

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

Common Council Chambers
Tuesday, January 13, 2026
6:00 PM

I. ROLL CALL

II. APPROVAL OF MEETING MINUTES

1. Approval of the December 9, 2025 Meeting Minutes

III. ADJOURNED APPLICATION REVIEW / PUBLIC HEARINGS

1. The following public hearings are adjourned to February 10, 2026
 - 105 ALBANY STREET: AREA VARIANCE
 - 17 SOUTH HAMILTON STREET: AREA VARIANCE
 - 20 LEXINGTON AVENUE: AREA VARIANCE
 - 10 GRAND STREET: AREA VARIANCE
 - 488 MAIN STREET: AREA VARIANCE

IV. REVIEW OF RESOLUTIONS

1. **88 ACADEMY STREET: AREA VARIANCE**

Application for an area variance relative to the proposed conversion of the building at 88 Academy Street from a four unit multiple dwelling to a five unit multiple dwelling, requiring a variance of Section 19-6.2(11) of the Zoning Code to allow 2 off-street parking spaces where 7 spaces are required. Owner: Lauren Debellis Aviv AND Frank Debellis/NDERO LLC; Applicant: Matthew Cordone, AIA; Consultant: Matthew Cordone, AIA; Grid #6161-21-060930; Zoning District: MU3; File #ZBA2025-038

V. PUBLIC HEARINGS & DELIBERATIONS

1. 69 SOUTH HAMILTON STREET: AREA VARIANCES

Application for area variances relative to the proposed conversion of the existing three family dwelling at 69 South Hamilton Street to a four family dwelling, requiring variances of Section 19-2.3(2)(a), requiring 6000 square feet of lot area to allow 5957 square feet; Section 19-2.3(2)(c) which allows a maximum lot coverage of 70% to allow a lot coverage of 77%; Section 19-6.2(1)(c) which requires a 15 foot wide driveway to allow a driveway ranging from 7.5 to 10 feet; Section 19-19-6.2(4)(b) requiring landscaping/screening where a parking area for three or more vehicles abuts a residential property to allow an opaque fence on the southern property. Owner: Fabio Alvarez; Applicant: My Friend Realty, LLC; Consultant: Ciro Interrante, Architect; Grid #6161-21-120900; Zoning District: RNC; File #ZBA2025-033

2. 152 MONTGOMERY STREET: AREA VARIANCE

Application for an area variance relative to the proposed installation of an HVAC unit in the side yard of the building at 152 Montgomery Street approximately 2.5 feet from the east side yard where Section 19-2.3(3)(g) of the Zoning Code requires a 5-foot set-back. Owner/Applicant: Ron Gelles; Grid #6161-22-197905; Zoning District: RNC; File #ZBA2025-036

3. 141 NORTH WATER STREET: AREA VARIANCES

Application for area variances relative to the proposed construction of a 56-unit multifamily development on the property at 141 North Water Street requiring variances of the following sections of the Zoning Code: Section 19-4.4(3)(e), which allows a maximum lot coverage of 50% to allow 65.39%; and, Section 19-6.5(5)(c) which allows a maximum fence of 3 feet in front yards to allow 4 feet; and, Section 19-6.9(1)(b) which requires that all bulkheads, elevator penthouses and similar structures be setback one foot from the edge of the roof for each additional foot in height greater than the specified height to allow such a structure to be flush with the exterior wall on the east side of the building, a variance of approximately 17'9". Owner/Applicant: 141 North Water Street LLC; Consultant: KARC Planning Consultants, Inc/Natalie Quinn; Grid #6062-59-78340, 780411, 771405; Zoning District: Waterfront; File #ZBA2025-040

4. 49/85 CIVIC CENTER PLAZA: AREA VARIANCES

Application for area variances relative to the expansion and reconfiguration of the off-street parking lots at 49 and 85 Civic Center Plaza requiring variances of the following sections of the Zoning Code: Section 19-6.2(9), which states that the number of off-street parking spaces provided not exceed the number required by more than 120%, to allow an excess of 15 spaces; and, Section 19-3.4(2)(h), which requires a rear yard setback for parking areas of 20 feet, to allow a portion of the off-street parking area to

be located on the east property line. Owner/Applicant: 141 North Water Street LLC; Consultant: KARC Planning Consultants, Inc/Kelly Libolt; Grid # 6162-69-065177 and 090193; Zoning District: PID-B; File #ZBA2025-042

VI. ADJOURNMENT

1. Meeting Adjourned to February 10, 2026



The City of Poughkeepsie New York

Zoning Board of Appeals Meeting Draft Minutes

Tuesday, December 9, 2025

6:00 PM

Common Council Chambers

I. ROLL CALL

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

II. APPROVAL OF MEETING MINUTES

1. Approval of November 2025 Meeting Minutes

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

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

III. ADJOURNED APPLICATION REVIEW/ PUBLIC HEARINGS

1. Following Public Hearings are Adjourned to January 13, 2026

1. 16 PERSHING AVENUE: AREA VARIANCE
2. 185 SMITH STREET: AREA VARIANCE

3. 10 GRAND STREET: AREA VARIANCE

A motion to Adjourn was made by Chair Parker and seconded by Member Klug.

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

2. Following Application Reviews have been Adjourned to January 13, 2026

1. 105 ALBANY STREET: AREA VARIANCE

2. 17 SOUTH HAMILTON STREET: AREA VARIANCE

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

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

IV. REVIEW OF RESOLUTIONS

1.101 SOUTH GRAND AVENUE: AREA VARIANCE

Application for area variances relative to the paving of two parking spaces requiring a variance of Section 19-2.1(2) allowing for a maximum driveway width of 15 feet, to allow for a driveway width of 61 feet, and Section 19-6.2(4)(b) requiring that where a parking area for three or more vehicles faces a property line, a planting area a minimum of three feet high and three feet wide planted three feet on center shall be provided between the parking area and the street or property line, to allow for no landscaping between the parking area and Fountainbrook Avenue. Owner/Applicant: Charlotte Trotter; Grid:

#6161-49-586580; District:R2; File #: ZBA2025-002

Presenting: Charlotte Trotter, Owner

A motion to Approve was made by None and seconded by Member Phillips.

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

2.136 PARKER AVENUE: AREA VARIANCE

Application for area variance relative to the proposed conversion of the former office building at 136 Parker Avenue to five (5) dwelling units, requiring variances of Section 19-4.2(5)(c) to allow less than 40% transparency on the ground floor and less than 25% transparency on the upper stories. Owner/Applicant:DNH Valley LLC/HammadAhmed; Consultant: Amy Bombardieri/Day Stokosa Engineering, LLC; Grid #6162-55-257435; Zoning District: Walkway Gateway (WG); File #ZBA2025-030

Presenting: Amy Bombardieri

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

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

V. PUBLIC HEARINGS & DELIBERATIONS

1. 69 SOUTH HAMILTON STREET: AREA VARIANCES

Application for area variances relative to the proposed conversion of the existing three family dwelling at 69 South Hamilton Street to a four family dwelling, requiring variances of Section 19-2.3(2)(a), requiring 6000 square feet of lot area to allow 5957 square feet; Section 19-2.3(2)(c) which allows a maximum lot coverage of 70% to allow a lot coverage of 77%; Section 19-6.2(1)(c) which requires a 15 foot wide driveway to allow a driveway ranging from 7.5 to 10 feet; Section 19-19-6.2(4)(b) requiring landscaping/screening where a parking area for three or more vehicles abuts a

residential property to allow an opaque fence on the southern property. Owner: Fabio Alvarez; Applicant: My Friend Realty, LLC; Consultant: Ciro Interrante, Architect; Grid #6161-21-120900; Zoning District: RNC; File #ZBA2025-033

Presenting: Fabio Alvarez, Owner
Ciro Interante, Architect
Nickole Papastavrou, Associate/CADDrafter

A motion to Open the public hearing was made by Chair Parker and seconded by Member Klug.

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

No Commenters

A motion to Adjourn the public hearing was made by Chair Parker and seconded by Member Klug.

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

2. 20 LEXINGTON AVENUE:AREA VARIANCE

Application for area variance relative to the proposed conversion of the two family dwelling at 20 Lexington Avenue to a three-dwelling, requiring variances of the following Sections of the Zoning Code: Section 19-2.3(2)(a) requiring 5000 square feet of lot area to allow 3920 square feet; Section 19-2.3(2) prohibiting front yard parking to allow parking in the Quaker Lane front yard; Section 19-2.3(4)(a) restricting the height of buildings to 2.5 stories or 35 feet to allow conversion of the attic to a story; Section 19-2.3(2)(h) allows a maximum driveway width of 15 feet to allow 17'1"; Section 19-6.2(11) requiring 4 off-street parking spaces to allow 2 parking spaces; Owner: Jordan Bell; Applicant/Consultant: Jason Lichwick Architecture PLLC; Grid# 6161-32-453840; Zoning District: RNC; File#ZBA2025-034

Presenting: Jorden Bell, Owner
Jason Lichick, JL Architecture

A motion to Open the public hearing was made by Chair Parker and seconded by Member Vinall.

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

A motion to Adjourn the public hearing was made by Chair Parker and seconded by Member Klug.

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

3. 488 MAIN STREET: AREA VARIANCE

Application for an area variance relative to the proposed construction of a mixed use building containing ground floor commercial space fronting Main Street with 81 dwelling units, accessory parking and an accessory playground with access from Cannon Street, requiring a variance of Section 19-6.2(11) of the Zoning Code to allow 34 off-street parking spaces where 119 parking spaces are required, a deficit of 85 spaces.
Owner/Applicant: Hudson River Housing, Inc; Consultant: CPL, Architecture, Engineering, Planning (Andrew Learn); Grid #6161-23-290979; Zoning District: MUS; File #ZBA2025-037

Presenting: Mary Linge, Hudson River Housing
Andrew Learn, CPL

A motion to Open the public hearing was made by Chair Parker and seconded by Member Phillips.

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

Speaker: Laurie Sandow

A motion to Adjourn the public hearing was made by Chair Parker and seconded by Member Klug.

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

A motion to establish a \$3,500 engineering escrow was made by Chair Parker and seconded by Member Klug.

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

4. 88 ACADEMY STREET:AREA VARIANCE

Application for an area variance relative to the proposed conversion of the building at 88 Academy Street from a four unit multiple dwelling to a five unit multiple dwelling, requiring a variance of Section 19-6.2(11) of the Zoning Code to allow 2 off-street parking spaces where 7 spaces are required. Owner: Lauren Debellis Aviv AND Frank Debellis/NDERO LLC; Applicant: Matthew Cordone, AIA; Consultant: Matthew Cordone, AIA; Grid #6161-21-060930; Zoning District: MU3; File#ZBA2025-038

Presenting: Frank DeBellis and Lauren DeBellis Aviv, NDERO, LLC
Matthew Cordone, AIA

A motion to Open the public hearing was made by Chair Parker and seconded by Member Phillips.

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

A motion to Close the public hearing was made by Chair Parker and seconded by Member Klug.

Minutes of December 9, 2025 . VOICE VOTE	
Yes/Aye:	Chair Parker, Member Vinall, Member Klug, Member Phillips, Member Finnerman, Member Shadman
No/Nay:	None
Abstain:	None
Absent:	Member Patterson
Result:	Passed

VI. ADJOURNMENT

1. Meeting Adjourned to January 13, 2026



**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: 88 ACADEMY STREET

ZONING DISTRICT: MU-3

OWNER INFORMATION:

Name: Lauren Debellis Aviv and Frank Debellis

Address: NDERO LLC
575 Madison Avenue Suite 1603 ANY NY 10022

Phone: 845 641 5517

Email: _____

APPLICANT INFORMATION:

Name: Matthew Cordone, AIA

Address: Matthew Cordone Architect PLLC
92 N. Broadway, Irvington NY 10533

Phone: 917 749 8071

Email: _____

CONSULTANT INFORMATION:

Name: Matthew Cordone, AIA- Matthew Cordone Architect PLLC

Address: 92 N Broadway , Irvington New York 10533

Phone: 917 749 807

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: October 28, 2025

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

PROPERTY ADDRESS: 88 Academy Street

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
19-6-6.2	Requires 7 off street parking spaces	Area variance

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.

ZONING BOARD OF APPEALS AREA VARIANCE
APPLICATION
PROPERTY ADDRESS: 88 Academy Street
AREA VARIANCE REQUESTS

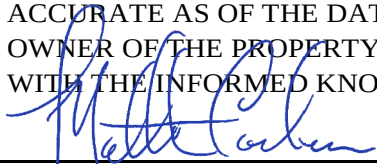
LIST OF REQUIRED ATTACHMENTS

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

11.10.25

DATE

Matthew Cordone, AIA

Print Name

11 November, 2025

The City of Poughkeepsie – Zoning Department
62 Civic Center Plaza
Poughkeepsie, New York 12601

re: 88 Academy – Zoning Submission
MCA: C05.25011

COVER LETTER

To The Zoning Board of Appeals,

This letter and the attached application materials are submitted to formally request an Area Variance regarding the property located at 88 Academy Street, Assessor's Parcel Number 6161-21-060930.

The project proposes converting the existing four-unit building into a five-unit building. The proposed conversion necessitates an increase in the required number of on-site parking spaces according to the City of Poughkeepsie's Zoning Ordinance, Section 19-6-6.2.

The existing site physically cannot support the additional parking spaces required by the current zoning regulations, therefore, we are respectfully seeking an area variance for the parking requirement. On the subsequent pages, please find a detailed explanation of the project and financial feasibility.

In connection with the Variance Request Justification, we provide the following:

1. Malcarne Contracting Quote dated 09/28/25
2. Signed Term Sheet for New York State Small Building Participation Loan Program (“PLP”) funding and PLP program information
3. SHPO Phase 2 Approval
4. Two Certificates of Occupancy, confirming that the second floor has authorization for two units.

We now discuss each point in turn.

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.

The variance will not produce an undesirable change to the neighborhood or neighbors. The variance will allow 88 Academy to have five units. The granting of five units allows the building to participate in a New York State Loan known as the New York State Small Building Participation Loan Program (“PLP”), which requires a minimum of 5 residential units to participate. Said another way, it is a threshold requirement to have five units if you want to obtain PLP funding.

PLP funding provides a \$150,000 loan per unit at .5% interest for a 30-year term, which will be sufficient financing to complete the necessary renovations. The mission of PLP is to allow for renovation of small buildings with the goal of supporting neighborhoods and ensuring that buildings are improved and remain affordable to communities at need. In exchange for the loan, rents must be preserved at 80% Affordable Median Income (“AMI”) for the length of the loan. In its program summary, PLP states,

“One of the program's primary targets is the renovation or new construction of small buildings in medium density neighborhoods where rents are already affordable, but not strong enough to support market transactions, with a focus on neighborhoods supported by other targeted investments by New York State or local initiatives. The program can also support strategic investments in more rural communities by supporting the development of small and mid-sized rental initiatives.” (See **Exhibit 2**)

Therefore, the granting of the variance will not produce an undesirable change in the neighborhood, nor will it be detrimental to the nearby properties. On the contrary, it will directly improve the character of the neighborhood and will be an immediate improvement for all the nearby properties to benefit from because the granting of the variance will allow 88 Academy to obtain the PLP funding and do the necessary repairs.

The building at 88 Academy Street sits at the gateway into the historic district of Poughkeepsie. In fact, the plaque announcing the historic district is directly in front of the building (shown here).



As you can see from the above photo, 88 Academy has fallen on hard times. After years of mismanagement and disrepair the building has become a known eye sore at the very gate of the community's historic district.

The building's new owners purchased the property in 2023 intent to turn this historic building into something that the neighborhood could be proud of. They have explored all options to restore the building and determined that it would take over \$239,000 to repair just the exterior of the building (see Malcarne Contracting quote at **Exhibit 1**). Through 88 Academy's owners working diligently with Community Preservation Corporation ("CPC") since early 2025, the building is finally at the final stages of PLP funding.

The building has received a term sheet from CPC Bank for the PLP funding (**Exhibit 2**) and has been approved for State Historic Preservation Office ("SHPO") Phase 2 alterations. The SHPO Phase 2 approval confirms that the alterations we plan are doing are consistent with the historic character of the property and district alike. In issuing the Phase 2 approval the signature line states,

“[T]he rehabilitation described herein is consistent with the historic character of the property, and, where applicable, with the district in which it is located and that the project meets the Secretary of the Interior’s Standards for Rehabilitation.” (See SHPO Approval at **Exhibit 3**)

Therefore, what the variance allows us to do is proceed with benefiting the entire neighborhood and neighboring properties with a building everyone can be proud of and in accordance with SHPO and the Secretary of the Interior’s Standards for Rehabilitation. Simply stated, without the variance no repairs will take place on the property thereby further taking from the community where the building sits.

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?

As stated above, the cost to repair the façade of the building is considerable. The only feasible way to do the repairs is through PLP funding, and the PLP funding is contingent on obtaining the variance allow 88 Academy to be converted to a five-unit building. Therefore, there are no other feasible options to explore.

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

The requested area variance is not substantial. Currently, 88 Academy is a four-residential unit building that consists of:

- TWO 1-bedroom apartments
- TWO 2-bedroom apartments

The variance application is relatively small. The variance is asking for permission to convert it to a five-residential unit that will consist of:

- TWO 1-bedroom apartments
- TWO studio apartments
- One 2-bedroom apartment

Therefore, the request is to split the two-bedroom apartment on the second floor into two studios. By doing so, we are in no way increasing the building head count of tenants. In fact, if you assume that two-four people would live in a two bedroom, by converting the building to studios that would still be occupied by those same two-four people. Therefore, it is inconsequential to the neighborhood for the second-floor apartment to be converted into two

studios. On the contrary, allowing the variance will allow 88 Academy to close on the PLP funding, provide the funds for the exterior repairs and this will produce substantial benefits to the neighborhood as discussed in **Point 1** above, and **Point 4** below.

It also bears emphasizing that there are factors that strongly suggest that 88 Academy's second floor's original configuration was indeed two units, and that we are restoring it to its original historic configuration. As you can see from the two Certificates of Occupancy ("CO") at **Exhibit 4**, the second floor has twice been designated as "Second Floor-Two Dwellings." Moreover, there is a second entrance door on the second floor which is consistent with the CO designations (see architectural plans).

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

The granting of the variance will not have an adverse impact on the physical or environmental conditions of the neighborhood because we are not increasing the bedroom count/headcount at 88 Academy; on the contrary, the variance will have a positive impact on both factors because we will be physically restoring a community eye sore. It should be noted that we also plan to add landscaping to the extent feasible to further improve the physical condition of this historic district entry point.

Because the variance does not increase the bedroom count/headcount at 88 Academy, there will be no additional strain on the physical conditions of the neighborhood, including parking or density issues. In fact, the likelihood of additional cars in the neighborhood decreases with the replacement of a two-bedroom unit with two studios; therefore, we expect this variance to have a positive impact on the access to parking in the neighborhood. In fact, people who live in studios are generally less likely to have cars and are more likely to rely on public transportation.

The physical imprint of the building will remain unchanged, so the only physical changes because of this variance will be beautification of a community building sitting at the gateway to the historic district. There are no noise concerns because there will not be more people. Moreover, there will be no additional environmental drain on the water/sewer systems, electricity supply or other environmental impact concerns. Because the request for the variance is so small it is also eligible for a Type II SEQRA exemption, further confirming that there is no environmental impact to be concerned about.

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

No, the need for the variance is not the result of self-created issues that we created. Lauren Aviv and Frank DeBellis purchased 88 Academy through an auction through their entity

NDERO LLC. A condition of the auction was that they purchased it “as is” without the right to inspection or due diligence. Only after closing did Lauren and Frank learn that the building’s usage was unclear.

As stated above, the two COs on the building permitted two units on the second floor. This includes the CO from July 8, 1998, and the previous one from January 16, 1987. It bears emphasizing that the CO dated January 16, 1987, also permitted five units, suggesting that once again we are returning the building to its original historic condition by having five units.

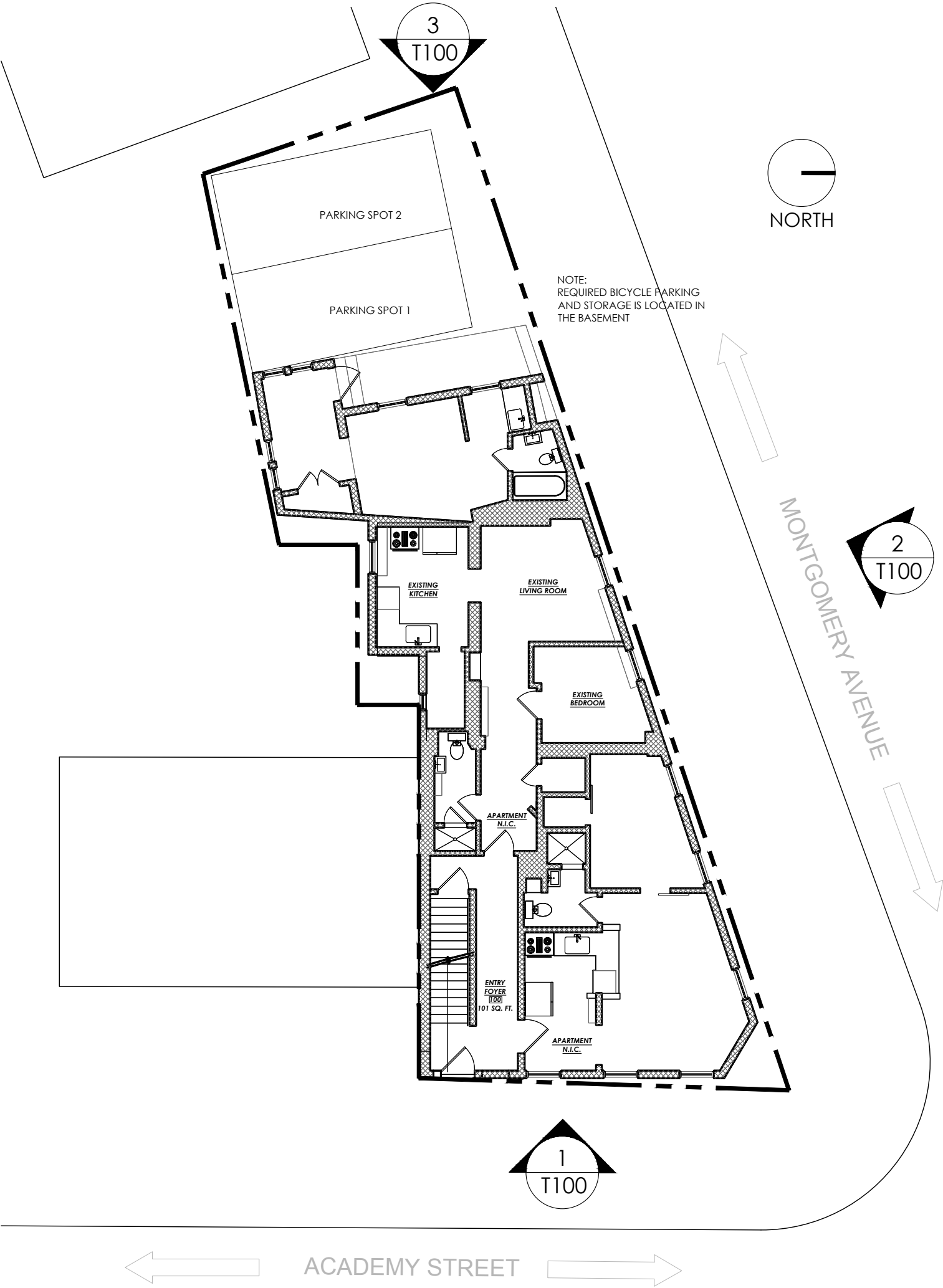
Irrespective of the challenges that 88 Academy has presented to Lauren and Frank, they have persisted in trying to improve this property. The initial renovations they did on the building already significantly improved the building; however, the facade repair needs are pressing. Before finding the PLP program, Lauren and Frank had put the building on the market because they simply could not fund the renovations the building needed. PLP changed this and provided hope that they could turn this building around and accomplish their initial vision. To date, we have invested well over \$100,000 in trying to obtain PLP funding which has involved architectural needs, environmental studies, processing fees, legal fees, and the like. It has been a labor of love, and we have worked tirelessly pouring over application requirements and diligently applying for SHPO approval and PLP funding. CPC now needs to know that we can convert the building to five units before they will provide a formal commitment letter and allow us to close on the loan. Our need is real and pressing. It should also be noted that the scope of work neither expands the size of the building, nor does it change the residential nature of the property. The scope of work is restorative in nature and its goal is to preserve the historical architectural significance of building.

We are doing everything we can to save this building and restore it to the beauty it deserves. Granting the variance will allow these efforts to continue. It will allow us to close on the PLP funding, proceed with the SHPO approved alterations, and the building – and the entire community – stand to benefit as a result.

BUILDING REHABILITATION

88 ACADEMY STREET

POUGHKEEPSIE, NEW YORK 12601



1 PHOTO MAP
Scale: NTS

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MATTHEW CORDONE
ARCHITECT PLLC

92 North Broadway,
Irrington,New York 10706
phone:917.749.8071
mcordone@mcaplpc.net

MATTHEW CORDONE
ARCHITECT PLLC
DESIGN • PRESERVATION • PLANNING •
STRUCTURAL ENGINEERING

OWNER:

LAUREN AVIV
NDERO LLP
575 MADISON AVENUE SUITE 1603A
NEW YORK, NY. 10022

CONSULTANTS

REVISIONS

NO.	DATE	ISSUED
08-07-2025	HDLPC SET	
11-11-2025	ZONING SET	

KEY PLAN

SEAL & SIGNATURE



PROJECT:

BUILDING REHABILITATION
88 ACADEMY STREET
POUGHKEEPSIE NY. 12601

DRAWING TITLE:

TITLE SHEET

DATE: 8/07/2025

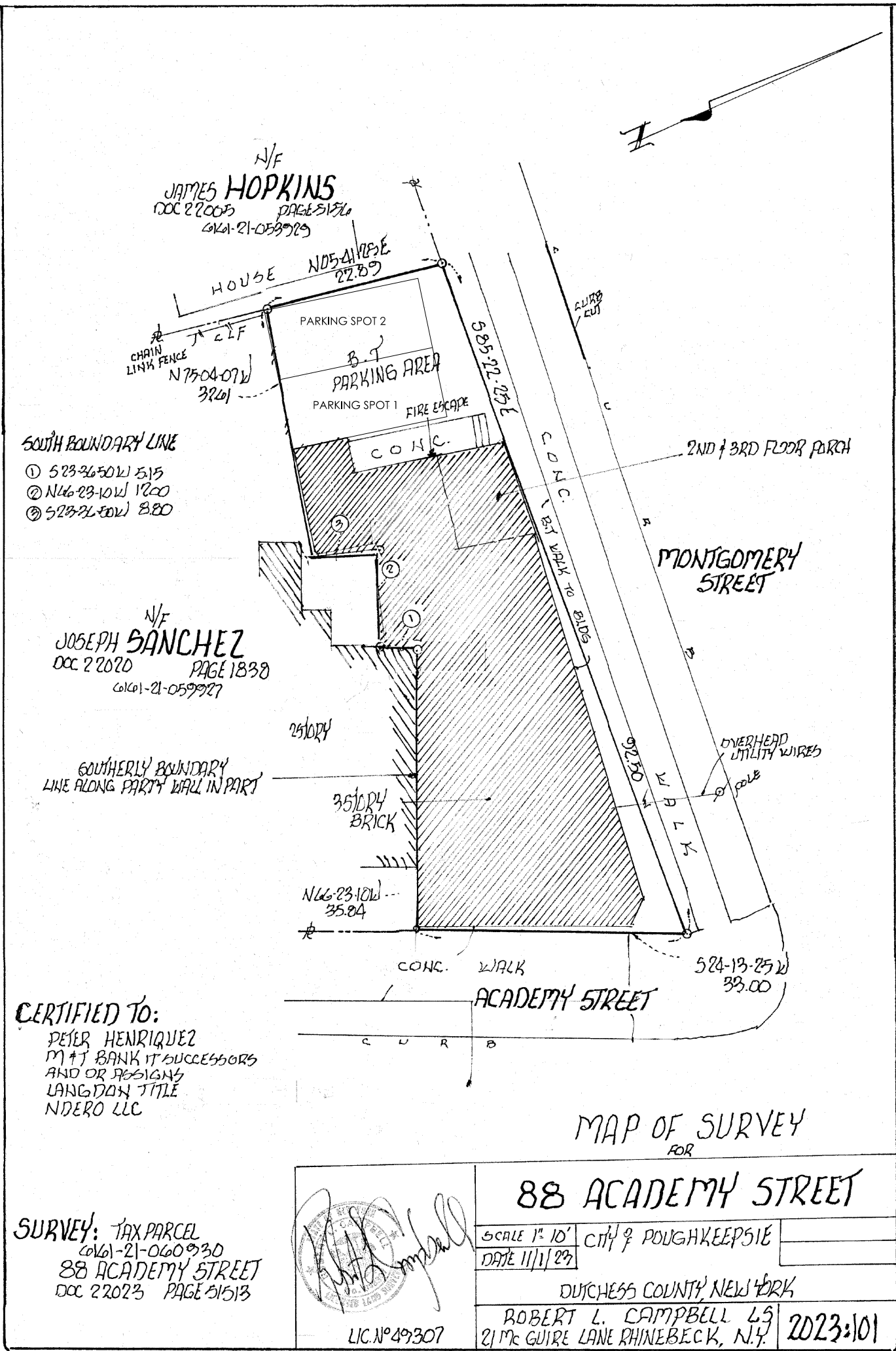
DRAWN BY: KM

CHECKED BY: MVC

PROJECT NO: 25011

DWG NO:

T-100.00



THE CITY OF Poughkeepsie
New York

Robert and Gordon Casement
55 Ridge Road
Poughkeepsie, NY 12603

OFFICE OF THE BUILDING INSPECTOR
Poughkeepsie, N.Y. Jan. 16, 19 87
Permit No. 3511 of 1/14/87

Certificate of Occupancy

THIS IS TO CERTIFY THAT THE BUILDING / STRUCTURE / PROPERTY AT
90 ACADEMY STREET (ID# 004050) IN THE CITY OF Poughkeepsie, N.Y.,
(Address)
HAS BEEN INSPECTED AND FOUND TO BE IN COMPLIANCE WITH THE ZONING ORDINANCE,
THE MINIMUM HOUSING STANDARDS ORDINANCE OF THE CITY OF Poughkeepsie
AND THE NEW YORK STATE MULTIPLE RESIDENCE LAW.

