



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

Virtual Meeting

Meeting Registration Link:

<https://attendee.gotowebinar.com/register/2818999799726812685>

Tuesday, January 11, 2022

6:30 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. Approval of December 14, 2021 Meeting Minutes

III. PUBLIC HEARINGS & DELIBERATIONS

1. 134 SMITH STREET: USE VARIANCE

Application for use variance relative to the proposed use of the vacant storefront at 1334 Smith Street as a retail (liquor) store. File #2021-019

The Public Hearing adjourned from 12/14/21 will be adjourned to February 8, 2022 as the applicant prepares additional materials as requested by the Board.

2. 319 MAIN STREET: AREA VARIANCES

Application for area variances relative to the proposed mixed-use (residential and commercial) development known as Wallace Campus, located on a proposed lot consolidating existing parcels at 319, 325, 327-329 and 331 Main Street, with off-street parking developed in conjunction with properties at 302, 304,, 306 and 310 Mill Street, all located in the eastern half of the city block surrounded by Main Street, Catharine Street, and Mill Street requiring variances of Sections 19-3.37(8) Table 3.37-2(h), 19-3.37(8) Table 3.37-2(f), 19-3.37(13)(b)(2), 19-3.37(13)(g)(2)(i), 19-3.37(7)(b)(2) and 19-3.37(13)(g)(2)(iii) relative to side yard set-backs,

frontage occupancy and parking set-backs, configuration and landscaping.
Owner/Applicant: Wallace Campus Manager LLC/Emmanuel Kokinakas;
Consultants: LRC Group/Sky Yakas/Jennifer Van Tuyl, Esq; Grid #6162-77-114098, 109079, 109077, 121116, 112116, and 116114, and 6162-78-127091 and 128113. Zone: Poughkeepsie Innovation District Urban Village (PID-UV) and Historic Core (PID-HC): File #2021-008

3. 185 SMITH STREET: AREA VARIANCES

Application for area variances relative to the proposed expansion of the automobile repair business, a nonconforming use, at 185 Smith Street, requiring variances of Sections 19-5.1(1)(3), 19-3.31(4)(3), 19-4.3(11), 19-4.3(1), 19-4.3(5)(b), 19-4.3(5)(c), 19-4.11(1)(a), Section 19-4.11(1)(b) and 19-4.13(1) of the Zoning Ordinance relative to expansion of nonconforming uses, side yard set-backs, off street parking, lighting and landscaping.
Owner: Ricky Auto Body, Inc; Applicant: Devanand Jaikarran (Ricky Auto Body, Inc) Consultant: M. Gillespie & Associates Consulting Engineering, PLLC; Zone: Research and Development (R&D) District; Grid #6162-65-510286; File #2021-024



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
MINUTES OF DECEMBER 14, 2021**

Present

Nathan Shook Chair
John Gildard
Thomas Klug
Rob Page
Scott Parker
Jessica Vinall

Absent

Steven Reifler

Staff

Natalie Quinn, Planning Director

The meeting was called to order at 6:30pm with the pledge of allegiance.

A motion made by Thomas Klug and seconded by Rob Page to approve the minutes of the November meeting carried unanimously.

On a motion by John Gildard, seconded by Jessica Vinall, 2022 meeting dates were established. Nathan Shook abstained from the vote, which carried.

267 MILL STREET: AREA VARIANCES

Application for area variances relative to open space and signage for the building at 267 Mill Street, requiring a variance of Section 19-3.37(2) Table 3.37-2 of the Zoning Ordinance for open space, requiring 1633.5 square feet to allow 1608 square feet and a variance of Section 19-4.9(9), which prohibits wall signs from extending beyond the bottom sill of a second story window to allow a sign that extends nearly entirely above such sill. Owner: Page Park Associates; Applicant/Consultant: Kelly Libolt; Grid #6162-69-073173

Appearing on behalf of the application was Kelly Libolt, who presented an overview of the variance requests.

The Board generally agreed that the request for the variance of the open space requirement was minimal. There was also general agreement that the proposed sign was attractive, but that it appeared unnecessary, as there is an existing monument sign. Additionally, some members felt the sign was too large, appeared commercial, and would not be particularly visible, and other types of signs would be permitted. The variance requested therefore did not appear necessary. The applicant agreed that the sign is not needed, but was just a thought.

The public hearing was opened on a motion by Thomas Klug, seconded by John Gildard.



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Member of the public Laurie Sandow commented that the transom or lintel would be more appropriate locations for a wall sign.

The public hearing was closed on a motion by Scott Parker, seconded by Thomas Klug.

On a motion by Nathan Shook, seconded by Scott Parker and carried unanimously, the variance for the sign was adjourned for consideration to a later meeting.

Following deliberations, the ZBA adopted the following resolution:

WHEREAS, the Zoning Board of Appeals has received an application for area variances from Kelly Libolt, relative to the to open space and signage for the building at 267 Mill Street, requesting variances from Section 19-3.37(2) Table 3.37-2 of the Zoning Ordinance for open space, which requires 1633.5 square feet, to allow 1608 square feet.; and,

WHEREAS, the application was accompanied by additional materials, including a Site Plan Sheet SP-1 prepared by LRC Group with a revised dated of 10/28/21, and a Short EAF prepared by Kelly Libolt, submitted on 11/24/21; 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 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.

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: Rob Page

Carried: 6:0:0

WHEREAS, a public hearing was held on December 14, 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,



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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: John Gildard

Second: Scott Parker

Carried: 6:0:0

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, 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); Grid #6161-24-392943

Appearing on behalf of the application was Kimberly Ryan, who provided an overview of the changes made to the project and the application since the November meeting. The lot is currently vacant and used for parking. The architecture is more modern than the surrounding buildings. The proposed commercial area has been increased from 400 to 600 square feet. Financial projections for a reduced number of units were provided showing a return on investment of 3% versus 7%.

Concern was expressed the 600 square feet of commercial space would not be sufficient to support a business. The question was asked whether zoning supersedes contracts.

The public hearing was re-opened on a motion by Thomas Klug, seconded by John Gildard.

Member of the public Laurie Sandow expressed concern that the conditions of the contract of sale have not been met.



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On a motion by Jessica Vinall, seconded by Thomas Klug, the public hearing was closed.

Following deliberations, the Board adopted the following resolution:

WHEREAS, the Zoning Board of Appeals has received an application for area variances from 558 Main Street, LLC, relative to the property at 556 Main Street, located in a Neighborhood Commercial (C-1) District, and the proposed construction of a three-story mixed use building thereon, with ground floor commercial space and nine dwelling units, one on the ground floor and four each on the second and third floors, 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; and,

WHEREAS, the application was accompanied by additional materials, including a site plan prepared by Liscum McCormack VanVoorhis, dated 10/12/21, a Short EAF dated 10/13/21, prepared by Ray VanVoorhis, and a resolution of sale from the Common Council dated 5/4/20.; 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 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.

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: John Gildard

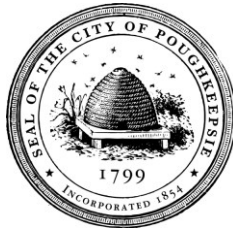
Carried: 6:0:0

WHEREAS, a public hearing was held on November 9, 2021 and December 14, 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,



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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: Thomas Klug

Second: Rob Page

Carried: 6:0:0

134 SMITH STREET: Application for use variance relative to the proposed use of the vacant storefront at 134 Smith Street as a retail (liquor) store. The previous use of the property for retail purposes was nonconforming, ceasing in 2016. Pursuant to Section 19-5.1(1)(d), such use may not be re-established without a variance of Section 19-3.31(2) of the Zoning Ordinance governing permitted uses. The single story structure also contains a dwelling unit. Owner: Ihsan Nesheiwat; Applicant: Gary Beck, Jr./Z3 Consultants; Grid #6162-72-414248; File #2021-019

Appearing on behalf of the application was Kara Bucher who provided an overview of the proposal, and indicated that the existing residential tenant will remain and the vacant store front will revert back to Smith St. Liquor, which existed in this location for 25 years or so.

The Board asked if other uses had been explored. The applicant indicated that those uses would not have a high enough return. The Board indicated that the liquor store use ceased in 2016 and was an issue in the past.

The Board further indicated that much more financial information was need on each allowable use, as reasonable return is an important concerns. More information about how this building and site is unique within the R&D District was also requested.

The public hearing was opened on a motion by Thomas Klug, seconded by Jessica Vinall. No member of the public spoke to the application.

On a motion by John Gildard, seconded by Thomas Klug, the public hearing was adjourned to January 11, 2022, to provide the applicant an opportunity to submit additional materials.

Nathan Shook spoke of the fact that he is leaving the ZBA to join the Common Council. Everyone offered him their well-wishes.

The meeting adjourned at 7:50 on a motion by Rob Page, seconded by Scott Parker.



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**

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: Wallace Campus Manager LLC, Attn: Emmanuel Kokinakas
Address: 48-02 25th Avenue, Suite 400
Astoria, NY 11103
Phone #: 718.489.1730 (Emmanuel Kokinakas)

II. APPLICANT INFORMATION

Name: Wallace Campus Manager LLC, Attn: Emmanuel Kokinakas
Address: 48-02 25th Avenue, Suite 400
Astoria, NY 11103
Phone #: 718.489.1730 (Emmanuel Kokinakas)

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

III. CONSULTANT INFORMATION

Name: See attached List
Address: _____

Phone #: _____

IV. PROPERTY INFORMATION

Property Address (subject of appeal): See attached List of Parcels/Information
Tax Parcel #: _____
Date property acquired: _____
Present use of property: _____
Zoning District: _____
Dimensions: Lot Area _____ (sq. ft.) Width _____ ft.
Depth _____ ft. Frontage on street _____ 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, Deputy Zoning Administrator).

A copy of this decision, dated December 8, 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) Wallace Campus Manager LLC,
hereby apply to the Zoning Board of Appeals for a variance of the following requirements of the Zoning Ordinance:

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
	See attached List	

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 See separate Supplemental Materials

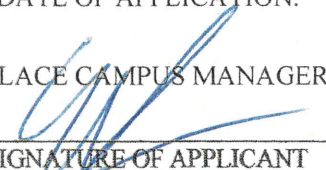
1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Eleven (11) copies.
3. Color photos of site conditions (8 copies)
4. ~~Complete Short EAF (see explanation under Submission Requirements).~~ *
5. Other attachments deemed pertinent by the applicant (please list):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

*Planning Board is Lead Agency on coordinated review and will complete SEQR review of project.

IX. SIGNATURE AND VERIFICATION

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

WALLACE CAMPUS MANAGER, LLC, AS THE OWNER OF THE PROPERTY AND THE APPLICANT, HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION.

WALLACE CAMPUS MANAGER, LLC
 By: 
 SIGNATURE OF APPLICANT
 Emmanuel Kokinakas

12/21/2021
 DATE

LIST ATTACHMENT TO APPLICATION FORM

III. CONSULTANT INFORMATION

Name: Ken Casamento, CPESC, Project Civil Engineer
Address: LRC Group, 85 Civic Center Plaza, Suite 103, Poughkeepsie, NY 12601
Phone #: 845.243.2880

Name: Saky Yakas, Project Architect
Address: SLCE Architects, 1359 Broadway, New York, NY 10018
Phone #: 212.979.8400

Name: Jennifer L. Van Tuyl, Esq., Project Land Use Counsel
Address: Cuddy & Feder LLP, 300 Westage Business Center, Suite 380, Fishkill, NY 12524
Phone #: 914.582.5234

IV. PROPERTY INFORMATION

- Property is to become a single lot to be formed by consolidating the following existing parcels:

Property Address: 319-321 Main Street, Poughkeepsie, NY
Tax Parcel: 131300-6162-77-114098-0000
Date Acquired: 4/20/2021
Present use of Property: Vacant
Zoning District: PID-UV
Lot Area: 1.13 AC

Property Address: 325 Main Street, Poughkeepsie, NY
Tax Parcel: 131300-6162-77-109079-0000
Date Acquired: 11/5/2020
Present use of Property: Vacant
Zoning District: PID-UV
Lot Area: 0.04 AC

Property Address: 327-329 Main Street, Poughkeepsie, NY
Tax Parcel: 131300-6162-77-109077-0000
Date Acquired: 4/15/2021
Present use of Property: Office – Key Construction Services
Zoning District: PID-UV
Lot Area: 0.09 AC

Property Address: 331 Main Street, Poughkeepsie, NY
 Tax Parcel: 131300-6162-78-127091-0000
 Date Acquired: 4/20/2021
 Present use of Property: Light Manufacturing of Chocolate Tempering Machines,
 Auxiliary Storage
 Zoning District: PID-UV
 Lot Area: 1.22 ac

- The applicant owns each of the above parcels and none of them is currently for sale, nor is the applicant preparing to sell.
- Dimensions of overall consolidated Wallace Campus lot:

Lot area: 2.52 Acres

Frontage on Main Street: 167.64 feet

Frontage on Catherine Street: 243.25 feet

Frontage on Mill Street (easterly drive): 70.72 feet

Frontage on Mill Street (westerly drive): 45.52 feet

VI. REQUEST FOR AREA VARIANCES

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.

WALLACE CAMPUS MANAGER, LLC, hereby applies to the Zoning Board of Appeals for a variance of the following requirements of the Zoning Ordinance:

I. VARIANCES RELATED TO MAIN STREET BUILDING AND MAIN STREET FRONTAGE:

<u>VARIANCE NUMBER</u>	<u>SECTION</u>	<u>REQ/PROHIBITED</u>	<u>REQUESTED VARIANCE</u>
#1	19-3.37 Table 3.37-2(h)	100% minimum Frontage occupancy PID-HC Subdistrict	Allow reduced frontage occupancy of 76.57% along Main Street in the PID-HC Subdistrict, where 100% minimum frontage occupancy is required
#2	19-3.37(8) Table 3.37-2(f)	10-foot maximum side yard in PID-UV Subdistrict	After providing a compliant setback for 42 feet from the frontage, allow increased

<u>VARIANCE NUMBER</u>	<u>SECTION</u>	<u>REQ/PROHIBITED</u>	<u>REQUESTED VARIANCE</u>
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maximum side yard of 27 feet on the west side of the Main Street building which is within the PID-UV Subdistrict, where the maximum side yard is 10 feet.

II. VARIANCES RELATED TO THE WESTERN MILL STREET ACCESS DRIVE AND THE PARKING SPACES ACCESSED FROM MILL STREET:

<u>VARIANCE NUMBER</u>	<u>SECTION</u>	<u>REQ/PROHIBITED</u>	<u>REQUESTED VARIANCE</u>
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#3	19-3.37(8) Table 3.37-2(h)	80% minimum Frontage occupancy in PID-UV Subdistrict	Allow reduced frontage occupancy of 0% at western driveway on Mill Street within the PID-UV Subdistrict, where 80% minimum frontage occupancy is required.
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#5	19-3.37(13)(b)2	Parking spaces must be setback at least 40 feet from front property line	Allow parking spaces along the western driveway to Mill Street to be within 10.8 feet of front property line on Mill Street, where a minimum 40 feet setback is required.
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#6	19-3.37(13)(g)(2)(i)	Parking spaces must be setback at least 40 feet from front property line	Allow parking spaces along the western driveway to Mill Street to be within 10.8 feet of front property line on Mill Street, where a 40 foot setback is required.
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#7	19-3.37(7)(b)(2)	Parking spaces must be on the interior of a lot and not visible from the street	Allow parking spaces along the western driveway to Mill Street to be within 10.8 feet of the front property line on Mill Street, where parking spaces are required to be on the interior of the lot and not visible from the street.
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III. VARIANCES RELATED TO THE EASTERN MILL STREET ACCESS DRIVE AND THE PARKING SPACES ACCESSED FROM MILL STREET:

<u>VARIANCE NUMBER</u>	<u>SECTION</u>	<u>REQ/PROHIBITED</u>	<u>REQUESTED VARIANCE</u>
#4	19-3.37(8) Table 3.37-2(h)	100% minimum Frontage occupancy PID-HC Subdistrict (Eastern driveway)	Allow reduced frontage occupancy of 0% at eastern driveway on Mill Street within the PID-HC Subdistrict, where 100% minimum frontage occupancy is required
#8	19-3.37(13)(b)2	Parking spaces must be setback at least 40 feet from front property line (Eastern driveway)	Allow parking spaces along the eastern driveway from Mill Street to be within 12 feet of front property line on Mill Street, where a 40 feet setback is required
#9	19-3.37(13)(g)(2)(i)	Parking spaces must be setback at least 40 feet from front property line	Allow parking spaces along the eastern driveway from Mill Street to be within 12 feet of front property line on Mill Street, where a 40 foot setback is required.
#10	19-3.37(7)(b)(2)	Parking spaces must be on the interior of a lot and not visible from the street	Allow parking spaces along the eastern driveway from Mill Street to be within 12 feet of the front property line on Mill Street, where parking spaces are required to be on the interior of the lot and not visible from the street.
#11	19-3.37(13)(g)(2)(iii)	Parking rows with more than 8 spaces require a landscape island every ninth parking space	Allow each of the two rows of diagonal parking along the easterly driveway from Mill Street to have 9 parking spaces without a landscaped island, where a landscaped island is required after 8 parking spaces.

