Significance as well as the Hudson Highlands Scenic Area of Statewide Significance. So as to protect the view of these scenic areas, the Waterfront zoning district proscribes that "Where structures of maximum height will adversely affect views from the following locations, public parks, the Poughkeepsie Railroad Station, Kaal Rock, the Mid-Hudson Bridge, Vassar Brothers Hospital, DeLaval, the steps of Our Lady of Mount Carmel Church, such structures must be reduced to a height that will not impact said views except that in no instance shall buildings be required to be reduced to less than 35 feet in height inclusive of rooftop mechanicals, water towers or ornamentation. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on aesthetic resources.

Impact on Historic and Archaeological Resources.

The City of Poughkeepsie contains 7 historic districts listed on the State and National Registers of Historic Places and many individually listed properties. The proposed Zoning Ordinance maintains the same regulations for review of alterations to locally designated historic properties by the City of Poughkeepsie Historic District and Landmark Preservation Commission. All historic districts would remain in the same "type" of zoning district in the proposed zoning ordinance as they are in in the current zoning ordinance. For example, historic districts in mixed use zoning districts will remain in mixed used districts, and historic districts in residential districts will still be in residential districts. Many historic districts are now in zoning districts with less intensive uses. A portion of the Academy Street zoning district has been rezoned from R-3, permitting 3 family developments, to RNA, which limits developments to single family homes. One historic property at 15 Garfield Place has been zoned from R-1, permitting only single-family homes, to RNB, allowing duplexes. Permitting two family uses can reduce the financial burden on owners of the maintenance of large historic properties and allow those properties to continue to provide historic and aesthetic value to the City. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on historic resources.

Much of the City is located within an area identified as sensitive for archaeological resources by the New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP) archaeological site inventory. No development is proposed as part of the action and therefore the Common Council concludes that no significant adverse

environmental impacts will occur to archaeological resources. Potential impacts to archaeological resources that may occur as a result of development activities in the future must be investigated on a site-specific basis in accordance with the standards for cultural resource investigations adopted by the NYS OPRHP. If development of a specific site is proposed subsequent to adoption of the proposed Local Law, a separate site-specific environmental review, including an assessment of potential impacts on archaeological resources, will be conducted under SEQR. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on archaeological resources.

Impact on Open Space and Recreation.

The proposed action will not result in a loss of recreational opportunities or a reduction of a designated open space resource. In order to preserve open space, the proposed zoning ordinance sets a zoning district specific maximum lot coverage for development on a property which specifies the maximum amount of a lot that can be covered by an impervious surface. The proposed zoning ordinance would permit waterfront uses in the I-M industrial district along the Hudson River such as yacht clubs, piers, and marinas. Expanding the areas where these uses are permitted will allow for better recreational access to the Hudson River. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on recreational resources.

Impact on Critical Environmental Areas.

No Critical Environmental Areas are located in the City of Poughkeepsie. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on resources within the CEA.

Impact on Transportation.

To minimize the potential for traffic congestion resulting from development, the proposed Local Law would maintain the existing Site Plan Development Review section of the zoning ordinance which mandates that in site plans under review “all proposed traffic accessways are adequate but not excessive in number; adequate in width, grade, alignment and visibility; not located too near street corners or other places of public assembly; and other similar safety considerations” and that “adequate off-street parking and loading spaces are provided to prevent parking in public streets of vehicles of any persons connected with or visiting the use and that the interior circulation system is adequate to provide safe accessibility to all required off-street parking lots, loading bays and building services.”

The local law would also maintain the existing sign regulations, with the purpose of reducing “sign and advertising distractions and obstructions that may contribute to traffic accidents.”

No development is proposed as part of the action. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on transportation.

Impact on Energy.

The proposed Local Law would offer incentives for property owners to adhere to energy efficient, green building practices by increasing the maximum building height by two stories in the MU-5, PID-A and PID-B zoning districts, and one story in the MU-3 zoning district for buildings receiving Gold or Platinum certification through LEED Building and/or Neighborhood Development Rating System.

The local law would maintain the existing Site Plan Development Review section of the zoning ordinance which specifies that a goal to be sought in the review of site plans by the planning board is “that the site plan and building design maximize the conservation of energy.”

