



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

Common Council Chambers
Tuesday, March 11, 2025
6:00 PM

I. ROLL CALL

II. APPROVAL OF MEETING MINUTES

1. Approval of February 11, 2025 Meeting Minutes

III. ADJOURNED APPLICATION REVIEW / PUBLIC HEARINGS

1. Public Hearings Adjourned to April 8 Meeting Agenda

- 654 MAIN STREET: AREA VARIANCE
- 178 MILL STREET: AREA VARIANCE
- 121 PARKER AVENUE: USE AND AREA VARIANCES

IV. APPLICATION REVIEW

1. 306-316 MAIN STREET: AREA VARIANCE

Application for area variance relative to Section 19-3.37(8), Table 3-37-2(b), which limits the height of buildings in the former PID Historic District, under which the project is being reviewed, to 5 stories, to allow a 6 story building, an increase of one story. Owner/Applicant: 316 Main St LLC; Consultant: KARC Planning Consultants, Grid: #6162-77-084067 and 091064; Zoning District Formerly PID-HC (now PID-A); File #: ZBA2024-019

2. '8' SOUTH CLINTON STREET: AREA VARIANCE

Application for area variances relative to the proposed residential development at “8” South Clinton Street, with 20 dwelling units and commercial space on the first floor, requiring variances of Sections 19-3.4(2)(g), 19-3.4(2)(h), Section 19-3.4(3)(c), 19-6.2(10)(a), 19-6.2(1)(f), 19-6.2(4)(a) and 19-6.2(4)(e). This is a revised application as an earlier submission was being reviewed under the previous Zoning Ordinance. The previous Zoning District was zoned C-2, while the current Zoning District is PID-B. Owner: South Clinton Equities, LLC; Applicant/Consultant: Jason Lichwick Architecture PLLC; Grid #6161-22-239997; Zoning District: PID-B; File #PB2024-011

V. ADJOURNMENT

1. Adjourn meeting to April 8, 2025



The City of Poughkeepsie New York

Zoning Board of Appeals Meeting Minutes

Tuesday, February 11, 2025

6:00 PM

Common Council Chambers

I. ROLL CALL

6 Present, 0 Absent ()

STAFF

Jonna Longcore, Assistant Corporation Council
Richard Distel, City Planner
Lori Garcia, Board Administrative Assistant

II. APPROVAL OF MEETING MINUTES

1. Approval of January 14, 2025 Minutes

A motion to Approve was made by Chair Parker and seconded by Member Phillips.

CCM Minutes of February 11, 2025 - VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman
No/Nay:	None
Abstain:	Member James Patterson
Absent:	
Result:	Passed

III. ADJOURNED APPLICATION REVIEW / PUBLIC HEARINGS

1. 654 MAIN STREET: AREA VARIANCE

Public Hearings Adjourned to March 11th Meeting Agenda

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Klug.

Minutes of February 11, 2025 - VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
No/Nay:	None
Abstain:	None
Absent:	
Result:	Passed

A motion to Adjourn the Public Hearing to 3/11/25 was made by Chair Parker and seconded by Member Vinall.

Minutes of February 11, 2025 - VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
No/Nay:	None
Abstain:	None
Absent:	
Result:	Passed

2. 178 MILL STREET: AREA VARIANCE

Public Hearings Adjourned to March 11th Meeting Agenda

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Vinall.

Minutes of February 11, 2025 - VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
No/Nay:	None
Abstain:	None
Absent:	
Result:	Passed

A motion to Adjourn the Public Hearing to 3/11/25 was made by Chair Parker and seconded by Member Klug.

CCM Minutes of February 11, 2025 - VOICE VOTE

Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
No/Nay:	None
Abstain:	None
Absent:	
Result:	Passed

IV. SEQRA REVIEW

- 1. “8” SOUTH CLINTON STREET: CONSENT TO LEAD AGENCY**
Consent for Planning Board to be Lead Agency for matters concerning SEQRA

No opposition

V. PUBLIC HEARINGS & DELIBERATIONS

2. 306-316 MAIN STREET: AREA VARIANCE

Application for area variance relative to Section 19-3.37(8), Table 3-37- 2(b), which limits the height of buildings in the Poughkeepsie Innovation District A (previously the PID Historic Core) to 5 stories, to allow a 6 story building, an increase of one story. Owner/Applicant: 316 Main St LLC; Consultant: KARC Planning Consultants, Grid: #6162-77-084067 and 091064; Zoning District PID-A; File: ZBA #2024-019

Presenting: Kelly Libolt, KARC Planning Consultants
Jay Blumenthal, 316 Main Street LLC

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Phillips.

Minutes of February 11, 2025 - VOICE VOTE

Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
No/Nay:	None

Abstain:	None
Absent:	
Result:	Passed

A motion to Close the Public Hearing was made by Chair Parker and seconded by Member Patterson.

Minutes of February 11, 2025 - VOICE VOTE

Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
No/Nay:	None
Abstain:	None
Absent:	
Result:	Passed

1. 121 PARKER AVENUE: AREA AND USE VARIANCE

Application for a use variance to allow the use of a portion of the property at 121 Parker Avenue, formerly approved as an off-street parking lot, for a telecommunication facility (cell tower and related equipment and equipment shelter), resulting in a mixed-use property, and for area variances to Sections 19-3.25(8) Table 3.25-2B(D), 19-3.25(8) Table 3.25-2B(G), 19-3.25(10)(o), 19-3.25(11)(d), 19-3.25(13)(b)(4), 19-3.25(14)(c), 19-3.25(14)(d)(1), 19-3.25(4)(d)(2), 19-4.3(5)(b), 19-4.3(5)(C), relative to such mixed use. Owner: Parker Ave Realty, LLC; Applicant: Verizon Wireless of the East LP d/b/a Verizon Wireless; Consultant: Young/Sommer, LLC; Grid #6162-55-257465

Applicant not present

A motion to Open the Public Hearing was made by Chair Parker and seconded by Member Phillips.

Minutes of February 11, 2025 - VOICE VOTE

Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
No/Nay:	None
Abstain:	None
Absent:	
Result:	Passed

A motion to Adjourn Public Hearing to 3/11/25 was made by Chair Parker and seconded by Member Phillips.

Minutes of February 11, 2025 - VOICE VOTE

Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Patterson
No/Nay:	None
Abstain:	None
Absent:	
Result:	Passed

VI. ADJOURNMENT

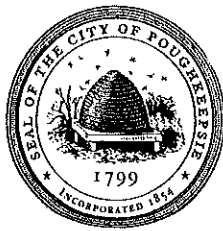
1. Meeting Adjourned to March 11, 2025

At 6:45 pm a motion to adjourn the meeting was made by Chair Parker and seconded by Member Klug.

Dated: 2/11/25

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, February 11, 2025.