**MATERIALS RELATING TO WALLACE CAMPUS LLC
AREA VARIANCE APPLICATION**

- | | |
|--|---------------------------|
| 1. ZONING DETERMINATION of Judith Knauss Deputy Zoning Administrator, dated December 8, 2021. | ATTACHED |
| 2. VARIANCE REQUEST EXPLANATION , as required in Section VII of Area Variance Application form, including Color Photographs of Existing Site conditions and Visual Representations of proposed Wallace Campus | 1st TAB |
| 3. SITE PLAN DRAWINGS | 2nd TAB |



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4010 Fax: (845) 451-4006**

December 8, 2021

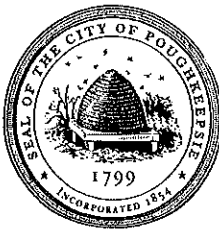
Wallace Campus Manager LLC
c/o Emanuel Kokinakis
48-02 25th Ave suite 400
Astoria, NY 11103

RE: Wallace Campus Project

Dear Mr. Kokinakis:

Please be advised that the Planning Department is in receipt of revised plans and elevations relative to the proposed development known as the Wallace Campus project. The original submission was reviewed and a determination of zoning deficiencies was issued on March 31, 2021. The revised materials have been reviewed for compliance with the requirements of the Poughkeepsie Innovation Zoning District (PID) against the original analysis. Several of previously identified deficiencies, such as maximum allowed height, have been eliminated, while others have been ameliorated. The remaining deficiencies are as follows:

- 1) Section 19-3.37 Table 3.37-2(h) provides that buildings in the in the PID-HC, occupy 100 % of the property frontage, while the PID-UV allows a minimum of 80% up to 100% frontage occupancy. The building to be located in the general location of 319-329 Main Street straddles the district boundary between the PID-HC and the PID-UV. The portion located in the PID-HC occupies less than 100% of the frontage;
- 2) Section 19-3.37 Table 3.37-2(f) permits side yards to be between zero to 10 feet in the PID-UV. The building to be located in the general location of 319-329 Main Street straddles the district boundary between the PID-HC and the PID-UV. The portion located in the PID-UV has a side yard that is 10 feet at the street that widens to 27 feet;
- 3) Section 19-3.37 Table 3.37-2(h) requires a minimum of 80% frontage occupancy in the PID-UV. There is zero frontage occupancy at the western driveway of the site that abut Mill Street.
- 4) Section 19-3.37 Table 3.37-2(h) requires a minimum of 100% frontage occupancy in the PID-HC. There is zero frontage occupancy at the eastern driveway of the site that abuts Mill Street;
- 5) Section 19-3.37 (7) (b) (2) requires that off-street parking be beyond the front building line, on the interior of the lot and not visible from street. There is no building on the Mill Street side of the development that the parking can be located beyond. While this condition is to some degree existing, the project is a comprehensive redevelopment that requires compliance. In the first iteration of the plan, the parking was essentially immediately adjacent to the sidewalk. In the revised plan, the parking has been moved back from the sidewalk considerably and landscaped to decrease visibility;



**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601

Phone: (845) 451-4010 Fax: (845) 451-4006

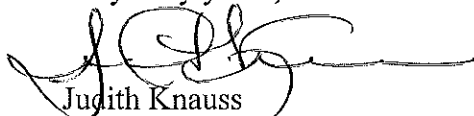
- 6) Section 19-3.37 (13) (b)(2) requires that all parking spaces shall be set back at least 40 feet from the front property line and screened from view of the street by landscaping. In the first iteration of the plan, the parking was essentially immediately adjacent to the sidewalk. In the revised plan, the parking has been moved back from the sidewalk considerably and landscaped to decrease visibility, although it is still within 40 feet of the property line;
- 7) Section 19-3.37(13)(g)(2)(i) requires that all parking spaces be set back at least 40 feet from the front property line and screened from view of the street by landscaping at least three feet in height, opaque fencing with the finished side facing the street, or other means as approved by the Planning Board. In the first iteration of the plan, the parking was essentially at the sidewalk. The parking has been moved back considerably and is now landscaped, but it still within 40 feet of the property line;
- 8) Section 19-3.37(13)(g)(2)(iii) requires that a landscape island shall be provided every ninth parking space for rows of parking that are more than eight spaces in length, with the result that there shall be no more than eight continuous parking spaces in a row without a landscape island. There are two rows with more than eight (8) spaces. While these rows are existing, and previously approved by the Planning Board, the change of use of the site and the comprehensive site alterations require compliance, or a variance.

You may, within thirty (30) days of the date of this letter, either:

1. Appeal to the Zoning Board of Appeals requesting variances; or
2. Modify the plan to reflect compliance.

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

Very truly yours,


Judith Knauss
Deputy Zoning Administrator

TAB 1

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VII. VARIANCE REQUEST EXPLANATION

INTRODUCTION:

This Section of the application considers all the relevant factors under Section 19-9.4 (2) (d) relating to each of the requested area variances. A copy of the updated Site Plan which shows the project elements is included at Tab 2. An Illustrative Site Plan is also attached. Graphics and photographs showing the existing and proposed conditions are included within the sections discussing each variance.

A. PROJECT DESCRIPTION:

Wallace Campus is a mixed-use development on a 2.52 acre consolidated lot in the eastern half of the city block surrounded by Main Street, Catharine Street, and Mill Street, within the center of the Poughkeepsie Innovation District (PID) redevelopment area. The redevelopment plan includes three main buildings, one existing (the former Wallace Department store) and two new. The project creates multi-family dwelling units, and retail uses. The non-building elements of the Project include a large landscaped Open Space within the center of the campus (called "Wallace Green"), open to the public on the same schedule as public parks in the City. The project also provides a new pedestrian connection between Main Street and Mill Street (at Conklin.)

THE THREE BUILDINGS IN THE WALLACE CAMPUS:

(1) WALLACE DEPARTMENT STORE:

The Wallace Department Store is the largest and tallest building in the project. The building is 4 stories tall, but appears taller, due to a parapet at Main Street giving an appearance of a 5 story building. The Wallace Building will include retail space on the ground floor along the Main Street frontage, and the remainder of the building will be redeveloped as multi-family rental apartments.

(2) THE NEW MAIN STREET BUILDING:

The mid-size building in the project is the new building west of the Wallace Department store ("the Main Street Building"). This building includes retail space on the ground floor along the Main Street frontage, and the remainder will house new multi-family rental apartments.

(3) THE NEW CATHARINE STREET BUILDING:

The smallest of the three buildings is the new building that fronts on Catharine Street. This building also features retail space on the ground floor along the Catharine Street frontage and the remainder of the building will house new multi-family rental apartments.

WALLACE GREEN WALKWAY AND WALLACE GREEN:

In keeping with the PID goals of creating new pedestrian throughways on large parcels to

break up large parcels (19-3.37(12) (c)(1)(ii)), Wallace Campus provides a mid-block pedestrian connection between Main Street and Mill Street, close to its intersection with Conklin Street. See Illustrative Site Plan

The project will also convert approximately 1 acre of the existing 2.5 acre site from impervious pavement to pervious/landscaped area. The largest area of green space within the site is Wallace Green, landscaped green space in a park-like setting. Wallace Green will be open for public access during the same hours as public parks in the city, and maintained by the private owner of the Wallace Campus. Public access to the Green from Main Street and Mill Street is provided via the pedestrian connector path. Access from the west is provided via a proposed pathway adjacent to the children's play area. See Illustrative Site Plan

VEHICULAR ACCESS FROM EXISTING DRIVEWAYS ON MILL STREET:

There are two existing driveways which access the Site from Mill Street. The two driveways are separated by an outparcel at 310 Mill Street (Hudson River Housing.) These driveways are proposed to be narrowed as part of the site development, with the western driveway serving as a one-lane access into the site, and the eastern driveway serving as a one way exit from the site. The proposed Site Plan adds significant landscaping at the Mill Street frontage to each of the existing driveways, and moved parking farther within the site. The applicant has worked cooperatively with other owners along Mill Street to reduce curb cuts and solve existing parking problems. By agreement with the owners of 302, 304, and 306 Mill Street, those lots will derive access to the parking behind those buildings through the Wallace Campus access driveways, and the existing curb cuts between the houses on 302 and 304 Mill Street and between 304 and 306 Mill Street will be eliminated, and those driveways restored to vegetated areas. By agreement with Hudson River Housing (310 Mill Street), which presently has no parking on its property, Wallace Campus will provide access to 6 spaces along the western driveway, facing the Hudson River Housing property during business hours (Monday to Friday 8 am to 6 pm). In exchange, Hudson River Housing has agreed to improvements on its property, including the sidewalk which forms the final part of the pedestrian connector between Main Street and Mill Street.

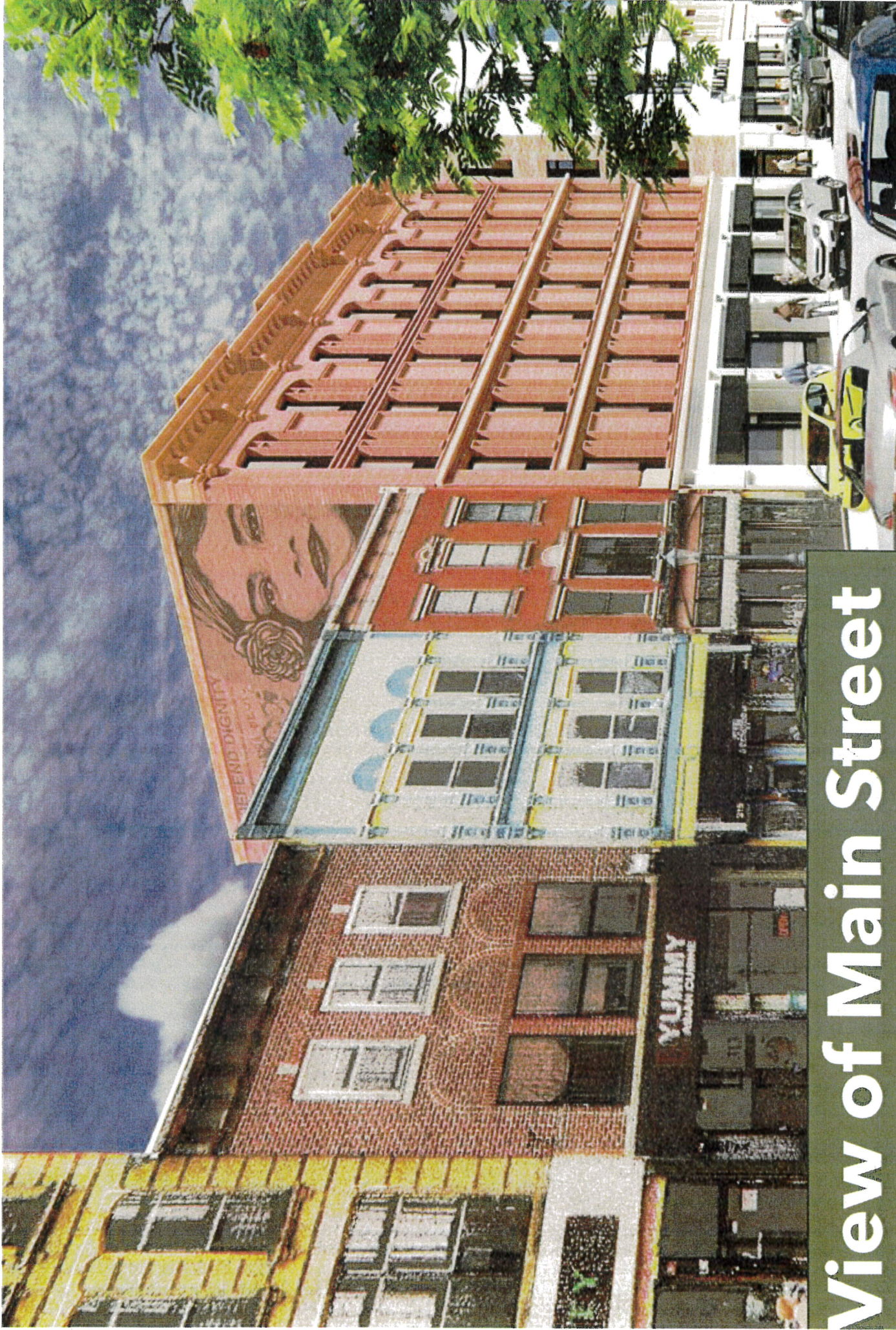
B. AREA VARIANCES RELATING TO MAIN STREET FRONTAGE, AND CONFIGURATION OF MAIN STREET BUILDING:

INTRODUCTION:

AREA VARIANCE # 1 - a variance of section 19-3.37 Table 3.37-2(h) to allow reduced frontage occupancy of 76.57% along Main Street in the PID-HC Subdistrict, where 100% minimum frontage occupancy is required:

Facts and zoning provisions relevant to Frontage Occupancy:

- The PID zoning establishes requirements for “FRONTAGE OCCUPANCY,” defined as “The percentage of the lot width that must be occupied by either a front building façade or structures that screen parking, located within the area between the minimum and maximum front setback.” Section 19-3.37 (14) (definition of terms)
- The PID zoning creates 4 “subdistricts” with varying bulk standards. A zoning line separating the PID-UV subdistrict from the PID-HC subdistrict splits the frontage, the lot, and the Main Street building (see Zoning Line separating the PID-UV and PID-HC Districts on drawing SP-1 in Tab 2). In the PID-UV subdistrict, the required percentage of Frontage Occupancy is 80%. In the PID-HC subdistrict, the required percentage of Frontage Occupancy is 100%. Along the Main Street frontage, the lot complies with the required Frontage Occupancy as to the portion of the frontage within the PID-UV District, but requires an area variance for the portion of the frontage in the PID-HC District. The plans provide 76.57% frontage occupancy in this zoning district, rather than the 100% required, primarily because the plan provides a pedestrian connection between Main Street and Mill Street at this location. Drawing SP-1 and SP-2 show both the Zoning Line splitting the frontage, lot, and building, and the proposed promenade entry to the pedestrian connecting path to Mill Street, together with the exact measurements of the Frontage Occupancy. The total frontage in the PID-HC subdistrict is 111.8 feet. The proposed pedestrian walkway is 26.1 feet wide. This reduces the frontage occupancy from 100% to 76.57%.
- The PID zoning contains special provisions applicable to large lots (those over 1 acre in size—the subject lot is 2.52 acres) and encourages such lots to incorporate pedestrian alleys and throughways, “to break up larger blocks and facilitate pedestrian access and safety.” PID Zoning section 19-3.37 (12) (c) (1) (ii). Such pedestrian alleys, of necessity, break the frontage occupancy.
- The project architects have proposed that the only appropriate location for the pedestrian connector is between the Main Street Building and the Wallace building, because this is the only location between two buildings of relatively equivalent massing, and this is the only location where the project owner controls both sides of the pedestrian connector. This placement also provides the unique advantage of allowing the ground floor retail uses to “wrap around” the corners of both the Main Street building and the Wallace building, inviting pedestrians into the space, and providing an equivalent amount



View of Main Street



1. VIEW FROM MAIN STREET



2. VIEW FROM MAIN STREET AND CATHARINE STREET



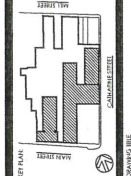
PROJECT:
WALLACE CAMPUS
331 MAIN STREET
CITY OF POUGHKEEPSIE
DUTCHESS COUNTY, NEW YORK

OWNER:
WALLACE CAMPUS MANAGER LLC
100 WALLACE STREET
POUGHKEEPSIE, NY 12601

ARCHITECT:
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THE IBC GROUP
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POUGHKEEPSIE, NY 12601
TEL: 845.299.4600
FAX: 845.299.4600

DATE	DESCRIPTION
1. 11.15.2017	REVISED PER CITY COMMENTS
2. 11.15.2017	PLANNING BOARD RE SUBMISSION
3. 11.15.2017	PLANNING BOARD RE SUBMISSION
4. 11.15.2017	PLANNING BOARD RE SUBMISSION
5. 11.15.2017	PLANNING BOARD RE SUBMISSION
6. 11.15.2017	PLANNING BOARD RE SUBMISSION
7. 11.15.2017	PLANNING BOARD RE SUBMISSION