No development is proposed as part of the action and therefore the proposed action will not result in impacts on energy. If development of a specific site is proposed subsequent to adoption of the proposed Local Law, a separate site-specific environmental review, including an assessment of potential impacts on energy, will be conducted under SEQR. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on energy.

Impact on Noise, Odor, and Light.

No development is proposed as part of the action and therefore the proposed action will not result in impacts on noise, odor and light. Impacts on noise, odor and light are fact specific to the details of a proposed project, rendering any evaluation of such impacts entirely speculative at this time. If development of a specific site is proposed subsequent to adoption of the proposed Local Law, a separate site-specific environmental review, including an assessment of potential impacts on noise, odor and light, will be conducted under SEQR. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on noise, odor and light.

Impact on Human Health.

No development is proposed as part of the action and therefore the proposed action will not result in impacts on human health. If development of a specific site is proposed subsequent to adoption of the proposed Local Law, a separate site-specific environmental review, including an assessment of potential impacts on human health, will be conducted under SEQR. Based on the foregoing, the Common Council concludes that the proposed action will not result in a significant adverse environmental impact on human health.

Consistency with Community Plans. The proposed Local Law would accord with the priority of the City's adopted *Comprehensive Plan* to expand access to good and affordable housing opportunities. The proposed local law is consistent with the recommendations of the *City of Poughkeepsie Housing Needs Assessment* (2022). The *Housing Needs Assessment* finds that rising housing costs are outpacing wages, and that the majority of Poughkeepsie households are spending more than 30% of their income on housing costs. Among the document's recommendations to address this situation are "Increase Density Across the City" and "Encourage the Creation of Accessory Dwelling Units." The proposed zoning ordinance would adhere to these community plans by; reducing lot area minimums in select residential districts; raising the building height maximums in select mixed use districts; create new incentives for the development of affordable housing; and permitting attached dwelling units (a/k/a "accessory apartments") in the Residential Neighborhood B zoning district.

By expanding the Waterfront zoning district and permitting water-dependent uses in the I-M zoning district abutting the Hudson River the proposed local law is consistent with the City's adopted 2022 *Local Waterfront Revitalization Plan* to prioritize water-dependent uses within the Waterfront Revitalization Area described within the LWRP.

The proposed local law is consistent with the recommendations of the *Greenway Guidelines*; the local law would encourage infill development by reducing lot area requirements in certain neighborhoods, which have made many lots difficult to build on without area variances. In accordance with the key strategies for compact communities, the new zoning ordinance would make possible the creation of "new centers" within existing residential areas by through the proposed Mixed Use-3 and Mixed Use-5 zoning districts, it maintains the existing sign ordinance designed in accordance with the recommendations of the *Greenway Guidelines* E2. Based on the foregoing, the City Council concludes that the proposed action will not result in a significant adverse environmental impact on community plans.

Consistency with Community Character.

The City of Poughkeepsie is an urban area that is already developed. The proposed Local Law would not permit a significant increase in development above what is currently permitted by the Zoning Law, and therefore would not result in a demand for additional community services. The proposed local law would permit an increase in development beyond what is currently permitted in certain neighborhoods. This would occur via a combination of the reduction of minimum lot area requirements to make them in line with the median lot area in those districts and raising the maximum height limit in mixed use and downtown commercial districts. The City is underpopulated relative to its height of 41,023 residents in 1950, and many existing public resources are underutilized. No new development is part of the proposed action, and the impact of new development on community character will be evaluated at the time a site-specific proposal is submitted.

The Local Law would also amend the Zoning Law to require a front porch or portico on properties within the low to medium density residential zoning districts of RNA, RNB and RNC to encourage development that is compatible with the predominant architectural character of those neighborhoods and discourage development that lacks articulation or appears box/warehouse-like in appearance.