**Respectfully submitted, Lori Garcia
Board Administrative Assistant**



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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 306-316 Main Street Poughkeepsie, NY 12601

ZONING DISTRICT: PID-HC

OWNER INFORMATION:

Name: 316 Main LLC
Address: 35 Main Street, Suite 311
Poughkeepsie NY, 12601
Phone: c/o 845-874-7166
Email: natalie@karcpc.com

APPLICANT INFORMATION:

Name: same as owner
Address: _____

Phone: _____
Email: _____

CONSULTANT INFORMATION:

Name: KARC Planning Consultants
Address: PO Box 924
Poughkeepsie, NY 12602
Phone: 845-874-7166
Email: natalie@karcpc.com

SUBJECT OF APPEAL

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

Name and title of agent: Judith Knauss , City of Poughkeepsie Deputy Zoning Officer

Date of decision/determination/violation: October 7, 2024

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 306-316 Main Street

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
SEE ATTACHED		

VARIANCE REQUEST JUSTIFICATION

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

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

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

***See attached cover letter outlining answers to the following questions.**

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 306-316 Main Street

LIST OF REQUIRED ATTACHMENTS

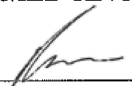
1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant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

Area Varaince Resolution for 316 Main Street

SIGNATURE AND VERIFICATION

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

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



SIGNATURE OF APPLICANT

October 15, 2024
DATE

Bernard Kohn, 316 Main LLC
Print Name

AREA VARIANCE REQUEST

306-316 MAIN STREET

Code Section	Requirement	Proposed	Variance
3.37-2 – Maximum Height	5 Stories	6 Stories	1 Story

January 28, 2025

Scott Parker, ZBA Chairman
62 Civic Center Plaza
Poughkeepsie, NY 12601

Lori Garcia, Board Administrative Assistant
62 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: 306-316 Main Street
131300-6162-77-084067 & 131300-6162-77-091064
City of Poughkeepsie
Area Variance Application**

Dear Chairman Parker and Ms. Garcia:

As you may recall, the applicant, 316 Main LLC, is seeking a height variance to permit the proposed 6th story for the 306-316 Main Street project where only 5 are permitted.

As discussed at the January 14th Zoning Board of Appeals meeting, the project was on the September 24, 2024 Planning Board agenda, which would allow this application to proceed under the 1979 City of Poughkeepsie Zoning Ordinance; therefore, the below argument of the code language still stands.

Pursuant to the 1979 City of Poughkeepsie Zoning Code Section 19-3.37(8)(c), *“stories shall not exceed 14 feet in height, except for a ground-floor commercial, public, or cultural facility, which must be at least 14 feet in height and may be up to 20 feet in height.”* By following these rules set forth for floor height, the maximum building height permitted would equal 76 feet for a five-story structure. The applicant is proposing to stay within the maximum height requirement of 76 feet with six-stories at a total of 74’ 9.5” feet.

The overriding question of an area variance request is whether the benefit to the Applicant outweighs any potential detriment to the neighborhood or community.

The proposed building height (in feet) is shorter than the existing Luckey Platt building, which is located on the same block of Main Street. Similar to Luckey Platt, the stepped-back nature of the sixth floor is designed to minimize the visibility from the street level. The material of the sixth floor is also chosen to almost diffuse it into the background and allow the focus to be on the lower five floors. Additionally, the proposed building is shorter than the max height of

potential new buildings approved under the 1979 zoning code and the 2024 zoning code. Thus, the detriment to the neighborhood will be minimal, if any, as there are currently buildings taller than 74' 9.5" on Main Street and will likely be more in the future.

The benefit sought by the applicant is the addition of a sixth floor to provide much needed housing in the City of Poughkeepsie. The applicant believes that 120 units spread across 5 residential floors rather than 4 residential floors will allow for a better sizing and mix of units that will be necessary to provide quality living spaces that will attract young working professionals and small families to the City's Central Business District. Additionally, due to the current cost of construction, the number of units proposed is essential to make the project financially feasible.

The Applicant would like to note that it is possible that a certain number of units in the proposed building will be income restricted, but the exact number of units and target income bands is dependent upon a number of factors and will therefore be determined at a later date.

Please advise if you require anything further to complete your review.

We kindly request that this matter be placed on the next City of Poughkeepsie Zoning Board of Appeals Agenda scheduled for February 11, 2025.

Thank you.

Sincerely,



Natalie Quinn, Agent for Applicant



PLANNING CONSULTANTS, INC.

February 18, 2025

Scott Parker, ZBA Chairman
62 Civic Center Plaza
Poughkeepsie, NY 12601

Lori Garcia, Board Administrative Assistant
62 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: 306-316 Main Street
131300-6162-77-084067 & 131300-6162-77-091064
City of Poughkeepsie
Area Variance Application**

Dear Chairman Parker and Ms. Garcia:

As requested by the Board, enclosed please find a Financial Justification Letter prepared by Chai Developers, dated February 13, 2025.

Please advise if you require anything further to complete your review.

We kindly request that this matter be placed on the next City of Poughkeepsie Zoning Board of Appeals Agenda scheduled for March 11, 2025.

Thank you.