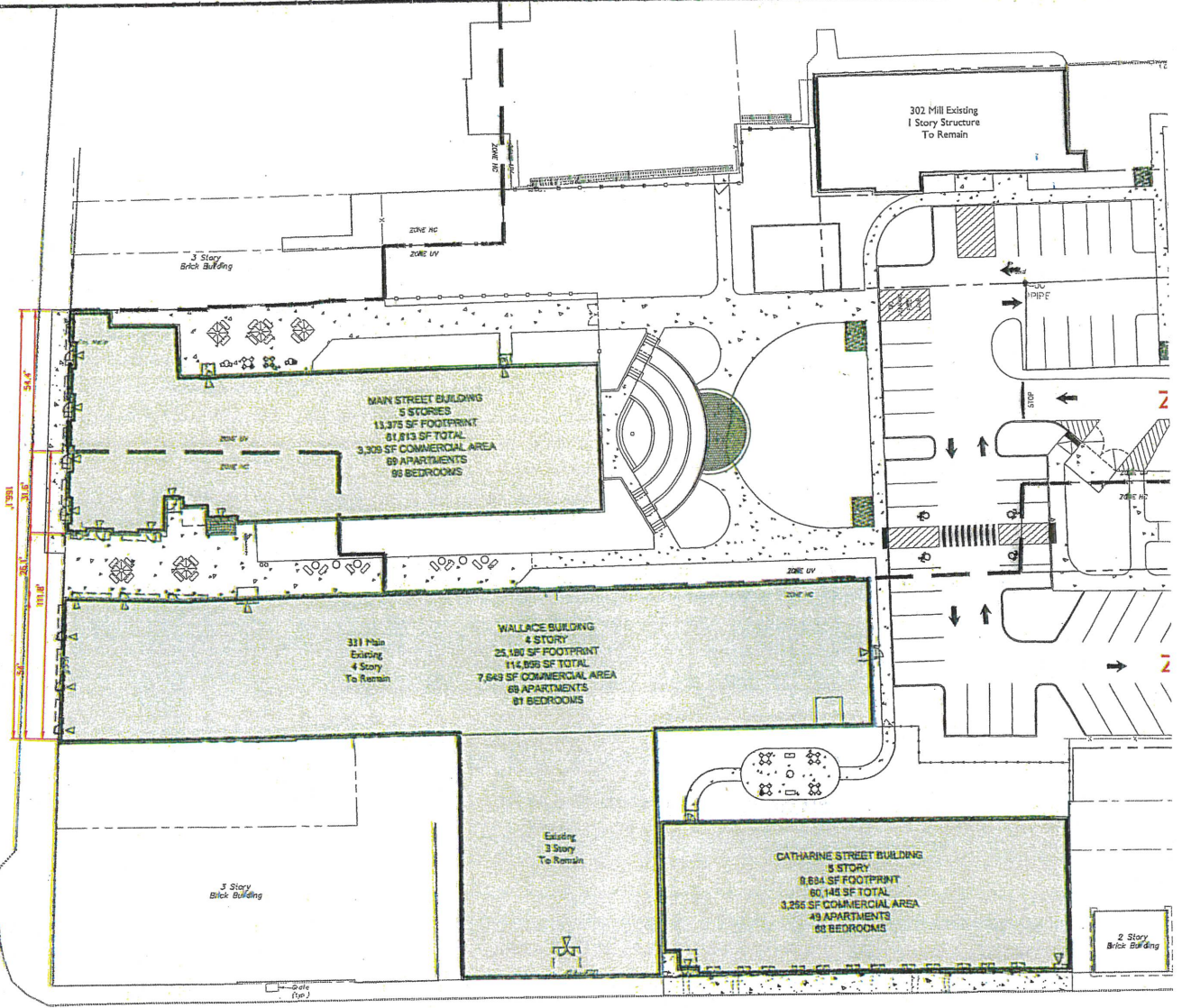


RENDERINGS

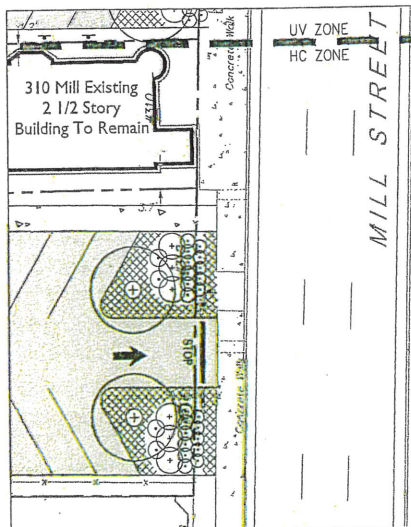
PROJECT NO. 2000-36
DATE: 11/15/17
DRAWN BY: SL
CHECKED BY: SL
INCHES: 1/8" = 1'-0"

A-205

MAIN STREET

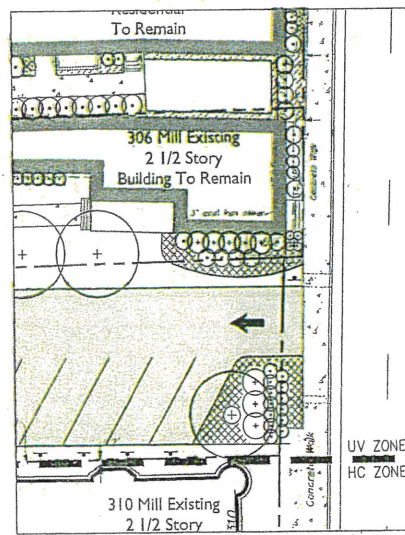


CATHARINE STREET



EASTERN HC ENTRANCE
WITH LANDSCAPING

1"=20'
NOTE: SEE SHEET LL-1 FOR PLANTING KEYS
AND SHEET AND LL-2 FOR PLANT LIST



WESTERN UV ENTRANCE
WITH LANDSCAPING

1"=20'
NOTE: SEE SHEET LL-1 FOR PLANTING KEYS
AND SHEET AND LL-2 FOR PLANT LIST

BUILDING	PROPOSED USE
MAIN STREET BUILDING	RESIDENTIAL (89 UNITS)
	RETAIL
CATHARINE STREET BUILDING	RETAIL
WALLACE BUILDING	RETAIL
302/204/206 MILL STREET BUILDINGS	RESIDENTIAL
310 MILL	OFFICE

NOTES:
1. PARKING DEMANDS DEVELOPED

B1

BICYCLE PARKING REQUIREMENTS - MAIN STREET

TYPE	NUMBER REQUIRED
LONG TERM	245
SHORT TERM	245

RESIDENTIAL USES - 302, 304, 306

TYPE	NUMBER REQUIRED
LONG TERM	19
SHORT TERM	19

OTHER USES - ON SITE BICYCLE

TYPE	NUMBER REQUIRED
LONG TERM	RETAIL
SHORT TERM	RETAIL

OTHER USES - ON SITE BICYCLE

TYPE	NUMBER REQUIRED
LONG TERM	OFFICE/NON
SHORT TERM	OFFICE/NON

OTHER USES - ON SITE BICYCLE

TYPE	NUMBER REQUIRED
LONG TERM	OUTDOOR
SHORT TERM	OUTDOOR

TOTAL BICYCLE PARKING

TYPE	NUMBER REQUIRED
LONG TERM	
SHORT TERM	

of retail "frontage" to make up for any frontage occupancy lost by providing the pedestrian connector.

5-part test analysis:

The following is an analysis of the 5 Factors to be evaluated as part of the overall balancing test relating to the benefit of the variance to the applicant, as weighed against the detriment, if any, caused to the community and neighborhood by the grant of the variance:

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

Visual representations of the proposed Promenade entrance to the pedestrian connector establish the attractiveness and vibrancy created by the entrance to a landscaped walkway, including the wrap-around retail space. This Promenade opening will add to the pedestrian interest in Main Street, in addition to providing the beginning of the pedestrian connection to Mill Street and providing access to the Wallace Green. The attractiveness of the setting is enhanced by the quality of the architecture, which is sensitive to other historic buildings and historic retail entrances on Main Street. No undesirable change in the character of the neighborhood or detriment to nearby properties is anticipated. The Site Plan provides for appropriate lighting levels to assure pedestrian safety. The applicant has also agreed to any condition the Planning Board may impose to provide for future gating of the pedestrian connector in the night-time hours, if such gating is determined to be necessary.

- 2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

It cannot. There is no alternate way to provide the pedestrian connection without placing an opening somewhere in the frontage, and lowering the frontage occupancy. The proposed width of the walkway opening has been discussed before the Planning Board and the consensus is that the proposed width is necessary to be inviting to pedestrians to enter the space. An alternate location (say, in the PID-UV portion of the property, where the Frontage Occupancy is 80%) would not be effective, since the applicant would not control buildings on either side of the walkway and could not provide the "wrap-around retail" on both sides of the walkway.

- 3) Whether the requested area variance is substantial;

The requested variance is slightly more than 20% of the total requirement. However, it is noted that the plans provide a wrap-around of additional retail space occupying (considering both the Main Street building and the Wallace building), greater length of additional retail "frontage" than would have been possible by maintaining a 100% frontage occupancy. (See Site Plan, drawing SP-1, at TAB 2, which labels the retail entrances at the opening of the Promenade pedestrian entrance to the connector to Mill Street.) Visual representations of the Promenade entry are also submitted.

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environment conditions in the neighborhood or district.

As open space with continued retail frontage and landscape elements, this is a project element that supports pedestrian connectivity and has positive impact on physical and environmental conditions. The pedestrian connector also directly fulfills a purpose of the PID zoning (19-3.37 (12) (c)), which encourages sites larger than an acre to enhance pedestrian circulation via walkways and pedestrian thoroughways to break up larger blocks and facilitate pedestrian access and safety. During the Planning Board review of the project, the applicant was encouraged to, and willingly agreed, to provide a pedestrian connection from Main Street to Mill Street, near its intersection with Conklin.

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

In that the request is based on a design choice, the difficulty can be considered "self-created." However, the design choice was based on a definite legislative policy in the zoning law favoring pedestrian connectivity. In any event, self-created hardship does not compel the denial of an area variance, and it is respectfully submitted that this factor does not militate in favor of a denial because of the obvious benefits of the proposed connector, which is encouraged by the PID zoning.

Is this the appropriate minimum variance? City Code section 19-8.4 (d) (3)

The width of the Promenade/walkway entrance was designed by the architects to function well, and invite pedestrians to use the walkway as part of a mid-block connection to Mill Street. The variance maintains 76.57% compliance with the frontage occupancy and provides more than the equivalent retail frontage wrapped around the front of the passageway to accomplish the equivalent of 100% compliance. This meets the requirement as to minimum variance.

Overall Balancing Test:

Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted, and, if so, should any conditions be imposed? City of Poughkeepsie Code section 19-8.4 (2) (e)

From the Applicant's viewpoint the proposed variance will not create any detriment to the neighborhood or community that needs to be balanced against the benefit to the applicant. The proposed improvements will benefit the neighborhood. It would be reasonable for the Board to condition the requested area variance on the features of the site plan as presented as part of the variance application, as they are ultimately approved by the Planning Board.

AREA VARIANCE # 2 - a variance of 19-3.37(8) Table 3.37-2(f) to allow increased maximum side yard of 25 feet 9.6 inches on the west side of the Main Street building, which is within the PID-UV Subdistrict, where the maximum side yard is 10 feet:

Facts and zoning provisions relevant to this variance:

- The PID Zoning is unusual in that it establishes not only minimum side setbacks but also maximum side setbacks.
- The applicable side-setback along the applicant's westerly property line is a minimum 0-foot setback and a maximum 10 foot setback.
- The Main Street building abuts an adjoining property to the west. This building provides a compliant setback for the first 42 feet of the depth of the building. Thereafter, the side setback increases behind the "top of the T" portion of the building. The side setback reaches a maximum of 27 feet along the side of the neighboring building. Accordingly, an area variance is required.
- The enhanced side setback along the base of the "T" design provides light and air to the proposed new building, and creates private open space along the western side of the new building.
- The proposed enhanced setback along the westerly property line is not visible from the street, so it has no impact on streetscape design. But it has a positive impact on the neighboring property to the west, by providing enhanced light and air available to the majority of the depth of the building on the property.

5-part test analysis:

The following is an analysis of the 5 Factors to be evaluated as part of the overall balancing test relating to the benefit of the variance to the applicant, as weighed against the detriment, if any, caused to the community and neighborhood by the grant of the variance:

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

No adverse impact will occur. The increased setback is not visible from the Main Street frontage. Yet it provides advantages to the applicant and to the adjoining neighboring property to the west.

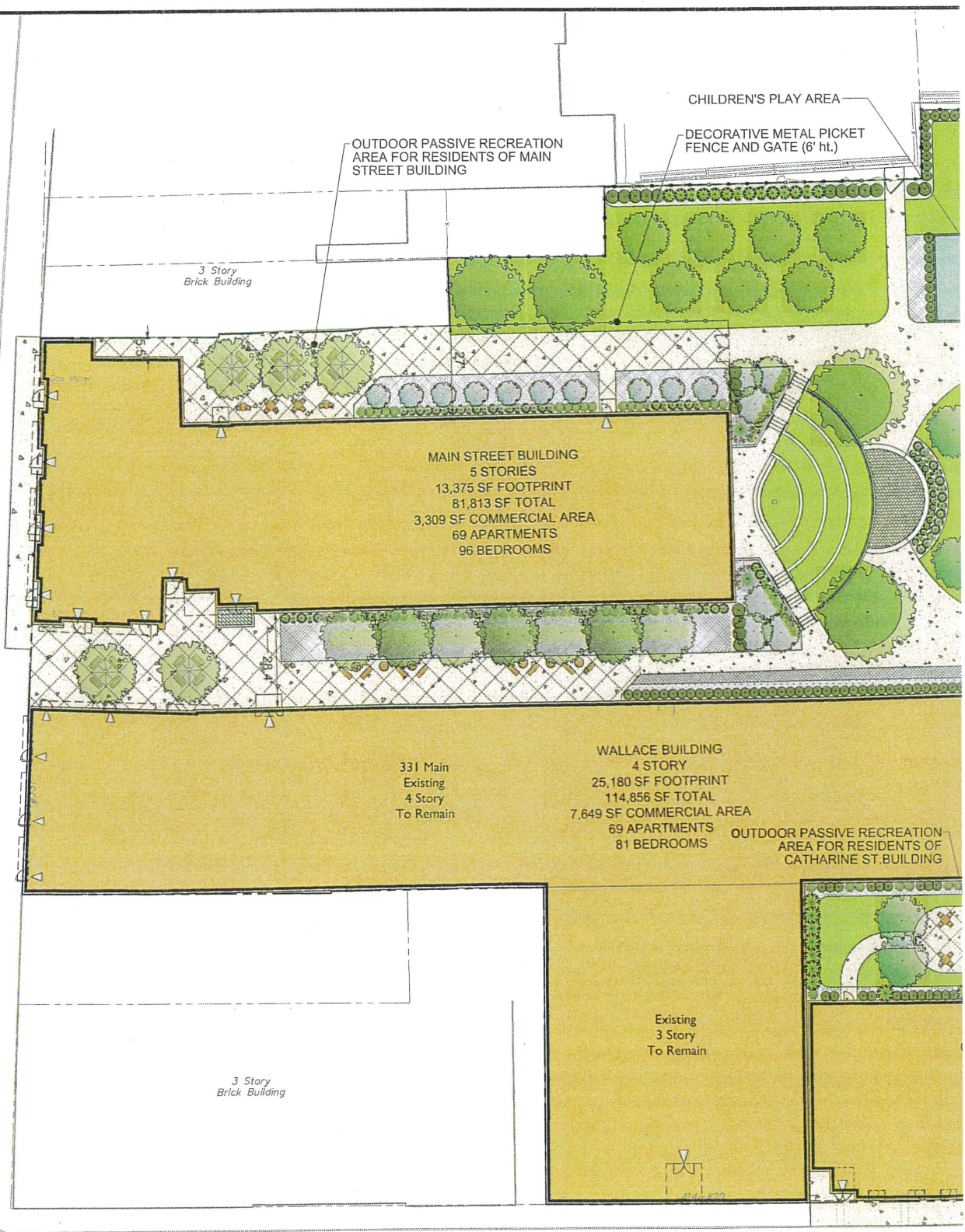
- 2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

There is no alternative to the variance except to comply with the zoning and move the building closer to the shared lot line. It is not clear that this would serve any positive planning purpose. The planning purpose is addressed by providing the compliant setback for the first 42 feet of the building.

- 3) Whether the requested area variance is substantial;

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MAIN STREET



CATHARINE STREET

The variance is not substantial, in light of the compliant setback provided for the first 42 feet of the building. While the setback behind this point increases, substantiality is not judged solely with respect to the requirement of zoning, but is judged on the substantiality of the effect. This variance will not be visible from the street frontage, and assists the applicant and its immediate neighboring property.