The proposed local law is primarily a set of strategic amendments to the zoning ordinance (as summarized in the Description of Action, above) which serve to simplify the existing ordinance by reducing the number of districts, and to bring it in line with the 2022 *PK4Keeps comprehensive plan*. There are a few areas where new, more intensive uses are being permitted. The proposed local law would consolidate all Walkway Gateway sub-districts into one district, permitting industrial bakeries, offices and retail uses within the entire district. The introduction of low impact manufacturing uses, and commercial uses in a historically industrial and mixed-use area will not detract from the community character of the neighborhoods within the Walkway Gateway district. The current zoning ordinance permits mobile vehicle repair facilities, which can be considered a similarly intensive land use. Rather, simplifying the district will cement it as a mixed-use district, and promote commerce and investment in the neighborhoods approximate to the Walkway Over the Hudson.

The proposed local law would rezone the properties at 68, 70, 72, 184, 186, 188 and 194 Cottage Street and 161 Smith from the current C-3 commercial district to the proposed I-M industrial district, thereby permitting light industrial uses at those properties. The proposed I-M zoning district would be consistent with the current, already existing manufacturing and auto related uses of these properties, and not change the character of that community.

The proposed local law would rezone the properties at lot # 986261, lot # 988263, lot # 991266, lot # 993273, lot # 998278, lot # 999284, lot # 005289, lot # 006291, lot # 008293, lot # 009296, lot # 011299¹, 85 and 97 North Bridge Street, 55 Mansion St, 62, 49, 62 and 85 Civic Center Plaza, 55, 63-65, 69, 71, 75, 79, 80, 81, 82, 83, 86, 88, 90, 94, 96, 98 and 100 Washington Street, 50 and 52 Garden Street from the current C-2 commercial district to the proposed PID-B downtown mixed-use district. The proposed district would allow artisan food and beverage manufacturing. Despite this being a manufacturing use, artisan food and beverage manufacturing commonly features on site artisan food and beverage retail. This action would therefore not be inconsistent with the character of these downtown commercial areas.

The proposed local law would rezone the properties at 1, 3, 5, 7-9, 11, 20, 22, 26 Mansion Street and 213, 215, 217-219, 221 and 227 Mill Street from the current Office-Residential (O-R) zoning district to the proposed PID-B zoning district. The proposed district would allow retail uses as well as artisan food and beverage manufacturing. Despite this being a manufacturing use, artisan food and beverage manufacturing

¹ Lot #s are used when the property does not have an assigned street number.

commonly features on site artisan food and beverage retail. These properties are within an urban area and permitting retail uses would enhance the existing dense residential area. This action would therefore not be inconsistent with the character of these downtown commercial areas.

The proposed local law would rezone 88 Academy Street from the current R-3 residential zoning district to the proposed MU-3 mixed use zoning district. 88 Academy Street is across Montgomery Street from a mixed use neighborhood. Permitting neighborhood retail uses would enhance the existing dense residential area. This action would therefore not be inconsistent with the character of this community.

The proposed local law would rezone the properties at 36 North Clover, 10 Verrazano, 44 Spruce Street, 114 Mill Street, 33, 40 and lot #823334 Albany Street and 50, 54 and 56 Dutchess Avenue from the current R-4 residential zoning district to the proposed MU-3 mixed use zoning district. These properties are contiguous with the current C-1 zoning district. The proposed mixed use zoning district would permit both residential and commercial uses. These properties are within an urban area and located adjacent to or very near the Metro North Train Station. Permitting neighborhood retail uses would enhance the existing dense residential area and seeks to encourage those utilizing the train station to visit these areas. This action would therefore not be inconsistent with the character of this community.

The proposed local law would rezone the properties currently zoned as R-6 high density residential to the Waterfront zoning district. This would permit retail uses and waterfront accessory uses in those properties. These properties are contiguous with the current Waterfront zoning district. Permitting retail and waterfront uses would enhance the existing dense residential area and the City's waterfront. This action would therefore not be inconsistent with the character of this community.

