

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

Virtual

Meeting Link: <https://attendee.gotowebinar.com/register/675192917211264269>

Tuesday, November 9, 2021

6:30 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. APPROVAL OF OCTOBER 12, 2021 MINUTES

III. PUBLIC HEARINGS & DELIBERATIONS

1. 100-106 ALBANY STREET: AREA VARIANCES

Application for area variances relative to the proposed construction of a six-family dwelling on a vacant lot on Albany Street, requiring variances of Sections 19-3.15(4)(c), 19-3.15(4)(i) and 19-2.2 of the Zoning Ordinance, related to lot area and open space. Owner/Applicant: Albany Street LLC; Applicant; Consultant: Ernst Martin, Jr., PE, LS; Zoned Medium High Density Residence (R-4) District; Grid #6062-59-848458; File #2021-014

2. 556 MAIN STREET AREA VARIANCE

Application for area variances relative to the proposed construction of a three-story mixed use building containing ground floor commercial, with nine dwelling units, one on the ground floor and four each on the second and third floors, on the vacant lot at 556-Main Street, requiring variances of Sections 19-3.22(4)(b), Section 19-3.22(4)(h) and 19-4.3(11) of the Zoning Ordinance relative to lot area, open space and off-street parking. Owner: 558 Main St LLC; Applicant: Stefan Bohdanowicz; Consultant: Liscum McCormack VanVoorhis (Kimberly Ryan); Zoned Neighborhood Commercial (C-1) District; Grid #6161-24-392943; File #2021-018



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
MINUTES OF OCTOBER 12, 2021**

Present

Nathan Shook Chair
John Gildard
Thomas Klug
Rob Page
Steven Reifler
Jessica Vinall

Excused

Scott Parker

Staff

Natalie Quinn, Planning Director

The meeting was called to order at 6:34pm with the pledge of allegiance.

A motion made by Thomas Klug and seconded by Steven Reifler to approve the minutes of the September meeting carried, with Jessica Vinall abstaining as she was not present for the September meeting.

134-136 SOUTH AVENUE: AREA VARIANCES

Application for area variances relative to the proposed construction of a mixed use building with three (3) commercial spaces and fifteen (15) apartment uses, requiring variances of Sections 19-3.22(4)(e), 19-3.22(4)(b), 19-3.15(4), 19-3.15(4)(e), 19-3.15(4)(i) and 19-4.3(11) of the Zoning Ordinance, related to lot area, front and side yard setbacks, open space, minimum required parking and parking dimensional requirements. Owner: 134-136 South Avenue LLC (Brian Trematore); Applicant: AE Baxter LLC (Eric Baxter); Zone: Neighborhood Commercial (C-1); Grid #6061-44-956742; File #2021-013

Appearing on behalf of the application were Eric Baxter and Lauren Rutkowski, who provided a who provided a project overview:

- Parking supply and utilization
- 2,100 square feet of commercial space: could be one space or 3 spaces
- Financial feasibility of 15 units

A comment was made that the design fits in better with the community character than something that met the code.

On a motion by Steven Reifler, seconded by Thomas Klug, the Board opened the public hearing. There was a discussion of written comments submitted to the Board. On a motion by John Gildard, seconded by Steven Reifler, the Board voted to close the public hearing.



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
MINUTES OF OCTOBER 12, 2021**

Following deliberations, the Board adopted the following resolution:

WHEREAS, the Zoning Board of Appeals has received an application from AE Baxter seeking multiple area variances from the following sections of the Zoning Ordinance to allow construction of a three-story mixed-use building in a Neighborhood Commercial (C-1) District:

- 1) A variance of **23,021 SF** relative to Section 19-3.22(4)(a)
- 2) A variance of **4,900 SF** relative to Section 19-3.15(4)(i)
- 3) A variance of **9 feet** relative to front yard setbacks outlined in Section 19-3.22(4)(e)(2)(a)
- 4) A variance of **8.8 feet** relative to side yard setback outlined in Section 19-4.3(11)(a)
- 5) A variance of **11 parking spaces** relative to Section 19-4.3(11)(a)
- 6) A variance of **2 feet** relative to parking stall dimensions outlined in Section 19-4.3(5)(b);
and,

WHEREAS, the application was accompanied by additional materials, including site plan prepared by Hudson Land Design, dated 8/18/21 and elevations prepared by Anderson Design Group dated 8/24/21; and,

WHEREAS, this application is considered to be an Unlisted Action under SEQR; and,

WHEREAS, the action is more fully detailed on the Short Environmental Assessment Form dated 8/23/21, and signed by Eric Baxter, and the applications and plans outlined above; and,

WHEREAS, the Board has compared the impacts that are likely to result from the action against those in 617.7(c)(1)(i) through (xii) and has determined that there will be no significant adverse environmental impacts and therefore, a draft environmental impact statement will not be prepared.

WHEREAS, a public hearing was held on September 14, 2021 and October 12, 2021; and,

WHEREAS, the applicant has demonstrated that the granting of the area variance will not produce an undesirable change in the character of the neighborhood, and will not be a detriment to nearby properties; and,

WHEREAS, the applicant has demonstrated that there is no other feasible method to achieve compliance at this time; and,

WHEREAS, the applicant has demonstrated that the variance requested is not substantial; and,

WHEREAS, the applicant has demonstrated the granting of the variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood; and,

WHEREAS, the applicant has demonstrated that the need for the variances is not necessarily self-created:



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
MINUTES OF OCTOBER 12, 2021**

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals hereby adopts a Negative Declaration relative to the above referenced project.

Motion: Steven Reifler
Second: Thomas Klug
Carried: 6:0:0

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby grants the variance as noted above.

Motion: Steven Reifler
Second: Rob Page
Carried: 6:0:0

31-33 PERSHING AVENUE: USE VARIANCE

Application for use variance relative to the proposed construction of a two family dwelling on a vacant lot on Pershing Avenue, requiring a variance of Section 19-3.24(2)(b). Owner: HRH, Inc; Applicant: HRH, Inc/Mary Linge; Consultant: Coppola Associates; Zoned General Commercial (C-3) District; Grid #6161-24-456992; File #2021-015

Appearing on behalf of the application was Mary Linge, who provided a project overview.

On a motion by Thomas Klug, seconded by Steven Reifler, the Board opened the public hearing. There was no public comment. On a motion by John Gildard, seconded by Thomas Klug, the Board closed the public hearing.