- 1) Whether the proposed variance will have an adverse effect or impact on the physical or environment conditions in the neighborhood or district.

No adverse effects will result. In fact, the effects are positive, in terms of added open space and light and air.

- 5) Whether the alleged difficulty was self-created, which 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 the result of a design choice, and can therefore be seen as self-created. This factor does not compel the denial of an area variance, and it is respectfully submitted that this factor does not militate in favor of a denial because there is no adverse impact of the requested variance based on the overall balancing and with respect to any of the other 5 factors.

Is this the minimum required variance pursuant to City Code section 19-8.4 (2) (d) (3)?

Yes. This is the minimum variance that will be necessary and adequate to the applicant. It also protects the character of the neighborhood and the health, safety and welfare of the community.

Overall Balancing Test:

Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted, and, if so, should any conditions be imposed? City of Poughkeepsie Code section 19-.4 (2) (e)

From the Applicant's viewpoint the proposed variance will not create any detriment to the neighborhood or community that needs to be balanced against the benefit to the applicant. The proposed improvements will benefit the neighborhood. It would be reasonable for the Board to condition the requested area variance on issuance of site plan approval and incorporation of the features of the site plan as presented to the ZBA, as those features may be ultimately refined during site plan review by the Planning Board.

C. **AREA VARIANCES RELATING TO THE MILL STREET ACCESS & PARKING, AND LANDSCAPE ISLANDS:**

INTRODUCTION:

The driveways have existed at their current width since the mid 1950's, and so are a pre-existing condition. There is presently no landscaping at the Mill Street frontage of either driveway (see photos of existing conditions). The Applicant's proposal substantially increases the areas of landscape screening in the entrance drives, and pulls parking further into the site, away from Mill Street.

The Applicant's proposal substantially improves the situation with respect to each of the Mill Street Driveways:

- It narrows the width of the drive aisles in both driveways, from 24 feet to 16 feet.
- It expands the width of the landscaped area along each driveway frontage, and thus the percentage of the opening that is occupied with landscape screening. While this screening doesn't technically meet the requirement of "frontage occupancy," which requires a building or structure, it does serve to screen views into the site and provide a finished streetscape.
- It expands the depth of landscape screening in the drive aisles, thus pulling parking back farther within the site.
- It significantly increases the area of landscaping along Mill Street at both driveway entrances.

Each driveway requires variances as to frontage occupancy (since there are no buildings or structures within either driveway). The western driveway is in the PID-UV subdistrict (with 80% required frontage occupancy) (**Variance #3**) and the eastern driveway is in the PID-HC subdistrict (with 100% required frontage occupancy). (**Variance # 4**) These variances are discussed together, since the issues involved are similar.

Each driveway also requires variances of 3 separate zoning provisions (19-3.37(13)(b)(2); 19-3.37(13)(g)(2)(i); and 19-3.37(7)(b)(2)) which have similar requirements that parking be set back 40 feet from the frontage, and that parking be interior to a lot and not visible from the street. For the western driveway, these are **Variance #5, Variance #6, and Variance #7**. For the eastern driveway, these are **Variance # 8, Variance #9, and Variance #10**. The eastern driveway also requires a variance of section 19-3.37(13)(g)(2)(iii) which requires a landscape island after every 8 spaces. The driveway proposed 2 rows of 9 spaces. Rather than placing a landscape island "within" the row, the applicant proposes to place the equivalent amount of landscaping closer to Mill Street, where it can have maximum screening effect. These variances are discussed together, since the issues involved are similar.

The overall improvements in the driveways are shown in the chart on the following page.

CHART SHOWING CHANGES IN DRIVEWAY WIDTHS & LANDSCAPING AT MILL STREET ENTRANCES

<u>Western Drive</u>	<u>Existing Conditions</u>	<u>Proposed</u>
Frontage (in feet)	45.5 FT	45.5 FT
# Drive Lanes	2	1
Drive aisle width	24 feet	16 FT
Landscape width	0 FT (west side) 0 FT (east side)	7.5 FT (west side) 22 FT (east side)
Landscape depth (min)	0 FT	10.8 FT
Landscape depth (max)	0 FT	24 FT
Landscape area	0 SF	473 SF

<u>Eastern Drive</u>	<u>Existing Conditions</u>	<u>Proposed</u>
Frontage width (in feet)	70.7 FT	70.7 FT
# Drive Lanes	2	1
Drive aisle width	24 FT	16 FT
Landscape width	0 FT (west side) 0 FT (east side)	20 FT (west side) 24 FT (east side)
Landscape depth (min)	0 FT	12 FT
Landscape depth (max)	0 FT	24 FT
Landscape area	0 SF	729 SF

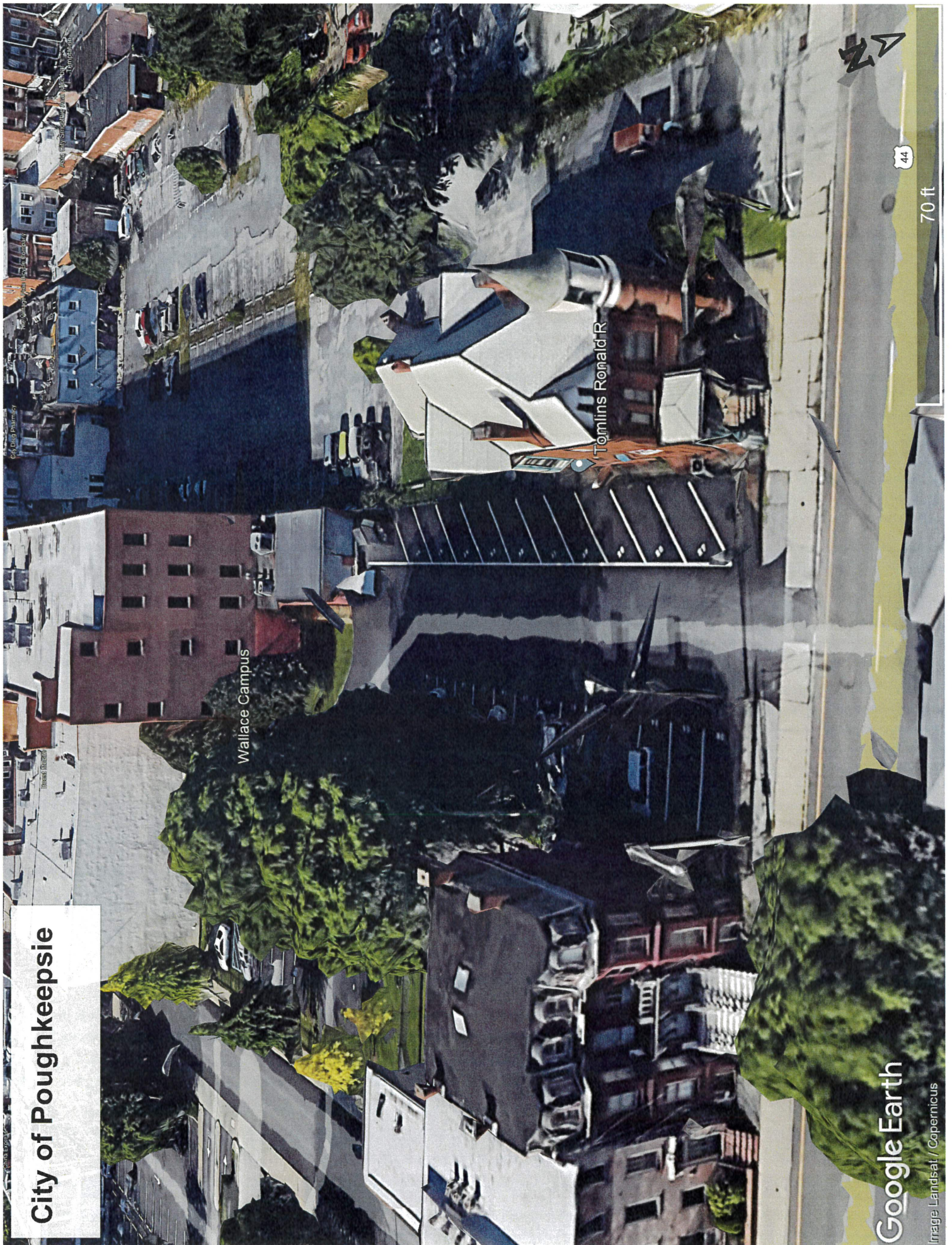
Dutchess County Parcel Access
1955 Aerial View



Dutchess County Parcel Access
1970 Aerial View



City of Poughkeepsie



VIEW FROM MILL STREET

Google Maps 313 State Rte 55

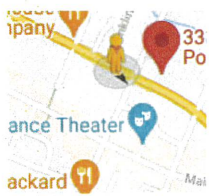


Image capture: Oct 2019 © 2021 Google

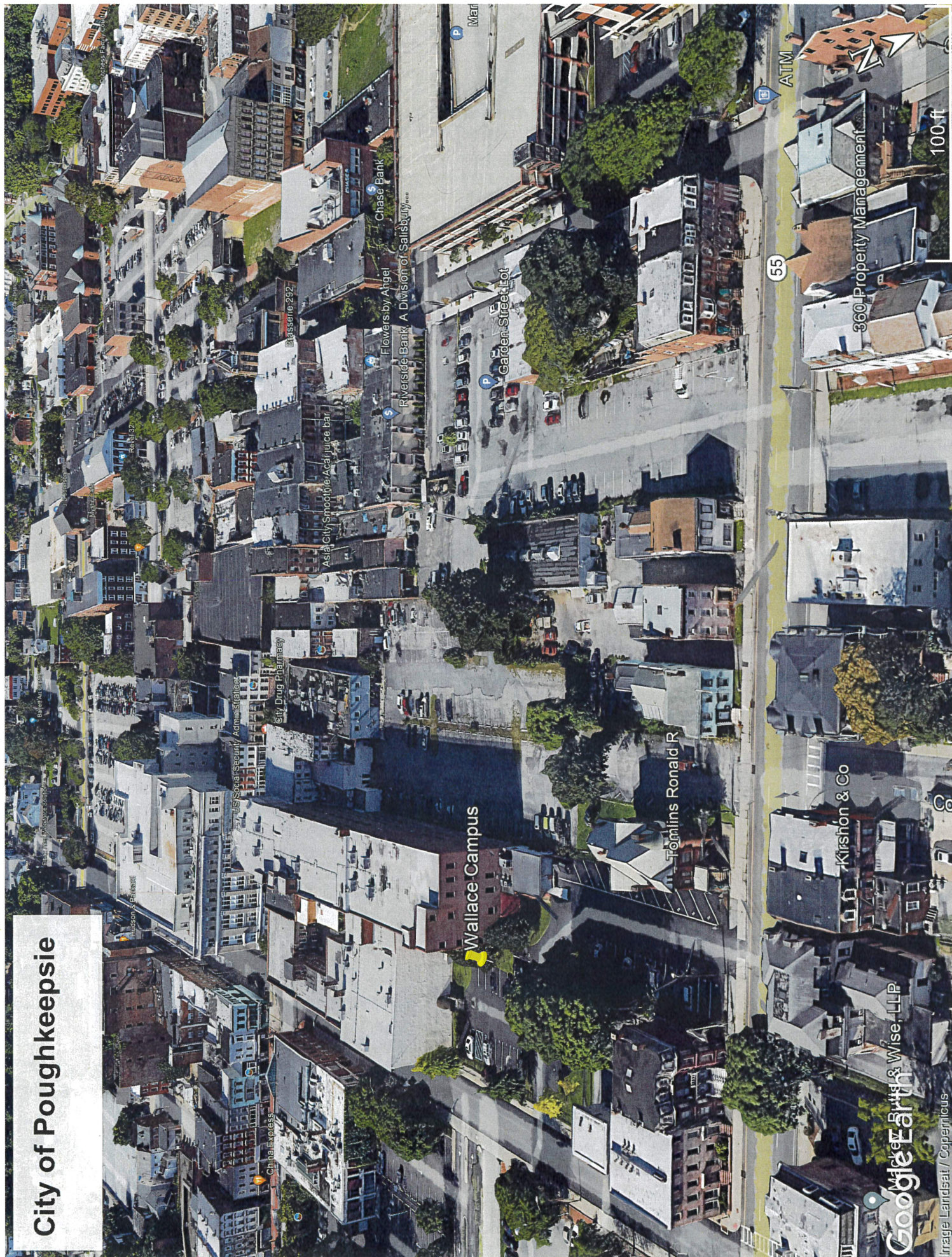
Poughkeepsie, New York



Street View - Oct 2019



City of Poughkeepsie



AREA VARIANCE # 3 - a variance of 19-3.37(8) Table 3.37-2(h) to allow reduced frontage occupancy of 0% at western driveway on Mill Street within the PID-UV Subdistrict, where 80% minimum frontage occupancy is required:

AREA VARIANCE # 4 - a variance of 19-3.37(8) Table 3.37-2(h) to allow reduced frontage occupancy of 0% at eastern driveway on Mill Street within the PID-HC Subdistrict, where 100% minimum frontage occupancy is required:

Facts and zoning provisions relevant to these two variances:

- The attached visual representations, and the Site Plan Drawings (Sheets SP-1, LL1) show that the applicant's only frontage on Mill Street is the existing driveways.
- The attached Dutchess County 10-year aerial maps show that these driveways, and the parking along the internal driveways, existed at the time of the 1970 maps, and even in the 1955 maps. It is a pre-existing condition, and provides necessary access into the site.
- As discussed relating to Area Variance #1 above, the PID zoning provision on Frontage Occupancy requires either 100% (HC Subdistrict) or 80% (UV Subdistrict) frontage occupancy with buildings or structures. Ordinarily this is not a problem, because a landowner could derive vehicular access to his lot via a side or rear lot line. However, the PID zoning contains a provision, 19-3.37 (9) (b), that requires that "through lots" [lots with two street frontages] must meet frontage occupancy requirements on both frontages. The Zoning Administrator's determination of March 31, 2021 has determined that the Wallace Campus lot is a through lot and therefore it must meet the minimum frontage occupancy requirements on all frontages. The only frontage the applicant has on Mill Street is the two driveways.
- The applicant would be unable to access its property absent a variance of this requirement.
- The data shown in the introduction to this section, and the attached visuals and graphics show the applicant's substantial increase in the proposed landscaping and improvements within the driveway rights-of-way which will substantially screen views of parking.
- The overall site landscaping plan (Tab 2) shows that there is significant landscaping proposed within the site that will be seen from Mill Street.
- All building elevations of the site's 3 buildings which face Mill Street are finished elevations. This also assists in improving the views into the site from Mill Street.

5-part test analysis:

The following is an analysis of the 5 Factors to be evaluated as part of the overall balancing test relating to the benefit of the variance to the applicant, as weighed against the detriment, if any, caused to the community and neighborhood by the grant of the variance:

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

No undesirable change will take place since these driveways have been used for many decades for access and parking. In fact, a positive change will take place because of the planned improvement and landscaping of the driveways as shown on the site plan drawings. The existing views into the site are bleak.

- 2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

There is no alternate method of providing access except through the variance requested. It is necessary to have two access points for safety, due to the access onto an arterial highway, and for proper circulation through the site.

- 3) Whether the requested area variance is substantial;

If considered solely in terms of the percentage of change requested, the variance is substantial. But substantiality can't be considered in a vacuum. In terms of impact there is no negative impact on the neighborhood, and because of this the variance is not substantial in its effect.

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environment conditions in the neighborhood or district.

The physical and environmental condition will improve because of the proposed landscaping and improvements at the driveways, and the upgrading of views into the site by finished facades and landscaping, and by the creation of Wallace Green.

- 5) Whether the alleged difficulty was self-created, which 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 was not self-created, and results solely from the confluence of two provisions in the new PID zoning: being a "through lot" and the new provisions on frontage occupancy, which did not directly consider how to address a situation of a large lot with 3 frontages, and no other access. In any event, this factor does not compel the denial of an area variance, and it is respectfully submitted that this factor does not militate in favor of a denial because all the other factors weigh in favor of the variances.

How has this variance been minimized? City Code section 19-8.4 (2) (d) (3):

The applicant has minimized the width of the driving aisles, and increased both the width and the depth of landscaping that screens the views of parking. It has also eliminated the parking that was closest to Mill Street, and provided substantially greater setbacks. The requested variance is the minimum variance that will provide access to the property. The presence of the driveways is a long existing condition, and the proposed action will greatly improve existing conditions.