Sincerely,

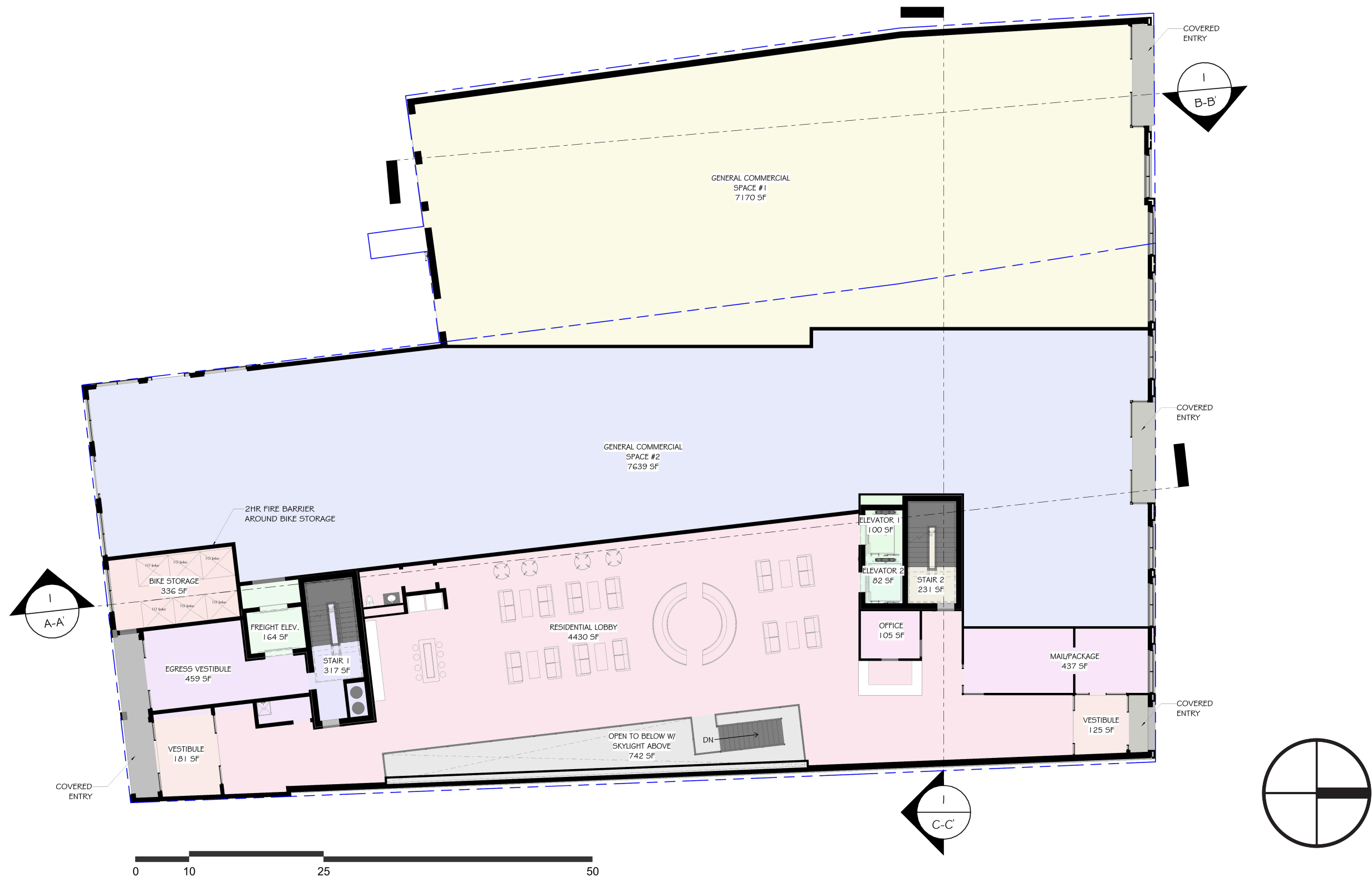
A handwritten signature in blue ink, appearing to read "Natalie Quinn", is written over a horizontal line.

Natalie Quinn, Agent for Applicant

Basement Schematic Plan



First Floor Schematic Floor Plan



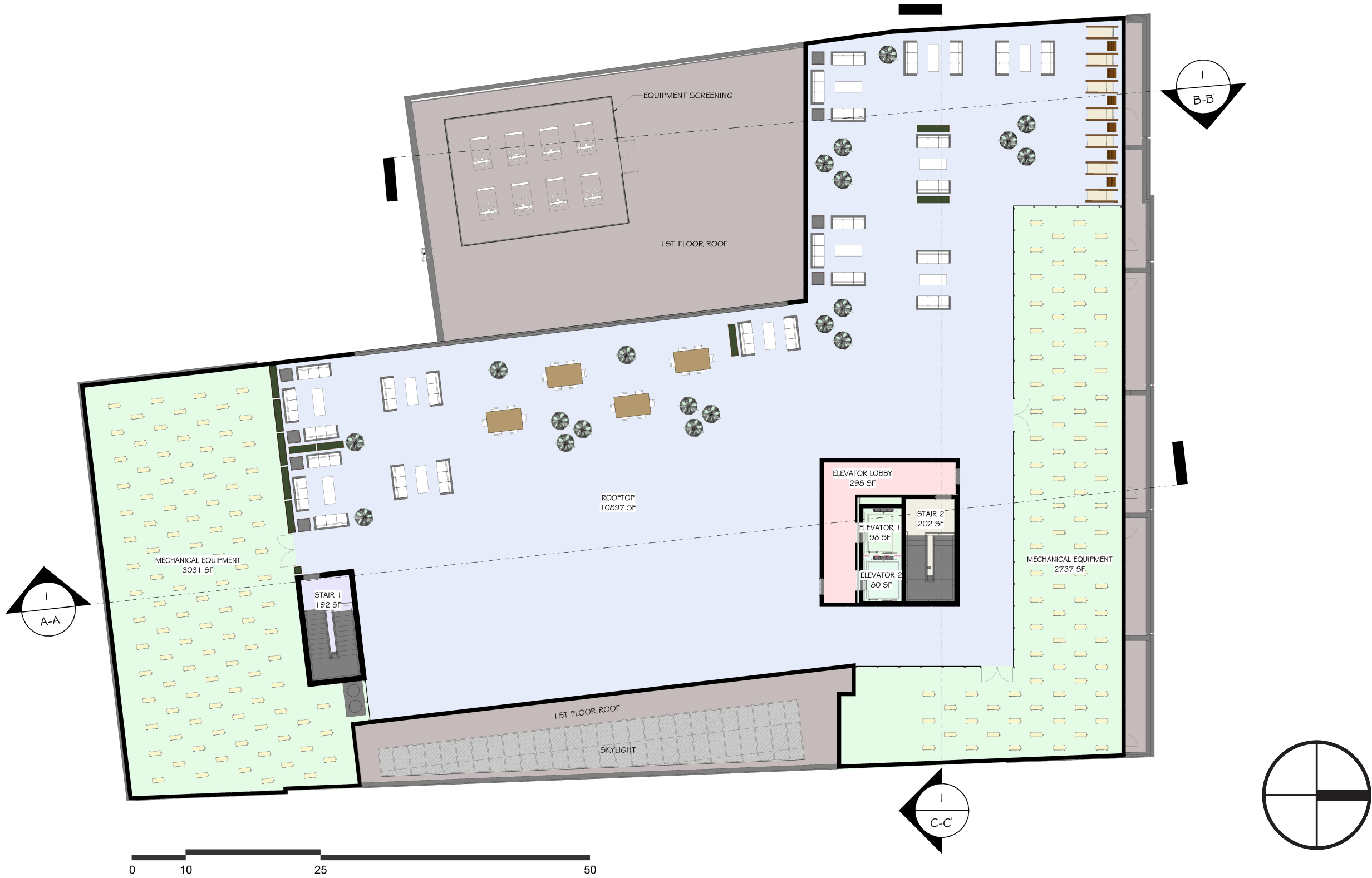
Second - Fifth Floor Schematic Floor Plan



Sixth Floor Schematic Floor Plan



Rooftop Schematic Floor Plan



Main Streetscape Rendering



Eye-level Street Perspective Rendering - Looking Southwest



Rear Street Perspective Rendering



Chai Developers LLC
35 Main Street, Suite 311
Poughkeepsie, NY 12601



February 13, 2025

Lori Garcia
Board Administrative Assistant
City of Poughkeepsie Zoning Board of Appeals
62 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: 306-316 Main Street
131300-6162-77-084067 & 131300-6162-77-091064
City of Poughkeepsie
Response to ZBA Request for Financial Justification**