Following deliberations, the Board adopted the following resolution:

WHEREAS, the Zoning Board of Appeals has received an application for use variance from Hudson River Housing to allow construction of a two-family dwelling on a vacant parcel of land on Pershing Avenue, located in a General Commercial (C-3) Zoning District, which does not allow construction of new residential buildings, therefore requiring a variance of Section 19-3.24(2)(b); of the Zoning Ordinance; and,

WHEREAS, the application was accompanied by additional materials, including Site Plan prepared by Coppola Associates dated 1/5/2019, site photograph, Short EAF, and the 2018 decision of the ZBA; and,

WHEREAS, this application is considered to be an Unlisted Action under SEQRA; and,



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
MINUTES OF OCTOBER 12, 2021**

WHEREAS, the action is more fully detailed on the Short Environmental Assessment Form dated 1/23/18, and signed by Mary Linge, Director of Real Estate Development for HRH, and the application and plans outlined above; and,

WHEREAS, the Board has compared the impacts that are likely to result from the action against those in 617.7(c)(1)(i) through (xii) and has determined that there will be no significant adverse environmental impacts and therefore, a draft environmental impact statement will not be prepared.

NOW THEREFORE BE IT RESOLVED that the Board hereby declares itself as Lead Agency for the environmental review of the application and hereby adopts a Negative Declaration.

Motion: Jessica Vinall

Second: Steven Reifler

Carried: 6:0:0

WHEREAS, a public hearing on the application was held on October 12, 2021; and

WHEREAS the use variance was previously granted by the Zoning Board of Appeals in February of 2018, and there have been no substantive changes relative to the property or the C-3 Zoning District in which it is located within the intervening years; and,

WHEREAS, the applicant has demonstrated that a reasonable return cannot be realized with any of the uses permitted in the C-3 District; and,

WHEREAS, while the applicant has demonstrated that the hardship in complying with the Zoning Ordinance is unique to this property; and,

WHEREAS, while the applicant has demonstrated that the difficulty in complying with the Zoning Ordinance is not self-created;

WHEREAS, the applicant has demonstrated that the granting of the variance will not alter the character of the existing neighborhood, inasmuch as there are a number of existing one and two family dwellings in the immediate area, and residential development is in fact permitted, though restricted to conversion of existing buildings;

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby grants the use variance as detailed in the above referenced application.

Motion: Steven Reifler

Second: Robert Page

Carried: 6:0:0



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
MINUTES OF OCTOBER 12, 2021**

58 PARKER AVENUE: AREA VARIANCES

Application for area variances relative to the conversion of the vacant industrial complex at 58 Parker Avenue to workspace (offices) for Scenic Hudson, including development of a surface parking lot on the north side of Parker Avenue, requiring a variance of Section 19-3.25(c) of the Zoning Ordinance relative to set-backs for off-street parking. Owner/Applicant: Northside Junction, LLC; Consultant: MASS Design Group; Zoning District: Walkway Gateway District Mixed Use Commercial Sub-district (G-CM) Grid #6162-77-6162-62-148369 and 6162-54-125385; File #2021-016

Appearing on behalf of the application was Caroline Aslup who provided a project overview, including a discussion of the shielding, trees, berms, and tall plants, the brownfield cleanup and storm water management on site.

On a motion by Thomas Klug, seconded by Steven Reifler, the public hearing was opened. There were no public comments. On a motion by John Gildard, seconded by Thomas Klug, the Board closed the public hearing.

Following deliberations, the Board adopted the following resolution:

WHEREAS, the Zoning Board of Appeals has received an application from Northside Junction LLC seeking area variances from the Section 19-3.25(5)(c) of the Zoning Ordinance relative to set-back and landscaping requirements for off-street parking allow the conversion of the vacant industrial complex at 58 Parker Avenue to workspace (offices) for Scenic Hudson, including development of a surface parking lot on the north side of Parker Avenue, located in the Walkway Gateway District Mixed Use Commercial Sub-district (G-CM); and,

WHEREAS, the application was accompanied by additional materials, including an overall site plan (C1.00) dated 8/3/21 prepared by MASS Design Group, Photographs of existing conditions from Summer 2019 and September 2021, and a Full EAF dated August 1, 2021, prepared by Chazen Companies; and,

WHEREAS, this application is considered to be an Unlisted Action under SEQR; and,

WHEREAS, the action is more fully detailed on the Full Environmental Assessment Form submitted; and,

WHEREAS, the Board has compared the impacts that are likely to result from the action against those in 617.7(c)(1)(i) through (xii) and has determined that there will be no significant adverse environmental impacts and therefore, a draft environmental impact statement will not be prepared.



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
MINUTES OF OCTOBER 12, 2021**

NOW THEREFORE BE IT RESOLVED that the Board hereby adopts a Negative Declaration relative to SEQR.

Motion: Steven Reifler
Second: Rob Page
Carried: 6:0:0

WHEREAS, a public hearing was held on October 12, 2021; and,

WHEREAS, the applicant has demonstrated that the granting of the area variance will not produce an undesirable change in the character of the neighborhood, and will not be a detriment to nearby properties; and,

WHEREAS, the applicant has demonstrated that there is no other feasible method to achieve compliance at this time; and,

WHEREAS, the applicant has demonstrated that the variance requested is not substantial; and,

WHEREAS, the applicant has demonstrated the granting of the variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood; and,

WHEREAS, the applicant has demonstrated that the need for the variances is not necessarily self-created:

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby grants the variance as noted above.

Motion:
Second:
Carried:

27 HIGH STREET: AREA VARIANCES

Application for area variances relative to the proposed 67 unit multifamily development at 27 High Street, including the conversion of the existing vacant building and construction of a new building, requiring variances of Section Owner: 27 High Street Lofts LLC; Applicant: 27 High Street Lofts LLC/Kelly Libolt; Consultant: LRC Group; Zoned Medium High Density Residence (R-4) District; Grid #6162-62-192294; File #2021-017

Appearing on behalf of the application was Kelly Libolt, who presented a project overview focused on changes, and discussed height and massing.



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
MINUTES OF OCTOBER 12, 2021**

On a motion by Steven Reifler, seconded by Jessica Vinall, the Board opened the public hearing.

There was no Public Comment.

On a motion by Thomas Klug, seconded by John Gildard, the Board closed the public hearing.