Overall Balancing Test:

Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted, and, if so, should any conditions be imposed? City zoning section 19-8.4 (2) (e)

From the Applicant's viewpoint the proposed variance will actually improve existing conditions substantially, and thus will not create any detriment to the neighborhood or community that needs to be balanced against the benefit to the applicant. The proposed improvements will benefit the neighborhood. It would be reasonable for the Board to condition the requested area variance on the features of the site plan as ultimately approved by the Planning Board.

AREA VARIANCE # 5 - a variance of 19-3.37(13)(b)2 to allow parking spaces along the western driveway to be within 10.8 feet (formerly 2.5 feet) of front property line on Mill Street, where a minimum 40 foot setback is required:

AREA VARIANCE # 6 - a variance of 19-3.37(13)(g)(2)(i) to allow parking spaces along the western driveway to mill street to be within 10.8 feet (formerly 2.5 feet) of front property line on Mill Street, where a 40 foot setback is required:

AREA VARIANCE # 7 - a variance of 19-3.37(7)(b)(2) to allow parking spaces along the western driveway to be within 10.8 feet (formerly 2.5 feet) of the front property line on Mill Street, and not behind a building line, where parking spaces are required to be on the interior of the lot and not visible from the street:

AREA VARIANCE # 8 - a variance of 19-3.37(13)(b)2 to allow parking spaces along the eastern driveway to be within 12 feet (formerly 1.5) feet of front property line on Mill Street, where a 40 foot setback is required:

AREA VARIANCE # 9 - a variance of 19-3.37(13)(g)(2)(i) to allow parking spaces along the eastern driveway to be within 12 feet (formerly 1.5 feet) of front property line on Mill Street, where a 40 foot setback is required:

AREA VARIANCE # 10 - a variance of 19-3.37(7)(b)(2) to allow parking spaces along the eastern driveway to be within 12 feet (formerly 1.5 feet) of the front property line on Mill Street, and not behind a building line, where parking spaces are required to be on the interior of the lot and not visible from the street:

Facts and zoning provisions relevant to these variances:

These variances are considered together because they involve the same issues as to setback of parking, "interiority" of parking, and visibility from the street. Parking along both driveways appears to be a long-preexisting condition, as discussed in the previous section (see photos of Dutchess County aerial maps in previous section). The above chart describes the extensive improvements in these areas as compared to existing conditions.

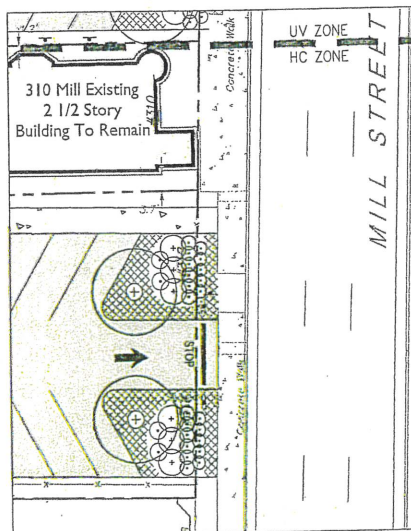
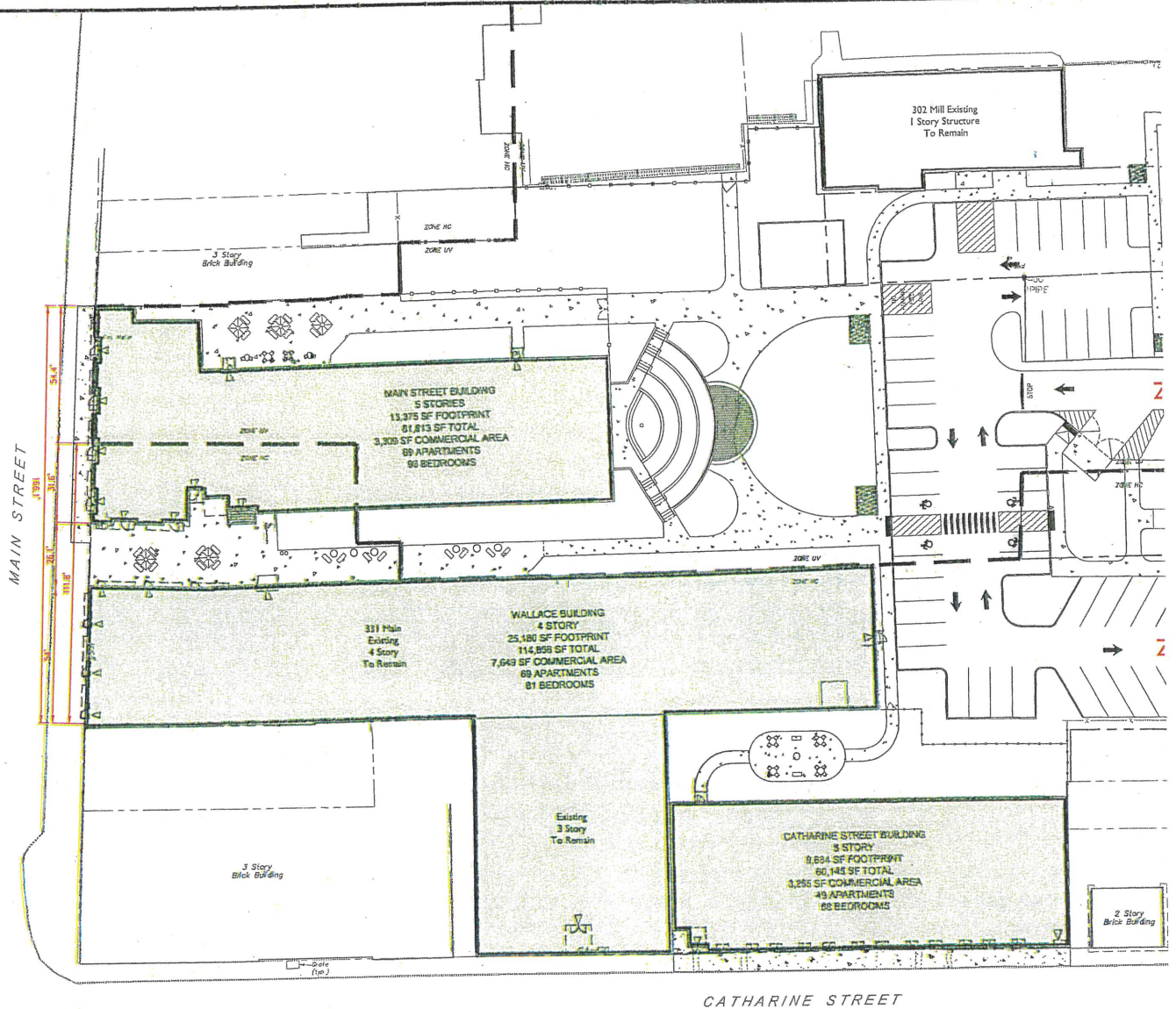
5-part test analysis:

The following is an analysis of the 5 Factors to be evaluated as part of the overall balancing test relating to the benefit of the variance to the applicant, as weighed against the detriment, if any, caused to the community and neighborhood by the grant of the variance:

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

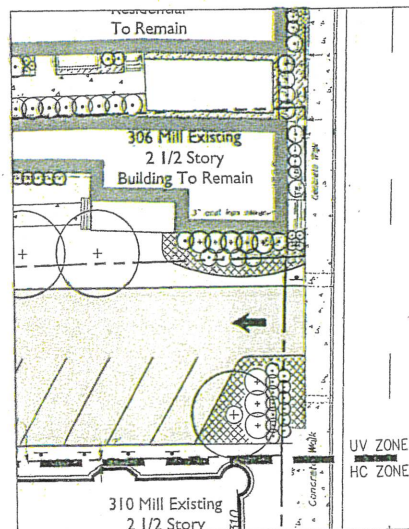
No undesirable change will take place since these driveways have been used for many decades for access and parking. In fact, a positive change will take place because of the planned improvement and landscaping of the driveways. The existing views into the site are bleak.

X:\J035\Jabs 2020\20-25-08-Urban Green-Wallace Campus-Poughkeepsie DWS\SP2025-1802.dwg 11/29/2021 3:58 PM Kicosomoto



**EASTERN HC ENTRANCE
WITH LANDSCAPING**

1"=20'
NOTE: SEE SHEET LL-1 FOR PLANTING KEYS
AND SHEET AND LL-2 FOR PLANT LIST



**WESTERN UV ENTRANCE
WITH LANDSCAPING**

1"=20'
NOTE: SEE SHEET LL-1 FOR PLANTING KEYS
AND SHEET AND LL-2 FOR PLANT LIST

BUILDING	PROPOSED USE
MAIN STREET BUILDING	RESIDENTIAL (89 UNITS)
	RETAIL
CATHARINE STREET BUILDING	RESIDENTIAL
	RETAIL
WALLACE BUILDING	RESIDENTIAL
	RETAIL
302/304/306 MILL STREET BUILDINGS	RESIDENTIAL
310 MILL	OFFICE

NOTES:
1. PARKING DEMANDS DEVELOPED

BI			
BICYCLE PARKING REQUIREMENTS			
RESIDENTIAL USES - MAIN STREET			
TYPE	NUMBER	RE	TYPE
LONG TERM	245	B	RETAIL
SHORT TERM	245	B	RETAIL
RESIDENTIAL USES - 302, 304, 306			
TYPE	NUMBER	RE	TYPE
LONG TERM	19	B	RETAIL
SHORT TERM	19	B	RETAIL
OTHER USES - ON SITE BICYCLE			
TYPE	TYPE	TYPE	TYPE
LONG TERM	OFFICE/NON	RETAIL	RETAIL
SHORT TERM	OFFICE/NON	RETAIL	RETAIL
OTHER USES - ON SITE BICYCLE			
TYPE	TYPE	TYPE	TYPE
LONG TERM	OUTDOOR	RETAIL	RETAIL
SHORT TERM	OUTDOOR	RETAIL	RETAIL
TOTAL BICYCLE PARKING			
TYPE	NUMBER	RE	TYPE
LONG TERM			
SHORT TERM			

- 2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

There is no practical alternative to the variance. The applicant could conceivably meet the 40 foot setback for parking, but this would mean a loss of 9 parking spaces which benefit the project and the area. Moreover, the existing proposal for landscaping provides an optimum level of screening as balanced with access for maintenance.

- 3) Whether the requested area variance is substantial;

The variances are not substantial in effect. They will improve a long existing condition.

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environment conditions in the neighborhood or district.

There will be no adverse impacts on physical or environmental conditions by virtue of the variances.

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

While technically the difficulty can be considered a "self-created hardship" since the applicant is subject to the new PID zoning since it is proposing a new project. Nonetheless, the operative condition is long preexisting. In any event, this factor does not compel the denial of an area variance. The overall balancing test and the other factors support grant of the variance.

Is the variance the minimum necessary and adequate? City Code section 19-8.4 (2) (d) (3)

The applicant has minimized the variances by (1) narrowing the drive aisle width, thus limiting views into the drives; (2) adding both width and depth to the landscaping along the Mill Street frontage; and (3) moving the parking farther back into the site. In addition, the applicant has supplied additional landscaping within the parking area and improved neighborhood character by providing fully finished elevations on all the buildings. The requested variances are the minimum needed, and they also protect the character of the neighborhood. The project will improve the neighborhood character in its improvement of the setting as shown in the attached visuals.

Overall Balancing Test:

Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted, and, if so, should any conditions be imposed? City of Poughkeepsie Code section 19-8.4 (2) (e)

From the Applicant's viewpoint the proposed variance will not create any detriment to the neighborhood or community that needs to be balanced against the benefit to the applicant. The proposed improvements will benefit the property and the neighborhood. It would be

reasonable for the Board to condition the requested area variance on the features of the site plan as ultimately approved by the Planning Board.

AREA VARIANCE # 11 - a variance of 19-3.37(13)(g)(2)(iii) to allow both rows of diagonal parking along the easterly driveway to be created without the required landscape island every ninth parking space (i.e. after the 8th space) as required, and, instead, to place landscaping of the equivalent width of the landscape island, near the entryway to the driveway, where it will have the maximum screening value:

Facts relevant to this variance:

The eastern driveway proposes to place 9 parking spaces in each row. As such, each row is subject to an additional requirement that no more than 8 parking spaces in a row may be provided without placing a landscaped island.

The applicant requests that a variance be issued to effectively allow the applicant to “move” the landscaped island slightly to the north, so that it abuts the remainder of the landscaped area along Mill Street. This would technically allow the 9 spaces without an island, but it would provide a lush and extensive landscaped area immediately next to the street, providing the maximum screening toward Mill Street. The applicant believes this carries out the purpose of the zoning law in a better way than strict compliance, which would place a car or cars between the landscaped island and a smaller landscaped area along Mill Street.

Please see the attached graphic which shows a “compliant” landscaped island, and the added efficacy of the proposed variance plan.

- The diagonal parking on both sides of the eastern driveway is a long-standing condition.
- There is no existing landscape islands in either row of parking.
- The applicant’s proposal would provide 729 square feet of landscaping at the Mill Street entrance (See attached graphics). The landscape plan (LL-1) proposes a complete landscape plan for the deeper area.
- The applicant’s proposal provides landscaping that is equivalent to the “landscaped parking island,” but places it more strategically to provide maximum benefit to the streetscape. There is no adverse effect within the parking area, because of the other significant landscaping within the site, including Wallace Green.

5-part test analysis:

The following is an analysis of the 5 Factors to be evaluated as part of the overall balancing test relating to the benefit of the variance to the applicant, as weighed against the detriment, if any, caused to the community and neighborhood by the grant of the variance:

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

No undesirable change will occur. The applicant has provided landscaping that equals or exceeds what would be provided in the landscape island.

Page 47 of 93



- 2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

The applicant has the alternative of a compliant plan, but the proposed variance plan is more desirable since it places the equivalent amount of landscaping where it is more efficacious than the compliant plan.

- 3) Whether the requested area variance is substantial;

The variance is not substantial, since it provides the same amount of landscaping, at only a marginally different location.

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environment conditions in the neighborhood or district.

There will be no adverse effect. The equivalent amount of landscape material has been provided "one space over."

- 5) Whether the alleged difficulty was self-created, which 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 is self-created in the technical sense. However, the difficulty also arises due to the nature of the space available for the row of parking, which barely exceeds the 8 spaces to require an island. The applicant is providing the required landscaping, and simply requests to place it more strategically, and "one space closer" to the street. In any event, self-created hardship does not prevent the grant of an area variance. All other factors militate in favor of the variance.

Is this the minimum possible variance in accordance with City Code section 19-8.4 (2) (d) (3)

This is the minimum variance that is adequate to meet the applicant's needs. Yet it also protects the character of the neighborhood.

Overall Balancing Test:

Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted, and, if so, should any conditions be imposed? City of Poughkeepsie Code section 19-8.4 (2) (e)

From the Applicant's viewpoint the proposed variance will not create any detriment to the neighborhood or community that needs to be balanced against the benefit to the applicant. The proposed improvements will benefit the neighborhood. It would be reasonable for the Board to condition the requested area variance on the features of the site plan as ultimately approved by the Planning Board.