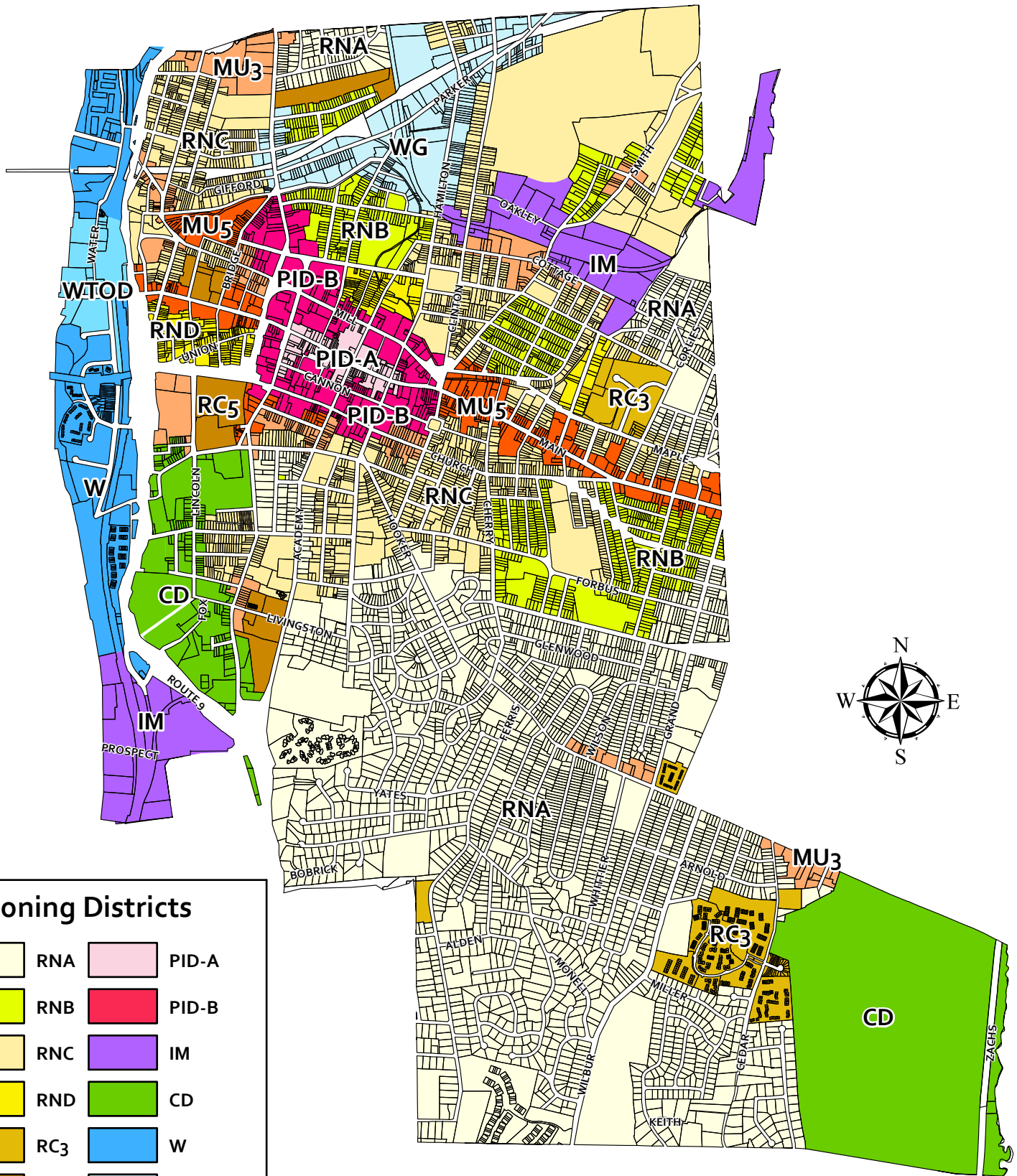
The amendments to the Zoning Law would permit smaller, more affordable housing types to be incorporated into existing residential neighborhoods, including attached dwelling units in the Residential Neighborhood A district. There would be new incentives for the construction of new affordable housing units by increasing the maximum height limit in certain zoning districts for developments with affordable housing units. As per section 19-6.7(1)(a) "In the PID-B District only. Three additional stories may be added to the permitted base building height for developments that include 20% or more of the total units as affordable housing. Fifty percent of the affordable units shall be priced to be affordable at 60% to 80% of Dutchess County AMI, and 50% of the affordable units shall be priced to be affordable at 80% to 100% of Dutchess County AMI." As per section 19-6.7(1)(b) of the proposed local law "Two additional stories in the MU-5, PID-A, and PID-B Districts and one additional story/height in the MU3 District may be added to the permitted base building height for developments that include more than 10% of units as affordable housing with 50% of the affordable units priced to be affordable at 60% to 80% of Dutchess County AMI and 50% of the affordable units priced to be affordable at 80% to 100% of Dutchess County AMI." The requirement for special permit