Following deliberations, the Board adopted the following resolution:

WHEREAS, the Zoning Board of Appeals has received an application for area variances relative to the proposed 67 unit multifamily development at 27 High Street, including the conversion of the existing vacant building and construction of a new building, requiring variances of Sections 19-3.15(4)(c), Section 19-3.15(4)(f), Section 19-3.15(4)(g), Section 19-3.15(4)(i), Section 19-4.3(11), Section 19-4.3(1), Section 19-4.3(5)(b), Section 19-4.3(1) of the Zoning Ordinance relative to open space, lot area, yard set-backs, parking, parking layout and landscaping; and;

WHEREAS, the application was accompanied by additional materials, including a site plan prepared by LRC Group, with a revision date of 9/10/21, a Short EAF dated 7/20/21, prepared by Kelly Libolt; and,

WHEREAS, pursuant to the provisions of SEQR, the Planning Board, as lead agency, adopted a Negative Declaration on September 21, 2021; and,

WHEREAS, a public hearing was held on October 12, 2021; and,

WHEREAS, the applicant has demonstrated that the granting of the area variance will not produce an undesirable change in the character of the neighborhood, and will not be a detriment to nearby properties; and,

WHEREAS, the applicant has demonstrated that there is no other feasible method to achieve compliance at this time; and,

WHEREAS, the applicant has demonstrated that the variance requested is not substantial; and,

WHEREAS, the applicant has demonstrated the granting of the variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood; and,

WHEREAS, the applicant has demonstrated that the need for the variances is not necessarily self-created:

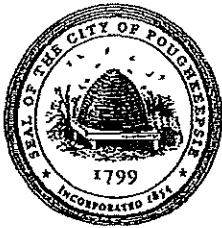
NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby grants the variances as noted above.



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
MINUTES OF OCTOBER 12, 2021**

Motion: Jessica Vinall
Second: Robert Page
Carried: 6:0:0

On a motion by Robert Page, seconded by Steven Reifler, the ZBA voted unanimously to adjourn the meeting at 8:15pm.



**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# 011130
IPS# ZBA
2021-014

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 100-106 ALBANY STREET

ZONING DISTRICT: R-4

OWNER INFORMATION:

Name: ALBANY STREET LLC
Address: PO BOX 553
HUGHSONVILLE, NY 12537
Phone: (914) 489-3235
Email: EMARTINPELS @ GMAIL.COM

RECEIVED

NOV 01 2021

APPLICANT INFORMATION:

Name: SAME
Address: _____

Phone: _____
Email: _____

CONSULTANT INFORMATION:

Name: ERNST MARTIN, JR, PE, LS
Address: PO BOX 553
HUGHSONVILLE, NY 12537
Phone: (914) 489-3235
Email: EMARTINPELS @ GMAIL.COM

SUBJECT OF APPEAL

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

Name and title of agent: JUDITH KNAUSS, DE ADMINISTRATOR

Date of decision/determination/violation: 4/29/21

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 100-106 ALBANY 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>19-2.15(4)(c)</u>	<u>15,600 SF</u>	<u>3100 SF</u> <u>(12500)</u>
<u>19-2.15(4)(c)</u>	<u>40/30' MIN</u>	<u>0/7'</u> <u>40+(0K) 23'</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: _____

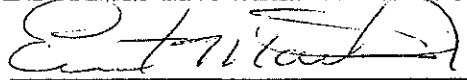
LIST OF REQUIRED ATTACHMENTS

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

DATE

8/24/21

11/1/21 *EMJ*

ERNST MARTIN, JR.

Print Name

VII. VARIANCE REQUEST JUSTIFICATION

1. The granting of the variance will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties. This parcel is currently a large undeveloped parcel relative to the adjacent properties, which is overgrown with thick brush. Developing this parcel will bring positive change to the neighborhood, and provide much needed additional housing to this area and the City of Poughkeepsie. The neighborhood is a mixture of former single-family residences that have been converted to apartments and multi-family use, and therefore the proposed development is similar to uses within the neighborhood. The proposed development will contain vinyl fencing and landscaping which will buffer the adjacent properties and street views.
2. The granting of the variances is necessary because without the variances the project will not be able to proceed for development. Previously the owner/developer proposed six 2-bedroom units which would require 16,800 sf of land area. The project has been scaled back to include four 2-bedroom and two 1-bedroom units which will require 15,600 sf of land. Currently 2-bedroom units are more in demand and therefore more marketable. The 2-bedroom units together with the 1-bedroom units will provide a mix of potential housing for singles, couples and/or families. The subject property is the largest parcel on the block and there are no contiguous undeveloped properties available for purchase.
3. The requested variance is not substantial. As previously mentioned, the subject property is the largest parcel on the block. As shown on the attached site plan, there is sufficient area for the four 2-bedroom and two 1-bedroom apartment building, the required off street parking, site access, landscaping, site lighting, open space area, adjacent buffer areas, site utilities, and onsite stormwater management.
4. The variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The project is located on a paved city street with sidewalks to move traffic and pedestrians freely from one end of the block to the other. City sewer and water facilities are available within this street with sufficient capacity to serve the four 2-bedroom and two 1-bedroom units. Also, there is sufficient area to provide onsite storm water management so as to mitigate increased stormwater runoff to the City of Poughkeepsie downstream infrastructure.
5. The need for area variances is partially the result of self created difficulties, however unique to the property. The applicant seeks a fair and reasonable return on investment from the subject property. There is a need for housing in the City of Poughkeepsie, and 2- bedroom apartments are more in demand than 1-bedroom and therefore are very marketable. The code requires 2,800 sf of land per 2-bedroom and 2,200 sf of land per 1-bedroom per unit for a total requirement of 15,600 sf, whereas

the lot area is 12,500 sf. The subject parcel is the largest parcel on the block, and in the immediate area, and is able to accommodate all the required amenities for development, ie off street parking, site access, landscaping, site lighting, buffer areas, site utilities and stormwater management, however will require these two variances to proceed forward with this application.

The Return on Investment (ROI) for the proposed project, four 2-bedroom and two 1-bedroom complex, is estimated as follows:

Building Cost.....	\$ 1,020,000
Site Cost.....	230,000
TOTAL COST.....	\$1,250,000

Projected Rental..... \$ 148,800/year

ROI = $\$148,800 / \$1,250,000 = 11.9\%$

Similarly, the ROI for a four 2-bedroom complex is estimated as follows:

Building Cost.....	\$ 850,000
Site Cost.....	230,000
TOTAL COST.....	\$1,080,000

Projected Rental..... \$ 105,600/year

ROI = $\$105,600 / \$1,080,000 = 9.8\%$

As can be seen from the analysis, the six unit project provides a more favorable Return on Investment.