THE AUTHORIZED USE OF THIS BUILDING / STRUCTURE / PROPERTY IS AS A THREE
STORY FIVE FAMILY RESIDENCE.

THE FOLLOWING USES ARE PERMITTED:
CELLAR - STORAGE AND UTILITIES.
FIRST FLOOR - TWO DWELLING UNITS.
SECOND FLOOR - TWO DWELLING UNITS.
THIRD FLOOR - ONE DWELLING UNIT.

NO CHANGES IN THE NATURE OF THE USE OF THIS BUILDING AND PROPERTY.
IS AUTHORIZED WITHOUT THE APPROVAL OF THE CITY OF Poughkeepsie, N.Y.

Peter A. Diello
BUILDING INSPECTOR

The City of Poughkeepsie, New York
Office of the Building Inspector
P.O. Box 300, Poughkeepsie, NY 12602
Tel: 914-451-4007 Fax: 914-451-4006

POUGHKEEPSIE, NEW YORK July 8, 1998
PERMIT NO. 980184 OF May 20, 1998
ID NO. 004050
ZONING DISTRICT R-3

CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY THAT THE BUILDING/STRUCTURE/PROPERTY LOCATED AT
90 ACADEMY STREET IN THE CITY OF Poughkeepsie, NEW YORK, HAS BEEN
INSPECTED AN FOUND TO BE IN COMPLIANCE THE PLANS AND SPECIFICATIONS
ON FILE

THE AUTHORIZED USE OF THIS BUILDING/STRUCTURE/PROPERTY IS A:
B-1 MULTI-FAMILY, 4 DWELLING UNITS

THE FOLLOWING USES ARE PERMITTED:
Alteration of the FIRST FLOOR dwelling unit to storage space
CELLAR - STORAGE & UTILITIES
FIRST FLOOR - ONE DWELLING UNIT & REAR STORAGE AREA W/
BATHROOM
SECOND FLOOR - TWO DWELLING UNITS
THIRD FLOOR - ONE DWELLING UNIT

NO CHANGES IN THE NATURE OF THE USE OF THIS BUILDING /STRUCTURE/
PROPERTY IS AUTHORIZED WITHOUT THE APPROVAL OF THE CITY OF
POUGHKEEPSIE, NEW YORK.

Kevin Cordone
BUILDING INSPECTOR

PARKING STUDY

WEEKDAYS:
MORNING 8 AM-11 AM
MID DAY 12 PM-5 PM
EVENINGS 6 PM-8 AM

ACADEMY STREET
60% CAPACITY
50% CAPACITY
60% CAPACITY

MONTGOMERY STREET
45% CAPACITY
30% CAPACITY
30% CAPACITY

WEEKENDS:
MORNING 8 AM-11 AM
MID DAY 12 PM-5 PM
EVENINGS 6 PM-8 AM

ACADEMY STREET
70% CAPACITY
40% CAPACITY
60% CAPACITY

MONTGOMERY STREET
60% CAPACITY
20% CAPACITY
30% CAPACITY



MATTHEW CORDONE
ARCHITECT PLLC

92 North Broadway,
Irvington, New York 10706
phone: 917.749.8071
mcordone@mcaplpc.net

MATTHEW CORDONE
ARCHITECT PLLC
DESIGN • PRESERVATION • PLANNING •
STRUCTURAL ENGINEERING

OWNER:

LAUREN AVIV
NDERO LLP
575 MADISON AVENUE SUITE 1603A
NEW YORK, NY. 10022

CONSULTANTS

REVISIONS

NO.	DATE	ISSUED
08-07-2025	HD LPC SET	
11-11-2025	ZONING SET	

KEY PLAN

SEAL & SIGNATURE



PROJECT:

BUILDING REHABILITATION
88 ACADEMY STREET
POUGHKEEPSIE NY. 12601

DRAWING TITLE:

SURVEY NOTES AND
IMAGES

DATE: 8/07/2025

DRAWN BY: KM

CHECKED BY: MVC

PROJECT NO: 25011

DWG NO:

A-100.00

MATTHEW CORDONE
ARCHITECT PLLC
DESIGN + PRESERVATION + PLANNING +
STRUCTURAL ENGINEERING

MATTHEW CORDONE
ARCHITECT PLLC
DESIGN • PRESERVATION • PLANNING •
STRUCTURAL ENGINEERING

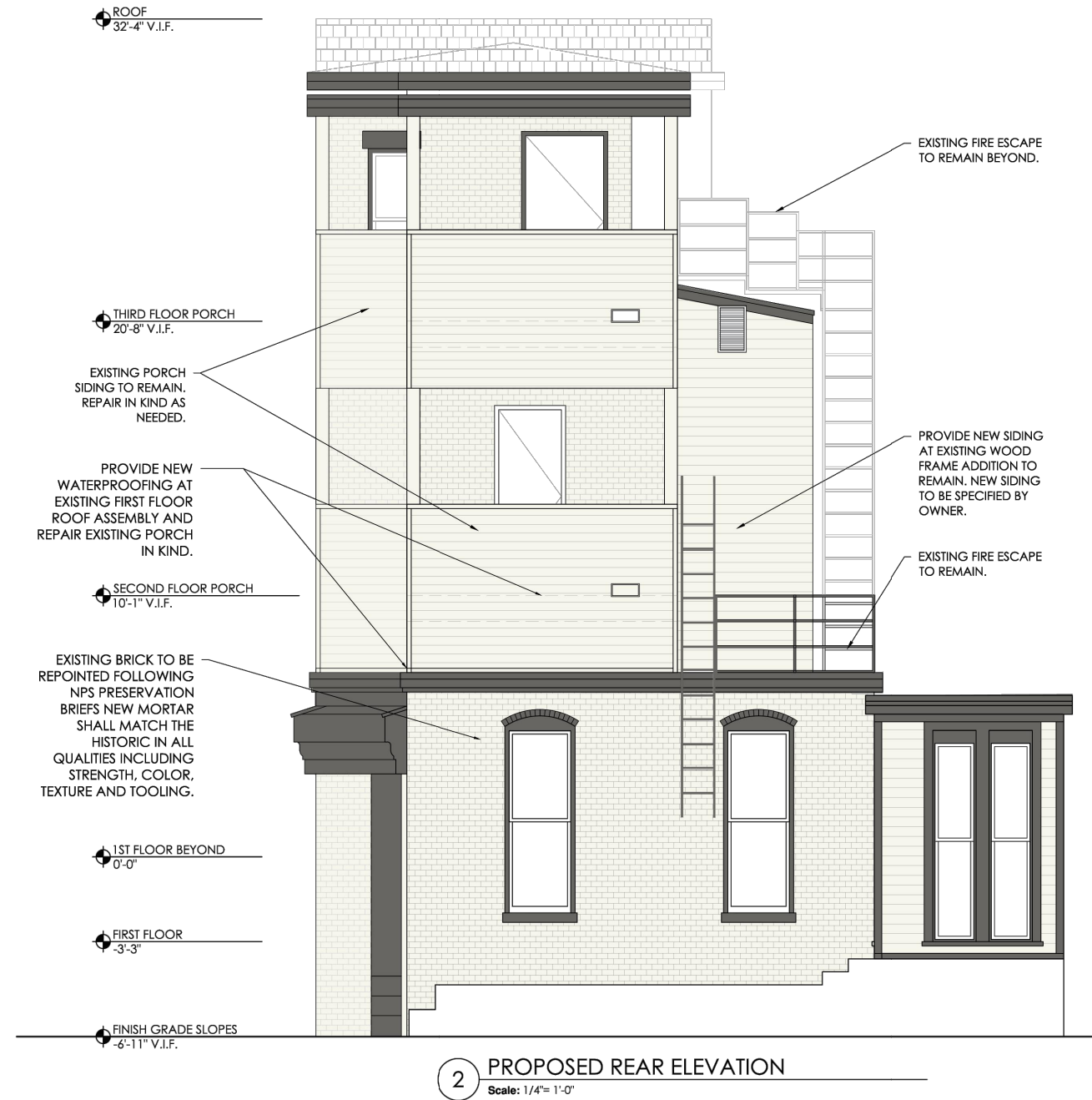
LAUREN AVIV
 NDERO LLP
 575 MADISON AVENUE SUITE 1603A
 NEW YORK, NY. 10022

[illegible]

The seal is circular with a double-lined border. The outer ring contains the text "REGISTERED ARCHITECT" at the top and "STATE OF NEW YORK" at the bottom, separated by two five-pointed stars. Inside the ring, the name "MATTHEW VINCENT CORDONE" is written in a smaller circle. The center of the seal features a detailed illustration of a classical building facade with columns and a pediment, flanked by two figures. Below the illustration is the number "034885".

BUILDING REHABILITATION
88 ACADEMY STREET
POUGHKEEPSIE NY. 12601

COLOR ELEVATIONS



The image contains three architectural drawings:

- 7 EXTERIOR - ENTRY**: A front elevation of a dark red wooden entry door. The door features a transom with four small rectangular panes at the top and a main panel with six rectangular sections. Annotations include:
 - EXISTING TRANSOM TO REMAIN, REPAIR IN KIND
 - EXISTING WOOD TRIM TO BE RESTORED
 - NEW 6" PANEL METAL CLAD WOOD TO MATCH EXISTING IN STYLE, DOOR TO BE PAINTED AN HISTORICALLY APPROPRIATE COLOR
 - EXISTING WOOD INFILL PANELS TO BE REPAIRED IN KIND AND PAINTED AN HISTORICALLY APPROPRIATE COLOR
 Dimensions: 60" (transom height), 6" (transom depth), 40" (main panel height), 86" (main panel depth), 12" (door width), 20" (door depth).
- 8 ENTRY DOOR - VERTICAL SECTION**: A vertical cross-section of the door assembly. Annotations include:
 - EXISTING BRICK TO REMAIN, ANY DAMAGED BRICK REPLACE IN KIND, REPORT FOLLOWING NPS BRIEF
 - REPAIR ALL WOOD TRIM IF TRIM & BEYOND, REPAIR REPLACE IN KIND
 - TRANSOM LIGHT TO BE REPAIRED
 - NEW METAL CLAD WOOD ENTRY DOOR TO BE INSTALLED, TO BE PAINTED AN HISTORICALLY APPROPRIATE COLOR
 - EXISTING FLOOR CONDITIONS TO BE VERIFIED IN FIELD, REPAIR AS NEEDED
 Dimensions: 60" (transom height), 6" (transom depth), 40" (main panel height), 86" (main panel depth).
- PROPOSED JAMB DETAIL AT BASEMENT WINDOW**: A side elevation showing the door jamb meeting a basement window. Annotations include:
 - EXISTING WALL ASSEMBLY NOT SHOWN
 - EXTERIOR
 - 18"
 - 20"
 - 18"
 - 20"
 - EXISTING WALL ASSEMBLY NOT SHOWN
 - NEW FIXED METAL CLAD WOOD WINDOW WITH SINGLE GLAZE PANEL, SHOR, PAINT AN HISTORICALLY APPROPRIATE COLOR
 - CLEAR THERMAL GLAZING

NOTE:

1. DIMENSIONS OF NEW WINDOWS SHALL MATCH THE EXISTING.
2. DIMENSIONS SHALL BE WITHIN $\frac{3}{4}$ " OF THE EXISTING WINDOWS.
3. ALL NEW WINDOWS AND DOORS TO BE SIERRA PACIFIC METAL CLAD WOOD.

The diagram is a vertical cross-section of a basement window. The exterior view on the left shows a stone lintel, a new fixed metal clad wood window with a single glaze panel, and a stone sill. The interior view on the right shows the window frame, thermal glazing, and the stone sill. Dimensions are provided for the window height (4" and 15" segments), the stone sill height (15" and 20" segments), and the total window height (15" and 10" segments). Callouts identify the existing stone lintel, new fixed metal clad wood window, clear thermal glazing, and existing stone sill.

EXTERIOR

INTERIOR

EXISTING STONE LINTEL
SOUND LINTEL PATCH
AND REPAIR SPALLS AND CRACKS

NEW FIXED METAL CLAD
WOOD WINDOW WITH
SINGLE GLAZE PANEL
SHOW FRAME AN
HISTORICALLY
APPROPRIATE COLOR

CLEAR THERMAL GLAZING

EXISTING STONE SILL
SOUND SILL PATCH AND
REPAIR SPALLS AND
CRACKS

4"
15"
15"
20"
15"
10"

NET HGT.
PROPOSED WINDOW
BASED ON EXIST.
BASED ON EXIST.

5' PROPOSED SECTION AT BASEMENT WINDOW

Scale: 3" = 1'-0"

4 PROPOSED ELEVATION AT BASEMENT WINDOW
Scale: 3" = 1'-0"

Simply White OC-117	MFR: BENJAMIN MOORE HISTORIC COLOR PALETTE COLOR: SIMPLY WHITE OC-117 ALL EXISTING BRICK AND WOOD CLAD ADDITION TO BE PAINTED SIMPLY WHITE.
Kendall Charcoal HC-166	MFR: BENJAMIN MOORE HISTORIC COLOR PALETTE COLOR: KENDALL CHARCOAL HC-166 ALL EXISTING HISTORIC WOOD ELEMENTS AND STONE LINTELS AND SILLS TO BE PAINTED KENDALL CHARCOAL.
Classic Burgundy HC-182	MFR: BENJAMIN MOORE HISTORIC COLOR PALETTE COLOR: CLASSIC BURGUNDY HC-182 NEW FRONT ENTRY DOOR, EXISTING WOOD FRAME, SURROUND AND TRANSOM, TO BE PAINTED CLASSIC BURGUNDY.

NOTE:

1. DIMENSIONS OF NEW WINDOWS SHALL MATCH THE EXISTING.
2. DIMENSIONS SHALL BE WITHIN $\frac{1}{4}$ " OF THE EXISTING WINDOWS.
3. ALL NEW WINDOWS AND DOORS TO BE SIERRA PACIFIC METAL CLAD WOOD.

Exhibit 1



MALCARNE CONTRACTING
22 East Market Street
Rhinebeck, New York 12572
Tel. - 800.798.5844
Fax - 845.230.8757
info@malcarne.com
www.malcarne.com

September 26, 2025

Regarding: 88 Academy Street, Poughkeepsie, NY Renovation
[Rev 092625]

Item #	Division #	MC-Estimate	
			EXTERIOR:
1	10	\$15,250.00	○ Replacement of windows in poor condition only on cellar level and 3rd floor bathroom window. New windows will match the existing in size, action and profile and any new moldings will have to match the historic in material, size and profile.
2	5	\$58,000.00	· Façade Repair - Existing masonry to remain 100%. At areas where brick replacement or repointing is needed, repointing shall be performed following NPS Preservation Briefs #2. Should any brick require replacement, the new brick shall match existing in shape, material, size, and bond pattern. The new mortar will match the historic mortar in all qualities including strength, color, texture and tooling. All historic wooden elements shall be repaired in kind and painted an historically appropriate color.
3	5	\$23,500.00	· Siding on the southern and rear wood frame additions- Repair/replace existing siding at covered porches if needed. Asbestos siding exposed on wood frame additions, new material to be installed on top to encapsulate this material. The other option is to remove via an abatement team prior to installing new material. Contractor to confirm condition of the existing asbestos material. Rear wood frame additions missing fascia boards, siding, etc.
4	9	\$130,000.00	· Roof /Soffit/Dormers Repairs Repair existing roof material in kind. Repair/replacement of slate shingles at mansard roof in kind to match existing, repair/replace in kind any asphalt shingled roof material on both the main building and wood frame additions. Repair roof dormers and surrounds as needed in kind.

22 East Market Street - Rhinebeck, New York - Tel 800-798-5844 Fax 845-230-8757

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5	9	\$14,500.00	· Repair Yankee gutters on the building = all the cornices and gutters above 2nd floor, and 1st floor (the brackets). Yankee gutters and cornices shall remain and will be repaired in kind and painted an historically appropriate color. Any element beyond repair will be replaced in kind to match the historic in material, size, profile and color.
6		\$2,000.00	Re: gutters - remove the interior filling and replace with rubber
7			Interior First Floor:
8	11	\$3,500.00	· Interior first floor entry- Entry door to be replaced in kind to match the existing in style. Existing transom and wood surround to remain and be repaired in kind. Any material beyond repair will be replaced in kind to match the historic in material, size, profile and color.
9	11	\$5,000.00	· Interior first floor hall – New basement access door in existing opening. Style to be confirmed by owner--fire rated metal
10	\$150,000		Interior Second Floor:
11	2	\$23,500.00	· Interior 2nd floor going to split into two units (Lauren will provide schematics once we get): Optoin-3
11-A		\$10,500.00	Sheetrock 2nd floor ceiling with 1hour fire rating
12	7	\$43,000.00	· For the 2 new units we will need mostly finishes New interior partitions, finishes including but not limited to wood flooring, tile in bathrooms and kitchens, plumbing fixtures (kitchen sinks, toilets, shower/tubs, lavatory) and appliances, interior apartment doors, apartment entry door, frames and moldings.
13	8	\$52,000.00	· 2 New Kitchens, 2 new bathrooms (idea is for plumbing to run back to back in the new configuration.
14	9	\$12,000.00	· Porch deck---make waterproof for the unit below
15	10		· May require additional window(s)
16	10	\$27,750.00	· A lot of interior finishes and fixtures seem to be replaced but there are moldings around windows and doors that SHPO will want us to match should we remove any existing. Existing is a 5 ½ inch profile : We only need to replace with material matching the historic if we are altering/removing the current condition.

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17	12		· Halls and corridors with tile will be "existing as is"
18	17	\$3,500.00	· Ensure that the heat in the back room is linked to the--Rough Estimate
19			Interior THIRD FLOOR:
20	19	\$4,750.00	· 3rd floor – mostly cosmetic, patch, repair, and paint existing partitions, new doors Existing finishes can remain as is including moldings if no work proposed.
21	9	\$6,500.00	· Redo third floor porch to create a roof and put a deck on top of it (roof will be on top of new closed in second floor)
22			Interior Halls:
23	13		· Tile flooring in common areas (stair/halls) can remain as is.
24	12	\$5,000.00	· Paint hallways
25	16	NA	· Explore splits all three floors (AC/Heat) vs. just the 2nd floor two new apartments SHPO will want any pipes, condensate lines or ducts to be concealed within walls and or ceilings.

26		\$440,250.00	Total
----	--	--------------	-------

Please feel free to reach out to me at any time,

Sincerely,

Joseph Malcarne, President

22 East Market Street - Rhinebeck, New York - Tel 800-798-5844 Fax 845-230-8757

info@malcarne.com - www.malcarne.com

Exhibit 2



The Community Preservation Corporation
480 Bedford Road, Suite 4201
Chappaqua, New York 10514

August 26, 2025

Lauren Aviv
Frank DeBellis
NDERO LLC
575 Madison Ave, Suite 1603A
New York, NY 10022

RE: 88 Academy Street, Poughkeepsie, New York 12601

Dear Ms. Aviv and Mr. DeBellis;

Thank you for the opportunity to finance the above captioned property. A summary of the terms and conditions for the Construction Financing, Permanent Financing and HFA PLP Subordinate financing is as follows.

CONSTRUCTION AND PERMANENT LOAN FINANCING

LENDER:	The Community Preservation Corporation 220 East 42 nd Street, 16 th floor New York, NY 10016
BORROWER:	NDERO, LLC, a New York single asset entity
GUARANTORS:	Lauren Aviv and Frank DeBellis will each provide guaranties of both completion of construction and loan repayment until State of New York Mortgage Agency ("SONYMA") insurance is declared effective and the closing of the permanent loan.
INDEMNITOR:	Environmental indemnity to be provided by the guarantors, subject to review of an environmental report for the project.
PROJECT/PURPOSE:	The project will include the moderate renovation of an existing 4-unit historic walk-up, with plans to legalize 5 th unit; full renovation of 2 currently vacant units, substantial exterior work incl roof replacement, façade restoration, new siding, gutters, windows and the addition of 1 unit. No construction is planned for the 2 occupied units, which were previously updated and will remain in place throughout the work. Rents will be restricted to 80% of the

Dutchess County AMI and enforced by HFA Regulatory Agreement.

TYPE: Construction Loan

AMOUNT: \$445,000

TERM: 24 months (12 months for construction, 6 month leasing and perm loan closing + 6 month cushion)

AMORTIZATION: Interest only during term.

INTEREST RATE: 425 basis points over the sum of (i) Term SOFR (the forward-looking rate with a tenor of approximately one calendar month based on the secured overnight financing rate) and (ii) an initial spread adjustment of 11 basis points (which is subject to change and may subsequently be a positive or negative value or zero), which Interest Rate shall be adjusted monthly. Notwithstanding the foregoing, the Interest Rate floor shall be 2.0% per annum..

COLLATERAL: First mortgage on project site 88 Academy St, Poughkeepsie, New York; together with all other collateral assignments and General Conditions normally associated with this transaction type, including subsidy funding and developer fee.

COMMITMENT FEE: \$4,450 (1.00% of the Loan Amount)

TYPE: Permanent Loan (Common Retirement Fund)

AMOUNT: \$445,000

TERM: 30 years

AMORTIZATION: 30 years

PAYMENTS: Monthly mortgage payments estimated at \$3,311.90 (based on estimated rate)

INTEREST RATE: Estimated at 8.15%. Actual amount to be determined at rate lock and signing of a commitment. Rate will be fixed for the entire loan term.

FORWARD

COMMITMENT:

The interest rate will be based on a 24-month forward commitment. The fee for the forward commitment is a refundable deposit of \$4,450., equal to one percent (1%) of the permanent loan. This fee shall be refunded upon the timely sale of the Permanent Loan to the appropriate pension fund. Upon failure for any reason to close the Permanent Loan and sell it to the appropriate pension fund before the Pension Fund Delivery Date, such sum shall be subject to forfeiture at the rate of 1/12 of such sum for each month (or fraction thereof) which elapses from the Pension Fund Delivery Date until the date of actual delivery to the pension fund. If more than 12 months elapse from the Pension Fund Delivery Date until such actual sale date, additional penalties shall accrue and be payable at the rate of 1/12 of 1 % of the Permanent Loan amount for each additional month's delay. If the permanent loan does not close, the Pension Fund Late Delivery Fee, including any additional penalties that accrued for additional delay, shall be forfeited and due in their entirety and CPC may pursue such other remedies against Borrower as it deems appropriate.

COLLATERAL:

First mortgage on project site 88 Academy St, Poughkeepsie, NY; together with all other collateral assignments and General Conditions normally associated with this transaction type (including developer fee).

COMMITMENT FEE: \$4,450. (1.00%)

SONYMA: The Permanent loan is conditioned on SONYMA insurance for 100% of the permanent loan amount.

SONYMA

APPLICATION FEE: \$445 (0.10%)

CONVERSION:

Conversion is conditioned on several requirements including, but not limited to:

- Certificate of substantial completion as determined by the project architect or engineer and confirmed by CPC's engineer.
- Final review by SONYMA.
- 95% Rental Achievement using projected gross rents and ancillary income according to CPC's underwriting, provided these meet SONYMA's calculation of its "income and expense ratio," estimated at 1.05.

SUBORDINATE FINANCING:	There will be a subordination agreement and/or buy-sell agreement between CPC and any entity providing subordinate financing on terms acceptable to CPC and its counsel in their sole and absolute discretion.
OPERATING AND OTHER RESERVES:	A Replacement Reserve shall be funded at not less than \$250 per unit annually.
TYPE:	NYS HFA Small Building Loan PLP
AMOUNT:	\$750,000.
TERM:	30 years
INTEREST RATE:	0.75bps Interest Only during the Construction Loan. 0.50bps Interest only during the Permanent loan. A balloon payment of \$750,000. will be due at the end of the loan term.
REGULATORY AGREEMENT:	Subject to approval and compliance with NYS HFA Small Building Loan PLP as amended to be administered by CPC. HFA PLP Loan shall be fully subordinated to CPC Loans. Subject to a fully executed Regulatory Agreement for the subject property, which will restrict the rents to an average of 80% of the Dutchess County AMI for a period of 30 years.
CAPITALIZED REPLACEMENT RESERVE:	Asset Management Reserve of \$5,000 is to be fully funded at the time of the construction loan closing.
CAPITALIZED OPERATING RESERVE:	An Operating Reserve of \$22,049 is to be fully funded at the time of the construction loan closing.
HFA MONITORING FEE:	An annual monitoring fee of \$995 or 1% of the annual gross rents will be due to HFA annually.
CONVERSION to PERMANENT LOAN(s):	Conversion is conditioned on several requirements

including, but not limited to:

- Certificate of substantial completion as determined by the project architect or engineer and confirmed by CPC's engineer.
- Final review and effectiveness by SONYMA.
- 90% Rental Achievement for 90 days using projected gross rents and ancillary income according to CPC's underwriting, provided these meet SONYMA's calculation of its "income and expense ratio," estimated at 1.05.
- CPC Minimum Debt Coverage Ratio of 1.25 and SONYMA minimum debt coverage of 1.05.

ESCROWS AND

OTHER RESERVES:

CPC will Escrow monthly for Real Estate Taxes and Insurance. Also a Replacement Reserve shall be funded at not less than \$250 per unit annually.

CLOSING:

Via mail through the offices of Mazzotta & Vagianelis, P.C., located at 9 Washington Square, Albany, New York, or at such other location at the Lender's option.

OTHER CONDITIONS:

Satisfactory review and CPC approval of the following (as applicable):

1. Satisfactory review of borrower, principal and partners credit and equity requirements;
2. satisfactory review of Borrowers, guarantors, and developer's organizational documents;
3. MAI Appraisal with LTV not to exceed 80%;
4. Environmental Assessment Report;
5. Engineering Report, site inspection and final project budget;
6. Borrower, guarantors, and developer's organizational documents.
7. Management Agreement;
8. General Contractor and Architect Agreements;
9. Subject to final HFA Board Approval and commitment for funds in the amount of \$750,000;
10. Final approval by CPC Loan Committee.
11. Permanent Loan is subject to the approval of SONYMA.
12. Subject to HCR approval of the Marketing Plan for occupancy of the vacant units.

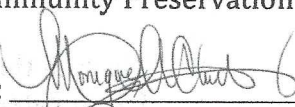
REPORT DEPOSIT:

A good faith/report deposit will be required to pay the estimated costs and expenses involved in obtaining appraisal, environmental, and engineering reports. The estimated deposit is \$15,000.

Please signify your agreement to the terms of the above by signing and returning the enclosed copy of this letter, together with the estimated report deposit made payable to The Community Preservation Corporation. If there are any additional deposits remaining after fees have been satisfied, the remaining deposits will be credited towards other closing fees.

Very truly yours,

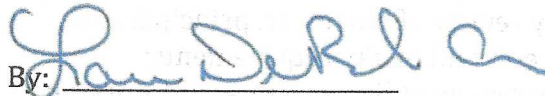
Community Preservation Corporation

By: 

Monique Clarke
Neighborhood Mortgage Officer

Agreed and Accepted To By:

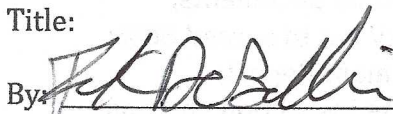
Borrower: NDERO, LLC

By: 

Date: 09/03/25

Name: Lauren Aviv

Title:

By: 

Date: 9/4/25

Name: Frank DeBellis

Title:



Small Building Participation Loan Program

HCR's Small Building Participation Loan Program provides gap project financing assistance for qualified housing developers for acquisition, capital costs and related soft costs associated with the preservation and improvement or new construction of rental properties in buildings of 5 to 50 units located outside of New York City. HCR subsidy is combined with bank financing from a participating private institutional lender, resulting in a lower blended financing cost.

One of the program's primary targets is the renovation or new construction of small buildings in medium density neighborhoods where rents are already affordable, but not strong enough to support market transactions, with a focus on neighborhoods supported by other targeted investments by New York State or local initiatives. The program can also support strategic investments in more rural communities by supporting the development of small and mid-sized rental initiatives.

Actual award amounts will be based on the demonstrated need for such funding by underwriting standards of HCR staff and the participating lender, and must be recommended by HCR Staff, the HCR Credit Committee and approved by the Board. Applicants are strongly encouraged to apply for only the funding necessary for the financial feasibility of the project and to leverage funding from non-HCR sources.

PROGRAM DESCRIPTION	
Eligible Uses	New construction (with or without demolition) and substantial or moderate rehabilitation of site-specific multifamily rental housing in buildings of 5 to 50 units. Construction and permanent financing available.
Funding Structure and Financing Requirements	Small Building Participation Loan Program funding shall initially be invested as a participation in a construction loan from a private institutional lender who can demonstrate experience with such lending at HCR or a comparable agency and who will service the combined construction loan. To be eligible for funding under this program, the project must have a commitment for a 30-year, fixed rate permanent loan from such lender with required mortgage insurance. Limited exceptions may be granted, but all projects must have a senior loan. HCR's permanent subsidy loan will be subordinate to the senior private loan but must be in no less than second position. Funding is not available for projects proposing to use LIHTCs or bonds, though preservation funding may be available for projects previously financed through those programs. LENDERS: PLEASE SEE LENDER ADDENDUM BEFORE ISSUING A TERM SHEET
Per Residential Unit Maximum Award	<u>Downstate</u> - Westchester, Rockland, Nassau, and Suffolk counties*: up to \$200,000 per unit <u>Upstate</u> - all other counties: up to \$150,000 per unit Actual award amounts will be based on the demonstrated need for such funding by underwriting standards of HCR staff and the participating lender. HCR will not consider funding requests in excess of this amount. *The counties of New York, Kings, Bronx, Queens, and Richmond are ineligible for funding under this program.
Priorities	Economic Development Projects, Community Renewal and Revitalization Projects, Housing Opportunity Projects, Workforce Opportunity Projects, Downtown Revitalization Initiative Projects

Geographic Targeting	Awards will promote a statewide geographic distribution outside of New YorkCity.
AFFORDABILITY REQUIREMENTS	
Rent Limits & Income Qualification	In general*, rents for all units in a project shall be restricted in one or more regulatory tiers as approved by HCR, which tiers shall be in 10% AMI affordability increments (e.g., 60%, 70%, 80%), up to 120% AMI. Gross rent cannot exceed 30% of the applicable AMI limit, adjusted for imputed family size based upon bedroom count (1 person for a studio and 1.5 persons per bedroom for other unit sizes). The project's average rent affordability, based on the proposed regulatory tier limits, cannot exceed 80% AMI. The proposed rent plan <i>must reflect a regulatory rent average of 80% AMI or below</i>. For income qualification, units within a given regulatory tier may be rented to households earning up to 10% above the rent limit (e.g., an 80% AMI unit may be rented to a household earning up to 90% AMI). However, under no circumstances shall there be units in a project occupied by a household with qualifying income exceeding 120% AMI. *On a case-by-case basis where needed to support debt service coverage and cash flow and in its sole discretion, HCR may consider projects with up to 10% market rate units, which will not receive subsidy.
Regulatory Agreement Requirements	Borrowers will be required to enter into a Regulatory Agreement to ensure compliance with HCR policy including but not limited to, income restrictions, restrictions on transfers, and financial reporting, typically for a period of at least 30 years. The Regulatory Agreement must be executed prior to construction closing. Requirements imposed by other loan and/or subsidy sources may be more restrictive but must be consistent with the HCR Regulatory Agreement.
LOAN TERMS	
Interest Rate and Loan Terms	Private Loan: As established by the participating lender. 30-year permanent loan term required. LENDERS: Please see LENDER ADDENDUM about becoming an approved lender. HCR Subsidy Loan: 0.5% interest-only paid during construction and permanent. 30-year permanent loan term. During the construction period, the participating lender may charge up to an additional 0.25% interest as a servicing fee. Loan to Value Maximum: 80% LTV for the private loan, based upon the as-built appraised value from an independent appraisal commissioned by the participating lender and acceptable to HCR. Loan to Cost Maximum: 90% for the combined debt of the private loan and HCR subsidy loan. Income to Expense: SONYMA: Minimum of 1.05 for 15 years and then not less than 1.00 for years 16-20. Debt Service Coverage: Minimum of 1.15 of the combined debt of the private loan and HCR subsidy loan.