TAB 2

SITE PLAN SUBMISSION SET

FOR

WALLACE CAMPUS MANAGER, LLC

TAX MAP ID#S

6162-77-114098, 6162-78-127091,

6162-77-109079 & 6162-77-109077

ADJOINING TAX MAP ID#S

6162-77-112116, 6162-77-116114, 6162-77-121116, 6162-78-128113

WALLACE CAMPUS CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK

ORIGINALLY SUBMITTED: APRIL 10, 2020

REVISED: JUNE 5, 2020

REVISED: JULY 10, 2020

REVISED: NOVEMBER 3, 2020

REVISED: MARCH 2, 2021

REVISED: MAY 7, 2021

REVISED: OCTOBER 25, 2021

REVISED: DECEMBER 7 2021



LOCATION MAP

SCALE: 1"=1,000'



VICINITY MAP

SCALE: 1"=400'

OWNER / APPLICANT:

WALLACE CAMPUS MANAGER, LLC
48-02 25TH AVE
SUITE 400
ASTORIA NY, 11103

ARCHITECT:

SLCE ARCHITECTS, LLP
1359 BROADWAY, 14TH FLOOR
NEW YORK, NY 10018
TEL: 212-979-8400 OR 212-238-4458

SITE PLANNER / CIVIL ENGINEER:



160 West Street, Suite E
Cheshire, CT 06416
Tel: 860.635.2877
85 Civic Center Plaza, Suite 103
Poughkeepsie NY 12601
Tel: 845.243.2880
1 International Blvd, Suite 400
Mahwah, NJ 07495
Tel: 908.603.5730
www.lrcconsult.com

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

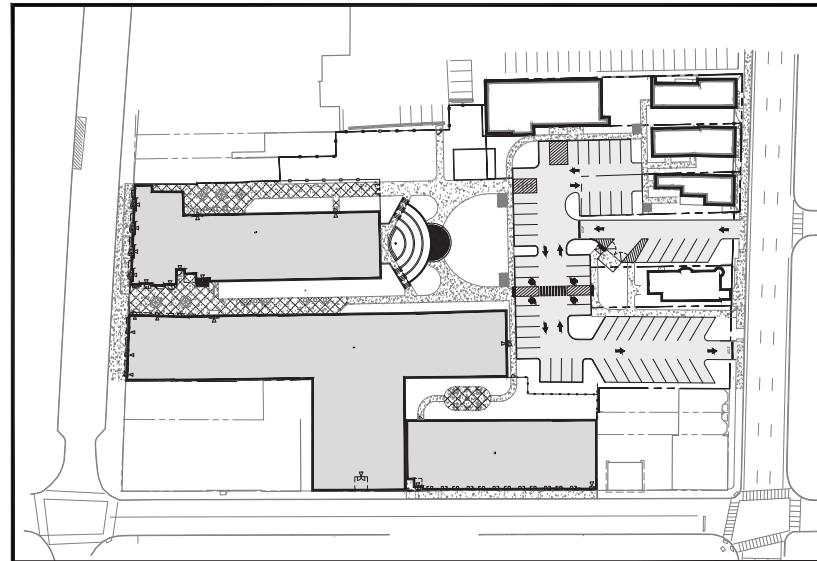


Rodney Morrison P.E. #074194

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 _____ 20____
PLANNING CHAIR
DESIGNED
DATE SIGNED
CONDITIONS

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

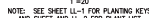
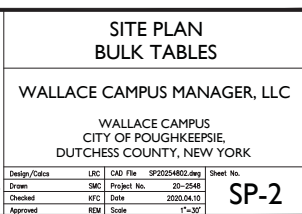


OVERALL SITE PLAN

SCALE: 1"=50'

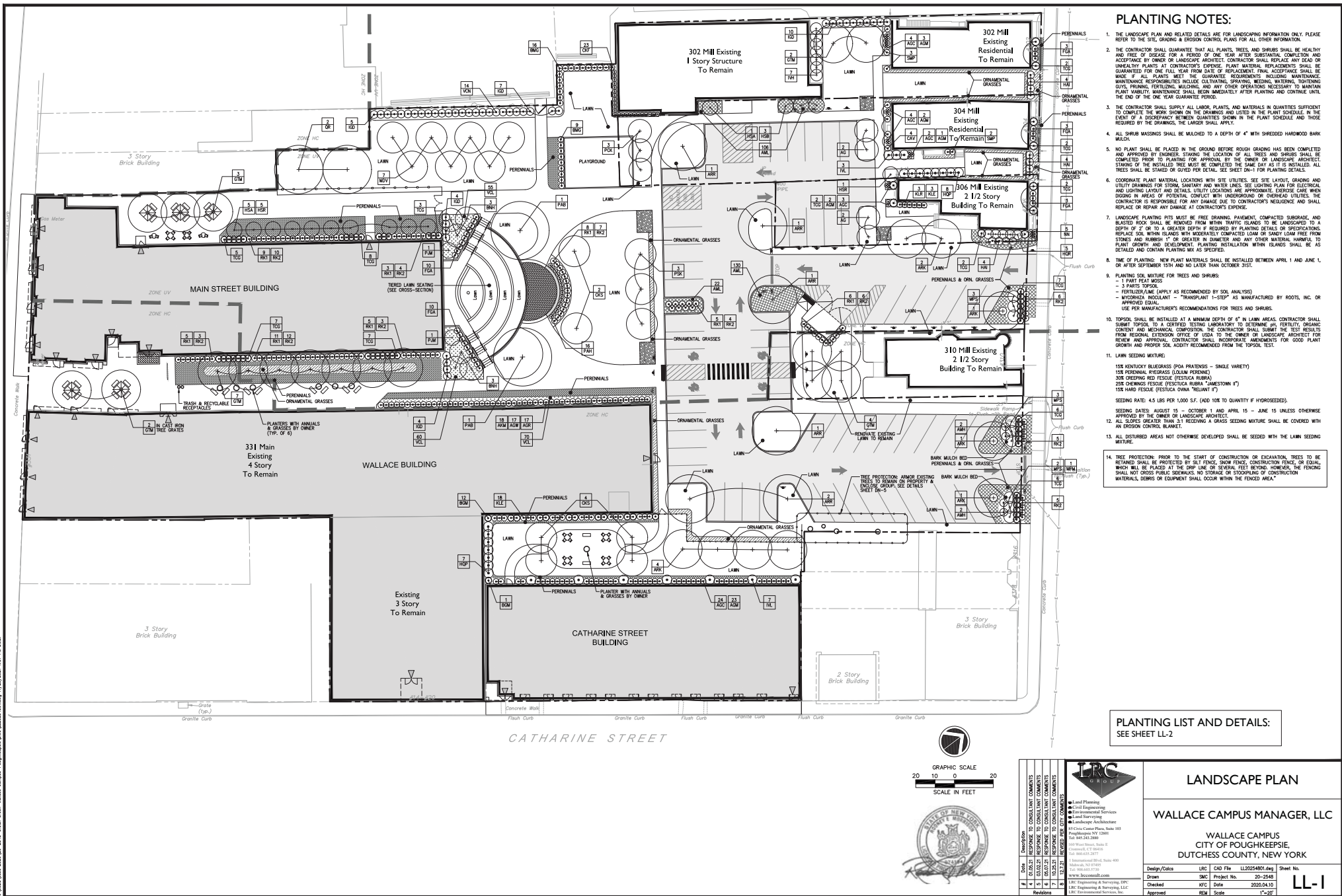
INDEX OF DRAWINGS

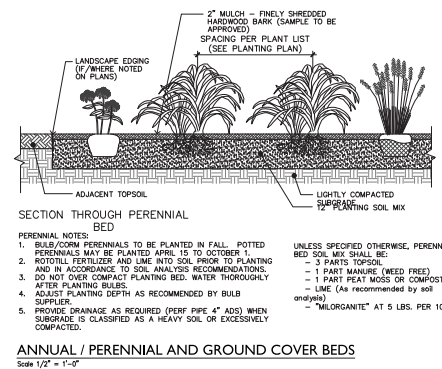
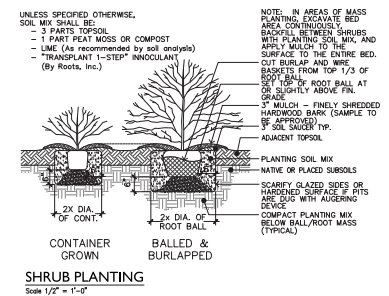
- CV-1 COVER SHEET
- EX-1 EXISTING CONDITIONS (UNDER SEPARATE COVER)
- DM-1 DEMOLITION PLAN
- LC-1 LOT LINE CONSOLIDATION PLAN
- OP-1 OVERALL SITE PLAN
- SP-1 SITE PLAN
- SP-2 SITE PLAN (BULK REGULATIONS)
- SG-1 SITE GRADING / DRAINAGE PLAN
- UT-1 SITE UTILITIES
- EC-1 EROSION AND SEDIMENTATION CONTROL PLAN
- NS-1 NOTES SHEET
- LL-1 LANDSCAPE PLAN
- LL-2 LANDSCAPE PLAN
- LP-1 LIGHTING PLAN
- LP-2 LIGHTING CUT SHEETS AND LANDSCAPE DETAILS
- DN-1 SITE DETAILS
- DN-2 WATER / SANITARY DETAILS
- DN-3 STORMWATER DETAILS
- DN-4 EROSION CONTROL DETAILS
- DN-5 AMENITIES DETAILS



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[illegible]



PLANT LIST AND PLANTING DETAILS

REVISIONS

#	DATE	DESCRIPTION
1	07/05/21	RESPONSE TO CONSULTANT COMMENTS
2	07/05/21	RESPONSE TO CONSULTANT COMMENTS
3	07/05/21	RESPONSE TO CONSULTANT COMMENTS
4	07/05/21	RESPONSE TO CONSULTANT COMMENTS

WALLACE CAMPUS MANSION, LLC

WALLACE CAMPUS
CITY OF POUGHKEEPSIE,
DUTCHESS COUNTY, NEW YORK

Design/Notes	LRC	CAD File	LL20254801.dwg	Sheet No.
Drawn	SEM	Project No.	2025-04.15	LL-2
Checked	KFC	Date	2025.04.15	
Approved	RMC	Date	RTS	



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Fishkill, New York 12524
T 845 896 2229
F 845 896 3672
cuddyfeder.com

Jennifer L. Van Tuyl
jvantuyl@cuddyfeder.com

December 21, 2021

Hon. Nathan Shook, Chair
and members of the Zoning Board of Appeals
City of Poughkeepsie
City Hall – 3rd Floor
62 Civic Center Plaza
Poughkeepsie, NY 12601

Hon. Judith Knauss
Deputy Zoning Administrator
City of Poughkeepsie
City Hall-2nd Floor
62 Civic Center Plaza
Poughkeepsie, NY 12601

Re: Wallace Campus Manager, LLC: Appeal seeking Area Variances

Dear Chairman Shook and Members of the Zoning Board of Appeals:

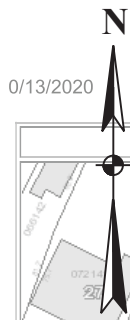
Enclosed is an application/appeal, submitted on behalf of Wallace Campus Manager, LLC, as property owner and applicant, seeking area variances with respect to the proposed Wallace Campus project. A copy of the underlying zoning determination of Judith Knauss, Deputy Zoning Administrator, dated December 8, 2021, and determining the necessary variances, is included in the Application materials. The application fee of \$350 has been paid.

The Project:

Wallace Campus is a redevelopment and new construction project, located on a large 2.52 acre site with frontage on Main Street, Catharine Street, and Mill Street. The site includes the former Wallace Department store. It also includes extensive surface parking lots including two driveways to/from Mill Street, each featuring parking in close proximity to Mill Street. (See graphics on the following two pages)

The project has been designed pursuant to the City's adopted land use plan entitled "Poughkeepsie Innovation District (PID Policy Framework" (2018) and the PID Zoning Chapter entitled "Planned Innovation District," section 19-3.37, adopted by the City Council effective February 11, 2019. Because

5051272.v2



0/13/2020

Dutchess County, NY - Tax Map



Print date: 10/13/2020

Parcel Grid #: 13130000616200771140980000
Municipality: Poughkeepsie

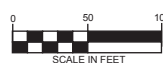
This map is provided as a service of the Dutchess County's Internet ParcelAccess. Absolutely no accuracy or completeness guarantee is implied or intended.

Figure 2 - Tax Map

319, 325, 327-329 and 331 Main Street
City of Poughkeepsie
Dutchess County, New York

Legend:

— subject property border



File: 20-0213

March 2021

Figure 2

City of Poughkeepsie



Google Earth

Image Landsat / Copernicus



December 21, 2021

Page 2

the site is larger than an acre, it falls with the provisions of Section 19-3.37 (12) (c), which encourage creation of pedestrian circulation via walkways and throughways to break up larger blocks and facilitate pedestrian access and safety. During the Planning Board review of the project, the applicant was encouraged to, and willingly agreed, to provide a pedestrian connection from Main Street to Mill Street, near its intersection with Conklin Street.

The PID Zoning for large sites (19-3.37 (12)(c)) also encourages consideration of multiple buildings on large sites. Wallace Campus will rehabilitate and adaptively reuse the former Wallace Department store for residential and commercial use, and will construct two new buildings, one fronting on Main Street (“the Main Street Building”) and the other fronting on Catharine Street (“the Catharine Street building”).

An Illustrative Site Plan is attached, which shows the location of the three Wallace Campus buildings and the pedestrian connector between Main Street and Mill Street. It also illustrates two other important features of the site plan: Wallace Green, located behind the Main Street buildings, is privately owned, publicly accessible, open space which features landscaping and public seating. The two driveway access aisles to Mill Street have been narrowed from their existing condition, and substantial landscaping has been provided at both entrances to screen views of parking from the street. The development of Wallace Campus will also consolidate driveways along Mill Street. By agreement with the owners of 302,304, and 306 Mill Street, those lots will derive access to the parking behind those buildings through the Wallace Campus access drives, and the existing curb cuts between the houses on 302 and 304 Mill and between 304 and 306 Mill will be eliminated, and those driveways restored to vegetated areas.

Modifications during Planning Board review:

The City Planning Board has been reviewing the project Site Plan for several months. The Planning Board has also served as Lead Agency under SEQR to review the potential environmental impacts of the project.

During the Planning Board’s review of the Site Plan, the project has been reduced in size, and the height variances originally sought for the Main Street and Catharine Street buildings have been eliminated entirely.¹ The applicant has also reconfigured the parking accessed by the Mill Street driveways, and provided additional landscape screening at the Mill Street frontage, reducing the extent of the variances relating to the setback and screening of parking.

¹ For historic accuracy, it is noted that a previous variance appeal was timely filed in May 2021, based on the initial zoning interpretation dated March 31, 2021, with accompanying zoning analysis. A hearing on those variances was properly postponed pending potential project revisions that might eliminate or minimize the variances.



December 21, 2021

Page 3

Each of the requested variances involves the application of a new PID zoning provision in the context of some aspect of the perimeter of the site, and the variances fall into three main categories:

- A variance to allow a reduced “frontage occupancy” to allow for the creation of the mid-block pedestrian connector from Main Street to Mill Street, and to allow the continued use of the long-existing driveways onto Mill Street: The PID zoning introduced the concept of “frontage occupancy” which is defined as occupancy of the frontage by “a front building façade or structures that screen parking.” The PID zoning also encourages the creation of Pedestrian alleys, throughways and shared streets “to break up larger blocks and facilitate pedestrian access and safety.” (19-3.37 (12) (c) The PID zoning also encourages parking to be on the interior of a lot, and provides requirements for off-site parking. The Applicant seeks variances of frontage occupancy to the limited extent necessary to create the pedestrian connector and to provide access to its site. (Variances #1, #3, #4)
- A variance to allow a larger side set-back for the Main Street building from its neighboring building at 317 Main Street: The new PID Zoning applicable to the new Main Street building provides for a zero feet minimum side setback and a 10 feet maximum side setback. The code provision does not explicitly state that the setback must be maintained for the entire length of the building. The Main Street building complies with setback for the first 42 feet of the depth of the building. But beyond this depth, the building sets back farther, up to 27 feet from the side lot line. The increased setback provides additional light and air for residents of the new building and for the existing neighboring building, and allows for private open space for the building residents. The proposed configuration does not create any break in the “street wall” along Main Street. (Variance #2)
- A variance to allow limited parking within the 40 feet setback from Mill Street, based on the proposed extensive landscape screening that has been provided, which significantly improves existing conditions. The PID zoning has three separate sections that provide for setbacks, screening, and interiority of parking. There is also a section that provides for landscape islands within parking rows. Applicant requests consideration to be allowed to have 9 parking spaces within the 40 foot setback, based on providing significant depth, width, and quantity of landscaped screening along the Mill Street frontage. (Western Driveway: Variances #5, #6, #7. Eastern Driveway: Variances #8, #9, #10, and #11).

Each of the variances is more fully explained in the accompanying materials. We have requested that the scheduling of the public hearing take place as soon as the Lead Agency has made its determination of significance.



December 21, 2021

Page 4

Should there be any questions, please do not hesitate to contact me at 914-582-5234.

Very truly yours,

A handwritten signature in blue ink, appearing to read "JL Van Tuyl".

Jennifer L. Van Tuyl

Enclosures: Letter from Judith Knauss, December 8, 2021
Illustrative Site Plan

cc: Natalie Quinn
Terresa Bakner, Esq.