ERNST MARTIN JR, PE, LS

Professional Engineer & Land Surveyor

emartinpels@gmail.com

Mill Pond Place, PO Box 553
Hughsonville, NY 12537
(914) 489-3235

November 1, 2021

Judith Knauss, Deputy Zoning Administrator
City of Poughkeepsie
62 Civic Plaza
Poughkeepsie, New York 12601

Re: ZBA Application for 100-106 Albany Street
Tax Parcel No: 131300-6062-59-848458

Dear Ms. Knauss:

Earlier today I hand delivered a revised Site Plan and ZBA Variance Application for the above referenced project.

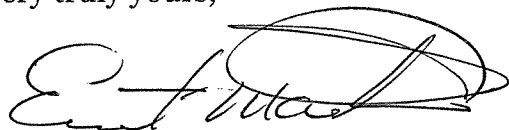
The revised site plan has been changed from six 2-bedroom units to four 2-bedroom and two 1-bedroom units. This change will reduce the overall land requirement from 16,800 sf to 15,600sf. The lot currently contains 12,500 sf. In addition, the open space requirement has been reduced from 2,400sf to 2,200sf whereas 3,000 sf is now provided, and therefore no variance is required. Also, the useable open space shall have one minimum dimension of 40 feet and one minimum dimension of 30 feet. The 40 foot dimension is satisfied, whereas the other dimension is 23 feet, and a variance will be required.

In reducing the bedroom count, the parking requirement was reduced from 14 spaces to 11 spaces, which increased the available open space.

The application was revised accordingly, and Return on Investment (ROI) calculations were provided to support the variances requested.

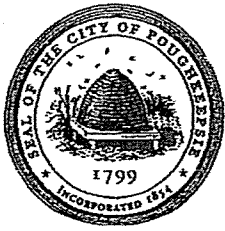
Should you have any questions, please contact me at (914) 489-3235 or via email

Very truly yours,

A handwritten signature in black ink, appearing to read "Ernst Martin, Jr.", with a large, stylized flourish at the end.

Ernst Martin, Jr., PE, LS

EM/me



**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: 100-106 ALBANY STREET
ZONING DISTRICT: R4

OWNER INFORMATION:

Name: ALBANY STREET LLC
Address: PO BOX 553
HUGHSONVILLE, NY 12537
Phone: (914) 489-3235
Email: EMARTINPELS @ GMAIL.COM

APPLICANT INFORMATION:

Name: SAME
Address: _____

Phone: _____
Email: _____

CONSULTANT INFORMATION:

Name: ERNST MARTIN, JR, PELS
Address: PO BOX 553
HUGHSONVILLE, NY 12537
Phone: (914) 489-3235
Email: EMARTINPELS @ GMAIL.COM

SUBJECT OF APPEAL

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

Name and title of agent: JUDITH KNAUSS, DE ADMINISTRATOR
Date of decision/determination/violation: 4/29/21

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 100-106 ALBANY STREET

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-3.15(4)(c)</u>	<u>15,600 SF</u>	<u>3100 SF</u>
<u>19-3.15(4)(c)</u>	<u>40/30' MIN</u>	<u>0/7'</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

VARIANCE REQUEST JUSTIFICATION

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

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

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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: _____

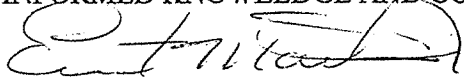
LIST OF REQUIRED ATTACHMENTS

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

8/24/21 11/1/21 *EMJ*
DATE

ERNST MARTIN, JR.

Print Name

VII. VARIANCE REQUEST JUSTIFICATION

1. The granting of the variance will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties. This parcel is currently a large undeveloped parcel relative to the adjacent properties, which is overgrown with thick brush. Developing this parcel will bring positive change to the neighborhood, and provide much needed additional housing to this area and the City of Poughkeepsie. The neighborhood is a mixture of former single-family residences that have been converted to apartments and multi-family use, and therefore the proposed development is similar to uses within the neighborhood. The proposed development will contain vinyl fencing and landscaping which will buffer the adjacent properties and street views.
2. The granting of the variances is necessary because without the variances the project will not be able to proceed for development. Previously the owner/developer proposed six 2-bedroom units which would require 16,800 sf of land area. The project has been scaled back to include four 2-bedroom and two 1-bedroom units which will require 15,600 sf of land. Currently 2-bedroom units are more in demand and therefore more marketable. The 2-bedroom units together with the 1-bedroom units will provide a mix of potential housing for singles, couples and/or families. The subject property is the largest parcel on the block and there are no contiguous undeveloped properties available for purchase.
3. The requested variance is not substantial. As previously mentioned, the subject property is the largest parcel on the block. As shown on the attached site plan, there is sufficient area for the four 2-bedroom and two 1-bedroom apartment building, the required off street parking, site access, landscaping, site lighting, open space area, adjacent buffer areas, site utilities, and onsite stormwater management.
4. The variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The project is located on a paved city street with sidewalks to move traffic and pedestrians freely from one end of the block to the other. City sewer and water facilities are available within this street with sufficient capacity to serve the four 2-bedroom and two 1-bedroom units. Also, there is sufficient area to provide onsite storm water management so as to mitigate increased stormwater runoff to the City of Poughkeepsie downstream infrastructure.
5. The need for area variances is partially the result of self created difficulties, however unique to the property. The applicant seeks a fair and reasonable return on investment from the subject property. There is a need for housing in the City of Poughkeepsie, and 2- bedroom apartments are more in demand than 1-bedroom and therefore are very marketable. The code requires 2,800 sf of land per 2-bedroom and 2,200 sf of land per 1-bedroom per unit for a total requirement of 15,600 sf, whereas

the lot area is 12,500 sf. The subject parcel is the largest parcel on the block, and in the immediate area, and is able to accommodate all the required amenities for development, ie off street parking, site access, landscaping, site lighting, buffer areas, site utilities and stormwater management, however will require these two variances to proceed forward with this application.