Equity Requirements	During the construction period the minimum equity exposure requirement of at least 10% of total development cost (TDC) for for-profit developers and 2% for not-for-profit developers must be met with cash. During the permanent period, the equity contribution may consist of cash and/or a deferred developer fee which does not exceed the aggregate amount that can be repaid by the projected cash flow as underwritten for the first 15 years after conversion.
Mortgage Insurance	Mortgage insurance must be provided by SONYMA.
Term/Amortization	Expected permanent term of 30 years for first mortgages, with a 30-year amortization schedule.
Program Fees	Asset Management Monitoring Fee: 1% of the project's regulated rent paid annually. HFA Application Fee: 0.5% of subsidy loan amount paid prior to construction loan closing.
PRO FORMA REQUIREMENTS	
Developer's Fee	For non-profit developers, the maximum allowable developer fee is not to exceed 5% of allowable projects costs, excluding reserves, partnership expenses and developer fee. For profit developers are eligible for a 2.5% developer fee. Any fee must be fully deferred at construction loan closing and may not be disbursed prior to permanent conversion. Developer fees may be reduced to minimize public subsidy and are subject to agency review. Deferred fee at permanent conversion must be no more than the aggregate amount that can be repaid by the projected cash flow as underwritten for the first 15 years after conversion. All housing development consultant and owner's representative fees should be paid from developer fee or from outside the project budget.
Reserves	<i>Replacement Reserve Capitalized:</i> Up to \$1,000 per unit. <i>Replacement Reserve Annualized:</i> \$250 per unit per year in annual Reserves for Replacement, payable monthly. This amount may be subject to annual increases. <i>Operating Reserves:</i> Up to three months of debt service plus three months of operating expenses. Any reserves in excess of these amounts, including reserves required by other funders, shall be established with developer fee eligible for payment during the construction period.

Contingencies	Hard Cost Contingency: 10% of hard costs. Soft Cost Contingency: Maximum 5% of soft costs less developer fee and reserves. May be reduced and are subject to agency review to reduce HCR subsidy. Upon project conversion, the balance of all unutilized contingencies shall be used to reduce HCR subsidy.
DEVELOPMENT TEAM REQUIREMENTS	
Eligible Borrowers	Not-for-profit corporations or charitable organizations, or a wholly owned subsidiary of such corporations or organizations, or private for-profit developers. The borrower must be a single-asset, sole-purpose entity. The sponsor and principal participants in the project must not be in default under any existing mortgage financing and must meet all HCR credit review criteria.
REVIEWS AND APPROVALS	
Environmental Review	To comply with the Agency's environmental requirements, an applicant must complete the following: (1) File an application with the New York State Office of Parks Recreation and Historic Preservation's (NYS OPRHP) Cultural Resource Information System (CRIS) to obtain a "No Impact" determination. (2) Prepare a Phase I Environmental Site Assessment (ESA) Report. The Phase I ESA must be completed within six (6) months of Board financing approval and must follow the most recently revised version of ASTM Standard Practice E-1527. If "<i>recognized environmental conditions</i>" (RECs) exist at the site, as defined by ASTM E1527-13, a Phase II ESA Report will be required. (3) If the Project involves federal funding and/or permits, a National Environmental Policy Act (NEPA) federal environmental review will be required, in addition to the above requirements. If project sources, such as HOME or CDBG funds or PBVs, are utilized that trigger NEPA, this process could require several months. (4) Certain projects, based on age and location, will be required to prepare an asbestos-containing materials (ACM), lead-based paint (LBP), and radon testing/analysis reports.
Appraisal Report	An independent appraisal is required and subject to HCR review and approval. The project's acquisition cost must be the lesser of the actual acquisition cost or the value supported by an as-is value from an independent appraiser licensed to practice in the State of New York and acceptable to HCR. The appraisal must agree with analysis of rents and

	operating expense. If needed, an independent market study may be requested.
Scope of Work	The determination of the Scope of Work should be based on a physical needs assessment. HCR may request changes to the Scope of Work to ensure the long-term quality and sustainability of the project.
Conditions for Credit Committee and Board Review	All financing is subject to review and approval by the HCR Credit Committee and Board. <i>Credit Committee consideration requires all information required in the application, in addition to:</i> • Draft Commitment Letters: Draft commitment letters from the participating lender, satisfactory evidence of commitment from all subordinate lenders. • Appraisal: An independent appraisal acceptable to HCR. • Physical Needs Assessment: Completed and satisfactory to HCR. • Third Party Reports: Completed and satisfactory third-party reports with reliance letters to HCR. • Disclosure: Completed and satisfactory disclosure documents for principals and known investors in the project, as required by HCR. All members of a non-profit board must complete the disclosure process. • Financial Statements: Financial statements and credit reports. • Background Check: Satisfactory as completed by HCR. • Operating Statements: Submission of three years of audited historic building operating statements. • Acceptable project budget including agreed upon income, expenses, and sources and uses. <i>Board consideration requires the above documents plus:</i> • SEQRA: Completed and satisfactory State Environmental Quality Review Act (SEQRA) review. • SHPO: No Impact determination letter from the State Historic Preservation Office (SHPO). • MWBE Goal Projection: Complete estimate for MWBE utilization goal for the project.

EQUAL OPPORTUNITY GOALS	
Affirmative Fair Housing Marketing Plan Requirements	Must comply with all HCR marketing guidelines and submit an Affirmative Fair Housing Marketing Plan acceptable to HCR's Office of Fair Housing and Equal Opportunity, which must be approved prior to construction closing.
CONSTRUCTION CLOSING	
Conditions Precedent	In addition to the items listed above in final form for credit committee and Board, conditions precedent to construction loan closing include, but are not limited to, the following: • NEPA, if necessary, when Federal funds are included in the project. • Commitment Letters: Executed commitment letters from the participating lender and all subordinate lenders, if any. • Other Funding: Evidence of all other project funding. • Project Budget: Must be agreed to and in final form for all parties. • Plans: Building permits from the local jurisdiction issued as necessary. • Note, mortgage, assignment of leases and rents, and UCC's. All documents in final form acceptable to all parties. • Certifications: Applicable certifications and attorney opinion letters. • Insurance: Property and liability insurance in form and substance acceptable to HCR. • Title: Good and marketable title, free and clear of encumbrances except as permitted by HCR. • Title Insurance: Title insurance and survey in form and substance acceptable to HCR. • HCR Named Beneficiary: Documentation will require that HCR be named a beneficiary on several documents, including but not limited to insurance certificates and completion guarantees. • MWBE Plan: An MWBE Utilization Plan acceptable to the agency. • Fair Marketing Plan: Fair Marketing Plan acceptable to HCR's Office of Fair Housing and Equal Opportunity. • Agreement on any real estate tax exemption/abatement must be in place. • Approval from the NYS Attorney General Office for property sale from non-profit entity. • Agreement of any rental and operating subsidies must be in place.

HCR retains the right to revise this term sheet from time to time and to waive any requirement contained therein, subject to the applicable statutes and program regulations. HCR also retains the right to not award any or all of its funds under this program. All proposals must comply with all federal, state and local laws.

Lender Addendum

For Small and Mid-Size Development Participating Lenders

Banks and Community Development Financial Institutions (“CDFIs”) wishing to partner with HCR as a Participating Lender must submit the materials requested here before preparing any loan term sheet for a project sponsor or originating any loan which would rely on any agency participation loan program. Lenders who have already partnered with HCR or are in the process of partnering with the agency will be credited for that participation but must submit the materials if requested by HCR.

Banks and CDFIs (“Lenders”) with experience in the underwriting, origination, and servicing of multifamily residential construction and permanent loans, especially where HCR funding sources are involved, may establish eligibility to serve as a Participating Lender, as described below, in our participation loan programs.

Participation Loans allow for HCR to increase the efficiency and volume of its construction lending for certain smaller rental and homeownership development projects by assigning certain roles and responsibilities to a senior construction lender.

As Participating Lenders, banks and CDFI’s make construction loans consisting of “on balance sheet” funds and HCR funds. Lenders commit to act as a fiduciary for HCR’s entities to ensure that projects are built to approved standards and budgets. In turn, Participating Lenders receive a servicing fee for their work administering the agency funds, capitalized into the project budget. In certain agency programs, Participating Lenders must also make a permanent loan, in addition to the construction loan, meeting the certain terms and minimum requirements set forth in the applicable program term sheet.

Participating Lenders will be required to enter into a Construction Loan Participation and Servicing Agreement or similar agreement (“CLPSA”) with the applicable HCR funding agency, as co-lender, pursuant to which the Participating Lender will:

- (i) perform initial underwriting and due diligence services for eligible projects including, but not limited to lender loan sizing and gap assessment, cash flow projections, operating and expense projects based on regional benchmarks, borrower and project risk assessments, procuring third party reports, and plan and cost review;
- (ii) oversee construction monitoring and administer loan disbursements during the construction period;
- (iii) ensure that the project remains consistent with the budget, timeline, and quality expectations proposed and approved;
- (iv) hold funds in accounts consistent with the standards policies of HCR and NYS;
- (v) provide timely reporting to the HCR funding agency regarding the above; and
- (vi) perform other relevant functions as delegated under the CLPSA.

Participating Lenders may also serve as loan originators by identifying projects in need of HCR subsidy loans.

Process and Terms

Lenders seeking to work with HCR on projects seeking funding under the foregoing agency term sheet should submit the following requested materials prior to any project-specific application or proposal. Materials should be submitted as a single PDF to SBPLP@hcr.ny.gov.

Approved eligible projects will be issued a joint letter of commitment from the Participating Lender and the applicable HCR funding agency, as co-lender, and must enter into a financing agreement (construction loan and/or project loan agreement) with the Participating Lender containing the loan terms and conditions covering the private portion and HCR subsidy portion of the combined construction loan.

Approval to serve as a Participating Lender does not guarantee any funding to any Lender. Selected Participating Lenders will be eligible to serve in that role under the CLPSA (prepared by HCR) to the extent developers/project sponsors utilize the Lender for any project under consideration for subsidy financing.

Submission Requirements

Lender submissions will be reviewed for completeness and capacity by a committee. Incomplete proposals will be returned. Lenders who do not meet the threshold standards will be notified.

Please submit the following in a single PDF attachment:

1. Transmittal Letter. A brief Transmittal Letter expressing the Lender's intention to serve as a Participating Lender, written on the Lender's letterhead and dated and duly signed by an authorized representative of the Lender. The Transmittal Letter should include the following certification:

Lender, in its participating role in any HCR participation loan, understands and agrees that it will perform the following duties, which shall also be memorialized in a construction loan participation and servicing agreement or similar with an HCR entity (in the event of any conflict between this letter and any such agreement, the agreement will govern):

- a. *Administer all aspects of the construction loan on behalf of HCR including, but not limited to, construction inspections and periodic loan disbursements using lender and HCR funds, cost and budget management, loan servicing, and reporting to HCR,*
- b. *Review all insurance against HCR requirements and certify compliance on behalf of HCR.*
- c. *Perform background checks on the borrower, related parties, general contractor, architect, and any required property management companies, and certify satisfactory results on behalf of HCR, communicate any red flags to HCR at the time they are identified, and collaborate with HCR and subject parties to resolve outstanding matters where possible.*
- d. *Manage process of obtaining required third-party reporting including, but not limited to, appraisals, plan and cost reviews, and environmental reviews. Supply materials to HCR as they are received and reviewed.*

- e. *Require performance and repayment guarantees from borrowers, as well as payment & performance bonds where available to the general contractor or any other entity that manages the day-to-day operations of the construction project. Make waiver requests to HCR under allowable circumstances.*
- f. *Oversee construction loan releases and servicing and assignment of HCR obligations to homebuyers, in coordination with HCR.*
- g. *Provide accurate, well-vetted requests for funding disbursements on a regular, agreed upon schedule and pursuant to the requirements of the CLPSA, or upon review and approval of HCR, hold funds in a collateralized bank account with a U.S. financial institution, or in investments specified in Sections 98 and 98a of New York State Finance Law and provide regular disbursement reporting.*

By signing, I attest I am authorized to sign on the Lender's behalf and the information in this document is true and accurate.

[Name of authorized representative]

[Title of authorized representative]

[Name of Lender]

2. Narrative. Narrative of no more than 500 words demonstrating Lender's experience as a construction and permanent lender as well as working with HCR or other agencies offering subsidy financing. (While the agency strongly prefers experience construction lending on projects that utilize public funding as part of standard business services, strong conventional construction lenders may also qualify.) The narrative must address/include the following:
 - a. Expertise in construction loan servicing and permanent loan lending and servicing
 - b. Identify a minimum of five construction loans closed in the past three years which involve HCR or other public agency funding. Include the location, loan amount, number of units, type of regulation (if any), and name the public source for each loan. If no loans were made involving public funds, please identify five construction loans each having a value exceeding \$1,000,000 within the past 24 months.
 - c. Experience lending to affordable housing properties with public funding, particularly in a participation loan format
 - d. Experience originating loans and assessing eligibility for various agency funding sources
 - e. Experience making construction loans for homeownership development (condo, coop, single-family, or similar)
3. Resumes or CVs of Key Persons. Please identify at least three key officers, directors, managers and/or other persons who will be central to the lending operations and who will have an administrative or oversight role or will otherwise have a significant role in the Lender's day-to-day participation loan operations (each, a "Key Person"). For each Key Person identified please provide a current and up-to-date resume or curriculum vitae.

4. Evidence of Good Standing. Evidence of compliance with applicable regulations, licensing, and other requirements. Each Lender should provide a recent certificate of good standing or comparable evidence from its primary regulator(s) (should be no more than six months old).
5. Underwriting Policies and Procedures. Lender should provide documentation describing the following as it relates to the Lender:
 - a. general loan underwriting guidelines and credit standards
 - b. origination procedures, including turnaround times
 - c. construction financing procedures
 - d. finance / loan servicing
6. Expected Financing Terms. Lender should provide documentation describing the following as it relates to the Lender's relevant construction and permanent loan product(s):
 - a. basic loan structure, tenors, minimum and maximum sizes, payment schedules, prepayment options, etc.
 - b. typical procedures for determining interest rates
 - c. fee pricing
7. Additional Information for CDFIs. CDFIs must identify the type of account and financial institution with assets more than \$300 million where they intend to hold HCR funding when disbursed for oversight and administration by the CDFI during the construction loan period.
8. Additional Documents for Non-Public Companies. In addition to the above, Lenders that are not publicly traded companies must provide the following additional documents as part of their submission:
 - a. Financial Statements. Each Lender should provide a copy of the previous three years of audited financial statements along with the reports of the auditor, which demonstrate total assets of at least \$2 billion. If the Lender does not have audited financial statements, it should provide a copy of the previous three years of financial statements prepared by a Certified Public Accountant. Additionally, such Lender should provide a narrative explanation of how any assets and/or investment funds under its management are audited.
 - b. Organizational documentation, including your registration and/or qualification with the New York Secretary of State to do business in New York and good standing in relevant state of jurisdiction.

Evaluation

Lender submissions will be examined for completeness and capacity to serve as a Participating Lender. Incomplete submissions and those that do not meet all eligibility requirements may be rejected as ineligible.

All complete submissions will be reviewed. HCR reserves the right to:

1. Refuse to work with any Lender at any time and for any reason, including but not limited to if it has been determined that the Lender is not in compliance with existing New York State contracts and has not taken satisfactory steps to remedy such non-compliance, or for no reason.

2. Request supplemental information during review.
3. Waive any requirement contained in this Lender Addendum.
4. Revise this Lender Addendum from time to time.

Questions

Questions may be directed to: SBPLP@hcr.ny.gov

Exhibit 3



25PR03306

HISTORIC PRESERVATION CERTIFICATION APPLICATION
PART 2 – DESCRIPTION OF REHABILITATION

Instructions: This page must bear the applicant's original signature and must be dated. The National Park Service certification decision is based on the descriptions in this application form. In the event of any discrepancy between the application form and other, supplementary material submitted with it (such as architectural plans, drawings and specifications), the application form takes precedence. A copy of this form will be provided to the Internal Revenue Service.

NPS Project Number

~~25PR03306~~ 49416

1. Historic Property Name 88 Academy Street

Street 88 Academy Street

City Poughkeepsie County Dutchess State NY Zip 12601

Name of Historic District or National Register property Academy Street Historic District

☐ Listed individually in the National Register of Historic Places; date of listing _____

☒ Located in a Registered Historic District; name of district Academy Street Historic District

☒ Part 1 – Evaluation of Significance submitted? Date submitted 4/14/2025 Date of certification 6/05/2025

2. Project Data (for phased projects, data entered in this section must be totals for entire project)

Date of building 1890 Estimated total rehabilitation costs (QRE) \$958,750

Number of buildings in project 1 Floor area before / after rehabilitation 5,202 / 5,202 sq ft

Start date (estimated) 01/01/2026 Use(s) before / after rehabilitation Residential / Residential

Completion date (estimated) 01/01/2027 Number of housing units before / after rehabilitation 4 / 5

Application includes phase(s) 2 of 3 phases Number of low-moderate income housing units before / after rehabilitation 0 / 0

☒ Intend to apply the IRS 60-month measuring period for the purposes of substantial rehabilitation

3. Project Contact (if different from applicant)

Name Matthew Cordone Company Matthew Cordone Architect PLLC

Street 92 N. Broadway City Irvington State NY

Zip 10533 Telephone (917) 749-8071 Email Address mcordone@mcapllc.net

4. Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct. I further attest that [check one or both boxes, as applicable]:

☒ I am the owner of the above-described property within the meaning of "owner" set forth in 36 CFR § 67.2 (2011), and/or

☐ if I am not the fee simple owner of the above described property, the fee simple owner is aware of the action I am taking relative to this application and has no objection, as noted in a written statement from the owner, a copy of which (i) either is attached to this application form and incorporated herein, or has been previously submitted, and (ii) meets the requirements of 36 CFR § 67.3(a)(1) (2011).

For purposes of this attestation, the singular shall include the plural wherever appropriate. I understand that knowing and willful falsification of factual representations in this application may subject me to fines and imprisonment under 18 U.S.C. § 1001, which, under certain circumstances, provides for imprisonment of up to 8 years.

Name Lauren Aviv

Signature Lauren Aviv

Date 06/17/2025

Applicant Entity NDERO LLC

SSN _____ or TIN 92-2601358

Street 575 MADISON AVE, SUITE 1603A City New York

State NY

Zip 10022 Telephone (845) 641-5517 Email Address LAUREN@DAPLLP.COM

☐ Applicant, SSN, or TIN has changed since previously submitted application.

NPS Official Use Only

The National Park Service has reviewed the Historic Preservation Certification Application – Part 2 for the above-named property and has determined that:
☒ the rehabilitation described herein is consistent with the historic character of the property and, where applicable, with the district in which it is located and that the project meets the Secretary of the Interior's Standards for Rehabilitation. This letter is a preliminary determination only, since a formal certification of rehabilitation can be issued only to the owner of a "certified historic structure" after rehabilitation work is complete.

☐ the rehabilitation or proposed rehabilitation will meet the Secretary of the Interior's Standards for Rehabilitation if the attached conditions are met.

☐ the rehabilitation described herein is not consistent with the historic character of the property or the district in which it is located and that the project does not meet the Secretary of the Interior's Standards for Rehabilitation.

Date _____

National Park Service Authorized Signature _____

☐ NPS conditions or comments attached

Exhibit 4



The City of Poughkeepsie, New York
Office of the Building Inspector
P.O. Box 300, Poughkeepsie, NY 12602
Tel: 914-451-4007 Fax: 914-451-4006



POUGHKEEPSIE, NEW YORK July 8, 1998
PERMIT NO. 980184 OF May 20, 1998
ID NO. 004050
ZONING DISTRICT R-3

 **COPY**

CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY THAT THE BUILDING/STRUCTURE/PROPERTY LOCATED AT 90 ACADEMY STREET IN THE CITY OF POUGHKEEPSIE, NEW YORK, HAS BEEN INSPECTED AND FOUND TO BE IN COMPLIANCE THE PLANS AND SPECIFICATIONS ON FILE

THE AUTHORIZED USE OF THIS BUILDING/STRUCTURE/PROPERTY IS A:
B-1 MULTI-FAMILY, 4 DWELLING UNITS

THE FOLLOWING USES ARE PERMITTED:

Alteration of the FIRST FLOOR dwelling unit to storage space

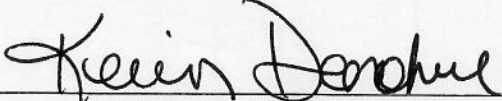
CELLAR - STORAGE & UTILITIES

FIRST FLOOR - ONE DWELLING UNIT & REAR STORAGE AREA W/
BATHROOM

SECOND FLOOR - TWO DWELLING UNITS

THIRD FLOOR - ONE DWELLING UNIT

NO CHANGES IN THE NATURE OF THE USE OF THIS BUILDING /STRUCTURE/ PROPERTY IS AUTHORIZED WITHOUT THE APPROVAL OF THE CITY OF POUGHKEEPSIE, NEW YORK.


BUILDING INSPECTOR

THE CITY OF POUGHKEEPSIE

NEW YORK

Robert and Gordon Casement
55 Ridge Road
Poughkeepsie, NY 12603

OFFICE OF THE BUILDING INSPECTOR

Poughkeepsie, N.Y. Jan. 16, 19 87

Permit No. 3511 of 1/14/87

Certificate of Occupancy

SEE C.O. DATED July 8, 1998
LED

THIS IS TO CERTIFY THAT THE BUILDING / STRUCTURE / PROPERTY AT
90 ACADEMY STREET (ID# 004050) IN THE CITY OF POUGHKEEPSIE, N.Y.,
(Address)

HAS BEEN INSPECTED AND FOUND TO BE IN COMPLIANCE WITH THE ZONING ORDINANCE,
THE MINIMUM HOUSING STANDARDS ORDINANCE OF THE CITY OF POUGHKEEPSIE
AND THE NEW YORK STATE MULTIPLE RESIDENCE LAW.

THE AUTHORIZED USE OF THIS BUILDING / STRUCTURE / PROPERTY IS AS A THREE
STORY FIVE FAMILY RESIDENCE.

THE FOLLOWING USES ARE PERMITTED:

CELLAR - STORAGE AND UTILITIES.

FIRST FLOOR - TWO DWELLING UNITS.

SECOND FLOOR - TWO DWELLING UNITS.

THIRD FLOOR - ONE DWELLING UNIT.

NO CHANGES IN THE NATURE OF THE USE OF THIS BUILDING AND PROPERTY.
IS AUTHORIZED WITHOUT THE APPROVAL OF THE CITY OF POUGHKEEPSIE, N.Y.

Peter A. Aiello
BUILDING INSPECTOR



**THE CITY OF POUGHKEEPSIE
NEW YORK
DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4263**

Europa McGovern
Commissioner

**ZONING BOARD OF APPEALS
88 ACADEMY STREET
JANUARY 13, 2026
DRAFT RESOLUTION**

In the matter of the appeal of Lauren Debellis Aviv and Frank Debellis regarding the property at 88 Academy Street, Grid #6161-21-060930, ZBA#2025-038, Poughkeepsie, New York:

At a Regular Meeting of the Zoning Board of Appeals held on the 13th day of January, 2026, at 6:00pm;

WHEREAS, the Zoning Board of Appeals has received an application for area variances from Lauren Debellis Aviv and Frank Debellis relative to the proposed conversion of the building at 88 Academy Street from a four-unit multiple dwelling to a five-unit multiple dwelling, requiring a variance of Section 19-6.2(11) of the Zoning Code to allow 2 off-street parking spaces where 7 spaces are required; and,

WHEREAS, the application was submitted by Matthew Cordone, AIA, on behalf of the owners Lauren Debellis Aviv and Frank Debellis, accompanied by a site plan and elevations prepared by Mathew Cordone, with revision dates of 11/11/25, with supplemental materials; and,

WHEREAS, a public hearing was held on December 9, 2025; and,

WHEREAS, the project was classified as a Type 2 Action for the purposes of SEQRA requiring no further action; and,

NOW THEREFORE BE IT RESOLVED THAT the City of Poughkeepsie Zoning Board of Appeals hereby finds that a consideration of the five factors for area variances weigh in favor of the applicant and grants variances of Section 19-6.2(11) of the Zoning Code, as follows:

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

(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting an area variance;

The variance is unlikely to produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties. The building has been utilized as a multiple dwelling, albeit with varying numbers of dwelling units, for decades, with no obvious or known impacts on parking in the area.

While the arguments the applicant makes are not specific to the variance requested, which is only for the off-street parking requirement, the fact is that the repairs and renovations proposed will benefit the neighborhood. It should be noted that the applicant has received a Certificate of Appropriateness from the City Historic District and Landmarks Preservation Commission (HDLPC) for the exterior work.

(2) whether the benefit sought by the applicant(s) can be achieved by some method, feasible for the applicant(s) to pursue, other than area variances:

There does not appear to be any other alternative to providing off-street parking other than the variance as the property is not within 600 feet of a suitable public or private parking facility. Additionally, the applicant makes a strong economic argument for the need for the fifth unit, as the funding for the cost of renovations is dependent on having a fifth unit.

(3) whether the requested area variances are substantial:

It could be argued that the variance is substantial, at 70% of the parking requirement, but it could be argued that the variance is not as substantial as it seems, as under the previous zoning code, the four-unit building also required 7 parking spaces (1.5 for each one-bedroom/2 for each two-bedroom unit). In fact, it could be argued this is a reduction as the requirement for five units is technically for 6.25 parking spaces (1.25 for every unit regardless of bedroom count), although for practical purposes, the number of spaces is always rounded up.

(4) whether the proposed variances will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

It is unlikely the variance will have an adverse impact on the physical or environmental conditions in the neighborhood as the building has been utilized as a multiple dwelling, albeit with varying numbers of dwelling units, for decades, with no obvious or known impacts on parking in the area. While the applicant's arguments are not specific to the variance requested, which is for a portion of the off-street parking requirement, the fact is that the repairs and renovations proposed will have a positive impact on the physical and environmental conditions in the neighborhood, and the financing for the work is dependent on the number of units provided. The property is the gateway to the Academy Street Historic District, which is both a local and National Register District. It should be noted that the applicant has received a Certificate of Appropriateness for the exterior work.

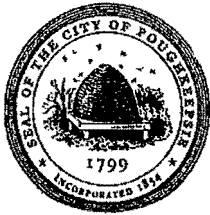
(5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board but shall not necessarily preclude the granting of the area variance.

The hardship in complying with the Zoning Law may or may not be self-created, though if considered self-created would not preclude the granting of the variance.