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4010 Fax: (845) 451-4006**

December 8, 2021

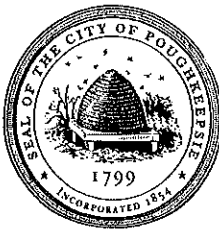
Wallace Campus Manager LLC
c/o Emanuel Kokinakis
48-02 25th Ave suite 400
Astoria, NY 11103

RE: Wallace Campus Project

Dear Mr. Kokinakis:

Please be advised that the Planning Department is in receipt of revised plans and elevations relative to the proposed development known as the Wallace Campus project. The original submission was reviewed and a determination of zoning deficiencies was issued on March 31, 2021. The revised materials have been reviewed for compliance with the requirements of the Poughkeepsie Innovation Zoning District (PID) against the original analysis. Several of previously identified deficiencies, such as maximum allowed height, have been eliminated, while others have been ameliorated. The remaining deficiencies are as follows:

- 1) Section 19-3.37 Table 3.37-2(h) provides that buildings in the in the PID-HC, occupy 100 % of the property frontage, while the PID-UV allows a minimum of 80% up to 100% frontage occupancy. The building to be located in the general location of 319-329 Main Street straddles the district boundary between the PID-HC and the PID-UV. The portion located in the PID-HC occupies less than 100% of the frontage;
- 2) Section 19-3.37 Table 3.37-2(f) permits side yards to be between zero to 10 feet in the PID-UV. The building to be located in the general location of 319-329 Main Street straddles the district boundary between the PID-HC and the PID-UV. The portion located in the PID-UV has a side yard that is 10 feet at the street that widens to 27 feet;
- 3) Section 19-3.37 Table 3.37-2(h) requires a minimum of 80% frontage occupancy in the PID-UV. There is zero frontage occupancy at the western driveway of the site that abut Mill Street.
- 4) Section 19-3.37 Table 3.37-2(h) requires a minimum of 100% frontage occupancy in the PID-HC. There is zero frontage occupancy at the eastern driveway of the site that abuts Mill Street;
- 5) Section 19-3.37 (7) (b) (2) requires that off-street parking be beyond the front building line, on the interior of the lot and not visible from street. There is no building on the Mill Street side of the development that the parking can be located beyond. While this condition is to some degree existing, the project is a comprehensive redevelopment that requires compliance. In the first iteration of the plan, the parking was essentially immediately adjacent to the sidewalk. In the revised plan, the parking has been moved back from the sidewalk considerably and landscaped to decrease visibility;



**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601

Phone: (845) 451-4010 Fax: (845) 451-4006

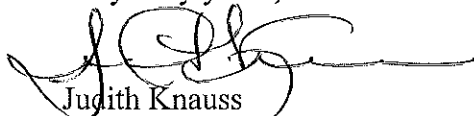
- 6) Section 19-3.37 (13) (b)(2) requires that all parking spaces shall be set back at least 40 feet from the front property line and screened from view of the street by landscaping. In the first iteration of the plan, the parking was essentially immediately adjacent to the sidewalk. In the revised plan, the parking has been moved back from the sidewalk considerably and landscaped to decrease visibility, although it is still within 40 feet of the property line;
- 7) Section 19-3.37(13)(g)(2)(i) requires that all parking spaces be set back at least 40 feet from the front property line and screened from view of the street by landscaping at least three feet in height, opaque fencing with the finished side facing the street, or other means as approved by the Planning Board. In the first iteration of the plan, the parking was essentially at the sidewalk. The parking has been moved back considerably and is now landscaped, but it still within 40 feet of the property line;
- 8) Section 19-3.37(13)(g)(2)(iii) requires that a landscape island shall be provided every ninth parking space for rows of parking that are more than eight spaces in length, with the result that there shall be no more than eight continuous parking spaces in a row without a landscape island. There are two rows with more than eight (8) spaces. While these rows are existing, and previously approved by the Planning Board, the change of use of the site and the comprehensive site alterations require compliance, or a variance.

You may, within thirty (30) days of the date of this letter, either:

1. Appeal to the Zoning Board of Appeals requesting variances; or
2. Modify the plan to reflect compliance.

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

Very truly yours,


Judith Knauss
Deputy Zoning Administrator

X:\Jobs\Urban\2020\20-2548-Urban-Green-Wallace-Campus-Poughkeepsie\DWG\SP20254801-RENDER.dwg 12/30/2021 3:58 PM HThomas

MAIN STREET

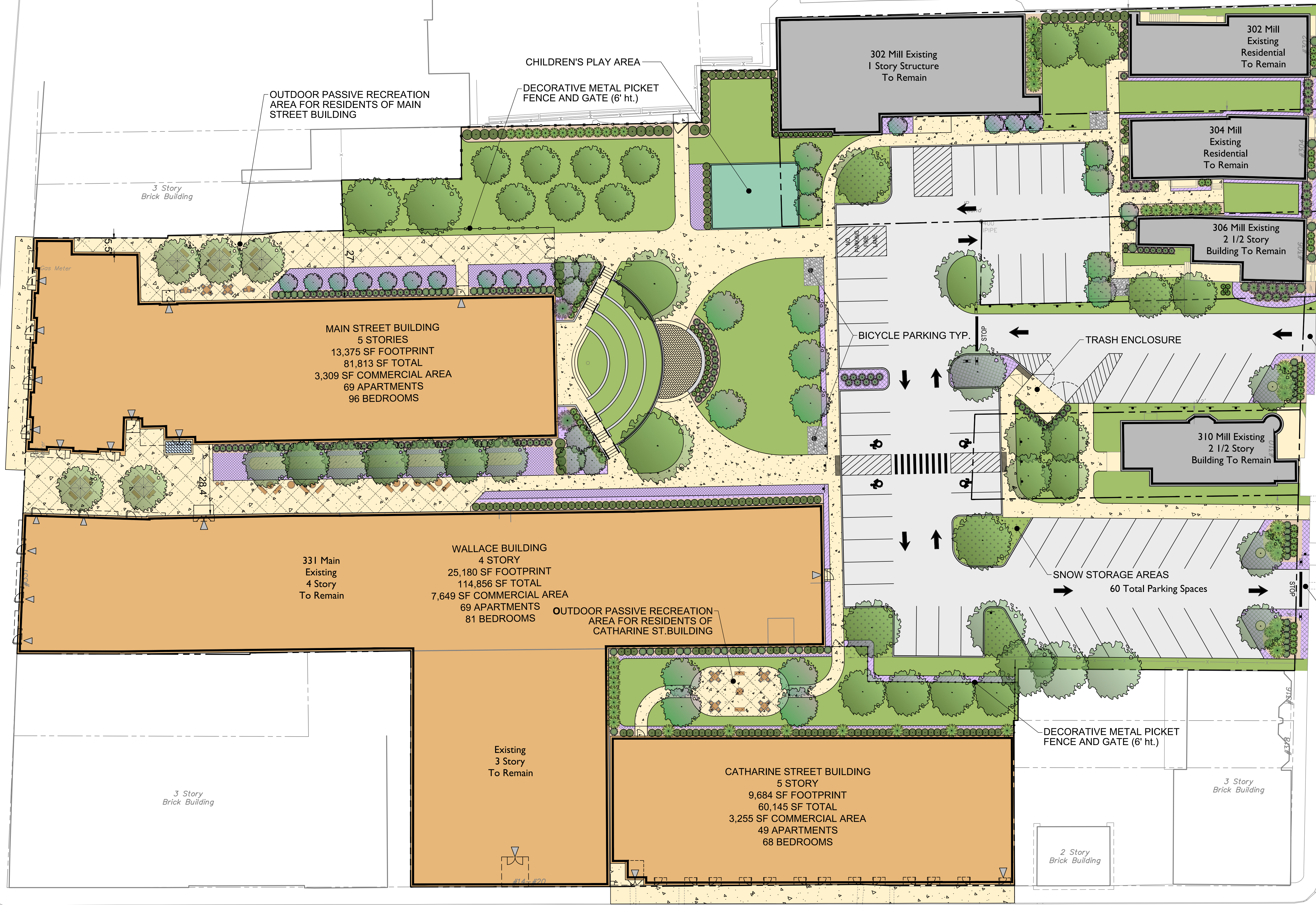
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MILL STREET

CATHARINE STREET

GRAPHIC SCALE
20 10 0 20
SCALE IN FEET

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SITE PLAN SUBMISSION SET

FOR

WALLACE CAMPUS MANAGER, LLC

TAX MAP ID#S

6162-77-114098, 6162-78-127091,

6162-77-109079 & 6162-77-109077

ADJOINING TAX MAP ID#S

6162-77-112116, 6162-77-116114, 6162-77-121116, 6162-78-128113

WALLACE CAMPUS CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK

ORIGINALLY SUBMITTED: APRIL 10, 2020

REVISED: JUNE 5, 2020
REVISED: JULY 10, 2020
REVISED: NOVEMBER 3, 2020
REVISED: MARCH 2, 2021
REVISED: MAY 7, 2021
REVISED: OCTOBER 25, 2021

REVISED: DECEMBER 7 2021



LOCATION MAP

SCALE: 1"=1,000'



VICINITY MAP

SCALE: 1"=400'

OWNER / APPLICANT:

WALLACE CAMPUS MANAGER, LLC
48-02 25TH AVE
SUITE 400
ASTORIA NY, 11103

ARCHITECT:

SLCE ARCHITECTS, LLP
1359 BROADWAY, 14TH FLOOR
NEW YORK, NY 10018
TEL: 212-979-8400 OR 212-238-4458

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 _____ 20____
PLANNING CHAIR
DESIGNED
DATE SIGNED
CONDITION(S)

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

SITE PLANNER / CIVIL ENGINEER:



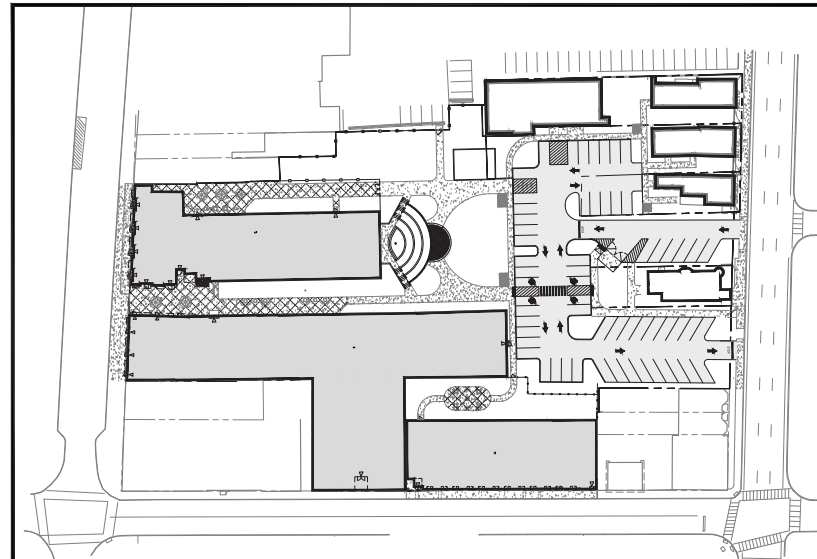
160 West Street, Suite E
Cheshire, CT 06416
Tel: 860.635.2877
85 Civic Center Plaza, Suite 103
Poughkeepsie NY 12601
Tel: 845.243.2880
1 International Blvd, Suite 400
Mahwah, NJ 07495
Tel: 908.603.5730
www.lrcconsult.com

- LAND PLANNING
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- LANDSCAPE ARCHITECTURE

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



Rodney Morrison P.E. #074194

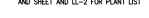
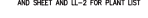
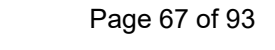


OVERALL SITE PLAN

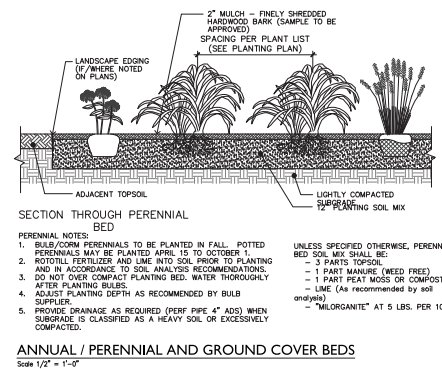
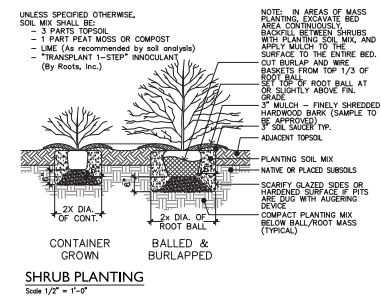
SCALE: 1"=50'

INDEX OF DRAWINGS

- CV-1 COVER SHEET
- EX-1 EXISTING CONDITIONS (UNDER SEPARATE COVER)
- DM-1 DEMOLITION PLAN
- LC-1 LOT LINE CONSOLIDATION PLAN
- OP-1 OVERALL SITE PLAN
- SP-1 SITE PLAN
- SP-2 SITE PLAN (BULK REGULATIONS)
- SG-1 SITE GRADING / DRAINAGE PLAN
- UT-1 SITE UTILITIES
- EC-1 EROSION AND SEDIMENTATION CONTROL PLAN
- NS-1 NOTES SHEET
- LL-1 LANDSCAPE PLAN
- LL-2 LANDSCAPE PLAN
- LP-1 LIGHTING PLAN
- LP-2 LIGHTING CUT SHEETS AND LANDSCAPE DETAILS
- DN-1 SITE DETAILS
- DN-2 WATER / SANITARY DETAILS
- DN-3 STORMWATER DETAILS
- DN-4 EROSION CONTROL DETAILS
- DN-5 AMENITIES DETAILS



SITE PLAN BULK TABLES			
WALLACE CAMPUS MANAGER, LLC			
WALLACE CAMPUS CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK			
Design/Date Drawn Checked Approved	LDC SMC HSE KFM	CAC File Project No. Date Title	Sheet No. SP-2
		SP20254802.dwg 20--2548 2020/04/10 1"=30'	

[illegible]



LRC GROUP

PLANT LIST AND PLANTING DETAILS

#	Date	Description
1	6/10/21	RESPONSE TO CONSULTANT COMMENTS
2	6/10/21	RESPONSE TO CONSULTANT COMMENTS
3	6/10/21	RESPONSE TO CONSULTANT COMMENTS
4	6/10/21	RESPONSE TO CONSULTANT COMMENTS
5	6/10/21	REVISED RFI COMMENTS

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

45 Civic Center Plaza, Suite 103
Poughkeepsie, NY 12601
Tel. 845-243-2800
Fax 845-243-2801

1000 Washington Street, 2nd
Camden, CT 06020
Tel. 860-381-2277
Fax 860-381-2780

www.lrcgroup.com

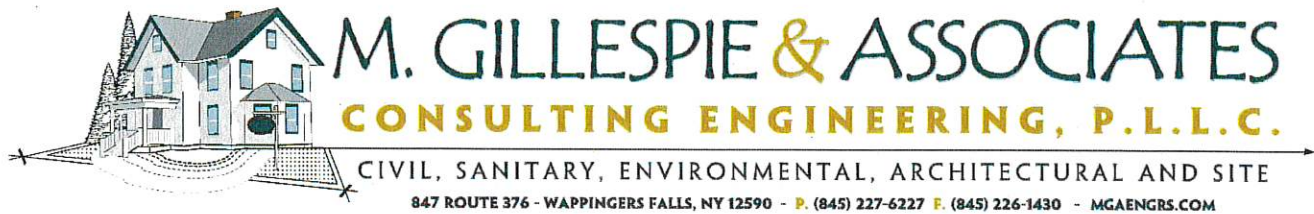
LRC is Engineering & Surveying, LLC
Landscape Architecture Services, LLC

WALLACE CAMPUS MANAGER, LLC

WALLACE CAMPUS
CITY OF PoughKEEPSIE,
DUTCH COUNTRY, NEW YORK

Design/Colors	LRC	CAD File	LL20254801.dwg	Sheet No.
Drawn	MSM	Project No.	20-54801	
Checked	KFC	Date	2020.04.10	
Approved	MSM	Scale	1"=10'	

LL-2



December 16, 2021

City of Poughkeepsie
attn: Judith Knauss, Deputy Zoning Administrator
62 Civic Center Plaza, 2nd Floor
Poughkeepsie, NY 12601

SENT VIA HAND DELIVERY AND EMAIL (jknauss@cityofpoughkeepsie.com) – 1 page + attachments

Re: **Zoning Board of Appeals Application for
Vince's Auto Body Inc.
Tax Grid I.D. #131300-6162-65-510286 (0.97 acres)
185 Smith Street
City of Poughkeepsie**

Dear Judith Knauss -

Please find enclosed within this submission,

- Eleven (11) copies of the Amended Site Plan entitled "Vinces Auto Body Inc." dated November 30, 2021
- Eleven (11) copies of the Zoning Board of Appeals Area Variance Application, dated December 16, 2021, including
 - o Letter of Denial from Judith Knauss, dated August 6, 2021
 - o List of Area Variance Request, number 1 through 9
 - o Variance Request Justification Sheet
- Eleven (11) colored copies of Existing Site Condition photos
- Eleven (11) copies of Short Environmental Assessment Form, dated November 30, 2021
- One (1) check to the City of Poughkeepsie in the amount of \$350.00 for the application fee

We would respectfully request to be placed on the January 11, 2022 Zoning Board of Appeals Meeting. If you have any additional questions or concerns, please do not hesitate to call. Thank You.