The Return on Investment (ROI) for the proposed project, four 2-bedroom and two 1-bedroom complex, is estimated as follows:

Building Cost.....	\$ 1,020,000
Site Cost.....	230,000
TOTAL COST.....	\$1,250,000
Projected Rental.....	\$ 148,800/year
ROI = \$148,800/1,250,000 = 11.9%	

Similarly, the ROI for a four 2-bedroom complex is estimated as follows:

Building Cost.....	\$ 850,000
Site Cost.....	230,000
TOTAL COST.....	\$1,080,000
Projected Rental.....	\$ 105,600/year
ROI = \$105,600/1,080,000 = 9.8%	

As can be seen from the analysis, the six unit project provides a more favorable Return on Investment.





Zone Classification Use	Medium High Density Residence (R-4) District Multi-Family Residential
Tax Map Parcel No	131300-6062-59-848458
Topographic Datum	NAVD 88
Total Area:	12,500 SF
Water Supply:	City of Poughkeepsie
Sewage Disposal:	City of Poughkeepsie

- (a) Minimum required lot per dwelling unit for multifamily dwelling
Section 19-3.15: Two-bedroom units; 2,800 square feet,
one-bedroom, 2,200 square feet.
- (b) $15'$ or $\frac{1}{2}$ the height of adj. BLDG. Adj BLDG = $30'$
- (c) Section 19-3.15(i) - Required open space. There shall be
provided in each multiple dwelling or townhouse development
excluding townhouses on fee simple lots,
400 square feet of usable open space for each
one-or-more-bedroom unit.

* Pre-existing, non-conforming

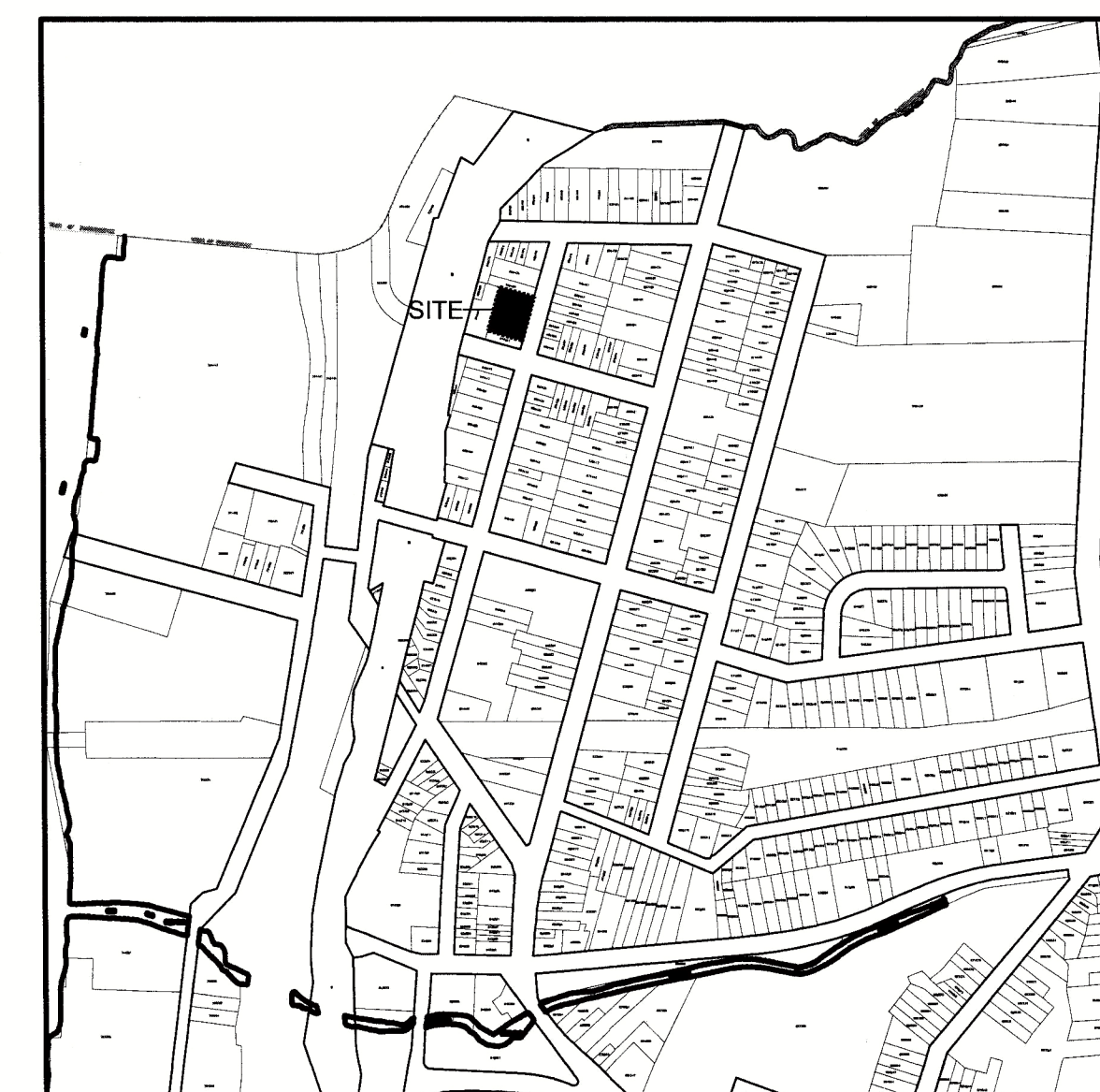
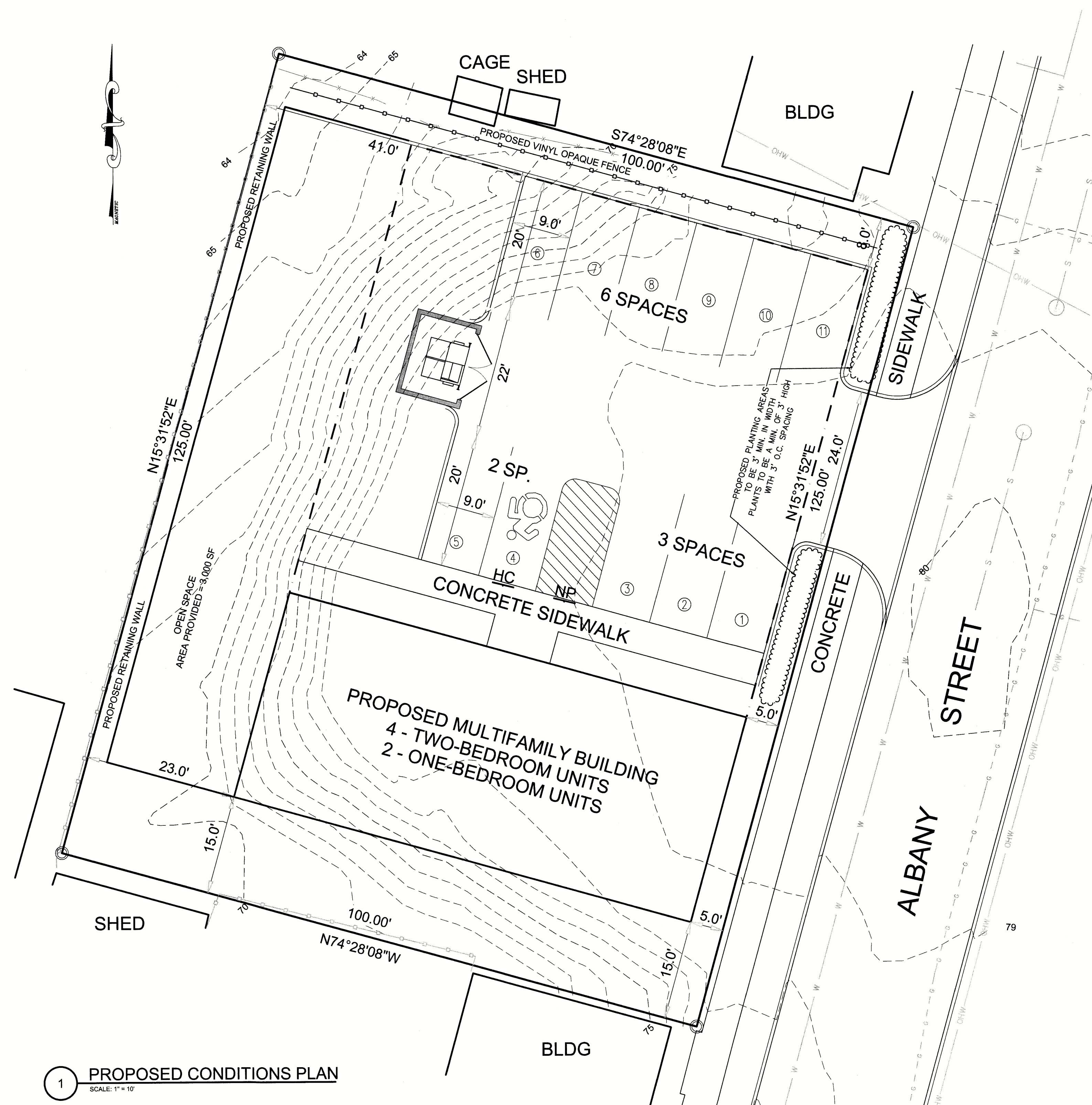
Off-street Parking Calculations