Motion:	Present	Excused	Absent
Second:			
Carried:			

Scott Parker, Chairman
Zoning Board of Appeals

Date



**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: 69 SOUTH HAMILTON STREET
ZONING DISTRICT: RNC

OWNER INFORMATION:

Name: FABIO ALVAREZ
Address: 3 CHELSEA COURT
NEW PALTZ, N.Y. 12561
Phone: (845) 901-2380
Email: XXXXXXXXXX@XXXXXXXXXX

APPLICANT INFORMATION:

Name: MY FRIEND REALITY, LLC
Address: 3 CHELSEA COURT
NEW PALTZ, N.Y. 12561
Phone: (845) 901-2380
Email: XXXXXXXXXX@XXXXXXXXXX

CONSULTANT INFORMATION:

Name: LIRD INTERRANTE
Address: 25 MARKET STREET SUITE 3
POUGHKEEPSIE, N.Y. 12601
Phone: (845) 473-7572
Email: XXXXXXXXXX@XXXXXXXXXX

SUBJECT OF APPEAL

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

Name and title of agent: JOSEPH O'BRIEN
Date of decision/determination/violation: 9/15/25 LETTER

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 69 SOUTH HAMILTON STREET

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-2.3(2)(A)</u>	<u>6,000 SF MIN LOT AREA</u>	<u>43 SF LOT AREA</u>
<u>19-2.3(2)(C)</u>	<u>70% MAX LOT COVERAGE</u>	<u>7% LOT COVERAGE</u>
<u>19-2.2(1)(C)</u>	<u>15 FT DRIVEWAY WIDTH MIN</u>	<u>5 FT DRIVEWAY WIDTH</u>
_____	_____	_____
_____	_____	_____

VARIANCE REQUEST JUSTIFICATION

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

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

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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 69 SOUTH HAMILTON STREET

LIST OF REQUIRED ATTACHMENTS

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

SIGNATURE AND VERIFICATION

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

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

Fabio Alvarez
SIGNATURE OF APPLICANT

9/18/25
DATE

FABIO ALVAREZ
Print Name

APPENDIX A

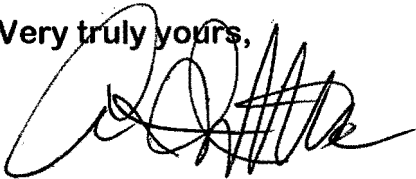
September 18, 2025

**Zoning Board
City of Poughkeepsie
1 62 Civic Center Plaza
Poughkeepsie, New York 12601**

**RE: AREA VARIANCE
69 South Hamilton Street
Poughkeepsie, New York**

- 1. The granting of the variance will not produce an undesirable change in the character of the neighborhood because there will be no visible changes to the exterior of the building or to the site.**
- 2. There is no other available option to avoid the requested variances. It is not possible to purchase additional property and the request for variances is a result of all the existing conditions of the property.**
- 3. The requested variances are not substantial. They represent a request for relief from a small percentage of the requirement.**
- 4. The variances will not have an adverse effect on the physical or environmental conditions in the neighborhood because there will be no physical or environmental change to the exterior of the building or to the site as a result of the granting of the variances.**
- 5. The request for the variance is not self-created. The conditions on the site have existed unchanged for many years. Nothing proposed with this application represents any physical change to the site. The building was constructed in 1875, long before zoning regulations were overlaid and implemented over the City of Poughkeepsie. If anything, zoning regulations have caused the hardship.**

Very truly yours,

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

Ciro Interrante, Architect

CIA

**Ciro Interrante Architect, P.C.
25 Market Street, 3rd Floor
Poughkeepsie, New York 12601**

(845) 473-7572

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

September 18, 2025

**RE: Fabio Alvarez
69 South Hamilton Street
Poughkeepsie, New York 12601
Tax ID #: 131300-6161-21-120900-0000**

Dear Planning Board,

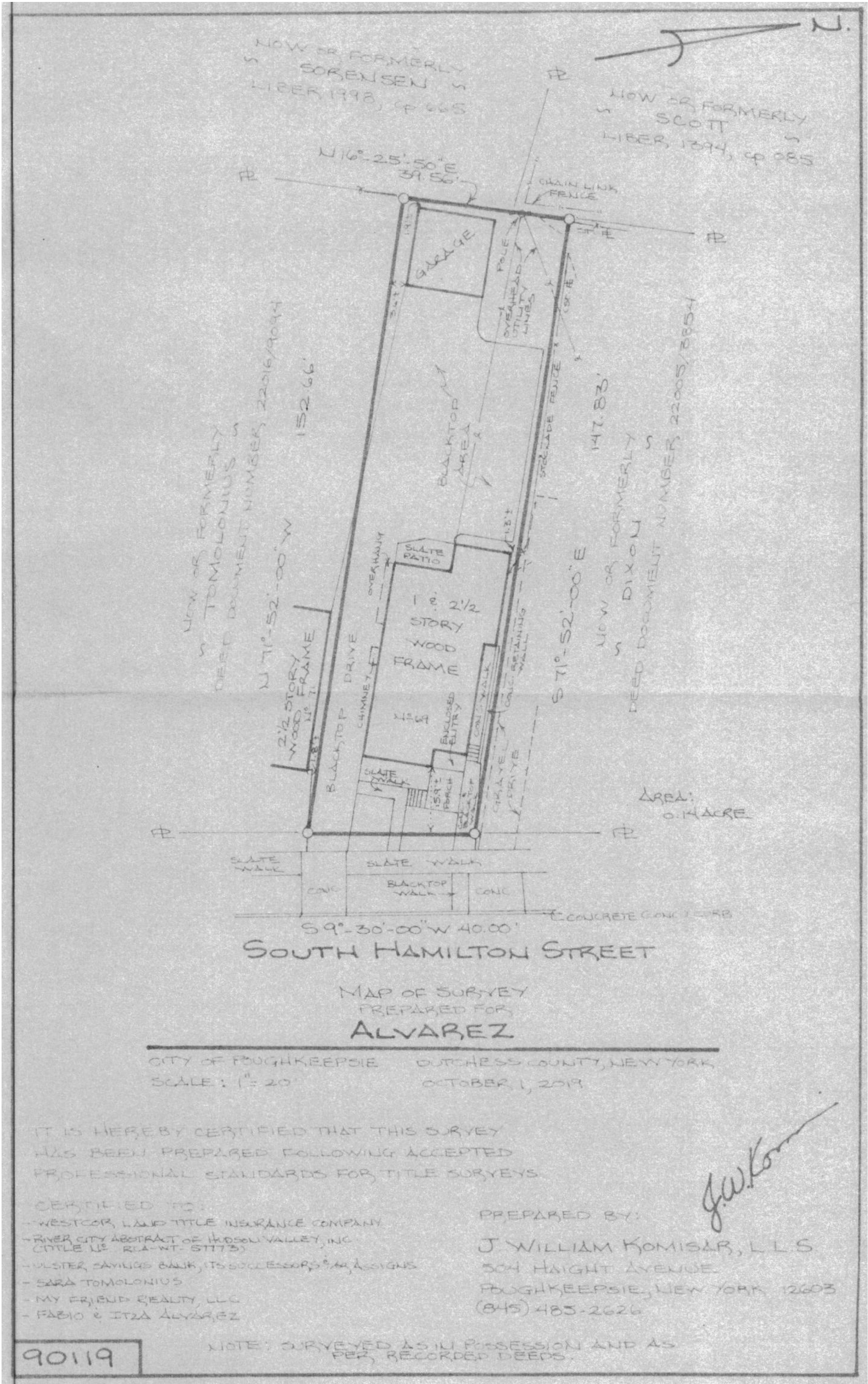
The applicant is seeking approval for an existing property located on 69 South Hamilton Street in the City of Poughkeepsie. The application seeks to legalize an existing third floor apartment. The basement, first, and second floors are existing apartments. The third floor apartment was constructed when the house was originally built in 1875. The property slopes from the front of the building to the rear where there is an existing garage and parking area. There are existing homes on the north, south, and west sides of the property. A site plan is included in this submission.

Thank you for your cooperation on this project.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Nickole Papastavrou', with a long horizontal flourish extending to the right.

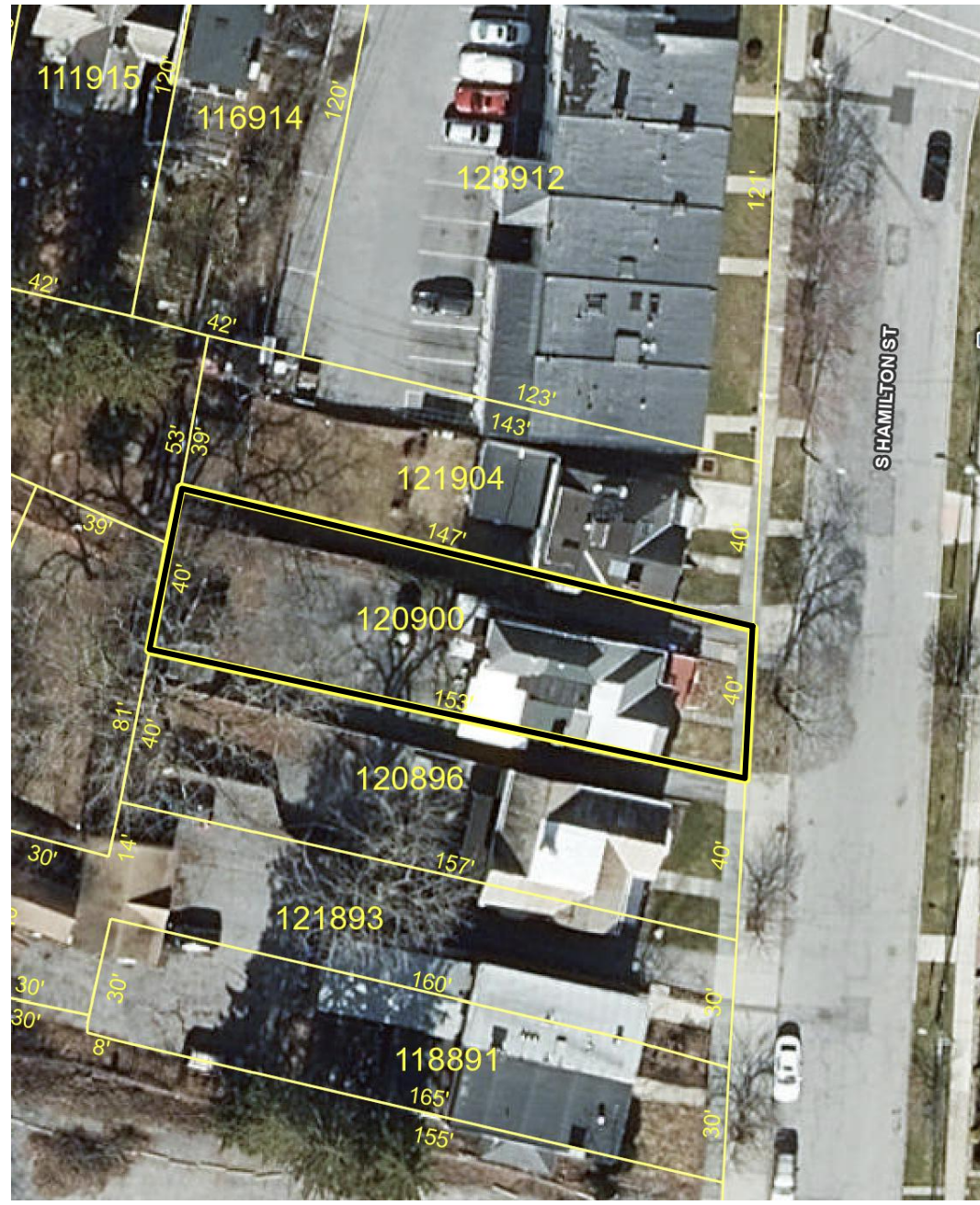
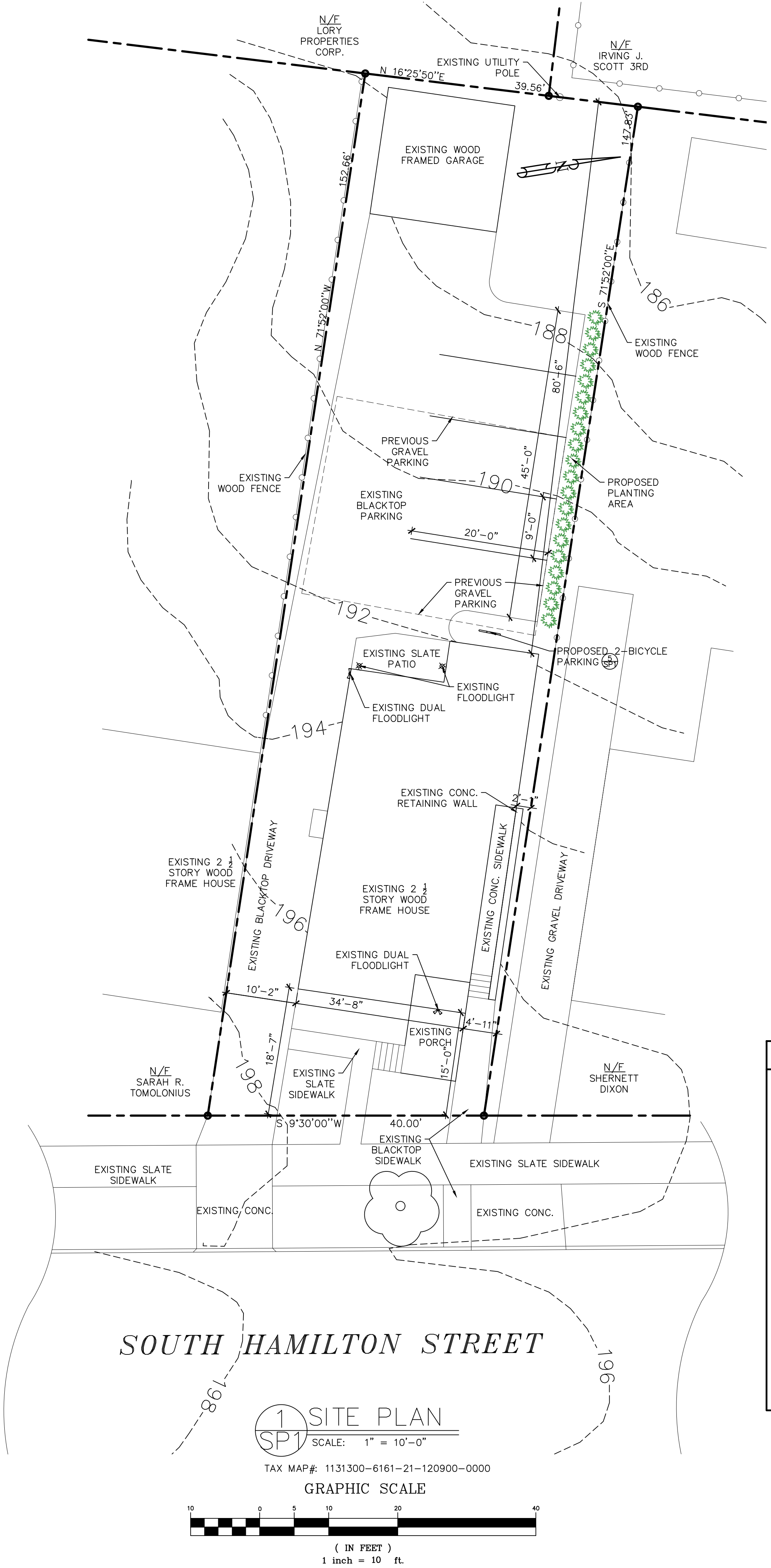
Nickole Papastavrou, Associate/CADDrafter



3 IMAGE OF SURVEY SITE PLAN
SP1 SCALE: 1" = 10'-0"

GENERAL NOTES:

1. THERE ARE NO OPEN VIOLATIONS ON THE PROPERTY THAT WOULD NOT BE CURED BY THE CURRENT APPLICATION.
2. NO WAIVERS REQUESTED.
3. A FULL ENVIRONMENTAL ASSESSMENT FORM OR TYPE 2 ACTION NOT REQUIRING SEORA ARE NOT APPLICABLE TO THIS PROJECT.
4. 69 SOUTH HAMILTON ST IS LOCATED IN THE RESIDENTIAL COMMUNITY ZONING DISTRICT (RNC).
5. THE APPLICANT, MY FRIEND REALTY LLC, IS FINANCIALLY CAPABLE TO COMPLETE THE PROPOSED DEVELOPMENT.
6. THERE ARE NO EXISTING EASEMENTS, RIGHTS-OF-WAY, EASEMENTS, RESERVATIONS AND REARS DEDICATED TO PUBLIC USE, OUTLINE OF EXISTING COVENANTS AND DEED RESTRICTIONS WITHIN, ADJACENT OR OTHERWISE PERTAINING TO THE PROPERTY.
7. THERE ARE NO SCENIC VIEWS ON SOUTH HAMILTON ST.
8. PLAN VIEW SHOWS EXISTING PAVED AREAS, WALKWAYS, VEHICULAR ACCESS TO PUBLIC STREETS, INTERNAL DRIVES, SCREENING FENCES, EXISTING CONTOURS, CURBS, AND OUTLINES AND DESCRIPTIONS OF ALL STRUCTURES WITHIN 20' OF THE PROPERTY. MATERIALS OF EXISTING FEATURES ARE PROVIDED. UNPROCESSED WOODS, WOODS AREAS, ROCK OUTCROPPINGS, ISOLATED TREES WITH A DIAMETER OF 8" OR MORE MEASURED 3'-0" ABOVE THE BASE OF THE TRUNK, AND ADJACENT STREETS WITH NAMES AND NOTING ARE NOT SHOWN AS THEY ARE NOT APPLICABLE TO THIS PROJECT. SITE SLOPES GRADUALLY TO THE REAR OF THE PROPERTY.
9. STREET UTILITIES WILL NOT BE AFFECTED.
10. 69 SOUTH HAMILTON ST IS NOT SUBJECT TO STORM WATER OVERLAYS.
11. NO NEW GRASSES PROPOSED.
12. THERE ARE NO EASEMENTS, DEED RESTRICTIONS, COVENANTS OR RIGHTS-OF-WAY AND A NOTATION OF ANY AREAS TO BE DEDICATED TO A PUBLIC AGENCY, AND ANY PUBLIC IMPROVEMENTS CONTEMPLATED ON OR ADJOINING THE PROPERTY.
13. NO EXISTING TREES ON PROPERTY.



DATA TABLE		
ZONE RNC	MEDIUM-HIGH DENSITY RESIDENTIAL	
	REQUIRED	EXISTING
LOT AREA	6,000 SF	.1367 AC. (5,957 SF.)
LOT WIDTH	25 FT.	40 FT.
LOT DEPTH		150 FT. (AVG.)
LOT FRONTAGE		24'-6"
YARDS		
FRONT	20 FT.	15'-0" / 22'-11"
SIDE	5 FT.	2'-1" / 10'-2"
REAR	15 FT.	80'-6"
BUILDING HEIGHT	2 1/2 / 35 FT.	2 1/2 / 30 FT.±
BUILDING AREA (footprint)		1,257 SF
TOTAL BUILDING AREA		1,599 SF
USABLE OPEN SPACE		932 SF
PARKING FOR 4 APARTMENTS	5 CARS	5 CARS
DRIVEWAY WIDTH	15 FT.	10 FT.
LOT COVERAGE (+ IMPERVIOUS)	70%	77%

SURVEY INFORMATION

IMAGE OF SURVEY OBTAINED FROM PAPER COPY OF ORIGINAL SURVEY PREPARED BY J. WILLIAM KOMISAR, L.L.S., DATED 10-19-2019 AND TITLED MAP OF SURVEY PREPARED FOR ALVAREZ.

OWNER'S CONSENT

THE UNDERSIGNED OWNER OF THIS PROPERTY HEREON STATES THAT HE/SHE IS FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENTS TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

APPLICANT DATE

APPROVAL BLOCK

Revisions	No.	9-16-23	Z.B. MEETING REVISIONS



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

DRAWN BY: N.A.P.
CHECKED BY: C.I.
ISSUED DATE: 13 AUG. 2025



SITE PLAN
PROPOSED SITE PLAN FOR:
MY FRIEND REALTY, LLC.
3 CHELSEA CT - NEW PALTZ, NY 12561
69 SOUTH HAMILTON ST
POUGHKEEPSIE, NY. 12601

Project Number. 25-40



My Friend Realty LLC
Rental Income
Audited Financials 2020 & 2021 & 2022 & 2023 & 2024

Balance Sheet

Cash

Other Current Assets

Escrow

Prepaid Mortgage

Total Other Current Assets

Total Current Assets

Fixed Assests

Building

1031 Basis

Additional Basis

Total Building

Accumulated Depreciation

Total Fixed Assets

Other Assets

Closing Costs

Accumulated Amortization

Total Other Assets

Total Assets

Mortgage Payable

Loan Payable

Rent Deposit

Due to Ulster

Total Liabilities

Capital Account - Fabio

Capital Account - Itza

Prior Year Income (Loss)

Current Year Income (Loss)

Total Liabilities + Partners' Capital

Income Statement

Income:

Interest Income

Rental Income
Total Income

Expenses:

Amortization Expense
Automobile Expense
Bank Charges
Depreciation
Insurance
Interest Expense
Organizational Costs
Professional Fees
Real Estate Taxes
Repairs
Maintenance
Utilities
Total Expenses

Net Income (Loss)

<u>12/31/2024</u>	<u>12/31/2023</u>	<u>12.31.2022</u>	<u>12.31.2021</u>
4,147.73	1,607.76	9,453.50	9,589.55
7,624.70	5,265.50	5,453.74	4,207.45
<u>7,624.70</u>	<u>5,265.50</u>	<u>5,453.74</u>	<u>-</u>
11,772.43	6,873.26	14,907.24	13,797.00
44,128.00	44,128.00	44,128.00	44,128.00
<u>192,622.00</u>	<u>192,622.00</u>	<u>192,622.00</u>	<u>192,622.00</u>
236,750.00	236,750.00	236,750.00	236,750.00
(7,958.00)	(6,353.00)	(4,748.00)	(3,143.00)
228,792.00	230,397.00	232,002.00	233,607.00
3,250.00	3,250.00	3,250.00	3,250.00
<u>(432.00)</u>	<u>(432.00)</u>	<u>(324.00)</u>	<u>(216.00)</u>
2,818.00	2,818.00	2,926.00	3,034.00
<u>243,382.43</u>	<u>240,088.26</u>	<u>249,835.24</u>	<u>250,438.00</u>
91,555.32	94,229.11	97,526.78	100,348.52
34,033.55	34,033.55	35,232.87	30,384.32
3,000.00	2,700.00	1,200.00	1,200.00
-	274.83		
<u>128,588.87</u>	<u>131,237.49</u>	<u>133,959.65</u>	<u>131,932.84</u>
54,425.38	57,937.21	59,252.00	68,320.15
54,425.38	57,938.37	59,253.16	68,320.16
5,942.79	(7,024.82)	(2,629.57)	(18,135.15)
<u>243,382.43</u>	<u>240,088.26</u>	<u>249,835.24</u>	<u>250,438.00</u>
(0.00)	(0.00)	(0.00)	-

- 127.01

<u>51,620.00</u>	<u>46,566.10</u>	<u>41,261.00</u>	<u>39,491.81</u>
51,620.00	46,693.11	41,261.00	39,491.81
0	108	108	108
0.00	897.14	801.2628	768.77
-	96.00	151.70	9.00
1,605.00	1,605.00	1,605.00	1,605.00
3,784.00	3,715.00	3,380.00	3,892.45
2,978.20	3,636.76	3,174.66	3,858.04
700.00	1,300.00	1,200.00	2,400.00
10,767.00	9,740.65	9,025.61	8,994.89
12,407.00	19,325.39	6,692.22	10,305.69
1,147.00	1,165.00	6,021.63	13,273.87
12,289.01	12,128.99	11,730.49	12,411.25
<u>45,677.21</u>	<u>53,717.93</u>	<u>43,890.57</u>	<u>57,626.96</u>
5,942.79	(7,024.82)	(2,629.57)	(18,135.15)

12.31.2020

10,402.72

9,559.10

-

1,300.00

10,859.10

21,261.82

47,378.00

192,622.00

240,000.00

(1,646.00)

238,354.00

259,615.82

103,305.51

19,670.00

122,975.51

81,939.32

81,939.32

(27,238.33)

259,615.82

-

19,892.00
19,892.00

3.90
1,646.00
1,977.52
3,670.88
300.00

8,310.17
8,826.79
15,921.88
6,473.19
47,130.33

(27,238.33)

Study of Surrounding
Multi-Family Neighborhood
Properties near 69 South
Hamilton Street



Nickole Papastavrou
Ciro Interrante Architect, P.C.
25 Market Street, 3rd Floor
Poughkeepsie, New York 12601

Job Number: 25-40

Date: 12-29-25

Zoning District: RNC



The properties presented in this study compared to the proposed project property indicate that should these properties pursue a similar conversion to a higher occupancy, these properties would present more significant variance requests and increase street parking density than the proposed subject property. As emphasized by the data above, the requested variances for the proposed project property are minor compared to what other properties would potentially need to request.

Project Location: 69 South Hamilton Street

Requested Variances: 10 foot driveway width, 3% extra lot coverage or .021% of the required 70% minimum, and -43 sqft. lot area or 0.008% of the required 6,000 sqft.

Other Property Locations:

- (411) Apartments - 76 & 82 S. Hamilton Street
 - (230) 3 Family - 49 & 86 S. Hamilton Street
 - (220) 2 Family - 46 & 80 S. Hamilton Street
 - (210) 1 Family - 48 S. Hamilton Street
- 1) 46 S. Hamilton - 0.10 Acre Lot (4,356± sqft.)
 - a) Potential conversion to 3 Family? 644± sqft. or 0.128% variance needed.
 - b) Potential conversion to 4 Family? 1644± sqft. or 0.274% variance needed.
 - 2) 48 S. Hamilton - 0.12 Acre Lot (5,227.2± sqft.)
 - a) Potential conversion to 4 Family? 773± sqft. or 0.128% variance needed.
 - b) No off street parking.
 - 3) 49 S. Hamilton - 0.12 Acre Lot (5,227.2± sqft.)
 - a) Potential conversion to 4 Family? 773± sqft. or 0.128% variance needed.
 - 4) 76 S. Hamilton - 0.12 Acre Lot (5,227.2± sqft.)
 - a) No off street parking.
 - b) Undersized lot for (411) Apartments or 4+ family according to Section 19-2.3.2(a)
 - 5) 80 S. Hamilton - 0.15 Acre Lot (6,534± sqft.)
 - a) No off street parking.
 - 6) 82 S. Hamilton - 0.28 Acre Lot (12,196.8± sqft.)
 - a) No off street parking.
 - 7) 86 S. Hamilton - 0.12 Acre Lot (5,227.2± sqft.)
 - a) Potential conversion to 4 Family? 773± sqft. or 0.128% variance needed.

All data was taken from Dutchess County Parcel Access.

Parcel Identity



Parcel Number

131300-6161-22-156939-0000

Parcel Location

46 S Hamilton St

Municipality

Poughkeepsie City

Owner Name

Montoya, Laura *(Primary)*
Kissner, Robert R. *(Additional)*

Primary Owner Mailing Address

4 Oak St
Poughkeepsie, NY 12601

Lot Size

0.10 Ac

Land Use

(220) 2 Family Res

Assessment

Land: \$59,400
Total: \$364,500

Market Value

\$364,500

School District

Poughkeepsie City SD

Agricultural District

None

Roll Section

1 (Taxable)

Tax Code

H (Homestead)

Deed Information

Book: 22023
Page: 1342

Parcel Identity



Parcel Number

131300-6161-22-155937-0000

Parcel Location

48 S Hamilton St

Municipality

Poughkeepsie City

Owner Name

Nocerino, Peter (Primary)

Primary Owner Mailing Address

28 Bank St
Beacon, NY 12508

Lot Size

0.12 Ac (c)

Land Use

(210) 1 Family Res

Assessment

Land: \$35,000
Total: \$157,500

Market Value

\$157,500

School District

Poughkeepsie City SD

Agricultural District

None

Roll Section

1 (Taxable)

Tax Code

H (Homestead)

Deed Information

Book: 22023
Page: 3745

Parcel Identity



Parcel Number

131300-6161-22-131939-0000

Parcel Location

49 S Hamilton St

Municipality

Poughkeepsie City

Owner Name

Naftula LLC (Primary)

Primary Owner Mailing Address

2 Prag Blvd
Unit 101
Monroe, NY 10950

Lot Size

0.12 Ac (c)

Land Use

(230) 3 Family Res

Assessment

Land: \$59,400
Total: \$405,400

Market Value

\$405,400

School District

Poughkeepsie City SD

Agricultural District

None

Roll Section

1 (Taxable)

Tax Code

H (Homestead)

Deed Information

Book: 22024
Page: 52957

Parcel Identity

**Parcel Number**

131300-6161-22-140884-0000

Parcel Location

76 S Hamilton St

Municipality

Poughkeepsie City

Owner Name

Gilliam, Erwin (*Primary*)

Primary Owner Mailing Address

255 Grove St
White Plains, NY 10601

Lot Size

0.12 Ac (C)

Land Use

(411) Apartment

Assessment

Land: \$55,000
Total: \$486,000

Market Value

\$486,000

School District

Poughkeepsie City SD

Agricultural District

None

Roll Section

1 (Taxable)

Tax Code

N (Non-Homestead)

Deed Information

Book: 22024
Page: 50551

Parcel Identity

**Parcel Number**

131300-6161-30-141874-0000

Parcel Location

80 S Hamilton St

Municipality

Poughkeepsie City

Owner Name

Ashe, Wade (*Primary*)

Ashe, Claudette V. (*Additional*)

Primary Owner Mailing Address

80 S Hamilton St

Poughkeepsie, NY 12601

Lot Size

0.15 Ac

Land Use

(220) 2 Family Res

Assessment

Land: \$59,400

Total: \$360,500

Market Value

\$360,500

School District

Poughkeepsie City SD

Agricultural District

None

Roll Section

1 (Taxable)

Tax Code

H (Homestead)

Deed Information

Book: 2010

Page: 0313

5

Parcel Identity

**Parcel Number**

131300-6161-30-141868-0000

Parcel Location

82 S Hamilton St

Municipality

Poughkeepsie City

Owner Name

Redwood Properties LLC (*Primary*)

Primary Owner Mailing Address

507 N Main St
Port Chester, NY 10583

Lot Size

0.28 Ac

Land Use

(411) Apartment

Assessment

Land: \$86,400
Total: \$2,430,000

Market Value

\$2,430,000

School District

Poughkeepsie City SD

Agricultural District

None

Roll Section

1 (Taxable)

Tax Code

N (Non-Homestead)

Deed Information

Book: 22017
Page: 3135

Parcel Identity

**Parcel Number**

131300-6161-30-141861-0000

Parcel Location

86 S Hamilton St

Municipality

Poughkeepsie City

Owner Name

Joseph, Fraidy (*Primary*)

Primary Owner Mailing Address

16 Fillmore Ct
Unit 302
Monroe, NY 10950

Lot Size

0.12 Ac

Land Use

(230) 3 Family Res

Assessment

Land: \$59,400
Total: \$410,800

Market Value

\$410,800

School District

Poughkeepsie City SD

Agricultural District

None

Roll Section

1 (Taxable)

Tax Code

H (Homestead)

Deed Information

Book: 22023
Page: 53272























































**Ciro Interrante Architect, P.C.
25 Market Street, 3rd Floor
Poughkeepsie, New York 12601**

(845) 473-7572

September 18, 2025

**Mr. Joseph O'Brien, Deputy Zoning Administrator
62 Civic Center Plaza, Second Floor
Poughkeepsie, New York 12601**

**RE: 69 South Hamilton Street
Tax Map # 131300-6161-21-120900-0000**

Dear Mr. O'Brien:

The replies in this letter are numbered to correspond to the comments in your letter dated September 15, 2025.