approval from the planning board for modular homes would be removed. This would remove an unnecessary time delay and soft costs from the construction of modular homes, which are an important source of affordable home ownership.

The proposed Local Law would regulate short-term rentals in the City in order to minimize impacts on neighborhood cohesion and housing affordability. The provisions of the Local Law would continue the City's commitment to provide housing for all segments of the population. The regulation of short-term rentals is not anticipated to have any negative impacts to community character; rather, it will control and limit the negative impacts of a use of land that is already occurring without regulation.

The Common Council has concluded that there are no significant adverse environmental impacts associated with the proposed action.

Proposed City of Poughkeepsie Zoning Map



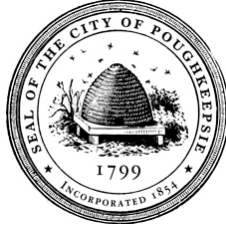
Zoning Districts

	RNA		PID-A
	RNB		PID-B
	RNC		IM
	RND		CD
	RC3		W
	RC5		W-G
	MU3		WTOD
	MU5		

0 1/2 1 Miles

Map Prepared by the City of Poughkeepsie Development Department. 11.01.2024 TJM





**THE CITY OF POUGHKEEPSIE
NEW YORK
DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4623**

Memorandum

To: City of Poughkeepsie Common Council

From: Tyler Maegerle, Planner

Date: 11/1/2024

Re: Final Edits to the PK4Keeps Proposed Zoning Code

Due to the limited time for review of this document prior to the November 4, 2024 Common Council meeting, the Development Department has compiled all changes made to the June 2024 draft of the document. Those changes are as follows:

1. Accessory Dwelling Units are no longer permitted in the Residential Neighborhood A zoning district.
2. Section 19-1.8(2) now reads;

No change in plans required. Nothing in this chapter shall be deemed to require any change in the plans, construction or designated use of any project that requires Planning Board approval if an application for the project had been deemed complete by the City as of the date of the effective date of this Chapter. An application shall be deemed complete when it has appeared before the Planning Board on at least one agenda. However, for projects that do not require Planning Board approval, then a building permit therefore must have been duly and legally issued prior to the effective date of this chapter and actual construction pursuant thereto was lawfully begun prior to said effective date and has been diligently carried on. For purposes of this section, "actual construction" is defined to be the actual placing of construction materials in their permanent position, fastened in a permanent manner, except that where demolition or removal of an existing building or structure has been substantially begun preparatory to

rebuilding, such demolition and removal shall be deemed to be “actual construction.” Similarly, whenever a district shall be changed hereafter, the provisions of this chapter with regard to building permits duly and legally issued prior to the effective date of this chapter shall apply to building permits duly and legally issued for construction in such changed district prior to the effective date of the amendment effecting such change.

3. To section 19-1.8, subsection 5 has been added which reads;

Required open spaces and yards; division of existing lots with structures.

(a) No lot shall be so reduced in area as to make any yard, court or other required open space smaller than the minimum required under this chapter.

(b) No part of a yard, court or other required open space provided about any building or structure for the purpose of complying with the provisions of this chapter shall be included as a part of a yard, court or other open space required under this chapter for another building or structure.

(c) Where a lot is formed from part of a lot already occupied by a building, such separation shall be effected in such a manner as not to impair any of the provisions of this chapter with respect to the existing building, and no building permit shall be issued for the construction or erection of a building or structure upon the new lot thus created, unless it complies with the provisions of this chapter.

4. In Section 19-5.21 a number of changes were made which now make it identical with the current section 19-4.5 “Historic District and Landmark Preservation Commission.” They are as follows.