19-4.3 Off-street parking loading

<u>Use</u>	<u>Minimum Off-street Parking</u>
Multifamily dwelling	1 space for each studio or efficiency apartment; 1.5 spaces for each 1-bedroom apartment; 2.0 spaces for each 2-bedroom or larger apartment

<u>Use</u>		<u>Required</u>
2-Bedroom Apt.	4 units	8
1-Bedroom Apt.	2 units	3

11 Parking Spaces Provided (including 1 Handicapped Space)



OWNER INFORMATION

Albany Street LLC
Mill Pond Place
P.O. Box 553
Hughsonville, NY 12537

IT IS A VIOLATION OF NEW YORK STATE EDUCATION
LAW FOR ANY PERSONS TO ALTER THESE PLANS,
SPECIFICATIONS, OR REPORTS IN ANY WAY, UNLESS
ACTING UNDER THE DIRECTION OF A LICENSED
PROFESSIONAL ENGINEER OR LAND SURVEYOR.

[illegible]

ERNST MARTIN Jr. P.E. L.S.
PROFESSIONAL ENGINEER & LAND SURVEYOR
MILL POND PLACE
P.O.BOX 553
HUGHSONVILLE, NY, 12537
(914)-489-3235

PROJECT	Proposed Site Plan Albany Street LLC City of Poughkeepsie Dutchess County, New York
---------	---

Sketch Plan Layout

SCALE	DRAWN BY	DRAWING No.
AS NOTED	BJS	
DATE	CHECKED BY	1
6-10-21	EM	1 of 1

Short Environmental Assessment Form

Part 1 - Project Information

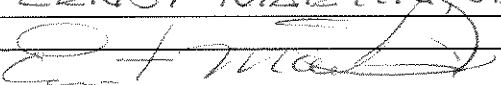
Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: <i>ALBANY STREET LLC</i>			
Project Location (describe, and attach a location map): <i>100-106 ALBANY ST, FLOUGHKEEPSIE, NY</i>			
Brief Description of Proposed Action: <i>CONSTRUCT 6-UNIT APARTMENT BUILDING</i>			
Name of Applicant or Sponsor: <i>ALBANY STREET LLC</i>		Telephone: <i>(914) 489-3225</i>	
		E-Mail: <i>EMARTINFELS@GMAIL</i>	
Address: <i>BOX 553</i>			
City/PO: <i>HUGHSONVILLE</i>		State: <i>NY</i>	Zip Code: <i>12537</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: <i>C/P PLANNING BOARD & ZBA</i>		☐	☒
3. a. Total acreage of the site of the proposed action?		<i>0.287</i> acres	
b. Total acreage to be physically disturbed?		<i>0.287</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0.287</i> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO ☐ ☐	YES ☒ ☒	N/A ☐ ☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? 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?	NO ☒ ☐ ☐	YES ☐ ☒ ☒	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO ☐	YES ☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO ☐	YES ☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? 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?	NO ☒ ☒	YES ☐ ☐	
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? 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: _____ _____ _____	NO ☒ ☒	YES ☐ ☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☒	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
<u>ONSITE STORMWATER STORAGE</u>	☐	☒
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____ _____	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>ALBANY STREET LLC</u> Date: <u>9/24/21</u> Signature: <u>ERNST MARTIN JR</u> Title: <u>MEMBER & AGENT</u> 		