- 1. Section 19-2.3(2)(a) states that the minimum required lot area for the proposed use is 6,000 square feet. This property contains 5,957 square feet of lot area.**
 - 1. A waiver is requested on Section 19-2.3(2)(a) for the existing lot area of 5,957 square feet.**
- 2. Section 19-2.3(2)(c) states that maximum allowable lot coverage shall be 70% which includes all impervious surfaces. The proposed lot coverage is 77%.**
 - 2. A waiver is requested on Section 19-2.3(2)(c) to allow the existing lot coverage to remain.**
- 3. Section 19-6.2(1)(c) states that access shall consist of at least one fifteen-foot wide drive aisle for parking areas with fewer than 20 spaces. The driveway ranges from 7.5'-10' wide.**
 - 3. A waiver is requested on Section 19-6.2(1)(c), the existing adjacent building on the south side of the applicant's property does not allow for an increase in the existing driveway width.**

4. Section 19-6.2(4)(a) states that where a parking area for three or more vehicles abuts a residential property, it shall be screened from view by landscaping, opaque fence or wall, or other means approved by the Planning Board. No screening is proposed along the southern property line.

4. There are existing opaque fences along the southern and northern side property lines.

5. Section 19-6.2(4)(b) states that whenever a parking area containing three or more spaces faces a street or property line, a planting area a minimum width of three feet with plantings at least three feet high planted three feet on center shall be provided between the parking area and the street line or property line. The planting plan for this strip shall be approved by the Planning Board as part of the site plan review. No landscaping is proposed along the southern property line.

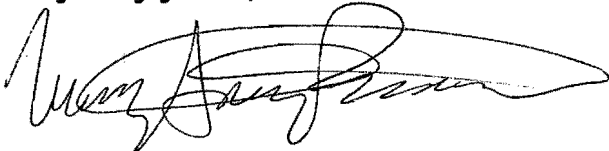
5. A planting area has been added and shown on the site plan.

6. Section 19-6.2(10)(a) states that a minimum of 2 bicycle spaces shall be provided for the proposed use. No bicycle spaces are proposed.

6. A bicycle rack has been added to the site plan.

The architect's original stamp and signature are on the drawings with a revision date of 9-16-25. Please let me know if you need anything else and thank you for your cooperation regarding this project.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Nickole Papastavrou', with a horizontal line extending to the right.

Nickole Papastavrou, Associate/CAD-Drafter



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

September 15th, 2025

Fabio Alvarez

Re: 69 South Hamilton Street

ID: 212190

Zoning Review Request PD-2025-082 revised 2nd

Dear Applicant,

The Development Department is in receipt of the updated plans for your zoning review request related to the property at 69 South Hamilton Street and the proposed conversion of the existing three-family dwelling into a four-family dwelling.

This property is located within the Residential Neighborhood C district (RNC) which does permit four-family dwellings per code Section 19-5.5 of the Zoning Ordinance subject to Site Plan approval.

Based on the provided plot plan, some deficiencies have been identified which would require Area Variances from the Zoning Board of Appeals.

1. Section 19-2.3(2)(a) states that the minimum required lot area for the proposed use is 6,000 square feet. **This property contains 5,957 square feet of lot area.**
2. Section 19-2.3(2)(c) states that the maximum allowable lot coverage shall be 70% which includes all impervious surfaces. **The proposed lot coverage is 77%.**
3. Section 19-6.2(1)(c) states that access shall consist of at least one fifteen-foot wide drive aisle for parking areas with fewer than 20 spaces. **The driveway width ranges from 7.5' – 10' wide.**
4. Section 19-6.2(4)(a) states that where a parking area for three or more vehicles abuts a residential property, it shall be screened from view by landscaping, opaque fence or wall or other means approved by the Planning Board. **No screening is proposed along the southern property line.**
5. Section 19-6.2(4)(b) states that whenever a parking area containing three or more spaces faces a street or a property line, a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center shall be provided between the parking area and the street line or property line. The planting plan for this strip shall be approved by the Planning Board as part of the site plan review. **No landscaping is proposed along the southern property line.**
6. Section 19-6.2(10)(a) states that a minimum of 2 bicycle spaces shall be provided for the proposed use. **No bicycle spaces are proposed.**



BUILDING DEPARTMENT

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

Eric Philipp
Building Inspector

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

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

Joseph D. O'Brien

Deputy Zoning Administrator

Office - 845-451-4273

jobrien@cityofpoughkeepsie.com



**CITY OF POUGHKEEPSIE
DEVELOPMENT DEPARTMENT
ZBA MEETING OF DECEMBER 9, 2025**

AREA VARIANCE(S) ANALYSIS

Project

Description:

69 SOUTH HAMILTON STREET: AREA VARIANCES

Application for area variances relative to the proposed conversion of the existing three family dwelling at 69 South Hamilton Street to a four family dwelling, requiring variances of Section 19-2.3(2)(a), requiring 6000 square feet of lot area to allow 5957 square feet; Section 19-2.3(2)(c) which allows a maximum lot coverage of 70% to allow a lot coverage of 77%; Section 19-6.2(1)(c) which requires a 15 foot wide driveway to allow a driveway ranging from 7.5 to 10 feet; Section 19-19-6.2(4)(b) requiring landscaping/screening where a parking area for three or more vehicles abuts a residential property to allow an opaque fence on the southern property. Owner: Fabio Alvarez; Applicant: My Friend Realty, LLC; Consultant: Ciro Interrante, Architect; Grid #6161-21-120900; Zoning District: RNC; File #ZBA2025-033

Review Dates:

12/1/25

Public Hearings:

12/9/25

SEQRA

Type 2 Action

Staff:

Judith Knauss, Deputy Zoning Administrator

DEFINITION OF "AREA VARIANCE:"

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

INSTRUCTIONS TO THE ZONING BOARD OF APPEALS:

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

CRITERIA FOR GRANTING AN AREA VARIANCE

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

The applicant states that the granting of the variances will not produce an undesirable change in the character of the neighborhood because there will be no visible changes to the exterior of the building or to the site. It is unfortunate that the applicant proposes no physical improvements, such as enhanced landscaping, possible removal of excess pavement (such that might negate the lot coverage variance). However, it could be said that although the applicant does not perceive any detriment to the increase of the density, the fact is that the Zoning Code, which was only adopted in November of 2024, established certain requirements, such as lot area and lot coverage, to control density. Any variances of those requirements might now establish a precedent of allowing increased density which could be detrimental to the neighborhood.

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

The applicant does not have to convert the attic to habitable space. Alternatively, the attic could be converted to additional living space for the second-floor unit. In the absence of any justification whatsoever, financial or otherwise, there appear to be no grounds whatsoever for the granting of the variances.

iii) Are the requested variances substantial?

While individually the variances do not appear substantial, cumulatively, in the absence of any justification for such variances, they could be said to be substantial.

The house was originally constructed as a single-family dwelling, not as a multiple dwelling. An illegal conversion to three dwelling units occurred sometime prior to 1984, when a notice of violation was issued. The owners of the property at that time applied for and received variances from the ZBA to establish a three-family dwelling. Therefore, the formal conversion of the building from a single-family dwelling to a three-family dwelling took place in 1984. This belies the applicant's claim that the apartment has been in the attic since 1875 when the house was first constructed.

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

This is a very mixed-use neighborhood. Immediately to the north, there is a two-family dwelling, while next to that there is a multiple dwelling containing more than four dwelling units. Immediately to the south there are three single family dwelling units and an off-street parking lot owned by the church at 70 South Hamilton Street which is directly across the street from the subject property. To the south of the church, there is a four-family dwelling, two two-family dwellings, a three-family dwelling and a large apartment building, followed by a similar mix of uses. While the conversion may not in and of itself have an adverse impact, if it establishes a precedent of allowing increased density, that could have a serious and significant impact on the neighborhood and the district, as well as other similarly zoned districts.

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

The variance is entirely self-created. A municipal report issued on September 25, 2019 clearly stated that the use of the building was as a three-family dwelling, and a Certificate of Occupancy detailing the use, including that the attic was for storage only, was provided. This CO was issued on May 3, 2011, and there

have been no intervening approvals for any other use. There was no indication in that search, or in the records of the Building Department, that any other use was permitted or present.

Additionally, staff takes issue with the statement that “fore, there was no indication whatsoever that ***“The building was constructed in 1875, long before zoning regulations were overlaid and implemented over the City of Poughkeepsie. If anything, zoning. regulations have caused the hardship.”*** This statement is spurious at best. The building was originally constructed as a single-family dwelling. No zoning issues would ever have been attached to the use of the property had it remained a single-family dwelling, from the adoption of the first zoning ordinance in 1927 through the adoption of the most recent code in 2024.. When issues arose in 1984, they were properly addressed and the new use of the property as a three-family dwelling was established. The applicant purchased a legal three-family dwelling. For the applicant to now claim that the zoning code has caused his hardship in attempting to convert the property to a use that requires further variances is quite clearly not an accurate statement.

Recommendations:

It is recommended that the Board open the public hearing.

Motion:

Second:

Carried:

Public Comment(s) to be received:

*

It is recommended that the Board close the public hearing, or adjourn it if additional information is deemed necessary.

Motion:

Second:

Carried:

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



**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# ZBA2025-036
IPS# 350080

AREA VARIANCE APPLICATION

PAID

PROPERTY ADDRESS: 152 MONTGOMERY ST
ZONING DISTRICT: R-1

CASH
OCT 15 2025
\$350

OWNER INFORMATION:

Name: RON GRUBES
Address: 152 MONTGOMERY ST
POUGHKEEPSIE, NY 12601
Phone: 917 331 0838
Email: ron.grub@poughkeepsie-ny.gov

APPLICANT INFORMATION:

Name: RON GRUBES
Address: 152 MONTGOMERY ST
POUGHKEEPSIE, NY 12601
Phone: 917 331 0838
Email: ron.grub@poughkeepsie-ny.gov

CONSULTANT INFORMATION:

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

SUBJECT OF APPEAL

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

Name and title of agent: Kyle Tarkos
Date of decision/determination/violation: 10/15/25

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

OCT 15 2025

Revised 12/24: Previous Editions Obsolete **RECEIVED**

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 152 MONTGOMERY ST

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

VARIANCE REQUEST JUSTIFICATION

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.

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

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

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

ZONING BOARD OF APPEALS AREA VARIANCE
APPLICATION

PROPERTY ADDRESS: 152 MONTGOMERY ST.
AREA VARIANCE REQUESTS

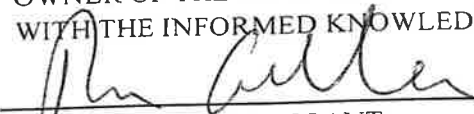
LIST OF REQUIRED ATTACHMENTS

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

10/14/25
DATE

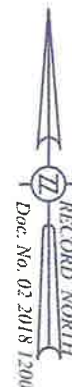
RON GRUBBS
Print Name

Variance Request Justification

152 Montgomery St.

1. The variance, to place HVAC equipment on the east side of the house, would have no effect on the neighborhood generally as the equipment installation will be innocuous - quiet, odor-free and barely visible from the street, more than 50' from the sidewalk.
2. This is by far the best location for the equipment.
 - The area between (the east side of) 152 Montgomery where the equipment will be placed is otherwise unused. The nearest window of the neighboring house will be 12' away.
 - The driveway running along the west side of the house is too narrow to accommodate the equipment
 - Placing the equipment under the deck at the rear of the house would blow hot air toward deck seating. There is little room to place the equipment on the deck.
3. The requested variance is not substantial. The area where the equipment would be placed is not otherwise used.
4. The variance for residential heat pumps will have no effect on the neighborhood and district.
5. The need for a variance arises from desire to install efficient heat pumps in lieu of the existing oil furnace.

RECEIVED
OCT 31 2025
By _____



- 
 IRON PIPE FOUND
 IRON ROD FOUND
 PROPERTY LINE
 ROAD BOUNDARY (RIGHT-OF-WAY)
 RECORD INFORMATION
 NOW OR FORMERLY (REPUTED OWNER)
 02-2018-1200 DOCUMENT NO. (D.C.C.O.)
 6161-22-197905 DUTCHESS CO. TAX MAP PARCEL NO.
 (X) - OHW - UTILITY POLE & OVERHEAD WIRES



152 Montgomery St. (on left)
street view (154 Montgomery on right)





152 Montgomery St (on left)
east side facing north



From: [Kyle Tarkos](#)
To: rongelles58@gmail.com
Cc: [Lori Garcia](#); [Judith Knauss](#)
Subject: RE: 152 Montgomery St. - HVAC permit modification and area variance request
Date: Tuesday, December 2, 2025 12:21:31 PM

Ron unfortunately I need to deny the modification to BP-25-1770 for the following reason. The zoning district is RNC and it's Section 19-2.3(3)(g), which requires that accessory uses have a minimum side yard set-back of 5 feet.

Fondly,

*Kyle Tarkos
Deputy Building Inspector
City of Poughkeepsie
62 Civic Center Plaza, 2nd Floor
Poughkeepsie, NY 12601
www.cityofpoughkeepsie.com*

*Direct Line 845-451-4015
Main Phone 845-451-4007
Fax 845-451-4006*

From: rongelles58@gmail.com <rongelles58@gmail.com>
Sent: Tuesday, December 2, 2025 10:58 AM
To: Kyle Tarkos <KTarkos@cityofpoughkeepsie.com>
Subject: 152 Montgomery St. - HVAC permit modification and area variance request

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

GM Kyle,

I initially filed a permit application that would have required an area variance to place HVAC condensers on the side of the house, within 5' of the property line.

With winter approaching and with the existing oil-fired system inoperative, I opted to proceed instead with a compliant installation with condensers located, non-controversially, under the deck. A permit was approved 11/20/25 and work started 12/1/25. But according to the contractor there is insufficient headroom under the deck for a proper installation and locating condensers there will not work.

Please approve condenser placement in the original location on the side of the house. If approval is denied, please issue a denial letter for zoning consideration ASAP. Plot plan is attached.

Thank you.

Ron Gelles
917/331-0838



**CITY OF POUGHKEEPSIE
DEVELOPMENT DEPARTMENT
ZONING BOARD OF APPEALS
MEETING OF JANUARY 13, 2026**

AREA VARIANCE(S) REVIEW ANALYSIS

Project **152 MONTGOMERY STREET: AREA VARIANCE**
Description: Application for an area variance relative to the proposed installation of an HVAC unit in the side yard of the building at 152 Montgomery Street approximately 2.5 feet from the east side yard where Section 19-2.3(3)(g) of the Zoning Code requires a 5-foot set-back. Owner/Applicant: Ron Gelles; Grid #6161-22-197905; Zoning District: RNC; File #ZBA2025-036

Review Dates: 1/2/26

Public Hearings: 1/13/26

SEQRA Type II

Staff: Judith Knauss, Deputy Zoning Administrator

DEFINITION OF "AREA VARIANCE:"

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

INSTRUCTIONS TO THE ZONING BOARD OF APPEALS:

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

CRITERIA FOR GRANTING AN AREA VARIANCE

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

The granting of the variance is not likely to produce an undesirable change in the neighborhood or be a detriment to nearby properties.

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

The applicant has explored alternate locations for the HVAC unit that would be compliant. None of those locations were workable.

iii) Are the requested variances substantial?

The variance is not substantial.

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

The variance is not likely to have an adverse effect or impact on the physical or environmental conditions in the neighborhood.

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

The difficulty in complying with the requirements of the zoning code is not self-created.

Recommendations:

It is recommended that the Board open the public hearing.

Motion:

Second:

Carried:

Public Comment(s) to be received:

*

It is recommended that the Board close the public hearing, or adjourn it if additional information is deemed necessary.

Motion:

Second:

Carried:

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



**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: 141 N Water Street, Poughkeepsie

ZONING DISTRICT: W - Waterfront

OWNER INFORMATION:

Name: 141 North Water Street LLC

Address: 135 N Water Street

Poughkeepsie, NY 12601

Phone: c/o 845-874-7166

Email: _____

APPLICANT INFORMATION:

Name: Same as owner

Address: _____

Phone: _____

Email: _____

CONSULTANT INFORMATION:

Name: KARC Planning Consultants, Inc.

Address: PO Box 924

Poughkeepsie, NY 12602

Phone: 845-874-7166

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.

Judith Knauss , City of Poughkeepsie Deputy Zoning Administrator

Name and title of agent: _____

Date of decision/determination/violation: October 27, 2025 via email
(see attached)

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

PROPERTY ADDRESS: 141 N Water Street, Poughkeepsie

ZONING BOARD OF APPEALS AREA VARIANCE
APPLICATION
PROPERTY ADDRESS: 141 N Water Street, Poughkeepsie
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):
7. Building Elevations & Rendering

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

December 3, 2025
DATE

Natalie Quinn, agent for applicant
Print Name

Jozlyn Young

From: Judith Knauss <JKnauss@cityofpoughkeepsie.com>
Sent: Monday, October 27, 2025 1:30 PM
To: Natalie Quinn; Jozlyn Young
Cc: Rebecca A. Valk; Europa McGovern; Eric Philipp; Joseph O'Brien; Richard Distel; Tyler Maegerle; Lori Garcia
Subject: RE: 141 North Water Street

Follow Up Flag: Follow up
Flag Status: Completed

Hello, Natalie.

All items relative to the proposed inclusion of a portion of the property at 9 Dutchess Avenue have been resolved as that part of the proposal has been abandoned.

As to the zoning deficiencies noted, pending resolution of the interpretation, a preliminary review of the materials available with Tyler Maegerle reveals the following items **may** still remain open:

1. Section 19-4.4(3)(e) allows for maximum lot coverage of 50% is permitted: 65.27% is proposed;
2. Section 19-6.5(5)(c) states that a fence within a front yard shall not exceed a height of 3' measured from sidewalk grade: a 4' fence appears to be proposed within the north east portion of the front yard (this fence is proposed to be located inside the retaining wall on the north property line curving east towards North Water Street);
3. Section 19-6.8(1)(b) states that elevator penthouses shall be setback 1' from the edge of the roof for each additional foot in height greater than the permitted height: the elevator penthouse appears to be located on the edge of the roof while the proposed building exceeds the maximum height allowed.

We welcome any information addressing these items. For example, relative to #1, please provide any calculations relative to lot coverage, and for #3, please provide the height to roof line on the east elevation of the building and the top of the elevator penthouse.

Very truly yours,
Judith Knauss
Deputy Zoning Administrator

From: Natalie Quinn <natalie@karcpc.com>
Sent: Monday, October 27, 2025 7:55 AM
To: Judith Knauss <JKnauss@cityofpoughkeepsie.com>; Jozlyn Young <jozlyn@karcpc.com>
Cc: Rebecca A. Valk <RValk@cityofpoughkeepsie.com>; Europa McGovern <emcgovern@cityofpoughkeepsie.com>; Eric Philipp <EPhilipp@cityofpoughkeepsie.com>; Joseph O'Brien <jobrien@cityofpoughkeepsie.com>; Richard Distel <rdistel@cityofpoughkeepsie.com>; Tyler Maegerle <tmaegerle@cityofpoughkeepsie.com>; Lori Garcia <LGarcia@cityofpoughkeepsie.com>
Subject: RE: 141 North Water Street



PLANNING CONSULTANTS, INC.

July 9, 2025

To whom it may concern:

Please accept this letter as written authorization that KARC Planning Consultants, Inc. is authorized to sign as Agent on behalf of 141 North Water Street, LLC, with respect to permits and applications before the City of Poughkeepsie.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Wagschal", is written over a horizontal line.

Jacob Wagschal
141 North Water Street, LLC

December 3, 2025

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

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

**Re: 141 N Water Street
6062-59-771405
City of Poughkeepsie
Area Variance Application**

Dear Chair Parker and Ms. Garcia:

The applicant is seeking to construct a 56-unit multifamily development at 141 N Water Street (lot 771405). The property is located in the Waterfront (W) Zoning District and is approximately 1.028 acres.

The applicant respectfully submits this Area Variance application based on a determination received via email by Judith Knauss dated October 27, 2025. The following deficiencies were noted:

Code Section	Requirement	Proposed	Requested Variance
19-4.4(3)(e)	Maximum lot coverage, including impervious surfaces, of 50%	65.39% lot coverage	15.39%
19-6.5(5)(c)	Maximum fence height in front yard of 3 feet	4 feet	1 foot
19-6.8(1)(b)	Elevator penthouse setback 1 foot for each additional foot in height greater than the permitted building height. Note: there is no max height limit for elevator penthouses, per 19-6.8(1)(b)	No setback where 17.8 foot setback is required	17.8 feet

As the Board is aware, when considering an area variance application, the Board must consider **whether the benefit to the applicant if the variance is granted outweighs any detriment to the health, safety, and welfare of the neighborhood or community**. In considering this balancing test and considering the following five statutory factors, it is the applicant's belief that the benefits of this project outweigh any potential detrimental impacts. Our justification is as follows:

LOT COVERAGE

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 proposed lot coverage variance will not result in any undesirable change to the character of the neighborhood. The development is consistent with the character of nearby properties, including the adjacent lot at One Dutchess where the development exhibits similar levels of impervious surface coverage. Additionally, the project received a positive Consistency Review from the Waterfront Advisory Committee on November 5, 2025, which noted that the development incorporates improved stormwater management practices. Currently, stormwater on the site sheet-flows onto adjacent parcels in several areas due to underlying rock. The project includes stormwater mitigation measures, including permeable pavers on the outdoor patio, to allow for natural infiltration where soils are suitable, reducing environmental impacts while maintaining visual quality.

2. Can the benefit be achieved by some other method feasible for the applicant to pursue other than the area variance?

The benefit sought by the variance cannot be achieved by any other feasible method. A redesign to fully comply with the lot coverage requirement would make the project infeasible and/or would significantly reduce the usable space on the lot, limiting available parking, and adversely impacting the property's functionality and value. The increased lot coverage, primarily from building footprint and paved accessways, is necessary to provide fire access to the building and adequate entry to the two-level parking beneath the building, given the site's existing slopes. Additionally, portions of the lot were excavated by the neighboring property, necessitating substantial structural interventions to make the lot buildable, which further increased lot coverage and project cost. The structured parking represents a significant investment to meet the full parking requirement while minimizing surface parking. Permeable pavers have also been utilized in the outdoor patio area to mitigate the impervious surface area where soils permit infiltration.

3. Is the requested area variance substantial?

While the numerical increase in lot coverage from 50% to 65.39% may appear substantial at first glance, the actual impact is mitigated both contextually and functionally. Only 34.30% of the site is occupied by the building footprint itself, with the remaining coverage consisting of paved surfaces that are necessary to provide safe and appropriate access for residents and emergency services, including the fire department.

Importantly, the need for a variance arises from recent zoning code changes. Under the previous zoning code, the same 50% lot coverage limit applied. However, at that time, lot coverage was defined as only building coverage and impervious surfaces were not included in that calculation. Under that prior definition, the proposal at 34.30% building coverage would have fully complied. The current variance request results solely from a redefinition of lot coverage to include impervious surfaces, without a corresponding adjustment to the numerical threshold.

When comparing the prior and current zoning frameworks, many districts were updated to increase maximum lot coverage specifically to account for this definitional change. For example, the R-1 district previously allowed a maximum lot coverage of 25% (building coverage only), whereas the comparable RNA district now permits up to 60% lot coverage under the new definition. Similarly, the former R-4 district allowed 40% building coverage, while the current RNC district now allows up to 70% lot coverage.

In this context, the applicant's request represents a relatively modest variance of 15.39% and reflects the minimum necessary relief given the site's limited capacity for infiltration and pervious area. Proportionally, the proposed lot coverage is consistent with the updated standards applied in comparable residential districts such as RNC and RNA. Thus, both numerically and contextually, the requested variance is reasonable and in keeping with the intent of the revised zoning code.

4. Will the variance have an adverse effect on the physical or environmental neighborhood or district?

There will be no adverse environmental or physical impact resulting from the requested lot coverage variance. The applicant is taking proactive steps to reduce environmental effects including installation of a stormwater management system and including permeable pavers where practical. The inclusion of the stormwater management system will decrease the potential for flooding and erosion on site, as well as runoff to adjacent parcels, as the site is currently void of any stormwater management. Therefore, we believe the proposed development will offer a positive environmental benefit to the surrounding community and adjacent parcels.

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

The difficulty may be considered self-created due to the design of the development; however, this does not preclude the granting of the variance. The additional coverage is linked to essential access for both residents and the fire department as they require a minimum of 24-foot width for driveways to ensure their vehicles can enter and exit the site. A number of unique site constraints - such as steep slopes, existing bluff, and excavation of a portion of the site – also contribute to the need for the variance as additional land cannot be acquired and merged with the property to increase land area.

Additionally, the change in the zoning code definition of lot coverage can be a factor in the need for the area variance not being self-created. Under the prior definition, which excluded impervious surfaces from lot coverage calculations, this project would have fully complied with the zoning requirements. The updated regulations did not adjust the numerical thresholds of the W district to reflect the updated lot coverage definition that now includes impervious surfaces, and upon comparison of the previous code to the new code, it seems there were no updates to the W district at all, beside cross-reference to other sections of the code. As a result, the variance need stems in significant part from a regulatory change rather than actions of the applicant.

FENCE HEIGHT

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 subject fence is highlighted on the attached site plan in yellow. The granting of the fence height variance will not produce an undesirable change to the character of the neighborhood or be detrimental to nearby properties. As shown in Figure 4-7 of the site photos, the retaining wall and 4-foot fence will not be visible from the front property line or the public right-of-way due to the grade change and the existing retaining wall along North Water Street at the termination of the Hoffman Street Bridge. Furthermore, while the fence is required by NYS Building Code for safety purposes, the proposed cast-iron fence is decorative and will enhance the neighborhood's character rather than detract from it, if viewed by residents of the development or someone looking down from the Hoffman Street / North Water Street sidewalk.

2. Can the benefit be achieved by some other method feasible for the applicant to pursue other than the area variance?

The benefit cannot be achieved by any other feasible method. The retaining wall on-site that requires this 4-foot-tall fence is partially existing and requires location in the front yard due to existing slopes on that portion of the site. The fence height is required by NYS Building Code for a retaining wall of this nature to prevent any safety hazard to residents due to the steep grades. Therefore, the benefit cannot be achieved without a variance.

3. Is the requested area variance substantial?

The proposed fence is 1-foot over the permitted 3-feet, which can be considered a minimal variance. The increase is not intended to create a privacy fence or alter neighborhood character, but to satisfy a safety requirement by NYS Building Code. Given that the increase by 1-foot is small and directly tied to code-mandated purposes, this request should not be considered substantial.

4. Will the variance have an adverse effect on the physical or environmental neighborhood or district?

The proposed fence will have a positive physical impact by ensuring safety around the retaining wall and reducing the risk of falls. It will not create any environmental impacts. The fence is a minor structural feature intended to protect public health and safety.

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

The need for the fence height of 4-feet is tied directly to the retaining wall safety requirements of NYS Building Code, not a voluntary design decision by the applicant. The applicant is reusing an existing retaining wall put in place due to the grades on site and this fence is necessary to conform to the safety requirements.

ELEVATOR PENTHOUSE SETBACK

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 for the elevator penthouse setback will not result in an undesirable change to the character of the neighborhood nor create any detriment to nearby properties. The main building remains fully compliant with the maximum permitted height of 60 feet, with only the elevator penthouse extending above that limit to 77.8 feet, which is permitted by code. The requested variance relates solely to the required setback, not the height itself.

The elevator penthouse is a standard and necessary architectural element in multi-story residential construction, providing required access to the rooftop and housing essential mechanical equipment. Its presence is typical of buildings of this scale and does not, in itself, alter the character of the area. Additionally, based on the rendered perspectives provided in the Site Photos document, we do not believe increasing the penthouse setback by 18 feet would produce any meaningful reduction in visibility or aesthetic impact due to existing grades and surrounding topography. The change in setback would have negligible effect on how the structure is perceived from public viewpoints.

The Waterfront Advisory Committee also reviewed the project for potential impacts on protected viewsheds and determined that the building's massing and architecture are consistent with the City's LWRP policies. As such, the proposed setback variance for the elevator penthouse will not create an undesirable impact on neighborhood character or on protected viewsheds.

2. Can the benefit be achieved by some other method feasible for the applicant to pursue other than the area variance?

The benefit sought by this variance cannot be achieved by any other feasible method available to the applicant. The elevator penthouse must be located directly above the elevator shaft for structural, mechanical, and code-required reasons. As shown in the submitted floor plans (Figure 9), the elevator core is fixed within the building's structural grid. Relocating the tower to increase the rooftop setback would require a fundamental reconfiguration of the building's layout, resulting in loss of usable residential space, disruption to circulation, and inefficiencies across all floors.

The renderings also demonstrate that the penthouse's placement toward the front of the building is intentional and appropriate from an architectural perspective. Its location creates articulation and provides visual relief along the roofline, breaking up the massing in a way that enhances the overall design. Shifting the elevator core deeper into the building to meet the required setback would eliminate this architectural benefit and produce a bulkier, less articulated façade.

Topographic conditions further limit alternatives. Due to the steep grade changes surrounding the site, increasing the setback by 15 feet would not meaningfully alter the visibility or perceived height of the penthouse from public viewpoints. The building's position within the slope means that the penthouse

would remain visible regardless of its distance from the roof edge, rendering the required setback ineffective in achieving any additional aesthetic benefit.

Finally, the site itself presents several physical constraints—including steep slopes, exposed bedrock, and portions of the property excavated by the neighboring development—that limit the ability to adjust the building footprint or shift internal components. These restrictions make it infeasible to redesign the structure in a way that would both comply with the setback requirement and maintain functional, code-compliant elevator access.

For these reasons, no reasonable alternative exists to provide the necessary elevator service while meeting the prescribed setback. The requested setback variance therefore represents the minimum feasible relief that preserves safe and efficient building operations, maintains high-quality architectural design, and respects the physical limitations of the site.

3. Is the requested area variance substantial?

The requested variance is modest and will not have a significant impact on the building's overall profile or surrounding properties. The elevator penthouse occupies a small footprint (approximately 210 square feet) relative to the overall building footprint (15,358 square feet), and the encroachment at the roof edge does not materially alter the building's massing or visual profile. The penthouse's height is consistent with standard modern elevator equipment and is necessary to safely house the mechanical systems, including the cab, hoist beam, and maintenance clearances. From street level, the penthouse will appear as a cohesive and integrated architectural element, fully compatible with the building's overall design and the character of the surrounding neighborhood.

4. Will the variance have an adverse effect on the physical or environmental neighborhood or district?

There will be no adverse physical or environmental impact resulting from the requested variance. The elevator penthouse will not contribute to additional lot coverage or stormwater runoff. The variance simply allows for the efficient placement of essential vertical transportation equipment.