Dear Ms. Garcia,

During the ZBA meeting held on February 11, 2025, the board requested that we provide financial justification for our request to obtain a variance to construct a sixth floor on the building located at 306-316 Main St. The following information contained in this letter outlines the costs and financial implications associated with constructing either five or six stories:

The total cost for site acquisition infrastructure, demolition, environmental remediation, surveying, utility connections, architectural drawings, mechanical engineering, accounting, project management, structural engineering, legal work, consultants, marketing, title fees, miscellaneous site costs, and constructing the concrete podium as it relates to the residential apartment units is roughly \$15,565,000. **This cost remains constant regardless of whether the building has five or six stories.**

If we are permitted to construct five stories above the first floor of retail, we can accommodate 120 apartments. The \$15,565,000 constant cost is spread evenly across 120 apartments, resulting in a cost of \$129,708 per unit for the constant costs mentioned above. The remaining construction cost is estimated at approximately \$137,500 per apartment unit when building 120 units. Therefore, the total cost per apartment is calculated at approximately \$267,208 per apartment unit. The average proforma income per unit is projected at roughly \$17,585 when operating 120 apartment units. When calculating the financial feasibility in such a scenario, we must divide the projected income per unit by the construction cost per unit, which would result in a 6.58% return. This rate of return is difficult to justify on such a project, but because we feel that this project is crucial to the success of downtown and because we look at this project as a trailblazer, we are willing to take the risk and build the project as proposed.

If we are limited to constructing only four stories above the first floor of retail, we can only accommodate 96 apartments. The \$15,565,000 constant cost is spread evenly across 96 apartments, resulting in a cost of \$162,135 per unit for the constant costs mentioned above. The remaining construction cost is estimated at approximately \$141,500 per apartment unit when building 96 units. Therefore, the total cost per apartment is calculated at approximately \$303,635 per apartment unit. The average proforma income per unit is projected at roughly \$16,910 when operating 96 units (the reduction in operating income when calculating 24 fewer units is due to certain overhead operating costs which do not vary based on the 24-unit difference, such as payroll and security, etc.). When calculating the financial feasibility in such a scenario, we must divide the projected income per unit by the construction cost per unit, which would result in a 5.56% return. This rate of return is too small to justify such a project, and we would be unable to take the risk and build the project. For perspective, there are many real estate deals which can be purchased today which yield a better ROI than 5.56% and do not involve all the risk inherent in a development project such as this.

To summarize, constructing the building with six stories allows us to achieve a ROI per apartment that is acceptable to us and to the banks we deal with, and makes the project financially viable. However, if we are restricted to five stories, the decreased ROI per apartment would render the project financially unviable as detailed above.

We respectfully request the approval of the variance to construct the sixth floor to ensure the financial feasibility of the project.

Thank you for your consideration.

Regards,



Jay Blumenfeld
Chai Developers LLC
316 Main LLC



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

October 7, 2024

316 Main Street, LLC
c/o Natalie Quinn
35 Main Street, Ste 311
Poughkeepsie, NY 12601

RE: 306 and 316 Main Street

Dear Ms. Quinn:

The Development Department is in receipt of the application your application for the construction of a new six story building containing 120 dwelling units and 17,087 square feet of ground floor commercial space on the parcels at 306 and 316 Main Street. The application has been reviewed for compliance with the provisions of the Zoning Ordinance relative to the Poughkeepsie Innovation District – Historic Core Subdistrict (PID-HC) in which the property is located. Please note that the following deficiencies were noted to exist:

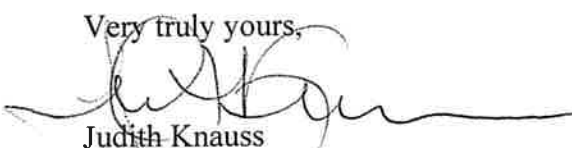
- 1) Section 19-3.37(7), Table 3-37-1 does not permit more than 10,000 square of retail space in the HC Subdistrict: 17,087 square feet is proposed;
- 2) Section 19-3.37(8), Table 3-37-2(b) limits the height of buildings in the HC Subdistrict to 5 stories: a six-story building is proposed; and,

Therefore, the application is hereby denied. You may appeal, within sixty days of the dated of this letter, either:

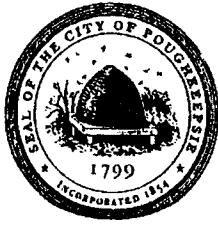
- a) Amend the application to reflect compliance; or,
- b) Appeal the terms of this denial to the Zoning Board of Appeals.

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

Very truly yours,



Judith Knauss
Deputy Zoning Administrator



**THE CITY OF POUGHKEEPSIE
NEW YORK
ZONING BOARD OF APPEALS
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4263 Fax: (845) 451-4006**

FEE: \$350
CODE: A2112

ID#: _____

IPS# _____

AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 8 South Clinton St., Poughkeepsie, NY 12601

ZONING DISTRICT: PID-B

OWNER INFORMATION:

Name: South Clinton Equities LLC

Address: 8 South Clinton St.

Poughkeepsie, NY 12601

Phone: _____

Email: _____

APPLICANT INFORMATION:

Name: Jason Lichwick Architecture

Address: 387 Hooker Ave.

Poughkeepsie, NY 12601

Phone: 845-284-6344

Email: jason@jlarchitectureny.com

CONSULTANT INFORMATION:

Name: Jason Lichwick Architecture

Address: see above

Phone: _____

Email: _____

SUBJECT OF APPEAL

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

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

Date of decision/determination/violation: February 14, 2025

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

PROPERTY ADDRESS: 8 South Clinton St.

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
19-3.4(2)(g)	20FT side yard setbacks for off-street parking	0FT setback @ side yards
19-3.4(2)(h)	20FT rear yard setback for off-street parking	0FT setback @ rear yard

Pursuant to Section 19-9.10(11)(c) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

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

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

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ZONING BOARD OF APPEALS AREA VARIANCE
APPLICATION

PROPERTY ADDRESS: _____
AREA VARIANCE REQUESTS

LIST OF REQUIRED ATTACHMENTS

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

SIGNATURE AND VERIFICATION

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

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


SIGNATURE OF APPLICANT

2/25/2025
DATE

Jason Lichwick

Print Name

Jason Lichwick

From: Judith Knauss <JKnauss@cityofpoughkeepsie.com>
Sent: Friday, February 14, 2025 12:01 PM
To: Jason Lichwick
Cc: Tyler Maegerle; Lori Garcia; Richard Distel; Joseph O'Brien
Subject: "8" South Clinton Street
Attachments: 3346_001.pdf

Dear Mr. Lichwick:

The Development Department is in receipt of your revised application and plans for the construction of a three story multiple dwelling containing 16 dwelling units on the vacant parcel on South Clinton Street, Parcel #6161-22-239997, also known as 8 South Clinton Street.