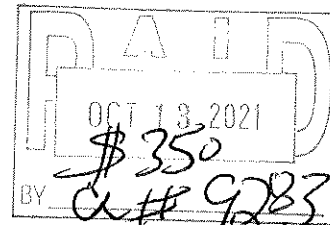
PRINT FORM





Gary E. Beck, Jr.
Building Inspector

THE CITY OF POUGHKEEPSIE
NEW YORK
BUILDING PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006



50# 299020

ZBA-2021-018

FEE: \$350.00
CODE: A2112
ACTIVITY #

APPLICATION TO THE ZONING BOARD OF APPEALS
CITY OF POUGHKEEPSIE, NEW YORK

REQUEST FOR AREA VARIANCE(S)

(TYPE, OR PRINT IN DARK INK)

I. OWNER INFORMATION

Name: 558 Main St LLC
Address: 560 Main Street
Poughkeepsie, NY 12601
Phone #: 646-752-1923

II. APPLICANT INFORMATION

Name: Stefan Bohdanowicz
Address: 560 Main Street
Poughkeepsie, NY 12601
Phone #: 646-752-1923

(If the applicant is not the owner, proof that the owner consents to the application must be provided.)

III. CONSULTANT INFORMATION

Name: Liscum McCormack VanVoorhis - Kimberly Ryan
Address: 181 Church Street
Poughkeepsie, NY 12601
Phone #: 834-452-2268

IV. PROPERTY INFORMATION

Property Address (subject of appeal): 556 Main Street
Tax Parcel #: 131300-6161-24-392943
Date property acquired: May 2019
Present use of property: Vacant
Zoning District: C-1
Dimensions: Lot Area 4500 (sq. ft.) Width +/- 40 ft
Depth 110 ft. Frontage on street 39.92 ft.
Is the property currently for sale or is the applicant preparing to sell? NO

V. REASON FOR APPEAL

This application, relative to the above referenced property, constitutes an appeal from the decision of the Zoning Administrator, or other City of Poughkeepsie Agent:

(name and title of agent: Judith Knauss).

A copy of this decision, dated January 22, 2021, must be attached.

VI. REQUEST FOR AREA VARIANCE

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.

I/We, (insert name of applicant) Stefan Bohdanowicz,
hereby apply to the Zoning Board of Appeals for a variance of the following requirements of the Zoning Ordinance:

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
19-3.22(4)(b)	19,800 sf 2200 sf per efficiency and 1 BR	4356 sf Allow(4) efficiency and (5)1 BR
19-3-22(4)(h)	5 1br/ 4 efficiency = 2300 sf open	412 sf green space
19-4.3 (11)	13 + 2 = 15 spaces required	5 on site spaces plus street parking

VII. VARIANCE REQUEST EXPLANATION

Pursuant to Section 19-9.4 (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 grant. In making such determination the Board shall consider the applicant's responses to the following:

Note: It is incumbent upon the applicant to demonstrate to the Board that these criteria are satisfied for each variance requested.

PLEASE ATTACH RESPONSES ON A SEPARATE SHEET.

- (i) 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.
- (ii) Why is the granting of the variance necessary? Could the same result could be achieved by some other feasible means that doesn't require a variance? Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.).
- (iii) Is (Are) the requested area variance(s) substantial? If not, explain why it (they) is (are) not substantial.
- (iv) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? If not, please justify why it (they) won't have an adverse effect.
- (v) Is your need for the area variance(s) the result of self-created difficulties on your part? If not, please explain how the difficulties are not self-created.

VIII. LIST OF REQUIRED ATTACHMENTS

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Eleven (11) copies.
3. Color photos of site conditions (8 copies)
4. Complete Short EAF (see explanation under Submission Requirements).
5. Other attachments deemed pertinent by the applicant (please list):
 - a) Purchase agreement
 - b) _____
 - c) _____
 - d) _____

IX. SIGNATURE AND VERIFICATION

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

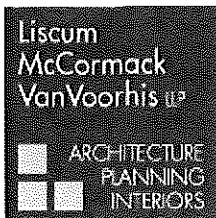
THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.



 SIGNATURE OF APPLICANT

10-13-21 revised 10-29-21

 DATE



Principals:
Charles E. Liscum AIA
Michael T.J. McCormack AIA
Raymond P. VanVoorhis AIA

RECEIVED

October 13, 2021

OCT 13 2021

Ms. Judith Knauss
Zoning Administrator
City of Poughkeepsie
Civic Center Plaza
Poughkeepsie, NY 12601

HAND DELIVERED

**Re: 556 Main Street
Zoning Board of Appeals**

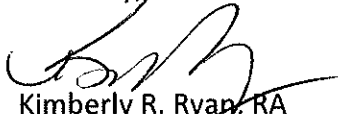
Dear Ms. Knauss

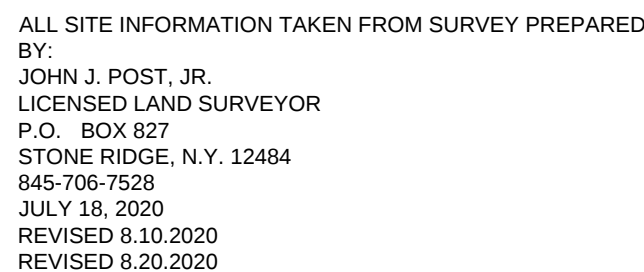
Enclosed please find the following documentation for the application of an Area Variance for 556 Main Street.

1. This cover letter with application responses
2. Application Fee
3. Planning Board denial letter dated January 22, 1921
4. Eleven (11) Copies of Site Plans SP-1 dated 10-13-21 with photograph
5. Complete SEQR
6. Application signed by the owner's representative.
7. Purchase agreement with the City of Poughkeepsie

Please advise if you require any further information.