- a. Subsection 2,a,2 was removed which read “At least one shall be a state licensed real estate professional”
 - b. Subsection 2,a,4 was replaced with “At least three members shall reside in historic districts or historic landmarks”
 - c. Subsection 2,a,7 was removed which read “Commissioners may satisfy more than one of the above categories.”
 - d. Subsection 2,b,2 now reads “Any Commission member missing three consecutive meetings shall automatically forfeit his or her appointment, and as such, a vacancy shall automatically be created. Further, any member missing four meetings in a calendar year, except for major illness, shall forfeit his or her appointment, creating a vacancy.”
5. In Section 19-5.47, subsection 7,H the phrase “subsection 9” has been replaced with “subsection 7.” In subsection 11,B the phrase “subsection 10” has been replaced with “subsection 7.”
6. In the use table Section 19-5.5 “Public, private schools, parochial schools and preschools” are now permissible by special permit in MU-3 and MU-5.
7. In the use table Section 19-5.5 green roofs are now permitted in the Waterfront district.

8. In Section 19-6.2 a new subsection 12 has been added regulating the minimum parking requirements in the PID-A and PID-B. The prior subsection 12 "Off-street loading facilities" remains as subsection 13.
9. In Section 19-7.1 a new subsection g has been added which reads "Shall not be reestablished if the use was discontinued by unlawful conversion to any other use (whether conforming or nonconforming) without the necessary permits or approvals."
10. In Section 19-10.2, the definition of commercial vehicles on page 232 of the June 2024 draft has been deleted. The definition of commercial vehicles on page 233 of that draft has been relocated to be under Commercial Event Venue.
11. 23 Cedar Road is now zoned as RC3 instead of RNA.
12. 88 Academy Street is now zoned as MU3 instead of RNB.
13. 77, 79, 81, 83, and 85 Montgomery Street, 1 and 2 Barclay Street, 90, 92, 94, 96, 98, 100, 102, 104, 106, 108 and 110 Academy Street are all zoned RNA instead of RNB.

XI. CONSENT AGENDA: ORDINANCES AND LOCAL LAWS:

A motion to was made by Councilmember - 2nd Ward Menist and seconded by Council Member- 1st Ward Henry.

CONSENT AGENDA: ORDINANCES & LOCAL LAWS - VOICE VOTE	
Yes/Aye:	Council Member- 1st Ward Henry, Councilmember - 2nd Ward Menist, Council Member- 5th Ward James, Council Member- 8th Ward Deichler, Council Member- 7th Ward Patterson Thompson, Council Member- 4th Ward Shook, Council Member At-Large Wilson
No/Nay:	Council Member- 6th Ward Grant
Abstain:	None
Absent:	Councilmember - 3rd Ward Brown
Result:	Passed

1. **LL-24-11**, Local Law Amending Section 15-10 "Signs, Stickers, Posters, Letters, Figures, Advertising Devices Upon Sidewalks; Posting Prohibited" to Add Regulations Regarding "A-Frame" Signs

(LL 24-11)

A LOCAL LAW AMENDING SECTION 15-10 “Signs, stickers, posters, letters, figures, advertising devices upon sidewalks; posting prohibited” TO ADD REGULATIONS REGARDING “A FRAME” SIGNS

SPONSOR: COUNCILMEMBERS PATTERSON THOMPSON, HENRY, MENIST, BROWN, JAMES AND GRANT:

BE IT ENACTED, by the Common Council of the City of Poughkeepsie as follows:

~~STRIKETHROUGH INDICATES DELETION~~
BOLD and UNDERLINE INDICATES ADDED
LANGUAGE

Section 1: Section 15-10 of the City Code is amended to read as follows:

Section 15-10. Signs, stickers, posters, letters, figures, advertising devices upon

sidewalks; posting prohibited.