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

The need for the variance is not entirely the result of a self-created hardship but rather the functional requirements of elevator design and building height limitations on a site with a compact footprint. The intent to limit excessive roof structures is maintained, as the proposed penthouse is proportional, enclosed, and integrated with the building's design.



PLANNING CONSULTANTS, INC.

We kindly request to be placed on the next available Zoning Board of Appeals meeting to discuss this application. Please advise if you require anything further.

Enclosed please find the following:

1. Cover Letter and Justification prepared by KARC, dated December 3, 2025
2. Area Variance Application prepared by KARC, dated December 3, 2025
3. Site Photos prepared by KARC
4. SEAF prepared by KARC, dated September 30, 2025
5. Site Plan prepared by LRC, dated September 30, 2025
6. Elevations prepared by ADG, dated September 30, 2025

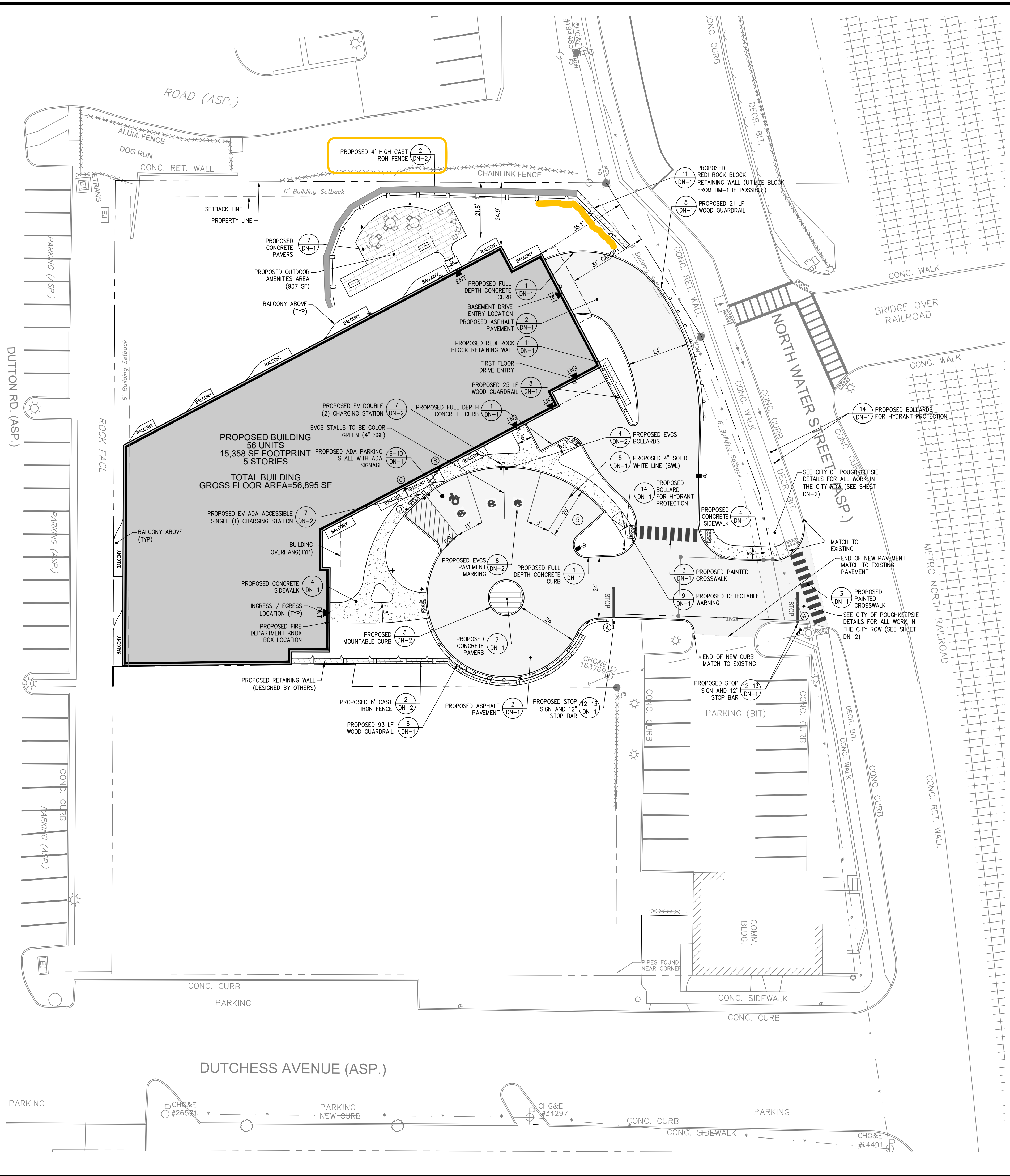
Thank you.

Sincerely,

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

Natalie Quinn, Agent for Applicant

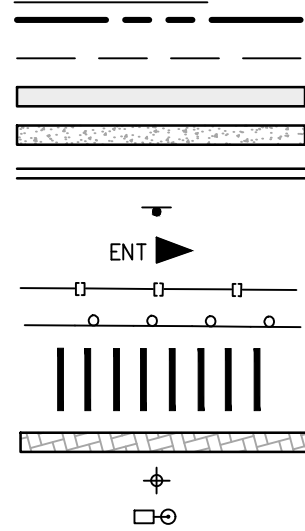
X:\JOBS\Jobs 2022\22-2985-141 North Water Street Plan-Sunrise Developers Corp (DWG)\SP22298501.dwg 9/26/2025 8:23 AM Babbiley



ZONING SUMMARY TABLE			
ZONING INFORMATION			
PARCEL SIZE	1.028 ACRES TOTAL		
TAX MAP IDENTIFICATION	6062-59-771405		
ZONING DISTRICT	W - WATERFRONT		
PROPOSED USE	RESIDENTIAL		
ITEM	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA (SF)	NONE	1,028 ACRES	1,028 ACRES
MINIMUM LOT WIDTH (FT)	NONE	169 FT	169 FT
MAXIMUM LOT COVERAGE	50%	3.45%	65.39% *
MINIMUM LOT FRONTAGE (FT)	50 FT	187.11 FT	187.11 FT
MINIMUM REQUIRED YARDS	NONE IF PROVIDED, 6FT	N/A	36.1 FT (EAST) 24.9 FT (NORTH) 0 FT WEST / 0 FT SOUTH
MAXIMUM FAR	1.25	N/A	1.25
MAXIMUM HEIGHT	5 STORIES 60 FT	N/A	5 STORIES 59'-11 7/8"
MINIMUM PARKING	1.25 / UNIT 60 UNITS = 75 SPACES	NONE	BASEMENT=34 SPACES FIRST FLOOR=31 SPACES OUTSIDE=5 SPACES TOTAL=70 SPACES
* DENOTES VARIANCE REQUIRED			SEE ARCH PLANS FOR BASEMENT AND FIRST FLOOR PARKING LAYOUTS

* DENOTES VARIANCE REQUIRED

LEGEND



EXISTING PROPERTY LINE
BUILDING SETBACK LINE
PROPOSED ASPHALT SURFACE
PROPOSED CONCRETE SIDEWALK
PROPOSED CONCRETE CURB
PROPOSED SIGN
PROPOSED DOOR LOCATION
PROPOSED FENCE
PROPOSED GUARDRAIL
PROPOSED CROSSWALK
PROPOSED CONCRETE PAVERS
PROPOSED BOLLARD LIGHT
PROPOSED LIGHTPOLE

SIGN LEGEND

NO.	LEGEND	MUTCD DESIGNATION	DIMENSIONS	QTY.
A	STOP	R1-1	30" x 30"	2
B	RESERVED PARKING	R7-8	12" x 18"	1
C	NO PARKING ANYTIME	R7-1	12" x 18"	1
D	ACCESSIBLE PARKING USE LAST		12"x18"	1

NOTE: SIGNAGE TO BE CONSISTENT WITH TOWN/STATE AND MUTCD STANDARDS

EASEMENTS

ACCESS EASEMENT, AREA=0.021± ACRES

UTILITY EASEMENT, AREA=0.053± ACRES (FORMERLY PARCEL 2)

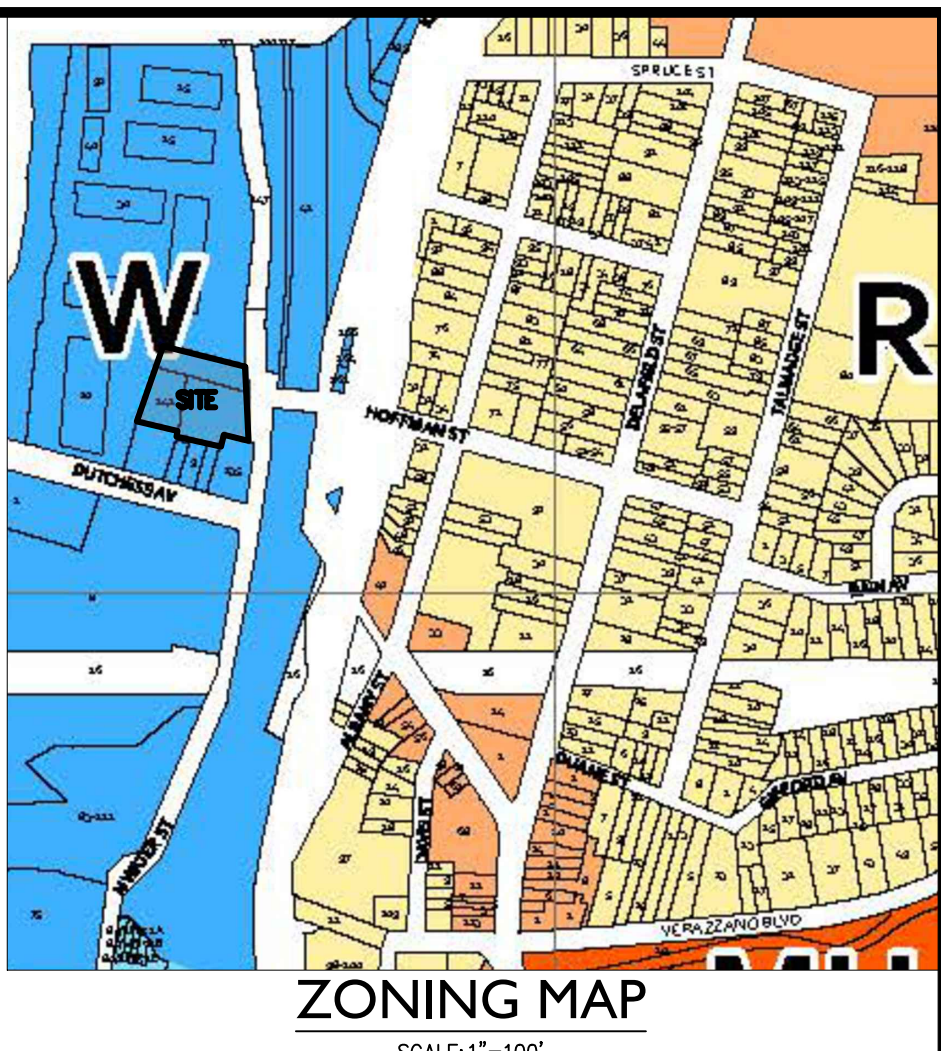
UTILITY EASEMENT, AREA=0.031± ACRES (FORMERLY PARCEL 2)

NOTES:

- EXISTING EASEMENTS ASSOCIATED WITH THIS PROJECT ARE SHOWN ON APPLICABLE PLAN SHEETS AND ARE LISTED ABOVE. ALL EXISTING EASEMENTS ARE PROVIDED ON THE PLAN SHEET ENTITLED "EXISTING CONDITIONS / TOPOGRAPHIC SURVEY".
- NO EXISTING WATERCOURSES, MARCHES, WOODED AREAS, ROCK OUTCROPS, TREES WITH A DIA. OF 8" OR MORE ARE ASSOCIATED WITH THIS PROJECT.
- SITE IS NOT IN FEMA 100 YEAR FLOODPLAIN
- A FIRE DEPARTMENT KNOX BOX LOCATION IS PROVIDED AT THE SOUTHWEST ENTRY LOCATION.

SURVEY MAP REFERENCE

EXISTING CONDITIONS / TOPOGRAPHIC INFORMATION TAKEN FROM PLAN ENTITLED "141 NORTH WATER STREET, LLC" DATED MAY 27, 2025 BY LARRY L. LYNN, LS, PLS# 050531



GENERAL NOTES

- ALL CONSTRUCTION SHALL COMPLY WITH CITY OF PoughKEEPSIE REQUIREMENTS AND SPECIFICATIONS.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS REQUIRED BY GOVERNMENT AGENCIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL POST ALL BONDS, PAY ALL FEES, PROVIDE PROOF OF INSURANCE AND PROVIDE TRAFFIC CONTROL NECESSARY FOR THIS WORK.
- REFER TO OTHER PLANS AND DETAIL SHEETS FOR ADDITIONAL INFORMATION. THE CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS IN THE FIELD AND CONTACT THE SITE ENGINEER IF THERE ARE ANY QUESTIONS OR CONFLICTS REGARDING THE CONSTRUCTION DOCUMENTS AND/OR FIELD CONDITIONS SO THAT APPROPRIATE REVISIONS CAN BE MADE PRIOR TO BIDDING. ANY CONFLICT BETWEEN DRAWINGS AND THE SPECIFICATIONS SHALL BE CONFIRMED WITH THE LOCAL CONSTRUCTION MANAGER PRIOR TO BIDDING.
- REFER TO THE DETAIL SHEETS FOR PAVEMENT, CURBING, AND SIDEWALK INFORMATION.
- ALTERNATIVE METHODS AND PRODUCTS OTHER THAN THOSE SPECIFIED MAY BE USED IF REVIEWED AND APPROVED BY THE SITE ENGINEER, AND THE APPROPRIATE REGULATORY AGENCIES PRIOR TO INSTALLATION.
- THE CONTRACTOR SHALL RESTORE ANY OF THE FOLLOWING IF THEY ARE NOTED TO REMAIN: UTILITY STRUCTURE, PIPE, UTILITY, PAVEMENT, CURBS, SIDEWALKS, OR LANDSCAPED AREAS DISTURBED DURING CONSTRUCTION TO THEIR ORIGINAL CONDITION OR BETTER TO THE SATISFACTION OF THE CITY OF PoughKEEPSIE.
- TRAFFIC CONTROL MEASURES SHALL BE UTILIZED IN ACCORDANCE WITH CITY OF PoughKEEPSIE.
- PAVEMENT MARKINGS SHALL BE FAST DRYING TYPE IN ACCORDANCE WITH CITY OF PoughKEEPSIE SPECIFICATIONS.
- THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF ALL PRODUCTS, MATERIALS AND PLANT SPECIFICATIONS TO THE SITE ENGINEER AND OWNER FOR REVIEW AND APPROVAL PRIOR TO FABRICATION OR DELIVERY TO THE SITE. ALLOW A MINIMUM OF 14 WORKING DAYS FOR REVIEW. APPROVED SHOP DRAWINGS WILL BE PROVIDED BY THE ENGINEER AND COPIED TO THE CITY OF PoughKEEPSIE.
- THE CONTRACTOR SHALL PROVIDE AND MAINTAIN TRAFFIC DEVICES FOR PROTECTION OF VEHICLES AND PEDESTRIANS CONSISTING OF DRUMS, BARRIERS, SIGNS, LIGHTS, FENCES AND UNIFORMED TRAFFIC MEN AS REQUIRED OR ORDERED BY THE ENGINEER OR REQUIRED BY THE LOCAL GOVERNING AUTHORITIES. CONTRACTOR SHALL MAINTAIN ALL TRAFFIC LANES AND PEDESTRIAN WALKWAYS AT ALL TIMES UNLESS WRITTEN APPROVAL FROM THE CITY AND GOVERNING AUTHORITIES IS GRANTED.
- THE PROJECT DRAWINGS ARE GENERALLY DIAGRAMMATIC IN INDICATING THE PRESENCE OF EXISTING UNDERGROUND UTILITIES. INFORMATION ON EXISTING UTILITIES HAS BEEN COMPILED FROM AVAILABLE INFORMATION INCLUDING UTILITY COMPANY AND MUNICIPAL RECORD MAPS AND FIELD SURVEY AND IS NOT GUARANTEED TO BE CORRECT OR COMPLETE. UTILITIES ARE SHOWN TO ALERT THE CONTRACTOR OF THEIR PRESENCE AND THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DETERMINING ACTUAL LOCATIONS AND ELEVATIONS OF ALL UTILITIES AND SERVICES. WHEN THE UTILITIES ARE TO BE LEFT IN PLACE, THE CONTRACTOR SHALL PROVIDE ADEQUATE MEANS OF SUPPORT AND PROTECTION DURING THE EXCAVATION AND BACKFILLING OPERATIONS.
- PRIOR TO DEMOLITION OR CONSTRUCTION THE CONTRACTOR SHALL CONTACT "CALL BEFORE YOU DIG" AT 1-800-962-7962 AT LEAST 72 HOURS BEFORE COMMENCEMENT OF WORK TO VERIFY ALL UTILITY LOCATIONS. CONTRACTOR SHALL NOT INTERRUPT EXISTING UTILITIES SERVING FACILITIES OCCUPIED AND USED BY THE OWNER OR OTHERS DURING OCCUPIED HOURS.
- IF ANY UNCHARTED OR INCORRECTLY CHARTED EXISTING PIPING OR OTHER UTILITY IS UNCOVERED DURING EXCAVATION, THE CONTRACTOR SHALL CONSULT THE SITE ENGINEER IMMEDIATELY FOR DIRECTIONS BEFORE PROCEEDING FURTHER WITH THE WORK.
- STORAGE OF FLAMMABLE AND HAZARDOUS MATERIALS SHALL BE IN COMPLIANCE WITH THE NYS FIRE AND BUILDING CODE.
- CONTRACTOR TO PROVIDE SITE ENGINEER WITH SUBMITTALS. ONCE APPROVED, COPIES WILL BE SUPPLIED TO CITY ENGINEER AND APPROPRIATE CITY DEPARTMENTS.
- NO HERBICIDES OR PESTICIDES WILL BE USED DURING THE OPERATION OF THE SITE.
- A SPRINKLER SYSTEM SHALL BE INSTALLED IN THE BUILDING IN ACCORDANCE WITH NFPA AND THE NYS FIRE CODE 2020.



GRAPHIC SCALE
20 10 0 20
SCALE IN FEET

1. 2025-09-09 SITE PLAN FOR ZBA SUBMISSION

2. 2025-09-30 CITY PLANNING BOARD SUBMISSION

Revisions

- Land Planning
- Civil Engineering
- Environmental Services
- Land Surveying
- Landscape Architecture

160 West Street, Suite E
Cromwell, CT 06416
Tel: 860.635.2877
85 Civic Center Plaza, Suite 204
Middletown, NJ 07440
Tel: 908.603.5750
www.lrcconsult.com

1000 Wyckoff Avenue, 3rd Floor
Mahwah, NJ 07430
Tel: 908.603.5750

LRC Engineering & Surveying, LLC
LRC Engineering & Surveying, LLC
LRC Environmental Services, Inc.

SITE PLAN

WATER STREET DEVELOPMENT

141 NORTH WATER STREET
CITY OF PoughKEEPSIE, DUTCHESS COUNTY, NEW YORK

Design/Calcs	BLS	CAD File	SP22298501.dwg	Sheet No.
Drawn	SMC	Project No.	22-2985	
Checked	KFC	Date	2025-07-22	
Approved	LRC	Scale	1"=20'	

SP-1

SHEET 3 OF 16

Page 132 of 188

Short Environmental Assessment Form

Part 1 - Project Information

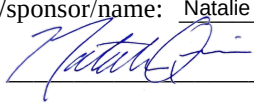
Instructions for Completing

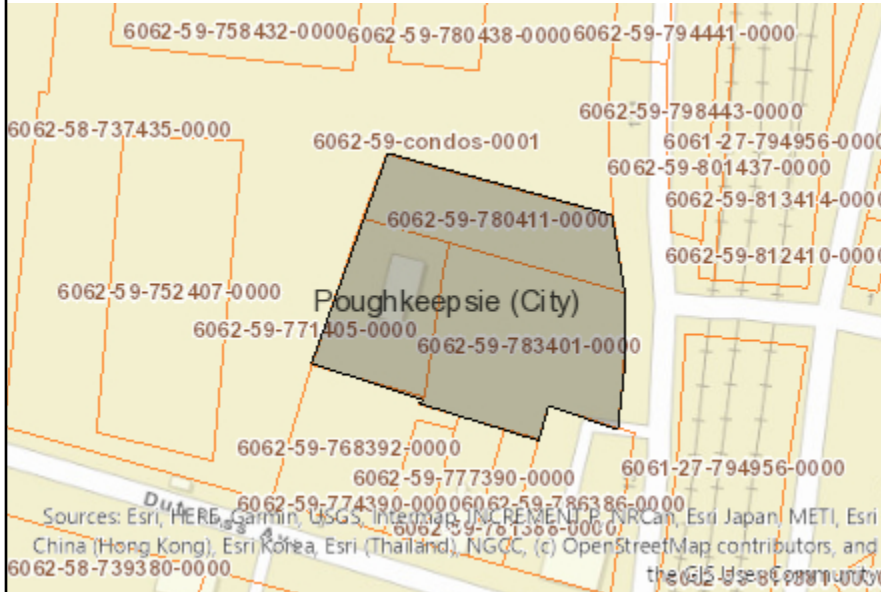
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: 141 N Water Street			
Project Location (describe, and attach a location map): 141 N Water Street, Poughkeepsie, NY 12601 (Parcel 6062-59-771405)			
Brief Description of Proposed Action: Construction of a 56-unit multi-family development with accessory parking to serve the residents on the above noted parcel. Site plan approval was previously granted for this site for a 20-unit development.			
Name of Applicant or Sponsor: 141 North Water Street LLC (c/o KARC Planning Consultants)		Telephone: c/o 845-874-7166 E-Mail: c/o natalie@karcpc.com	
Address: 135 N Water Street			
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Site plan approval (Planning Board), Area variance (ZBA)		NO ☐	YES ☐
3. a. Total acreage of the site of the proposed action?		1.028 acres	
b. Total acreage to be physically disturbed?		0.932 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.028 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☒ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
Action will meet the state energy code requirements. _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☐	☒	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
Project area is approximately 350 feet from the Hudson River and will not alter or encroach into this water body. The project site is also sited on top of a bluff that is above the river's shoreline. _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Shortnose Sturgeon, Atlanti...	NO	YES
	☐	☒
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☐	☒
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☒
_____ Stormwater will be managed on-site. See drainage report. _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____ _____	☒	☐
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____ Remediation C314081 and C314081A located at 1 Dutchess Ave.	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Natalie Quinn, KARC Planning Consultants</u> Date: <u>9/30/2025</u> Signature: <u></u> Title: <u>Agent for applicant</u>		



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



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Shortnose Sturgeon, Atlantic Sturgeon
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

NYS Department of Environmental Conservation DER Environmental Remediation Databases

Search Details from Environmental Remediation Databases

Site Record

Document Repository

Site-related documents are available for review through the [DEC Info Locator](#) 

Administrative Information

Site Name: Former A.C. Dutton Lumber Yard

Site Code: C314081

Program: Brownfield Cleanup Program

[Classification](#) : C

EPA ID Number:

Location

DEC Region: 3

Address: 1 Dutchess Avenue

City: Poughkeepsie

Zip: 12601

County: Dutchess

Latitude: 41.71317921

Longitude: -73.93851119

Site Type:

Estimated Size: 11.84 Acres

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Institutional And Engineering Controls

No Institutional And Engineering Controls Information Available

Site Owner(s) and Operator(s)

Current Owner Name: One Dutchess Phase 2, LLC

Current Owner(s) Address: 241 Hudson Street
Hackensack, NJ, 07601

Current Owner Name: One Dutchess Phase 3, LLC

Current Owner(s) Address: 241 Hudson Street
Hackensack, NJ, 07601

Site Document Repository

Name: NYSDEC Region 3

Address: 21 South Putt Corners Road
New Paltz, NY, 12561

Name: Adriance Memorial Library

Address: 93 Market Street
Poughkeepsie, NY, 12601

Site Description

Location: The Former A.C. Dutton Lumber Yard site is located in an urban area at 1 Dutchess Avenue in both the City of Poughkeepsie and the Town of Poughkeepsie, Dutchess County. It is comprised of approximately 11.8 acres of land located on the east bank of the Hudson River. The site does not include a strip of land along the shoreline, which was part of the former lumber yard. This strip was excluded from the Brownfield Cleanup Program site by an amendment to the Brownfield Cleanup Agreement dated February 4, 2011.

Site Features: Several abandoned buildings associated with the former industrial operations were demolished in 2010 and 2012. The site is crossed from east to west by Kidney Creek, which is a culverted stream located approximately along the City/Town border.

Current Zoning and Land Use: The site is currently under construction for apartments, and

is zoned waterfront, which allows for restricted-residential use. The surrounding parcels are used for a combination of industrial, commercial, recreational and residential purposes.

Past Use of the Site: From 1966 until approximately 1999, the site was used to pressure treat lumber using chromated copper arsenate (CCA). Prior to 1966 the site was used for several industrial purposes, including a glass factory, an iron works, and several others, dating back to at least the mid-1800s. Several petroleum and hazardous substance storage tanks were used in the past on the property.

Site Geology and Hydrogeology: Much of the site was created by filling in the Hudson River to extend the shoreline westward. The fill material is comprised of kiln slag from the glass works, demolition debris (which includes bricks and cinder block fragments), large fragments of anthracite coal, ash, sand, silt and gravel. Native material, consisting of light brown, silty sand, was rarely encountered in the eastern and central portions of the site, but near the river was encountered at approximately 5 feet below the surface.

The site topography rises steeply approximately 10 to 20 feet along its eastern edge. There are bedrock cliffs along the southeastern edge of the site.

The Hudson River is tidal in this area. Groundwater flow at the site is generally towards the river and is tidally-influenced.

Summary of Project Completion Date

Projects associated with this site are listed in the Project Completion Dates table and are grouped by Operable Unit (OU). A site can be divided into a number of operable units depending on the complexity of the site and the number of issues associated with a site. Sites are often divided into operable units based on the media to be addressed (such as groundwater or contaminated soil), geographic area, or other factors.

Project Completion Dates

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
Chromium
Arsenic

Contaminant Name/Type
Petroleum products
Copper

Site Environmental Assessment

Remediation at the site is complete. Prior to remediation, the primary contaminants of concern were arsenic, chromium and copper in soil. Remedial actions have successfully achieved soil cleanup objectives for restricted-residential use. Residual contamination in the soil and groundwater is being managed under a Site Management Plan.

Site Health Assessment

Measures are in place to prevent exposures to remaining contamination in on-site groundwater and soil.

For more Information:

[E-mail Us](#)

DER Environmental Remediation Databases

[Privacy Policy](#)

[Terms of Service](#)

NYS Department of Environmental Conservation DER Environmental Remediation Databases

Search Details from Environmental Remediation Databases

Site Record

Document Repository

Site-related documents are available for review through the [DEC Info Locator](#) 

Administrative Information

Site Name: OFF-SITE Former A.C. Dutton Lumber Yard

Site Code: C314081A

Program: Brownfield Cleanup Program

Classification : N *

EPA ID Number:

Location

DEC Region: 3

Address: 1 Dutchess Avenue

City: Poughkeepsie

Zip: 12601

County: Dutchess

Latitude: 41.713232957

Longitude: -73.938440988

Site Type:

Estimated Size: 47.77 Acres

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Site Owner(s) and Operator(s)

Current Owner Name: Poughkeepsie CSC, LLC

Current Owner(s) Address: Raymour & Flanigan Furniture
Liverpool, NY, 13088

Current Owner Name: Vassar College

Current Owner(s) Address: Vassar College Box 2
Poughkeepsie, NY, 12604-0002

Site Document Repository

No Repository Information Available

Site Description

Location: The Former A.C. Dutton Lumber Yard Off-Site areas include areas which are not part of the Former A.C. Dutton Lumber Yard Brownfield Cleanup Program (BCP) site (C314081), but which had potentially been impacted by contaminants from the Former A.C. Dutton Lumber Yard. The Former A.C. Dutton Lumber Yard is located on the Hudson River in both the City of Poughkeepsie and the Town of Poughkeepsie, Dutchess County.

Areas investigated as part of the off-site work include the Hudson River, the adjacent Vassar Boathouse property (north) and an area located in the Town of LaGrange, Dutchess County, at the intersection of Titusville Road and Daley Road, which may have received fill from the Former A.C. Dutton Lumber Yard site.

Site Features: The Hudson River is a Class A waterbody. The Vassar Boathouse property is currently occupied by a boathouse and boat launch. The Titusville Road property is occupied by a fitness center, parking areas and a warehouse. Most of the strip of land along the west edge of the BCP site is paved.

Current Zoning and Land Use: The Vassar Boathouse property is zoned as waterfront/institutional and is currently used for recreational purposes. The area surrounding the Former A.C. Dutton Lumber Yard site and the Vassar Boathouse is utilized for industrial, commercial and residential purposes. The Titusville Road property is zoned as commercial/general business and is used for commercial and industrial purposes. The area surrounding the Titusville Road property is predominantly residential.

Past Use of the Site: The Former A.C. Dutton Lumber Yard site was historically used for

several industrial operations, including pressure treating lumber and has been impacted by the previous manufacturing processes. From 1966 until approximately 1999, the site was used to pressure treat lumber using chromated copper arsenate (CCA). The Vassar Boathouse property was formerly owned and utilized by the A.C. Dutton company. The Titusville Road property was formerly owned and operated by a former owner of the A.C. Dutton Lumber Yard and reportedly received fill from the A.C. Dutton property.

Site Geology and Hydrogeology: Much of the Former A.C. Dutton BCP site and Vassar Boathouse property were created by filling in the Hudson River historically to extend the shoreline westward. The fill material present at the BCP site is comprised of kiln slag from the glass works, demolition debris (which includes bricks and cinder block fragments), large fragments of anthracite coal, ash, sand, silt and gravel. Native soils, where present below the fill and above bedrock, consists of light brown silty sand. The geology of the Vassar Boathouse property consists of fill material (topsoil and gravel) over bedrock, which was encountered at depths ranging from 2 to 15 feet below ground surface (bgs).