Please be advised that these materials have been reviewed for compliance with the provisions of the Zoning Ordinance, and the following deficiencies were noted to exist:

- 1) Section 19-3.4(2)(d) requires that 677 square feet of lot area be provided for "outdoor activity space" (10% of the total lot area). On the bulk table, 730 square feet is claimed, but nowhere on the plans it is identified. In the cover letter accompanying the plan, it appears that the balconies are being counted towards this requirement;
- 2) Section 19-3.4(2)(g) requires that off-street parking be setback a minimum of 20 feet from any side yard lot line: the parking is set back 0-3 feet from the south side property line and less than 1 foot from the north side property line;
- 3) Section 19-3.4(2)(h) requires that off-street parking be setback a minimum of 20 feet from any rear yard lot line: the parking area appears to be less than 1 foot from the west rear lot line;
- 4) Section 19-3.4(3)(c) requires a side yard building setback of 15 feet when abutting a residential lot line: the building has no set-back on the south property line where it abuts a residential property;
- 5) Section 19-6.2(10)(a) requires that a minimum of two bicycle parking spaces be provided: no bicycle parking is identified;
- 6) Section 19-6.2(12)(b) requires that a minimum of 14 off-street parking spaces be provided: only seven spaces are provided on site (a waiver for six spaces is being requested of the Planning Board: this needs to be revised to seven). Please note that it is possible, pursuant to the provisions of Section 19-6.2(8) to secure a waiver by paying a fee in lieu of parking, at the rate of \$1000 per space, or, in this instance, \$7000;
- 7) Section 19-6.2(1)(f) requires that each parking space be a minimum of 9' wide by 20' long: the parking spaces scale out at 17 feet in length;
- 8) Section 19-6.2(4)(a) requires that where a parking area for more than three vehicles abuts a residential property, it shall be screened from view by landscaping, opaque fence or wall as approved by the Planning Board: it is not clear what is proposed along the south property line where the project abuts two residential properties; and,
- 9) Section 19-6.2(4)(b) requires that where a parking area for more than three vehicles faces a street or property line, a planting area a minimum of three feet wide and three feet high planted three feet on center be provided between the parking area and the property line: no planting strip is proposed on the south property line.

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

- 1) Revise the plan to reflect compliance; or,

- 2) Make application to the Zoning Board of Appeals requesting that variances be granted.

Please be advised that should you request variances, the fee from your previously submitted application may be transferred to the new application.

Further, notes relative to “Required Space in Dwelling Units” and “Max Travel Distance” do not appear relevant to the Zoning Ordinance, but, rather, to the New York State Uniform Fire Prevention and Building Code. While these issues are critical to review by the Building Department, Fire Department and Engineering Department, they are not germane to Planning Board review, and as they are presented with no identifying code and/or section numbers on the Bulk Table, issues may be unnecessarily conflated.

Additionally, attached please find a site plan check sheet identifying items that need to be addressed.

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

Very truly yours,
Judith Knauss
Deputy Zoning Administrator



February 25, 2025

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

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

Dear Mr. Parker,

We come before the board with an amendment to our application. We are now seeking two (2) area variances for the proposed project located at 8 South Clinton Street in the City of Poughkeepsie. The proposed project is the construction of a new three-story, multifamily building in the PID-B zoning district.

The following area variances are requested:

		REQUIRED	REQUESTED
1.	Section 19-3.4(2)(g) Off-street parking side yard setback	20FT	0FT
2.	Section 19-3.4(2)(h) Off-street parking rear yard setback	20FT	0FT

Variance Request Justification:
(answers in italics)

1. Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? *The granting of the variance will not change the character of the neighborhood. Conversely by providing off-street parking for the tenants of the building, the variance will alleviate some of the burden on the already strained availability of street parking. The parking area will be screened either by walls or 6FT high opaque fencing and therefore will not to be detrimental to neighboring properties. The current use of the property is a parking lot enclosed by a chain link fence, thus the proposed design will be less impactful on neighboring properties due to the addition of opaque screening.*
2. Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary? *The variance is necessary because the lot size prohibits the adherence to the side and rear setback requirements. By conforming to the off-street parking requirements, the parking area will be limited to one space, thereby making it unfeasible from a cost standpoint and will not provide any benefit to the neighborhood by placing additional strain on the limited availability of nearby street and municipal parking. The only alternative solution is to*



obtain a parking waiver from the Planning Board for 14 spaces at a cost of \$3000 per space. This solution is not recommended by the Planning Board.

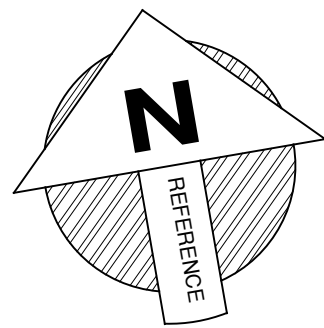
3. *Is/are the requested area variance(s) substantial? Explain why they are not substantial. Under the new zoning code, the area variance is substantial. The off-street parking was conceived under the previous code which did not have the same requirements.*
4. *Will the variance(s) have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? The variances will not have an adverse effect on the physical and/or environmental conditions in the neighborhood or district because the proposed design has mitigated any negative impact on neighboring properties by screening the off-street parking and including a new culvert to Main Street to alleviate stormwater runoff.*
5. *Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain. The need for the area variances is not self-created. The property is 50 FT wide, therefore 20FT side yard setbacks and a 20FT rear yard setback will render the space available for off-street unusable (10FT wide only.) Primary street yard parking is not permitted. We would prefer to provide some off-street parking to reduce the strain on the available street and municipal parking.*

In addition to the requested area variances above, please see our request for interpretation regarding Section 19-3.4(3)(c). All other comments in the Deputy Administrator's communication dated February 14, 2025, have been addressed within the Planning Board Application to reflect compliance. Thank you for your time and consideration as we seek approval for the Lot Area variances to move our project forward.