(a) No letters, figures, signs or advertising devices shall be marked, drawn or made upon any sidewalk in the City, unless such figures, letters, signs and advertising devices are permanently built in the sidewalk at the time of construction thereof **except as otherwise permitted in this section.**

(b) The posting, tacking, taping or placing of any sign, handbill, stickers, posters or any printed material on any part of the stand of any traffic control device, any light pole and signpost, including traffic signs or street signs, traffic control boxes, utility poles, utility boxes and stanchions, guardrails, bridges, railroad crossings, overpasses, trash containers or the like, on any public property throughout the City of Poughkeepsie, is hereby prohibited.

(c) Any sign, handbill, sticker, any printed material advertising an event for which a permit was issued by the City of Poughkeepsie, such as yard sales, or performances, with the exception of real estate open house signs, shall be erected or posted no more than 24 hours prior to the permitted event and must be removed within 24 hours after the permitted event. No such advertisement may be larger than four square feet in size, and no such advertisements can be placed on private property unless the permission of the property owner is obtained prior to the placement of same.

(d) **Non-permanent movable “A frame” type signs shall be allowed to be placed on a public sidewalk abutting the property of the business it is related to, provided that the following conditions are met:**

(1) One (1) “A Frame” type sign is permitted to be placed in front of a business by the owner or the tenant of a business provided that the following requirements are met:

(a) Such sign shall be for advertising goods, services or merchandise offered for sale at said business only;

(b) The sidewalk abutting the property must not be less than 5 feet in width from the property line to the curbline;

(c) No permanent structures may be affixed to the sidewalk area or affixed to the building abutting the area;

(d) A clear, unobstructed space not less than three feet in width must be provided on each side of all entrances of the building abutting the sidewalk;

(e) No lighting shall be used to illuminate the sign;

(f) There shall be a minimum clear distance of three feet passage at the location of the sign on the sidewalk in order to allow for adequate and safe pedestrian movements;

(g) The sign shall be placed on the sidewalk only during times the business is open to the public;

(h) Sign shall be a maximum of two feet wide and three feet tall, with a maximum opening width at base of sign of 36 inches;

(2) City action upon failure to comply. In the event that an A-Frame sign is placed on a public sidewalk in a manner that fails to comply with this section, and in addition to the remedies available in subsection 15-10(e), the Building Inspector may have the sign(s) removed, and charge the property owner of the property on which the advertised business is located for any cost for removal, together with the cost for storage of such items until removed by the property owner from storage. In the event that the property owner should fail to pay the cost of storage and any excess cost of removal within 90 days after storage, the Building Inspector may sell the items at the public auction or dispose of same, reimburse the City for all costs and, if any surplus monies remain, pay them over to the property owner.

(e) Any person who violates or knowingly permits a violation of this section shall be subject to a fine not less than \$100 but not more than \$1,000. The existence of any of the above-printed material on any of the listed property or the like shall be presumed to be posted, tacked, taped or placed with the knowing permissions of any person whose name appears on said printed material.

SECTION 2. This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law be laid upon the desk of each council member; and

BE IT FURTHER RESOLVED, that the Common Council shall hold a public hearing on said proposed Local Law and that the City Clerk shall publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

2. LL-24-12, Local Law Adopting a New Zoning Code for the City of Poughkeepsie

(LL 24-12)

**A LOCAL LAW ADOPTING A NEW ZONING CODE FOR THE CITY OF
POUGHKEEPSIE**

**SPONSORED BY CHAIRMAN WILSON, COUNCILMEMBERS PATTERSON
THOMPSON, MENIST, BROWN, JAMES, GRANT & DEICHLER**

BE IT ENACTED, by the Common Council of the City of Poughkeepsie as follows:

Section 1: History of the Development of the New Zoning Code

WHEREAS, the City of Poughkeepsie Common Council assigned the task of reviewing and updating the City’s Comprehensive Plan and potential zoning changes to a steering committee that worked, in conjunction with the City of Poughkeepsie’s Department of Planning & Zoning, czbLLC and Ingalls Planning & Design, to solicit feedback from the broader public and developed a draft document known as *PK4Keeps: A Comprehensive Plan for Poughkeepsie* (the “Comprehensive Plan”) as well as targeted updates to the City of Poughkeepsie Zoning Code; and

WHEREAS, the Steering Committee submitted the draft Comprehensive Plan to the Common Council for their consideration; and