The Vassar Boathouse property topography rises steeply approximately 10 to 15 feet along its eastern edge. Groundwater was encountered at the Vassar Boathouse property at approximately 5 feet bgs. Groundwater flow at the Vassar Boathouse property is generally towards the river and is assumed to be tidally-influenced.

The Hudson River bank (channel wall) drops steeply from the shore in this area and quickly reaches the channel floor, which is present at depths of approximately 40-50 feet.

The geology of the Titusville Road properties consists of topsoil and gravel over glacial till (silt, clay and sand). Bedrock was encountered at a depth ranging from 7 to 18 feet bgs. Groundwater depth at the Titusville Road properties was encountered at approximately 7 feet bgs. Groundwater flows east/southeast on the northern parcel and to the south/southeast on the southern parcel.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
Chromium
Arsenic
Copper

Contaminant Name/Type

Site Environmental Assessment

The primary contaminants of concern at the site were those associated with the adjacent Former A.C. Dutton Lumber Yard (site C314081) including arsenic, chromium and copper.

Site investigation conducted to determine the nature and extent of site contamination revealed that no contaminant of concern were detected above standards or guidance value or the detections were within background values.

Based on the investigation results, the NYSDEC concludes that the site have not been impacted by the Former A.C. Dutton Lumber Yard Site. Further, the NYSDEC concludes the site does not pose a significant threat to the environment and no further actions are required.

Site Health Assessment

Users of the Vassar Boathouse and Titusville Road properties could contact contaminants in the soil by walking on the site, digging or otherwise disturbing the soil. People using the Hudson River for recreational activities adjacent to the A.C. Dutton Lumber Yard site are not expected to come in contact with contaminants that are present in deep water sediment.

* Class N Sites: "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

For more Information:

[E-mail Us](#)

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Figure 1: Aerial view of 141 N Water Street and adjacent properties.



Figure 2: Existing site conditions and view of the bluff 141 N Water Street sits upon.



Figure 3: View from Hoffman Street bridge.



Figure 4-7: Existing portions of retaining wall and grade comparisons.



Figure 8: Important waterfront viewshed noting that the elevator penthouse is not visible from this view.

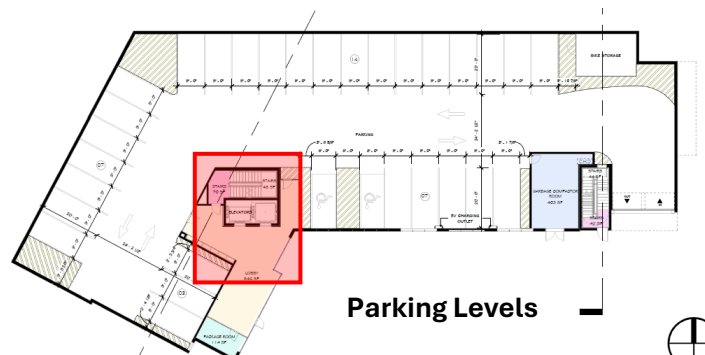
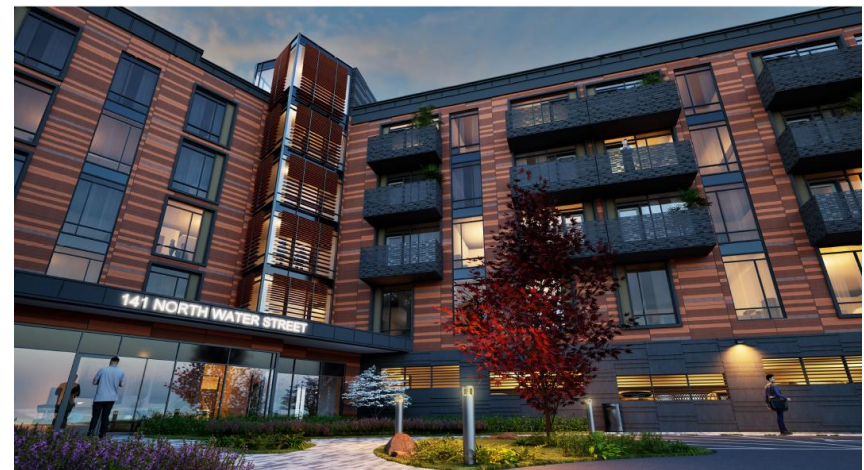
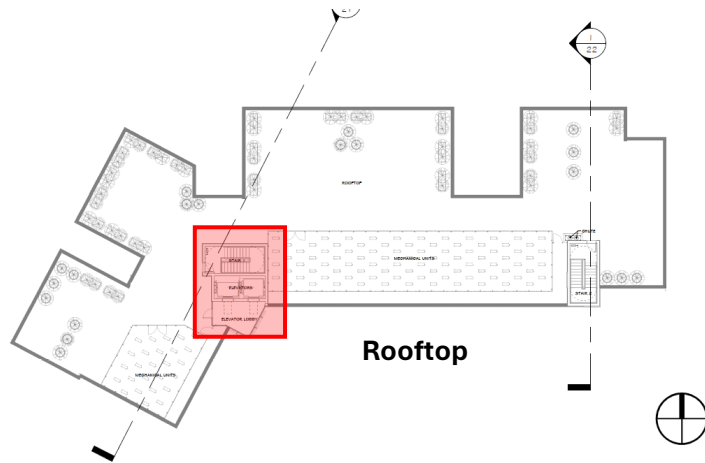


Figure 9: Elevator Penthouse location is both functional and an architectural detail to break up massing.

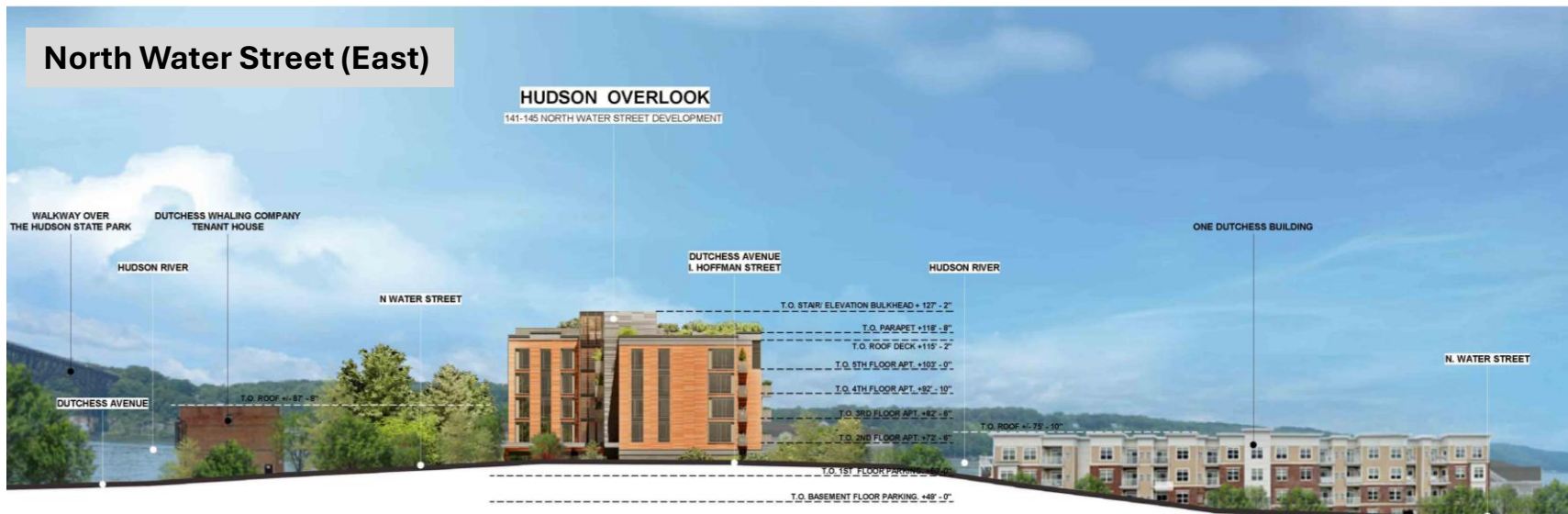
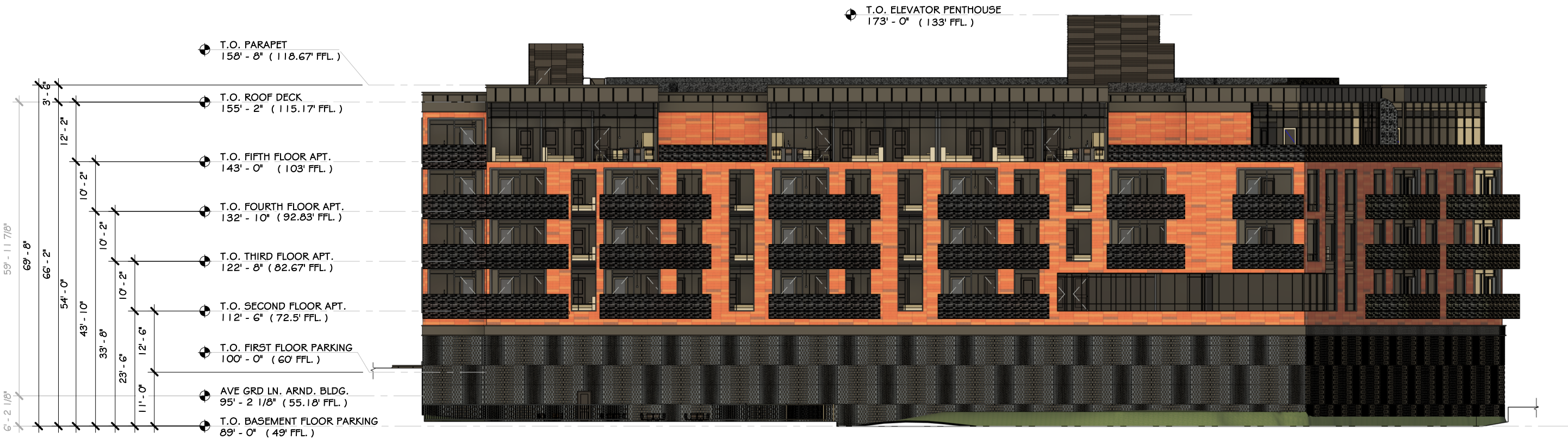


Figure 10: Cross-sections of the building compared to One Dutchess, the waterfront, and N Water Street.

North Elevation



South Elevation



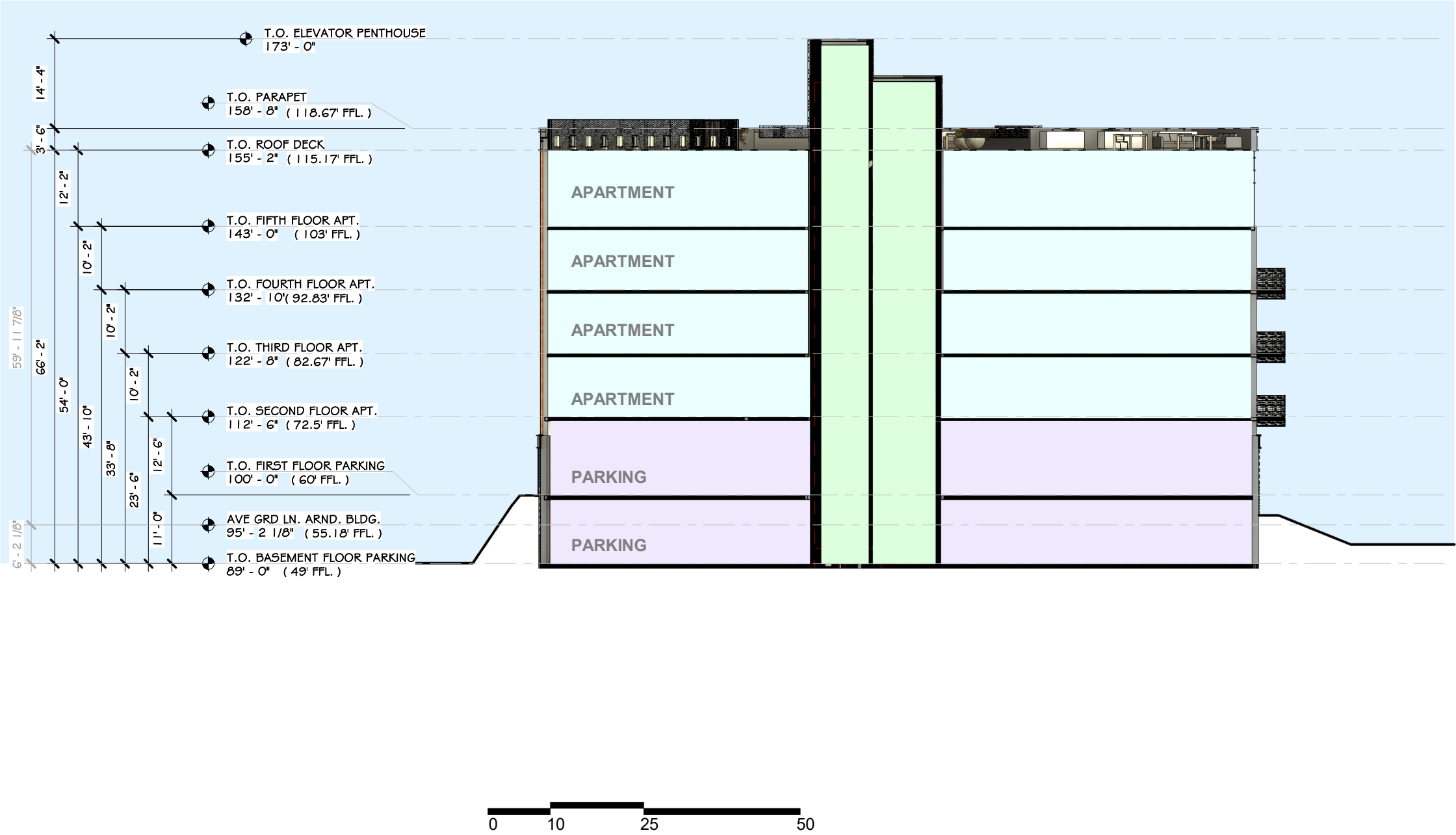
East Elevation



West Elevation



Section A - A'



Section B - B'





**CITY OF POUGHKEEPSIE
DEVELOPMENT DEPARTMENT
ZONING BOARD OF APPEALS
MEETING OF JANUARY 13, 2026**

AREA VARIANCE(S) REVIEW ANALYSIS

Project Description: **141 NORTH WATER STREET: AREA VARIANCES**
Application for area variances relative to the proposed construction of a 56-unit multifamily development on the property at 141 North Water Street requiring variances of the following sections of the Zoning Code: Section 19-4.4(3)(e), which allows a maximum lot coverage of 50% to allow 65.39%; and, Section 19-6.5(5)(c) which allows a maximum fence of 3 feet in front yards to allow 4 feet; and, Section 19-6.9(1)(b) which requires that all bulkheads, elevator penthouses and similar structures be setback one foot from the edge of the roof for each additional foot in height greater than the specified height to allow such a structure to be flush with the exterior wall on the east side of the building, a variance of approximately 17'9". Owner/Applicant: 141 North Water Street LLC; Consultant: KARC Planning Consultants, Inc/Natalie Quinn; Grid #6062-59-78340, 780411, 771405; Zoning District: Waterfront; File #ZBA2025-040

Review Dates: 1/2/26

Public Hearings: 1/13/26

SEQRA Neg Dec by PB 11/25

Staff: Judith Knauss, Deputy Zoning Administrator

DEFINITION OF "AREA VARIANCE:"

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

INSTRUCTIONS TO THE ZONING BOARD OF APPEALS:

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

CRITERIA FOR GRANTING AN AREA VARIANCE

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

The granting of the variances is unlikely to produce an undesirable change in the character of the neighborhood or be a detriment

to nearby properties, as the development is consistent with other developments in the immediate area. Additionally, the Waterfront Advisory Commission provided a positive consistency review with the Local Waterfront Revitalization Program (LWRP).

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

The benefit sought by the applicant could be achieved by other methods; however, the applicant makes potential persuasive arguments relating to safety and cost, although no financial information is provided.

iii) Are the requested variances substantial?

On their face, the variances may seem substantial, particularly the lot coverage and elevator penthouse/stair tower height variances, however in practical terms they are not. First, as far a lot coverage is concerned, as the applicant has pointed out, the lot coverage limitation was a carry-over from the 1979 Zoning Ordinance that was not adjusted to reflect the change in the definition of lot coverage to include all impervious surfaces. In point of fact, the development actual more than complies with the requirement of the previous ordinance.

With respect to the penthouse/tower, the height itself is not an issue: it is the setback of the structure from the edge of the roof. As the building is setback considerably from North Water Street, the appearance of the tower is already softened.

The variance for height of the fence is not substantial and will aid in complying with safety standards.

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

The granting of the variances is unlikely to have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. As the applicant points out, the project will likely decrease the potential for flooding and erosion, and runoff onto adjacent parcels, through the installation of a stormwater management system. With regard to the height of the fence, its placement and height is necessary for safety reasons.

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

Any of the variances requested could be said to be self-created, in that a fully compliant project could be designed. That said, self-created hardships do not necessarily preclude the granting of area variances. Additionally, the applicant makes a valid point relative to the lot-coverage provision in the new zoning code not having been adjusted to correlate with the new definition of lot coverage.

Recommendations:

It is recommended that the Board open the public hearing.

Motion:

Second:

Carried:

Public Comment(s) to be received:

*

It is recommended that the Board close the public hearing, or adjourn it if additional information is deemed necessary.

Motion:

Second:

Carried:

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



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

FEE: \$350
CODE: A2112

ID#: _____

IPS# _____

NOTE: The City of Poughkeepsie never requests and will not accept application fees via wire transfer, ACH, or credit/debit card over the phone or by email. Fees are accepted by check via mail or cash/check in person at City Hall.

AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 49 Civic Center Plaza / 85 Civic Center Plaza

ZONING DISTRICT: PID-B

OWNER INFORMATION:

Name: Journal Plaza LLC / Page Park Associates LLC

Address: P.O. Box 792

Poughkeepsie, NY 12602

Phone: 845.594.1055

Email: kelly@karcpc.com; copy natalie@karcpc.com

APPLICANT INFORMATION:

Name: Same as Owner; Consultant KARC Planning Consultants Inc., Kelly Libolt

Address: P.O. Box 924

Poughkeepsie, NY 12601

Phone: 845.594.1055

Email: kelly@karcpc.com; copy natalie@karcpc.com

CONSULTANT INFORMATION:

Name: LRC Engineering and Surveying

Address: 85 Civic Center Plaza, Suite 103

Poughkeepsie, NY 12601

Phone: 845.283.2880

Email: kcasamento@lrconsult.com

SUBJECT OF APPEAL

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

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

Date of decision/determination/violation: December 11, 2025

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

Revised 12/24: Previous Editions Obsolete

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-6.2(9)</u> _____	<u>That the number of off-street parking spaces provided shall equate to not more than 120% of the spaces required.</u> _____	<u>15 parking spaces.</u> _____
<u>19-3.4(2)(h)</u> _____ _____	<u>A rear yard setback for parking areas of 20 ft.</u> _____ _____	<u>20 ft.</u> _____ _____

VARIANCE REQUEST JUSTIFICATION

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.

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

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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 49 Civic Center Plaza / 85 Civic Center Plaza

LIST OF REQUIRED ATTACHMENTS

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

267 Mill Street Letter of Acknowledgement

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.

KLibolt

SIGNATURE OF APPLICANT

12.16.2025

DATE

Kelly Libolt

Print Name

From: [Kelly](#)
To: [Natalie Quinn](#); [John Morrow](#)
Subject: FW: 49 & 85 Civic Center Plaza
Date: Monday, December 15, 2025 8:38:21 AM

From: Judith Knauss <JKnauss@cityofpoughkeepsie.com>
Sent: Thursday, December 11, 2025 10:09 AM
To: Kelly <kelly@karcpc.com>; Natalie Quinn <natalie@karcpc.com>
Cc: Tyler Maegerle <tmaegerle@cityofpoughkeepsie.gov>; Jozlyn Young <jozlyn@karcpc.com>
Subject: 49 & 85 Civic Center Plaza

Dear Ms. Libolt and Ms. Quinn:

The Development Department is in receipt of your application for site plan review relative to the expansion of the accessory parking lot at 49 Civic Center Plaza and reconfiguration of the accessory parking lot at 85 Civic Center Plaza, which includes a connection between the two lots that will benefit from a newly approved point of ingress from Rt 44/55 West bound (Mill Street). This application has been reviewed for compliance with the objective criteria of the zoning code, and the following deficiencies were identified:

1. Section 19-6.2(9) provides that the number of off-street parking spaces provided shall equate to no more than 120% of the minimum parking required. In this instance, the total off-street parking required for both parcels is 192, while 245 spaces are provided. Between the two properties, the maximum number of spaces permitted would be 230. Therefore, there is an excess of 15 spaces if the lots are considered as a whole. If 49 is considered on its own, the application indicates that 12 spaces are required and 47 parking spaces are provided, which is 33 spaces in excess of the maximum that would be permitted. However, as a reciprocal access easement is being proposed, it may be more practical to consider the total number between the two parcels.
2. Section 19-3.4(2)(h) requires a rear yard set-back for parking areas of 20 feet: the parking area on 49 Civic Center Plaza is not consistently 20 feet from the east (rear) yard. In fact, the plan shows some encroachment. Please note that while there is no set-back along the north property line, Sections 19-6.2() and (19-6.2(6)(c) allows the Planning Board to temporarily waive side yard requirements where there is shared or joint use of parking.

You may, within 60 days of the dated of this communication, either:

1. Make application to the Zoning Board of Appeals requesting that variances be granted;
or,
2. Amend the plan to reflect compliance.

Please also note that additional landscaping may be required in the lawn area set-back of the parking lot at 49, pursuant to the provisions of Section 19-6.5(4), at the determination of the Planning Board.

Let us know if you have any questions in this regard.

Very truly yours,

Judith Knauss

Deputy Zoning Administrator

(845) 451-4010

jknauss@cityofpoughkeepsie.com

PLEASE NOTE: There has been an ongoing scam involving fraudulent emails from a group impersonating City officials. These emails generally include fake invoices and request payment from land-use board applicants. The City of Poughkeepsie never requests and will not accept application fees via wire transfer, ACH, or credit/debit card over the phone or by email. Fees are accepted by check via mail or cash/check in person at City Hall.



PLANNING CONSULTANTS, INC.

December 16, 2025

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

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

Re: Journal Square
Parcel Number 131300-6162-69-065177 (49 Civic Center Plaza)
Parcel Number 131300-6162-69-090193 (85 Civic Center Plaza)
Area Variance Application

Dear Chairman Parker and Ms. Garcia:

KARC Planning Consultants, Inc (hereinafter "KARC") represents the owners of 49 and 85 Civic Center Plaza (Journal Plaza LLC / Page Park Associates LLC). These parcels are located in the PID-B Zoning District and together encompass approximately 3.608 acres.

On November 19, 2025, the Applicant submitted an application for Amended Site Plan Approval seeking approval for the re-configuration of an accessory parking area which serves the existing 4,500 (+/-) square foot, one-story office building at 49 Civic Center Plaza. The re-configured parking area is proposed to be internally connected to 85 Civic Center Plaza and serve as additional accessory parking to the Poughkeepsie Journal office building located on that parcel. A similar reconfiguration of this parking area was approved by the Planning Board on July 27, 2020, and subsequently received a NYS DOT permit for the installation of a driveway and traffic signal upgrades on May 6, 2025. The application is seeking Amended Site Plan Approval so that the NYS DOT permit can be acted on and implemented to improve the driveway conditions off of Mill Street.

On December 11, 2025, the Applicant received an email from Judith Knauss, Deputy Zoning Administrator for the City of Poughkeepsie, which identified two zoning deficiencies within the application for Amended Site Plan Approval. The deficiencies listed in Ms. Knauss' letter are as follows:

Code Section	Requirement	Proposed	Requested Variance
19-6.2(9)	Number of parking spaces shall not equate to more than 120% of the minimum number of spaces required	245 spaces	15 spaces
19-3.4(2)(h)	Rear yard setback for parking areas of 20 feet	0 feet	20 feet

For your review, please find nine (9) copies of the following:

1. Cover Letter including justifications for Area Variance Application and color photos of site conditions, prepared by KARC Planning Consultants, Inc. dated December 16, 2025
2. Area Variance Application prepared by KARC Planning Consultants, Inc. dated December 16, 2025
3. Zoning Determination (email) from Judith Knauss indicating the need for an Area Variance Application to the ZBA, dated December 11, 2025
4. Site Plan prepared by LRC Engineering and Surveying dated November 19, 2025
5. Short EAF completed by KARC Planning Consultants, Inc. dated November 19, 2025
6. Letter of Acknowledgement prepared by Page Park Associates, LLC., dated December 16, 2025
7. Application Fee in the amount of \$350.00

As the Board is aware, when considering an area variance application, the Board must consider **whether the benefit to the applicant if the variance is granted outweighs any detriment to the health, safety, and welfare of the neighborhood or community.** In considering this balancing test and considering the following five statutory factors, it is the applicant's belief that the benefits of this project outweigh any potential detrimental impacts. Our justifications are as follows:

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.

Response:

Maximum Parking: The requested variance of 15 additional parking spaces will not produce an undesirable change in the character of the PID-B District where a mix of office, residential, retail, and municipal uses are permitted, and off-street parking provides visitors with access to these destinations. Specifically, the proposed parking lot at 49 Civic Center Plaza will provide necessary and convenient parking options for visitors and employees of the offices located in the Poughkeepsie Journal Building at 85 Civic Center Plaza and tenants of the commercial spaces located at 49 Civic

Center Plaza. The location of the proposed parking spaces at the rear of the lot and the use of natural buffers, including a wide lawn and tree islands, set the parking back from the pedestrian sidewalk and help shield the parking area from view. Elsewhere in the neighborhood, shared parking lots similar in size to the proposed lot at 49 Civic Center Plaza, including those located at 11 Mansion Street and 23 Garden Street, provide visitors to the area with parking for access to nearby destinations.

Parking Setback: Adjacent properties along Mill Street utilize off-street parking located in the rear of the lots. Specifically, the property directly to the east of the project site (267 Mill Street), where the set-back variance is being requested, will incur neither change in function nor detriment to its property by the granting of the requested variance. There are existing parking spaces adjacent to the building at 267 Mill Street that do not conform to the set-back requirements and the new parking spaces proposed along 267 Mill Street's property line are separated by an existing fence (see image below) and will abut adjacent parking that does not meet the setback requirement. The owner of 267 Mill Street has provided a letter that acknowledges the encroachment on its property and clarifies that no harm will be incurred. This letter is attached to the Area Variance Application.



Aerial view of 49 Civic Center Plaza.



Existing parking at 49 Civic Center Plaza, looking east to 267 Mill Street.

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

Response:

Maximum Parking: The proposed 245 parking spaces to be shared by 85 Civic Center Plaza and 49 Civic Center Plaza are necessary to provide adequate and convenient parking for employees and visitors of the businesses located there. The existing supply of parking spaces at 85 Civic Center Plaza is inadequate for the demand generated by the tenants of the building. The Applicant, who is the owner of 85 Civic Center Plaza, is collecting utilization data for the existing site and tenants and will provide to the ZBA at the meeting when this application is reviewed. The largest occupant at 85 Civic Center Plaza is Dutchess County – including the Department of Health and the Department of Planning and Development – which often host meetings, classes, and events that draw a larger number of visitors than previous tenants and require parking spaces beyond the standards in the Code.

Parking Setback: Due to the configuration of the lot at 49 Civic Center Plaza, it is impossible to situate these parking spaces more than 20 ft. from the rear property line without reducing the area of the site's proposed lawn. The lawn provides the dual benefit of acting as a natural green space to assist

with drainage and stormwater runoff while preserving land for potential future development. Additionally, sitting parking spaces at the location of the proposed lawn would require altering the one-way driving lane. The NYSDOT permit to close the existing curb cuts along Civic Center Plaza and to change the entrance on Mill Street from ingress/egress to ingress only makes the proposed straight driving lane the best possible option. The owner of the adjacent property at 267 Mill Street has provided a letter that acknowledges the encroachment on its property and clarifies that no harm will be incurred. This letter is attached to the Area Variance Application.

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

Response:

Parking Maximum: The proposed 245 parking spaces require a variance of 15 spaces from the 230 spaces allowed according to the City of Poughkeepsie Zoning Code. The requested variance of 15 spaces is relatively minor, and it will greatly alleviate the parking constraints that currently exist at 85 Civic Center Plaza.

Parking Setback: The configuration of the proposed parking spaces along the property line of 267 Mill Street requires a variance of the entire 20 ft. requirement set forth in City's Zoning Code. However, the proposed design of the parking lot allows for the safe and convenient movement of vehicles and pedestrians, maximizes the area of proposed green space, and as indicated in response to question 1, will cause no harm or detriment to the adjacent property.

It is well settled that the substantiality of a variance cannot be judged solely by comparison of the percentage deviation from the mandated requirement. Indeed, a deviation cannot be viewed in the abstract because the deviation only becomes relevant if it is related to an adverse effect. The totality of the relevant circumstances must be evaluated in determining whether a deviation truly is substantial. Therefore, given the above, the variance, if granted, would not be substantial.

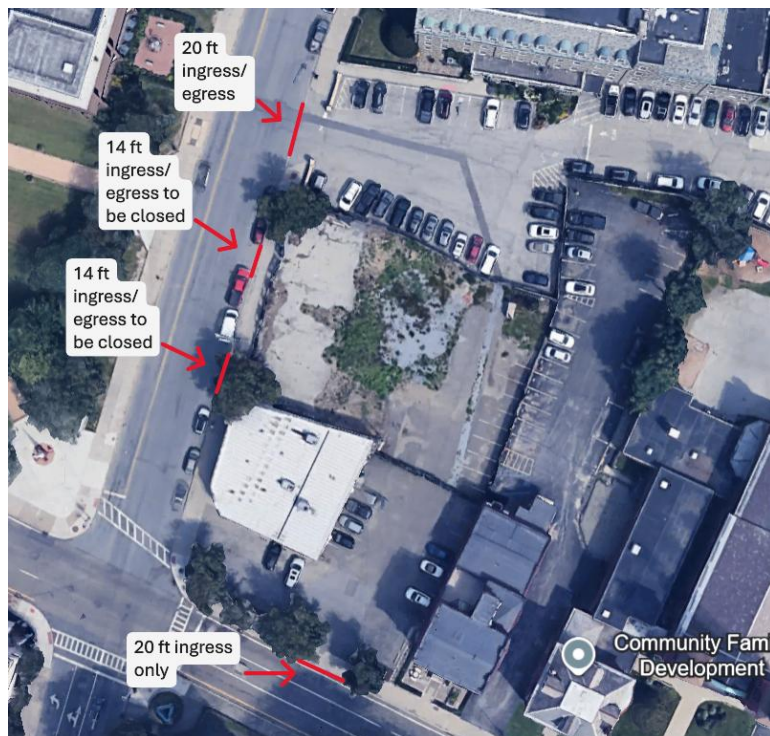
4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?