Very truly yours,

Jason Lichwick
NYSRA Lic. No. 038612

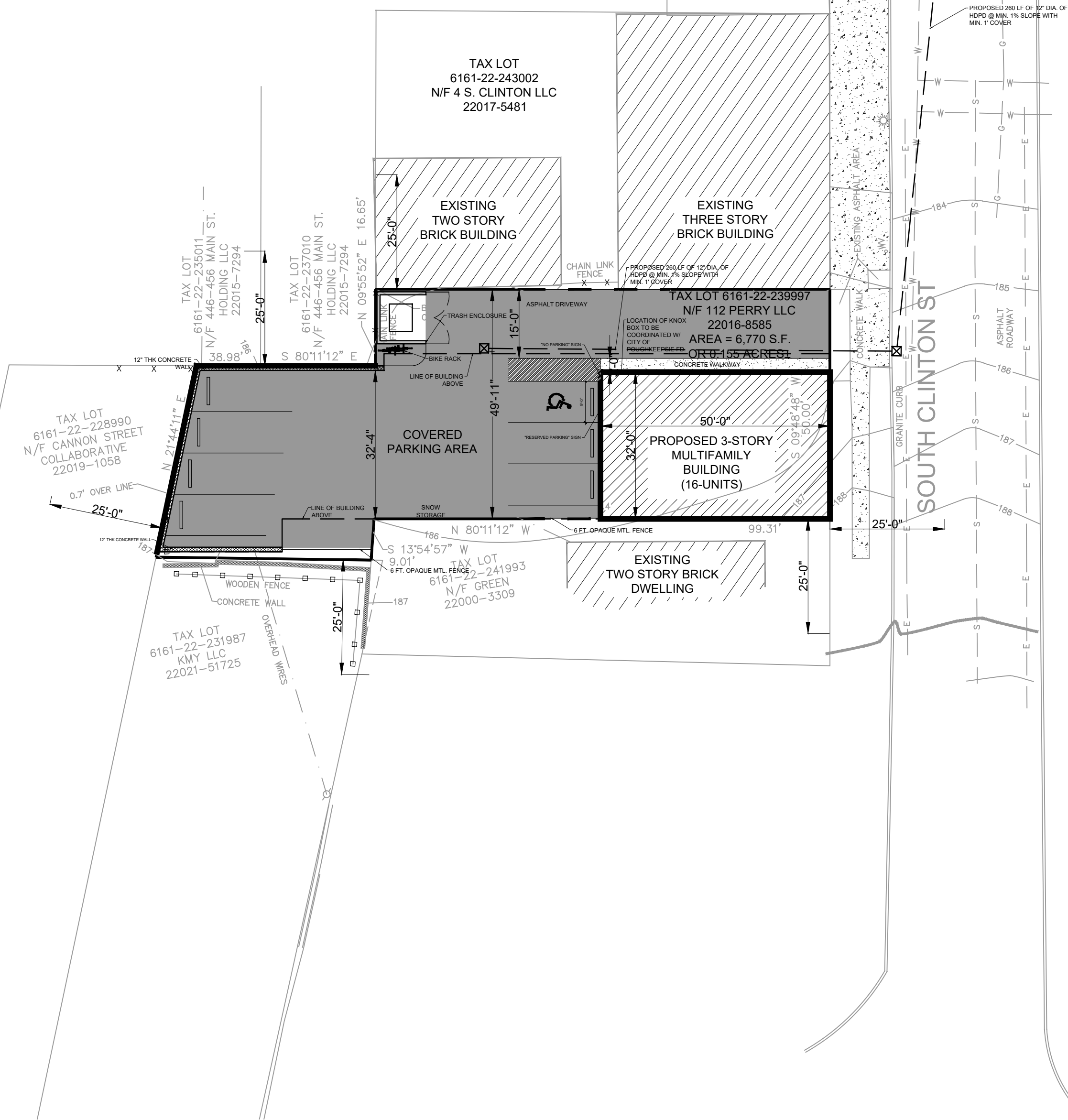
Encl. Color Site Photos



MAIN ST

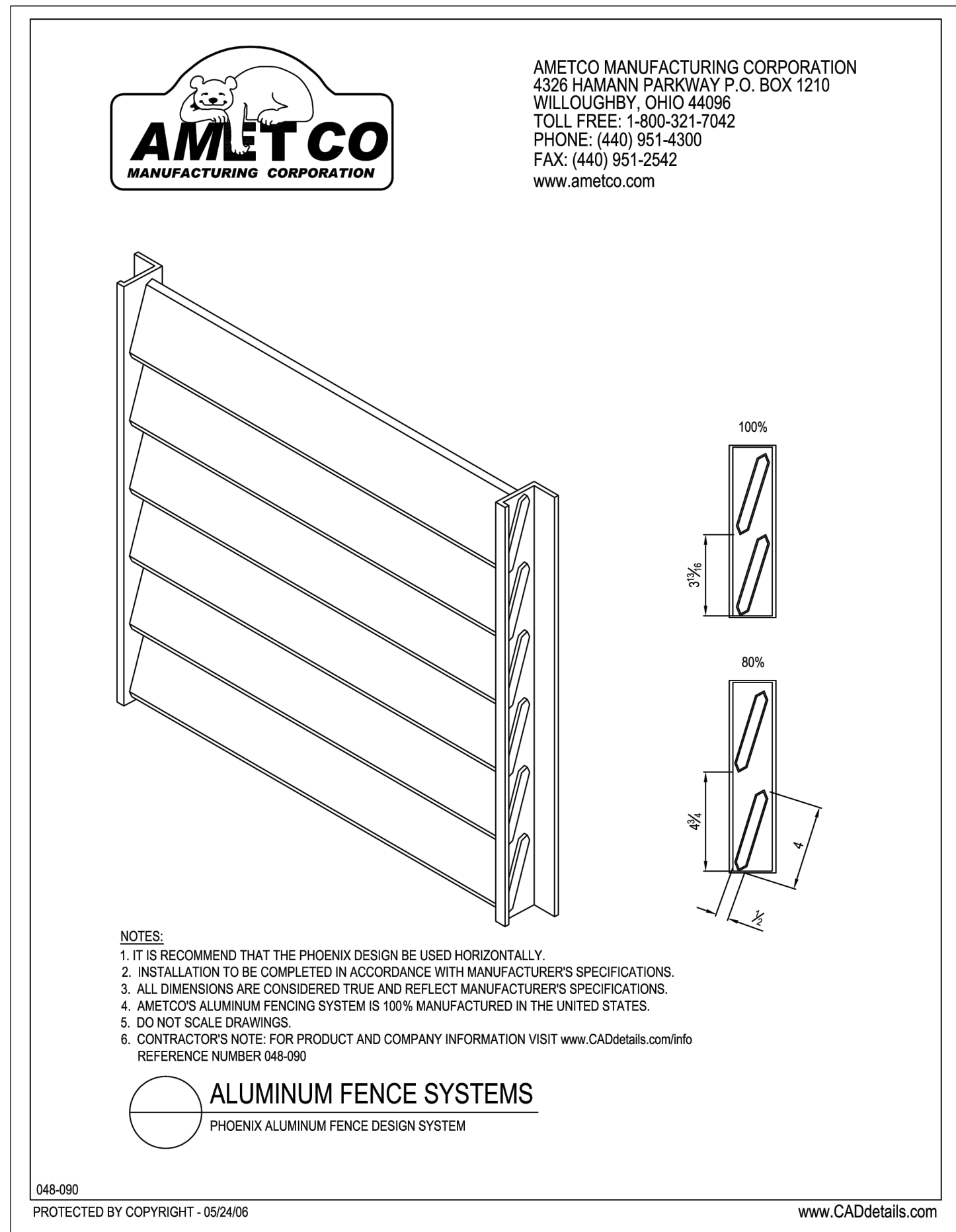
SITE PLAN NOTES:

- No easements, rights-of-way, setbacks, reservations and rears dedicated to public use, outline of existing covenants and deed restrictions within, adjacent or otherwise pertain to the property.
- Property has no scenic views.
- Property has no watercourses, marshes, wooded areas, rock outcrops, or isolated trees with a diameter of eight (8) inches or more measured three (3) feet above the base of the trunk. Sidewalks, curbs, and adjacent streets shown.
- No areas of the site are subject to storm water overflows.
- No new grades to be proposed.
- Property has no proposed easements, deed restrictions, covenants or rights-of-way, areas to be dedicated to a public agency, are any public improvements contemplated on or adjoining the property.



1 Proposed Site Plan
SP-1 Scale: 1" = 20'-0"

BULK TABLE & CODE REQUIREMENTS			
ZONING INFORMATION	ZONE : PID-B (Poughkeepsie Innovation District B)		
	Proposed Use :	Multi-Family	
	Permitted with:	Site Plan Review	
MINIMUM REQUIREMENTS			
	Required	Provided	Variance
Lot Area	NONE	0.155 ACRES / 6,770 S.F.	
Lot Width	NONE	50'-0" FT +/-	
Lot Frontage	NONE	NONE	
YARD SETBACKS			
	Required	Provided	Variance
Front (MIN./MAX.)	0/15 FT	0 FT	
Side 'A' (MIN./MAX.)	0/11 FT	0 FT	
Side	0 FT	0 FT	
Rear	0 FT	0 FT	
LOT COVERAGE & BUILDING HEIGHTS			
	Required	Provided	Variance
Percentage of Lot Coverage	60% Min. 4062 SF	76% 5167 SF	
Building Height	2 Stories Min. 29 FT	3 Stories 43'-2" FT	
OPEN SPACE REQUIREMENTS			
	Required	Provided	Variance
Outdoor Activity Space	10% MIN. TOTAL LOT AREA: 6770 SF 677 SF REQ.	730 S.F. (PROVIDED BY UNIT BALCONIES)	
OFF-STREET PARKING REQUIREMENTS*			
	Required	Provided	Waiver
0.75 Space per unit plus 1 visitor space per 10 units.	14 spaces	7 spaces	7 spaces
*Off Street Parking shall be provided in accordance with Section 19-6.2(7), and such parking shall be located within 600 feet of the premises (Little Smith St. Lot.)			



5 Metal Fence Detail - 100% & 80% Opacity
SP-1 Scale: N.T.S.



JASON LICHWICK ARCHITECTURE PLLC
387 HOOKER AVENUE, SUITE 5
POUGHKEEPSIE, NEW YORK 12603
P: 845.264.1944
jason@lichwick.com

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



South Clinton Mixed-Use New Construction

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

For Zoning Board of Appeals Review

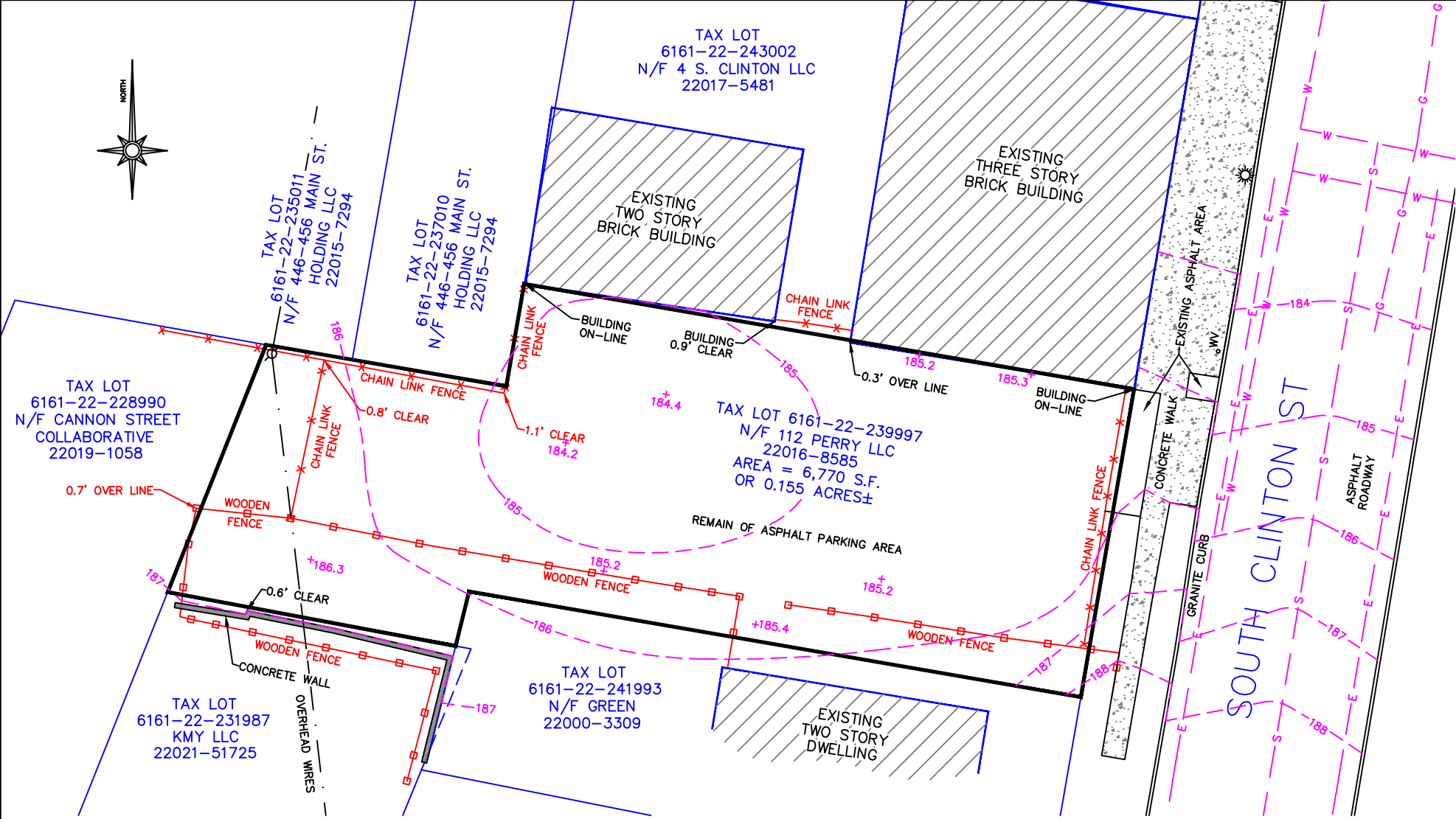
Date: 10.29.2024

Revisions: 02.25.2025

Drawn By: JL/HP

SP-1

Site Plan



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



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

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

Darren Stridiron

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

CV ASSOCIATES NY, PE, LS, P.C.