WHEREAS, after public hearing in compliance with General City Law, the Comprehensive Plan was adopted on September 5, 2022; and

WHEREAS, the City has held the following public engagement sessions to obtain public feedback and comment on the proposed zoning code:

- Public comment was accepted via online surveys at <https://www.pk4keeps.org/> in July 2021 and November 2021
- In March 2022, a joint open house was held for comment on both the then-proposed Comprehensive Plan and the proposed zoning code.
- In August 2022, an open house was held for feedback on the proposed zoning districts.
- The draft zoning code and map, as periodically revised, have been available online since March 2023 at <https://www.pk4keeps.org/>.
- In September 2023, the consultants and city staff held a public presentation of the Draft zoning document and map.
- Open house on the draft zoning document and map in early March 2024.
- Open House on the draft zoning document and map in late March 2024.
- On June 18, 2024, consultants and city staff gave a presentation to City Council

Official Minutes of the Common Council Meeting of November 4, 2024

WHEREAS, a draft zoning code was transmitted to Dutchess County Planning on December 29, 2022 and the County responded by comment letter dated February 10, 2023, and the City has reviewed and considered those comments; and

WHEREAS, the updated draft zoning code was again circulated to Dutchess County Planning Board with a long form Environmental Impact Statement Part I on August 9, 2024 with comments received on September 5, 2024; and

WHEREAS, the Common Council adopted a negative declaration of environmental significance on November 4, 2024.

WHEREAS, the City held public hearing(s) on September 17, 2024 and continued to October 15, 2024 when the hearing was closed.

SECTION 2: Existing Chapter 19 of the Code of the City of Poughkeepsie shall be deleted and replaced in full with the zoning code attached hereto as Exhibit A

SECTION 3. This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law be laid upon the desk of each council member; and

BE IT FURTHER RESOLVED, that the Common Council shall hold a public hearing on said proposed Local Law and that the City Clerk shall publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

(LL 24-12)

**A LOCAL LAW ADOPTING A NEW ZONING CODE FOR THE CITY OF
POUGHKEEPSIE**

**SPONSORED BY CHAIRMAN WILSON, COUNCILMEMBERS PATTERSON
THOMPSON, MENIST, BROWN, JAMES, GRANT & DEICHLER**

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SECTION 1: History of the Development of the New Zoning Code

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- Open House on the draft zoning document and map in late March 2024.
- On June 18, 2024, consultants and city staff gave a presentation to City Council.

WHEREAS, a draft zoning code was transmitted to Dutchess County Planning on December 29, 2022 and the County responded by comment letter dated February 10, 2023, and the City has reviewed and considered those comments; and

WHEREAS, the updated draft zoning code was again circulated to Dutchess County Planning Board a long form Environmental Impact Statement Part I on _____; and

WHEREAS, the Common Council adopted a negative declaration of environmental significance on _____

WHEREAS, the City held public hearing(s) on September 17, 2024 and October 15, 2024.

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SECONDED BY COUNCILMEMBER _____ :

XII. ACTION AGENDA: MOTIONS AND RESOLUTIONS:

XIII. ACTION AGENDA: ORDINANCES AND LOCAL LAWS:

XIV. ADJOURNMENT:

A motion to Approve was made by Council Member- 7th Ward Patterson Thompson and seconded by Council Member- 1st Ward Henry.

CCM Minutes of November 4, 2024 - VOICE VOTE	
Yes/Aye:	Council Member- 1st Ward Henry, Councilmember - 2nd Ward Menist, Council Member- 5th Ward James, Council Member- 6th Ward Grant, Council Member- 8th Ward Deichler, Council Member- 7th Ward Patterson Thompson, Council Member- 4th Ward Shook, Council Member At-Large Wilson
No/Nay:	None
Abstain:	None
Absent:	Council Member - 3rd Ward Brown
Result:	PASSED

At 7:31 pm a motion to adjourn the meeting was made by Council Member- 7th Ward Patterson Thompson and seconded by Council Member- 1st Ward Henry.

Dated: November 12, 2024

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, November 4, 2024.

Respectfully submitted,
Donna M. DeLuca
Deputy City Chamberlain