Sincerely,


Kimberly R. Ryan, RA
Senior Associate

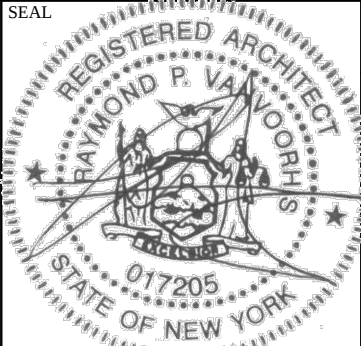
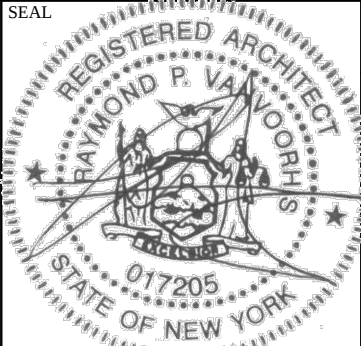
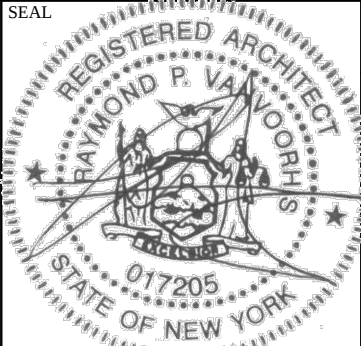


A-1	PROPOSED SITE PLAN
1:10	

A photograph of a residential street scene. On the left is a multi-story brick building with a fire escape and a balcony. A silver SUV is parked on the gravel driveway. A "NO PARKING ANY TIME" sign is visible. The foreground shows a concrete sidewalk and a grassy area.

A-12	PHOTO OF EXISTING SITE
NTS	

558 MAIN STREET LLC
560 MAIN STREET
POUGHKEEPSIE, NY12601
(718)26-0600

	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; height: 30px;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <th>No.</th> <th>REVISION/SUBMISSION</th> <th>DATE</th> </tr> </table>  Liscum McCormack VanVoorhis LLP 181 CHURCH STREET POUGHKEEPSIE, NEW YORK 12601 PHONE 845-452-2268 FAX 845-452-3752 ARCHITECTURE PLANNING INTERIORS PROJECT NEW MULTI USE BUILDING 556 MAIN STREET POUGHKEEPSIE, NY 12601 DRAWING PROPOSED SITE PLAN <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">SEAL</td> <td style="width: 33%;">DRAWN BY KRR</td> <td style="width: 33%;">PROJECT NUMBER 20046</td> </tr> <tr> <td rowspan="2" style="vertical-align: middle; text-align: center;">  </td> <td>CHECKED BY RPV</td> <td>DATE 10-12-21</td> </tr> <tr> <td colspan="2">DRAWING NUMBER</td> </tr> </table> SP-1										No.	REVISION/SUBMISSION	DATE	SEAL	DRAWN BY KRR	PROJECT NUMBER 20046		CHECKED BY RPV	DATE 10-12-21	DRAWING NUMBER	
No.	REVISION/SUBMISSION	DATE																			
SEAL	DRAWN BY KRR	PROJECT NUMBER 20046																			
	CHECKED BY RPV	DATE 10-12-21																			
	DRAWING NUMBER																				

A-12	PHOTO OF EXISTING SITE
NTS	

Short Environmental Assessment Form

Part 1 - Project Information

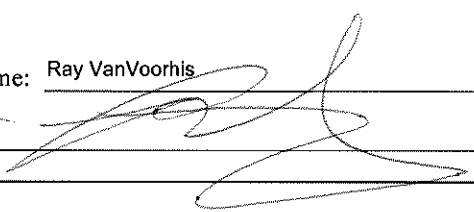
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Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
RECEIVED OCT 13 2021							
Name of Action or Project: 556 Main St Multi Use Bldg							
Project Location (describe, and attach a location map): 556 Main Street Poughkeepsie, NY							
Brief Description of Proposed Action: Construction of a three story multi use building on a vacant 4500 sf parcel containing commercial space storefront, one (1) bedroom ADA apartment, (4) efficiency apartment and (4) 1 BR apartments with rooftop terrace. 5 parking spaces are proposed with landscaped buffers.							
Name of Applicant or Sponsor: Liscum McCormack VanVoorhis		Telephone: 845-452-2268 E-Mail: kryan24@verizon.ent					
Address: 181 Church 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.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td>☐</td> <td>☒</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 Zoning, Planning and Building			<table border="1" style="width: 100%; text-align: center;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td>☐</td> <td>☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3. a. Total acreage of the site of the proposed action? .103 acres b. Total acreage to be physically disturbed? .103 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .371 acres							
4. Check all land uses that occur on, are adjoining or near the proposed action: ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other(Specify): Residential Urban ☐ 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: _____ City of Poughkeepsie Water Supply _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☐	☒
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☒
Small Parking lot flow will be to landscaped beds and street. Roof drains may require tie in to city storm water.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Ray VanVoorhis</u> Date: <u>10/13/21</u> Signature:  Title: <u>Architect</u>		

RESOLUTION
(R20-39)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the City of Poughkeepsie has previously taken title to a vacant lot known as 556 Main Street (Tax Map No: 6161-24-392943), in the City of Poughkeepsie by reason of a stipulated court settlement; and

WHEREAS, the above mentioned properties have been offered for sale by the City in accordance with the policy for the sale of City owned property; and

WHEREAS, an offer has been received from 558 Main Street, LLC to purchase these properties for the sum of \$38,000; and

WHEREAS, the Property Acquisition and Disposition Committee, having considered the mission of the Committee and the policies of the City, one of which is to increase homeownership, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from 558 Main Street, LLC is in the best interests of the City of Poughkeepsie; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for this property, and (b) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance; and be it further

RESOLVED, that the offer from 556 Main Street, LLC, to purchase premises known as 556 Main Street (6161-24-392943), in the City of Poughkeepsie for the sum of \$38,000.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

RESOLVED, that this sale is approved subject to the following conditions:

- A. That the Purchaser shall within thirty (30) days of the date of this resolution, take title to such property.**
- B. Purchaser shall obtain a building permit for the construction of a three story mixed-use building within six (6) months of the closing of title;**
- C. Purchaser shall obtain a valid Certificate of Occupancy for the property within one (1) year after the issuance of a building permit;**
- D. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning**

Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;

- E. Purchaser's obligation to purchase such property shall be contingent upon Seller obtaining and insurable interest in the property pursuant to Article 15 of the Real Property Action and Proceedings Law or other applicable law;
- F. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and
- G. Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into a contract of sale for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Mayor and the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER BRANNEN

Submitted to Council: May 4, 2020 Council Action: Approved Roll call vote taken: Yes <u>X</u> No _____ Ayes 9 Nays 0 Abstain 0 Absent 0 Approved by Mayor on <u>5/5/20</u> Mayor's Signature <u>R. B. Nelson</u>	I hereby certify the foregoing to be a true and correct copy of a Resolution duly adopted at a regular meeting of the Common Council held <u>May 4, 2020</u> <u>Joanne H. Flynn</u> City Chamberlain
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