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

BOUNDARY & TOPOGRAPHIC SURVEY

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

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

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): 8 South Clinton Street, Poughkeepsie, NY 12601		
Brief Description of Proposed Action (include purpose or need): New construction of a three story multifamily building.		
Name of Applicant/Sponsor: Jason Lichwick Architecture PLLC		Telephone: 845-284-6344
		E-Mail: jason@JLArchitectureNY.com
Address: 387 Hooker Avenue, Suite 5		
City/PO: Poughkeepsie	State: New York	Zip Code: 12603
Project Contact (if not same as sponsor; give name and title/role): Jason Lichwick, Architect		Telephone:
		E-Mail:
Address: Same as Applicant		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): South Clinton Equities LLC		Telephone: 917-642-0410
		E-Mail: shragy@ccofny.com
Address: 8 South Clinton Street		
City/PO: Poughkeepsie	State: New York	Zip Code: 12601

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☐ Yes ☒ No or Village Board of Trustees		
b. City, Town or Village ☒ Yes ☐ No Planning Board or Commission	City of Poughkeepsie Planning Board	10/2024
c. City, Town or ☒ Yes ☐ No Village Zoning Board of Appeals	City of Poughkeepsie Zoning Board of Appeals	7/2024
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.
If Yes, what is the zoning classification(s) including any applicable overlay district?

☒ Yes ☐ No

C-2

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?
If Yes,

☐ Yes ☒ No

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

C.4. Existing community services.

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

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

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

d. What parks serve the project site?
Reservoir Square Park

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? 0.155 acres
b. Total acreage to be physically disturbed? 0.155 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.155 acres

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:

18 months

ii. If Yes:

- Total number of phases anticipated
- Anticipated commencement date of phase 1 (including demolition) month year
- Anticipated completion date of final phase month year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses? ☒ Yes ☐ No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	14
At completion of all phases	_____	_____	_____	14

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No If Yes,	
i. Total number of structures <u>1</u> ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: <u>1,152</u> 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? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☒ Yes ☐ No If Yes:	
i. What is the purpose of the excavation or dredging? <u>Foundation</u> 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: City of Poughkeepsie
- 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): _____
sanitary waste water

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:

- Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- 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:

- Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- Generally describe processes or activities involving hazardous wastes or constituents: _____
- Specify amount to be handled or generated _____ tons/month
- Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____
- 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.

- Check all uses that occur on, adjoining and near the project site.

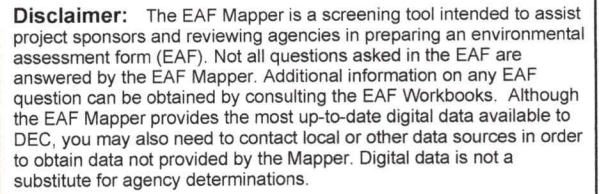
☒ Urban
 ☐ Industrial
 ☐ Commercial
 ☐ Residential (suburban)
 ☐ Rural (non-farm)
 ☐ Forest
 ☐ Agriculture
 ☐ Aquatic
 ☐ Other (specify): _____
- If mix of uses, generally describe: _____

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: _____			

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? _____	N/A 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 or ii, 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: _____ None _____ _____	
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: _____	

Full Environmental Assessment Form - EAF Mapper Summary Report

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:former Trolley Barn, Travis House
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



Prepared By:



To whom it may concern,

The attached financial hardship report, in seeking a lot area variance, highlights the following scenarios:

As of right:

2-story building with an elevator (due to ADA compliance), a first floor commercial space, and 3 residential apartments. As the numbers show, this is entirely unfeasible.

Option A:

3-story building with no elevator, no commercial space (as ADA compliant residential units will be located on the first floor), and 14 residential apartments. This is the most feasible option, as the elevator and elevator shaft costs are eliminated.

Option B:

4-story building with an elevator (due to ADA compliance), a first floor commercial space, and 20 residential apartments. This can potentially be a feasible project.

Option C:

3-story building with an elevator (due to ADA compliance), a first floor commercial space, and 14 residential apartments. This can potentially be a feasible project.

Prepared By:



	As-of-right	Option A	Option B	Option C
	3 Units w/ Comm.	14 Units w/o Comm.	20 Units w/ Comm.	14 Units w/ Comm.
Stories	2	3	4	3
Elevator	Yes	No	Yes	Yes
Residential Units	3	14	20	14
Commercial Space	Yes	No	Yes	Yes
Buildable SF	4,271	11,834	16,951	11,834
Efficiency Rate	70%	80%	69%	69%
Rentable SF	2,990	9,467	11,704	8,160
Construction Costs / SF	\$275	\$235	\$275	\$275
Total Construction Costs	\$1,174,643	\$2,780,990	\$4,661,525	\$3,254,350
Retail Units	1		1	1
Studio Units			10	8
1BD Units	3	14	9	6
2BD Units			1	
Avg. Retail Sq Ft.	1,152		1,152	1,152
Avg. Studio Sq Ft.			418	417
Avg. 1BD Sq Ft.	613	676	613	613
Avg. 2BD Sq Ft.			860	
Retail Rent	\$2,000		\$2,000	\$2,000
Studio Rent			\$1,500	\$1,500
1BD Rent	\$1,800	\$1,900	\$1,800	\$1,800
2BD Rent			\$2,300	
Annual Income	\$88,800	\$319,200	\$426,000	\$297,600
Vacancy (5%)	(4,440)	(15,960)	(21,300)	(14,880)
Operating Expenses (40%)	(35,520)	(127,680)	(170,400)	(119,040)
Net Operating Income	\$48,840	\$175,560	\$234,300	\$163,680
Yield on Cost	4.16%	6.31%	5.03%	5.03%

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

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Poughkeepsie**

Referring Agency: **Zoning Board of Appeals**

Tax Parcel Numbers(s): **2399970000**

Project Name: **"8" South Clinton Street Mixed Use Area Variances**

Applicant: **Jason Lichwick Architecture PLLC**

Address of Property: **"8" South Clinton Street**

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

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

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

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

Parcels within 500 feet of:

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

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

Entered By: **Knauss, Judith**

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

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