Response:

Maximum Parking: The requested variance will not result in any adverse physical or environmental effects on the neighborhood. The proposed use of the site is not inconsistent with the existing physical character of the PID-B District along this stretch of Civic Center Plaza and Mill Street. Additionally, the proposed lawn, tree islands, and river rock beds located throughout the parking area provide natural drainage and help prevent stormwater runoff from impervious surfaces. Lastly, the

provision of 245 shared parking spaces for the businesses located at 85 Civic Center Plaza and 49 Civic Center Plaza will benefit the neighborhood by alleviating the existing parking constraints which cause drivers to circle the block in search of parking while posing a danger to pedestrians.

Parking Setback: The requested variance will not result in any adverse physical or environmental effects on the neighborhood. The design considerations of the proposed parking lot, including the configuration of the new spaces, the closing of two curb cuts along Civic Center Plaza, and the changing of the driveway on Mill Street from ingress/egress to ingress only will benefit the neighborhood by reducing conflict points between pedestrians and vehicles. The closing of the existing curb cuts also allows for the addition of several on-street parking spaces for visitors to this part of Downtown Poughkeepsie.



Aerial view of 49 Civic Center Plaza showing proposed closed curb cuts and ingress only driveway on Mill Street.

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

Response:

Maximum parking & Parking Setback: Although the need for area variances to allow for the provision of shared parking spaces and to allow for the location of several parking spaces along the property line of 267 Mill Street may be considered self-created, the impact to the community is minimal while the benefit to the community and the Applicant is significant. The requested variance of 15 spaces will help alleviate the need for additional parking at the Poughkeepsie Journal Building. Additionally, existing parking spaces along the property line with 267 Mill Street do not conform to the set-back requirements and therefore establish a similar existing condition. Situating several more spaces along the property border will not result in any difficulties for either property owner and will allow for the safe flow of vehicles and pedestrians through these two lots.

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

We kindly request that this matter be placed on the next Zoning Board Agenda for Tuesday, January 13th, 2026.

Thank you.

Sincerely,



Kelly Libolt, Agent for Applicant



SITE PLAN SUBMISSION SET

FOR

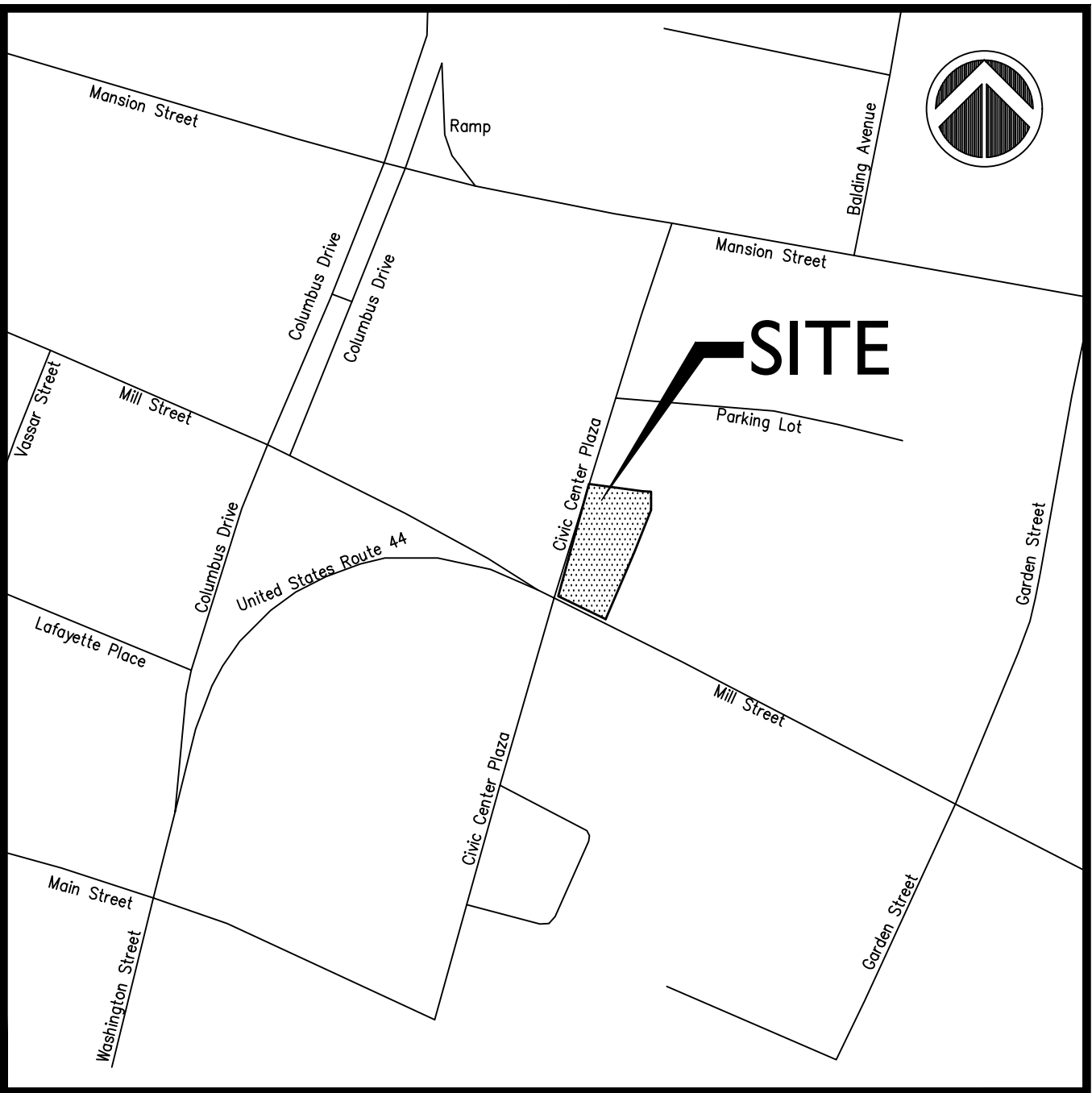
JOURNAL SQUARE

49 & 85 CIVIC CENTER PLAZA

CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK

TAX MAP(S) ID# 6162-69-065177 &
6162-69-090193

ORIGINALLY SUBMITTED: NOVEMBER 19, 2025



VICINITY MAP

SCALE: 1"=200'

SITE PLANNER / CIVIL ENGINEER:



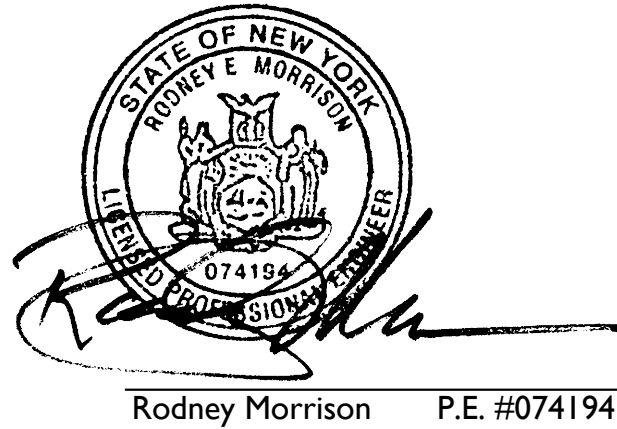
- Civil Engineering
- Land Surveying
- Landscape Architecture
- Land Planning
- Laser Scanning & BIM
- Subsurface Utility Engineering

Land Resource Consultants
Engineering & Surveying, LLC
D.B.A. Loureiro NY, P.C.

85 Civic Center Plaza, Suite 204
Poughkeepsie NY 12601
Tel: 845.243.2880

160 West Street, Suite E
Cromwell, CT 06416
Tel: 860.635.2877

www.lreconsult.com



PLANNER:

KARC
PLANNING CONSULTANTS, INC.

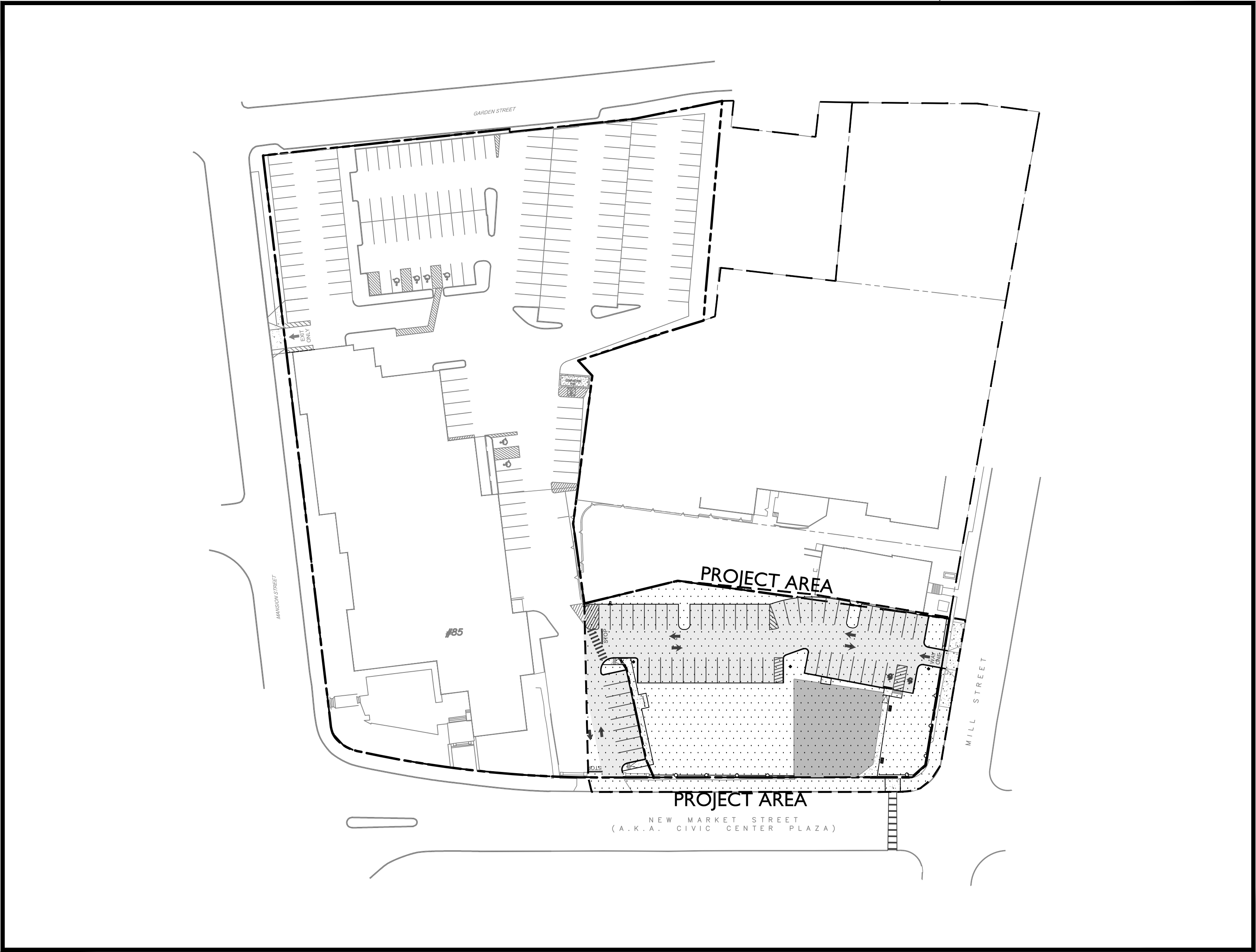
PO BOX 924
POUGHKEEPSIE, NY 12601
845-594-1055

OWNER / APPLICANT:

49 CIVIC CENTER PLAZA-JOURNAL PLAZA LLC
85 CIVIC CENTER PLAZA-PAGE PARK ASSOCIATES LLC
PO BOX 792
POUGHKEEPSIE, NY 12602

CITY PLANNING BOARD
CITY OF POUGHKEEPSIE, NEW YORK
SITE PLAN APPROVAL
FILE NO:
PROJECT NAME:
PROJECT LOCATION:
APPLICANT:
OFFICIALLY APPROVED AT THE PLANNING BOARD
MEETING HELD THE _____ DAY OF _____ 2025
PLANNING CHAIR:
DESIGNEE:
DATE SIGNED:
CONDITION(S)

FIRE CHIEF
POLICE CHIEF
BUILDING INSPECTOR
CITY ENGINEER
COMMISSIONER OF PUBLIC WORKS



OVERALL SITE PLAN

SCALE: 1"=60'

LOCATION MAP

SCALE: 1"=1,000'

INDEX OF DRAWINGS

CV-1	COVER SHEET
EX-1	EXISTING CONDITIONS
SP-1	SITE PLAN
SG-1	SITE GRADING / DRAINAGE & EROSION CONTROL PLAN
LL-1	SITE LANDSCAPE / LIGHTING PLAN
DN-1	PROJECT DETAILS
DN-2	PROJECT DETAILS
DN-3	PROJECT DETAILS

JOURNAL SQUARE
49-85 CIVIC CENTER PLAZA
CITY OF POUGHKEEPSIE

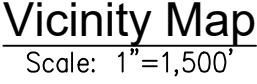
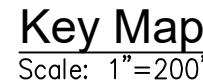
COVER SHEET

Drawing No.

CV

SHEET 1 OF 8

ORIGINALLY SUBMITTED: 2025-11-19



1. *Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.*
2. *Only copies from the original of this survey marked with an original of the land surveyor's seal shall be considered to be a true copy.*
3. *The above certification shall run only to the person for whom the survey is prepared , and on his behalf to the title company, governmental agency and lending institution. Certifications are not transferable to additional institutions or subsequent owners.*
4. *North Arrow and Bearings are referenced to the North American Datum (NAD) of 1983 projected onto the New York East State Plane Coordinate System based on GPS observations made on April 22, 2019 utilizing the Keystone KeyNetGPS WRS GPS network.*
5. *Contours and elevations are referenced to the North American Vertical Datum (NAVD) of 1988 based on GPS observations made on April 22, 2019 utilizing the Keystone KeyNetGPS WRS GPS network.*
6. *Field survey was completed on May 6, 2019.*
7. *Reference is made to the following maps:*
 - A. *"Map of Survey, Platinum Holdings Inc., City of Poughkeepsie, Dutchess County, N.Y., scale 1"=20", dated December 26, 2005, prepared by Robert L. Campbell.*
 - B. *"Map of Survey for Platinum Holdings Inc., City of Poughkeepsie, Dutchess County, New York", scale 1"=20", dated December 30, 2013, prepared by Robert L. Campbell.*
 - C. *"Survey Map Prepared for Page Park Associates, City of Poughkeepsie, County of Dutchess, State of New York, scale 1"=30", dated September 15, 1988, revised through August 26, 2009.*
 - D. *"Subdivision Plat of Lands of South Clover Properties Inc. & 289 Mill Street Realty, Corporation, City of Poughkeepsie, Dutchess County, N.Y.", scale 1"=20", dated July 31, 2003, revised through August 25, 2005, prepared by Berger Engineering & Surveying.*
 - E. *"Property to be Acquired by Poughkeepsie Newspapers Inc. in the City of Poughkeepsie, Dutchess County, New York," scale 1"=10", dated September 13, 1965, prepared by Robert L. Campbell, map on file in the Dutchess County Office of the map clerk 33378.*
 - F. *New York State Department of Transportation Description and map for the Acquisition of Property, Poughkeepsie Aerial East--West--Route, Map 265 parcel No. 268.*
8. *Reference is made to certificate for Title Insurance prepared by Chicago Title Insurance Company, Title #RPAT5-5578, effective date: April 2, 2019.*
9. *Property is located in Zone "A" as depicted on Flood Insurance Rate Map (FIRM) Panel 0358E, Dutchess County New York, City of Poughkeepsie, community number 360222, Town of Poughkeepsie, community number 316642 of map number 360270C358E, effective date: May 2, 2012.*
10. *The subsurface utilities depicted herein conform to the following Utility Quality Levels, as defined by the American Society of Civil Engineers (ASCE) in Document C/ASCE 38-02 titled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data":*
 - *Sanitary Sewer: QLC and QLD*
 - *Storm Sewer: QLC*
 - *Water: QLC*
 - *Natural Gas: QLC and QLD*
 - *Electric: QLC and QLD*

The subsurface utilities were compiled from parol evidence, record drawings, and surficial evidence located during the field survey. The Surveyor has not physically exposed the subsurface utilities, and makes no guarantee that the subsurface utilities depicted hereon comprise all such utilities within the surveyed area, either in service or abandoned. The Surveyor further does not warrant or guarantee that the subsurface utilities are in the exact location depicted, though they have been plotted, in accordance with the standard of care, from information available.

The contractor is required to utilize the local utility one call system prior to excavation for the purpose of verifying the subsurface utilities in the area.

Certification

I hereby declare this map to be prepared in accordance with the Code of Practice of the New York State Association of Land Surveyor's, adopted October, 1966 and revised through January 28, 1993.

John Wagenblatt, L.S. Lic. #050547



Legend

- | | | | |
|---------|-----------------------------------|---|----------------------|
| ● | Monument |  | Catch Basin |
| ● | Iron Pin, Pipe, Rebar, Drill Hole |  | Curbless Catch Basin |
| ▲ | Calculated Property Corner |  | Deciduous Tree |
| ○ | NYS DOT Monument Found |  | Monitor Well |
| — | Single Post Sign |  | Concrete Surface |
| • | Ballard |  | Easement Area |
| × 234.0 | Existing Spot Grade | | |
| — | Guy Wire | | |
| — | Utility Pole | | |
| gW | Water Valve | | |
| hD | Hydrant | | |
| gV | Gas Valve | | |
| ① | Drainage Manhole | | |
| ② | Sanitary Manhole | | |
| ③ | Electric Manhole | | |
| ④ | Paved-Over Manhole | | |
| ⑤ | Manhole, Utility Type Unknown | | |
| ☆ | Lamp Post | | |
| ⊙ | Parking Meter | | |
| ⊙ | Traffic Span Pole | | |
| ⊙ | Pedestrian Crossing Pole | | |
| ⊙ | Double Stop Sign | | |
| ⊙ | Traffic Handhole | | |

Deed Reference
02-2006-69

Parcel References

061166 & 065177

#85 Civic Center Plaza
Total Parcel Area

121,968 S.F.
2.80 Acres
#49 Civic Center Plaza

Total Parcel Area
35,196 S.F.
0.808 Acres

[illegible]

- Civil Engineering
- Land Surveying
- Landscape Architecture
- Land Planning
- Laser Scanning & BIM
- Subsurface Utility Engineering

**Land Resource Consultants
Engineering & Surveying, LLC**
D.B.A. Loureiro NY, P.C.
85 Civic Center Plaza, Suite 204
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Tel: 845.243.2880
160 West Street, Suite E
Cromwell, CT 06416
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www.lreconsult.com

EXISTING CONDITIONS

JOURNAL SQUARE

49 & 85 CIVIC CENTER PLAZA
CITY OF POUGHKEEPSIE
DUTCHESS COUNTY, NEW YORK

Design/Calcs	SMC	CAD File	EX-19-2426.dwg	Sheet No. E
Drawn	KFC	Project No.	19-2426	
Checked	KFC	Date	11-19-2025	
Approved	REM	Scale	1"=20'	

EX-1
SHEET 2 OF 2

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

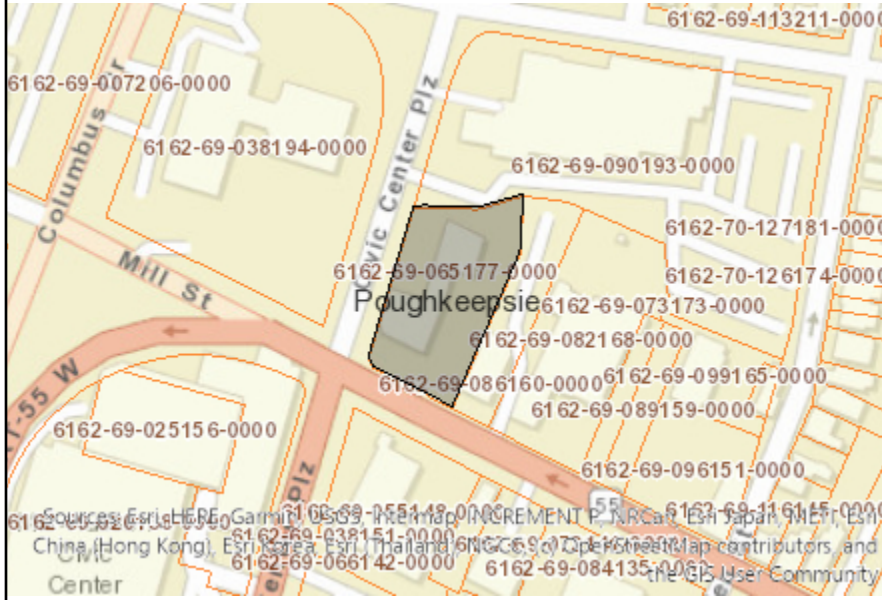
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 – Project and Sponsor Information							
Name of Action or Project: Journal Square							
Project Location (describe, and attach a location map): 49 & 85 Civic Center Plaza, Poughkeepsie, NY 12601 (see Appendix A)							
Brief Description of Proposed Action: Reconfiguration of an existing parking lot.							
Name of Applicant or Sponsor: Page Park Associates LLC and KARC Planning Consultants		Telephone: 845.594.1055 E-Mail: kelly@karcpc.com					
Address: PO Box 924							
City/PO: Poughkeepsie		State: NY					
		Zip Code: 12601					
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 5px;">NO</td> <td style="text-align: center; padding: 5px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;">☒</td> <td style="text-align: center; padding: 5px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City of Poughkeepsie Planning Board and Poughkeepsie City Council			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 5px;">NO</td> <td style="text-align: center; padding: 5px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;">☐</td> <td style="text-align: center; padding: 5px;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3. a. Total acreage of the site of the proposed action? 3.608 acres b. Total acreage to be physically disturbed? 0.459 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 3.608 acres							
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other(Specify): Residential (urban); Civic ☐ Parkland							

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: Project includes connections to existing catch basins and dry wells, as well as the creation of new green spaces to help mitigate storm water runoff.	NO	YES
	☐	☒
	☐	☒
	☐	☒
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☐	☒
Spill #9112181 (49 Civic Center Plaza) closed as of 03/01/1992. Spill #9512935 (85 Civic Center Plaza) closed as of 01/16/1996. See Appendix B and Appendix C.		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Kelly Libolt</u> Date: <u>11/19/2025</u> Signature: <u></u> Title: _____		



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



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

**Parcel Number**

131300-6162-69-065177-0000

Parcel Location

49 Civic Center Plz

Municipality

Poughkeepsie City

Owner Name

Journal Plaza LLC (Primary)

Primary Owner Mailing AddressPO Box 792
Poughkeepsie, NY 12602

Parcel Details

Lot Size (acres):	0.808 AC (S)	Split Town:	-
Filed Map:	12682	Agri. District:	None
File Lot #:	-	School District:	(131300) Poughkeepsie City SD
Land Use Class:	(330) Vacant comm		

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
\$64,800	\$64,800	\$64,800	\$64,800	\$64,800	\$0
Tax Code:	Roll Section:	Uniform %:	Full Market Value:		
N (Non-Homestead)	1 (Taxable)	100	\$64,800		
Tentative Roll:	Final Roll:	Valuation Date:			
5/1/2025	7/1/2025	7/1/2024			

Last Sale / Transfer

Sale Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
\$0	9/7/2021	22021	4485	B	1

Site Information

Site 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code: *	Used As:
(3) Comm/public	(3) Comm/public	(3) Normal		(Z98) Non-contrib

Special District Information

Special District: GP000

Special District Name:	Primary Units:	Ad Valorem Value:
Greater Pok Lib Dist	0	\$64,800

ABSOLUTELY NO ACCURACY OR COMPLETENESS GUARANTEE IS IMPLIED OR INTENDED. ALL INFORMATION ON THIS MAP IS SUBJECT TO CHANGE BASED ON A COMPLETE TITLE SEARCH OR FIELD SURVEY.

*Please see the Dutchess County Zoning Map for the most up-to-date zoning information.

This report was produced using ParcelAccess on 10/2/2025. Developed and maintained by OCIS - Dutchess County, NY.

An official website of New York State.
[Here's how you know](#) ▼



NYS Department of Environmental Conservation

DER Environmental Remediation Databases

Details from Spill Incidents Database Search

Spill Record

Administrative Information

DEC Region: 3

Spill Number: 9112181

Spill Date/Time

Spill Date: 02/27/1992

Spill Time: 08:30:00 PM

Call Received Date: 02/27/1992

Call Received Time: 08:53:00 PM

Location

Spill Name: SUPER SUDS

Address: 49 CIVIC CENTER PLAZA

City: POUGHKEEPSIE

County: Dutchess

Spill Description

Material Spilled	Amount Spilled	Resource Affected
#2 fuel oil	50 Gal.	Soil

Cause: Deliberate**Source:** Commercial/Industrial**Waterbody:**

Record Close

Date Spill Closed: 03/01/1992

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the [Regional Office](#)  where the incident occurred.

[Refine This Search](#)
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- Kreyòl Ayisyen

- Italiano
- العربية
- Polski
- Français
- اردو

Details from Spill Incidents Database Search

Spill Record

DEC Region: 3

Spill Number: 9512935

Administrative Information

Spill Date: 08/31/1995

Spill Time: 12:00:00 PM

Call Received Date: 01/10/1996

Call Received Time: 12:00:00 PM

Spill Date/Time

SPILL NUMBER: 9512935

Location

City: POUGHKEEPSIE

County: Dutchess

Spill Description

An official website of New York State.

[Here's how you know](#) ▼



NYS Department of Environmental Conservation

DER Environmental Remediation Databases

Cause: UNKNOWN**Source:** Commercial/Industrial**Waterbody:**

Record Close

Date Spill Closed: 01/16/1996

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

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A PROPERTY BUSINESS

December 16, 2025

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

Ms. Lori Garcia
Planning Board Administrative Assistant
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: 49 and 85 Civic Center Plaza
Area Variance Application
Acknowledgement of Encroachment**

Dear Chairman Parker and Members of the Zoning Board of Appeals,

As the owner of 267 Mill Street, we acknowledge that the proposed site plan dated November 19, 2025 for 49 Civic Center Plaza shows an encroachment of partial parking spaces onto our property. This letter serves the purpose of clarifying to the City of Poughkeepsie Zoning Board of Appeals and Planning Board that no harm will be brought to our property by the approval of this site plan and we consent to the encroachment.

Sincerely,

A handwritten signature in blue ink, appearing to read "JP", with a stylized flourish at the end.

Jason Page, Managing Member
Taconic Realty Associates



**CITY OF POUGHKEEPSIE
DEVELOPMENT DEPARTMENT
ZONING BOARD OF APPEALS MEETING OF JANUARY 13, 2026**

AREA VARIANCE(S) REVIEW ANALYSIS

Project Description:	49/85 CIVIC CENTER PLAZA: AREA VARIANCES Application for area variances relative to the expansion and reconfiguration of the off-street parking lots at 49 and 85 Civic Center Plaza requiring variances of the following sections of the Zoning Code: Section 19-6.2(9), which states that the number of off-street parking spaces provided not exceed the number required by more than 120%, to allow an excess of 15 spaces; and, Section 19-3.4(2)(h), which requires a rear yard setback for parking areas of 20 feet, to allow a portion of the off-street parking area to be located on the east property line. Owner/Applicant: 141 North Water Street LLC; Consultant: KARC Planning Consultants, Inc/Kelly Libolt; Grid # 6162-69-065177 and 090193; Zoning District: PID-B; File #ZBA2025-042
Review Dates:	1/2/26
Public Hearings:	1/13/26
SEQRA	NegDec Reaffirmed by PB
Staff:	Judith Knauss, Deputy Zoning Administrator

DEFINITION OF "AREA VARIANCE:"

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

INSTRUCTIONS TO THE ZONING BOARD OF APPEALS:

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

CRITERIA FOR GRANTING AN AREA VARIANCE

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

The variance might now produce an immediate undesirable change in the character of the neighborhood or detriment to nearby properties, but the goal of the zoning code, especially with reference to the PID Districts, is to maximize development and limit surface parking lots to the parking which is necessary for a particular project. The applicant demolished an existing building at 49 Civic Center Plaza with the intention of building a new structure. The applicant mentions two other large-scale surface parking lots, 11 Mansion Street and 23 Garden Street. Both lots, it should be noted, have been in existence for more than 40 years, prior to the adoption of the original PID regulations in 2019, and the new zoning code in 2024, both of which limited the amount of surface parking allowed. It should also be noted that 23 Garden Street is a city-owned parking lot, the sole purposes of which is to serve the downtown business area to alleviate pressure on businesses to provide their own parking.

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

The applicant could reduce the amount of parking being provided, and/or could follow through with development plans that include construction of a new building.

iii) Are the requested variances substantial?

It would not appear that the variances requested are substantial.

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

The applicant makes a case that the improvements proposed will have a positive impact on environmental conditions in the neighborhood by improving the appearance of the property with landscaping and stormwater management on the site. Additionally, the safety of egress/ingress to the site will be improved.

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

The difficulty in complying with the requirements of the zoning code could be said to be self-created, particularly with regard to the number of spaces permitted, in that if a new building was constructed, which was the original proposal, there would be no excess parking.

Recommendations:

It is recommended that the Board open the public hearing.

Motion:

Second:

Carried:

Public Comment(s) to be received

The Board may close the public hearing or adjourn it if additional information is deemed necessary.

Motion:

Second:

Carried:

If the Board finds the applicant has provided sufficient information regarding the variances they may request staff to draft a resolution, or the Board may request further documentation.