Very truly yours,

Ileana A. Tucker, Associate Engineer
M. Gillespie & Associates, Consulting Engineering, PLLC

cc: client (info@vincesautobodyworks.com)



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: 185 Smith Street, Poughkeepsie, NY 12601

ZONING DISTRICT: Research and Development District

OWNER INFORMATION:

Name: Ricky Auto Body Inc
Address: 6 Spy Glass Hill Road
Poughkeepsie, NY 12601
Phone: (917) 416-7591
Email: info@vinesautobodyworks.com

APPLICANT INFORMATION:

Name: Devanand Jaikarran
Address: 6 Spy Glass Hill Road
Hopewell Junction, NY 12533
Phone: (917) 416-7591
Email: info@vinesautobodyworks.com

CONSULTANT INFORMATION:

Name: M. Gillespie & Associates Consulting Engineering, PLLC
Address: 847 Route 376
Wappingers Falls, NY 12590
Phone: (845) 227-6227
Email: mgillespie@mgaengrs.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: August 6, 2021

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 185 Smith Street, Poughkeepsie, NY 12601

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.

Indyanwate Jaikarran.
SIGNATURE OF APPLICANT

12/16/2021
DATE

Devanand Jaikarran
Print Name

Knauss, Judith

To: mgillespie@mgaengrs.com; aspinelli@mgaengrs.com
Subject: 185 Smith Street
Attachments: Area Variance Form.pdf; Planning Board Application.pdf; Engineering Site Plan Review Checklist.pdf; Site Plan Check Sheet.pdf

The Planning Department is in receipt of your zoning review request relative to the proposed expansion of the auto body repair and motor vehicle sales facility located at 185 Smith Street.

The property is located in an area of the City zoned Research and Development District. As you are aware, the use of property in R&D Districts for auto body repair and motor vehicle sales is not permitted, pursuant to the provisions of Section 19-3.31(2) of the Zoning Ordinance. However, the use was established in or around 1946, and was conforming at the time of establishment, and a Certificate of Legal Nonconformity was issued on January 14, 1987.

Please be advised that Section 19-5.1(1)(a) of the Zoning Ordinance states that a nonconforming use "Shall not be enlarged, altered, extended, reconstructed or restored, except as provided elsewhere in this section, or placed on a different portion of the lot or parcel of land occupied by such use on the effective date of this chapter, nor shall any external evidence of such use be increased by any means whatsoever." However, Section 19-5.1(3) provides that:

Upon a finding by the Planning Board that a proposed remodeling of a nonconforming building, including the improvement of its exterior appearance and of its grounds, would result in enhancing the compatibility of such building with its surroundings, said Board may authorize the issuance of the necessary permits. For purposes of this section, the term "remodeling" may include enlargement of the building to an extent not exceeding 25% of its area on the effective date of this chapter, provided that the Board shall find that such expansion will not diminish the compatibility of said building with the existing or potential use of immediately adjacent properties.

Please note that such a "remodeling" also requires conformance with the relevant sections of the Zoning Ordinance as well. Review of the materials submitted with the zoning review request reveals the following deficiencies:

1. Section 19-5.1(3) allows the Planning Board to approve no more than a 25% enlargement of a building containing a nonconforming use, as part of a plan to improve the exterior appearance of the building and grounds: The proposed enlargement is approximately 54%, more than double that allowed, and no obvious improvements to the exterior of the building and grounds are proposed. For example, no landscaping appears to be contemplated;
2. Section 19-3.31(4)((3) requires that side yards of 30 feet be provided: the proposed side yard for the addition at one point of the southern property line is 19'4". At one point of the northern property line, the side yard at the addition is 27 feet (although this set-back is greater than the setback of the existing structure);
3. Section 19-4.11 requires that 80 parking spaces be provided (70 for the auto body repair [63 at 3 per work bay and 7 at 1 per every 2 employees] and 10 for the motor vehicle sales): 35 spaces are indicated;
4. Section 19-4.3(1) requires that whenever a parking area containing three or more spaces faces a street or a property line, a planting area of a minimum width of three feet with plantings at least three feet high

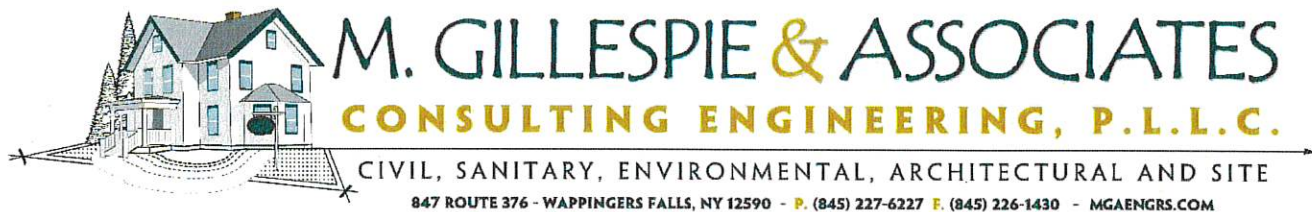
planted three feet on center shall be provided between the parking area and the street line or property line: no landscaping is indicated on any property line;

5. Section 19-4.3(5)(b) requires that parking spaces be a minimum of 9 feet in width and 20 feet in length: it does not appear that the spaces are all consistently 20 feet in length;
6. Section 19-4.3(5)(c) requires that off-street parking areas shall be adequately illuminated for convenience and safety, but no lighting for parking areas shall cause glare on adjoining property: no lighting is indicated;
7. Section 19-4.11(1)(a) requires that all portions of improved nonresidential properties which are not used for buildings, structures, off-street parking and loading, permitted outdoor storage, driveways, walkways or similar purposes shall be appropriately landscaped with grass, shrubs, trees and other ground cover in such manner as to minimize erosion and stormwater runoff and to maintain or improve the aesthetics of such development. No landscaping is indicated;
8. Section 19-4.11(1)(b) requires that landscape strips shall be provided along all property lines of all nonresidential uses. Such landscape strips shall comply with the following minimum standards, as well as all applicable requirements set forth elsewhere in this Chapter. Said landscape strips shall be at least three feet wide and include evergreen planting and other landscaping of such type, height, spacing and arrangement as, in the judgment of the Planning Board, will effectively screen the activity on the lot from neighboring uses. New trees shall have a caliper of not less than eight inches three feet from the base and shall be at least six feet high when planted. Unless specifically required elsewhere in this Chapter, an opaque wall or fence of location, height, design and materials approved by the Planning Board may be substituted for part or all of the required landscape strips. No landscaping is indicated; and,
9. Section 19-4.13(1) requires that accessory uses be located in side or rear yards (or within the principal building): some off-street parking appears to be located within the front yard.

Based on these deficiencies, it will be necessary for you to seek variances from the Zoning Board of Appeals, in addition to Site Plan Approval from the Planning Board. Attached please find both applications for your information and use. Please note that the applications can be made concurrently. Also attached are the site plan check sheet and check sheet from the City's Engineering Department to assist in the development of a complete site plan.

Very truly yours,
Judith Knauss
Deputy Zoning Administrator

1. Section 19-5.1(3) allows the Planning Board to approve no more than a 25% enlargement of a building containing a nonconforming use, as part of a plan to improve the exterior appearance of the building and grounds: The proposed enlargement is approximately 54%, more than double that allowed, and no obvious improvements to the exterior of the building and grounds are proposed. For example, no landscaping appears to be contemplated;
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4. Section 19-4.3(1) requires that whenever a parking area containing three or more spaces faces a street or a property line, a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center shall be provided between the parking area and the street line or property line: no landscaping is indicated on any property line;
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December 16, 2021

City of Poughkeepsie Planning and Zoning
attn: Judith Knauss, Deputy Zoning Administrator
62 Civic Center Plaza, 2nd Floor
Poughkeepsie, NY 12601

Re: **Variance Request Justification for
ZBA Application - Vince's Auto Body Inc.
Tax Grid I.D. #131300-6162-65-510256 (0.97 acres)
185 Smith Street
City of Poughkeepsie**

Please find below the responses to the Zoning Board of Appeals - Variance Request Justification Questions -

1. Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.

Response: *The granting of the variance will not produce an undesirable change in the character of the neighborhood as the majority of the expansion to the existing building is in the back of the existing lot. In addition, the existing lot and building is in an industrialized area and will/does match the character of the land.*

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: *As the lot and building is pre-existing and the locations either are not changeable, the expansion has been made to fit the character of the existing lot and neighboring properties.*

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

Response: *The variances requested are not substantial, based on neighboring properties, it appears to be a industrialize area, and the proposed expansion for this particular project seems to meet and match neighboring properties.*

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: *The proposed expansion will not have adverse affects or impact on the physical or environmental conditions in the neighborhood or district as the existing neighborhood/district appears to be industrialized and this the proposed expansion is predominantly located in the back of the existing building on the existing parcel and will not be affecting the physical or environmental conditions.*

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: *The need for the area variances are not a result of self-creation as the lot and building are pre-existing.*



December 16, 2021

City of Poughkeepsie Planning and Zoning
attn: Judith Knauss, Deputy Zoning Administrator
62 Civic Center Plaza, 2nd Floor
Poughkeepsie, NY 12601

Re: **Existing Condition Photos for**
ZBA Application - Vince's Auto Body Inc.
Tax Grid I.D. #131300-6162-65-510256 (0.97 acres)
185 Smith Street
City of Poughkeepsie

Please find below photos of the existing condition for Vince's Auto Body;







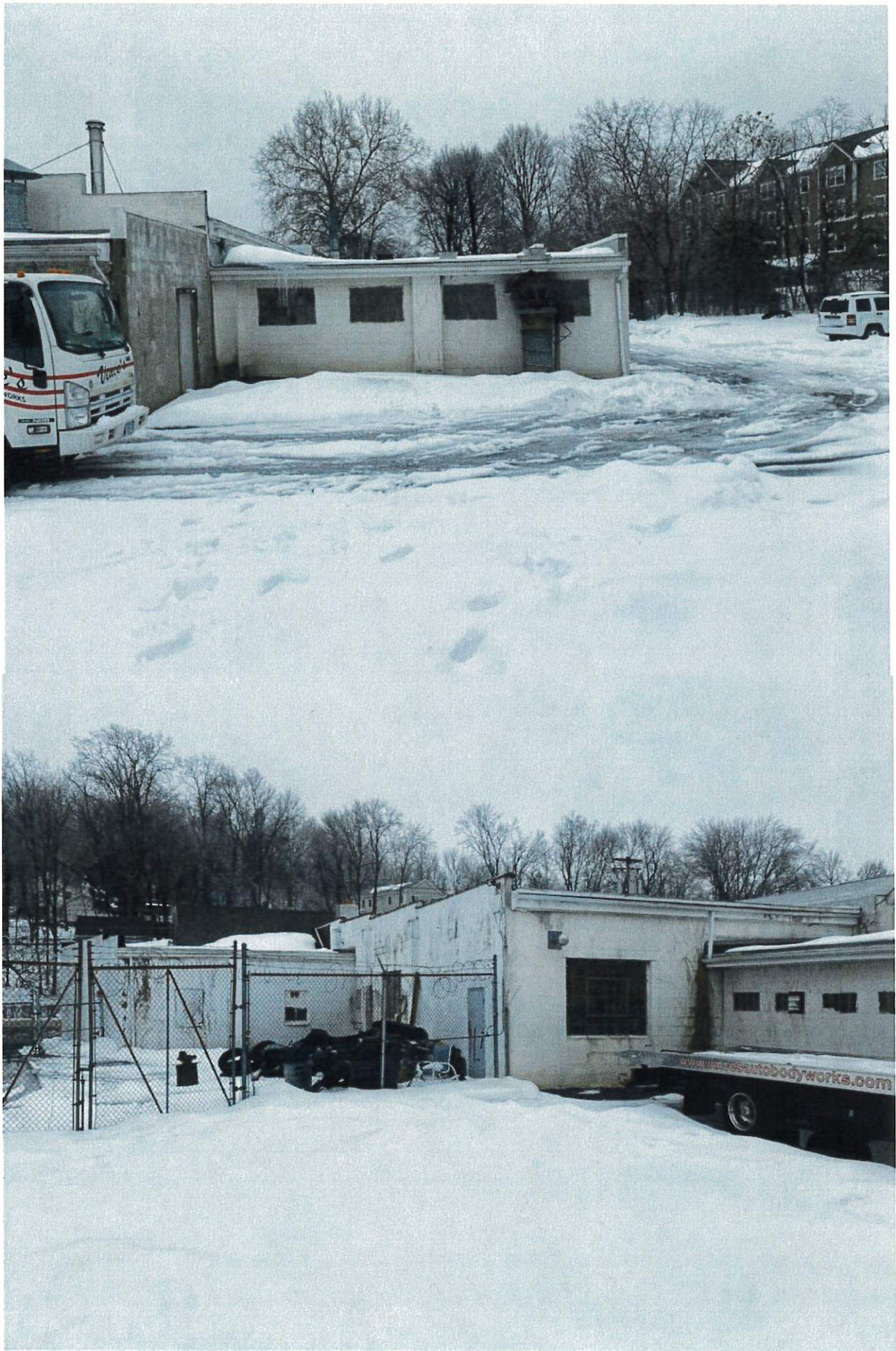




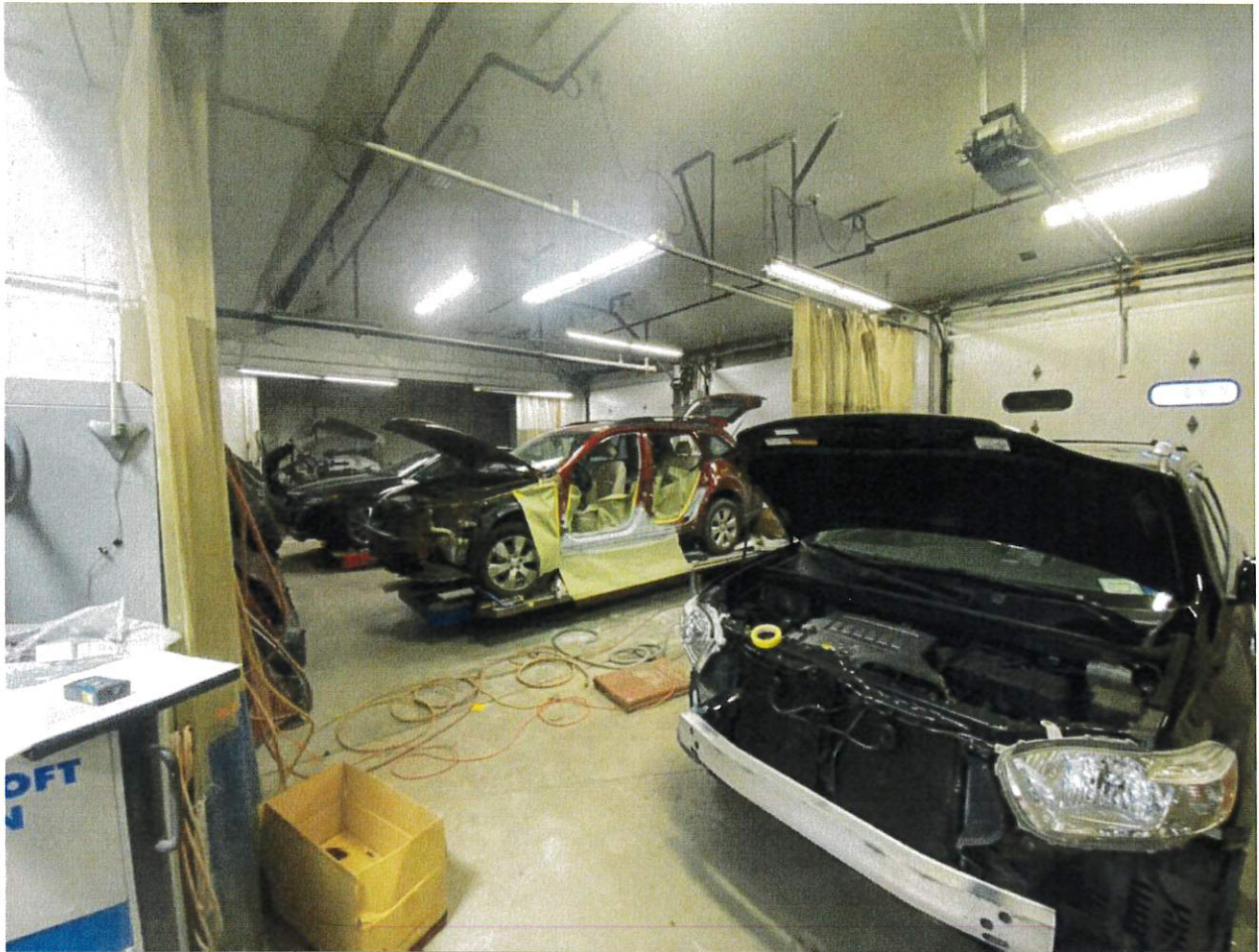




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Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

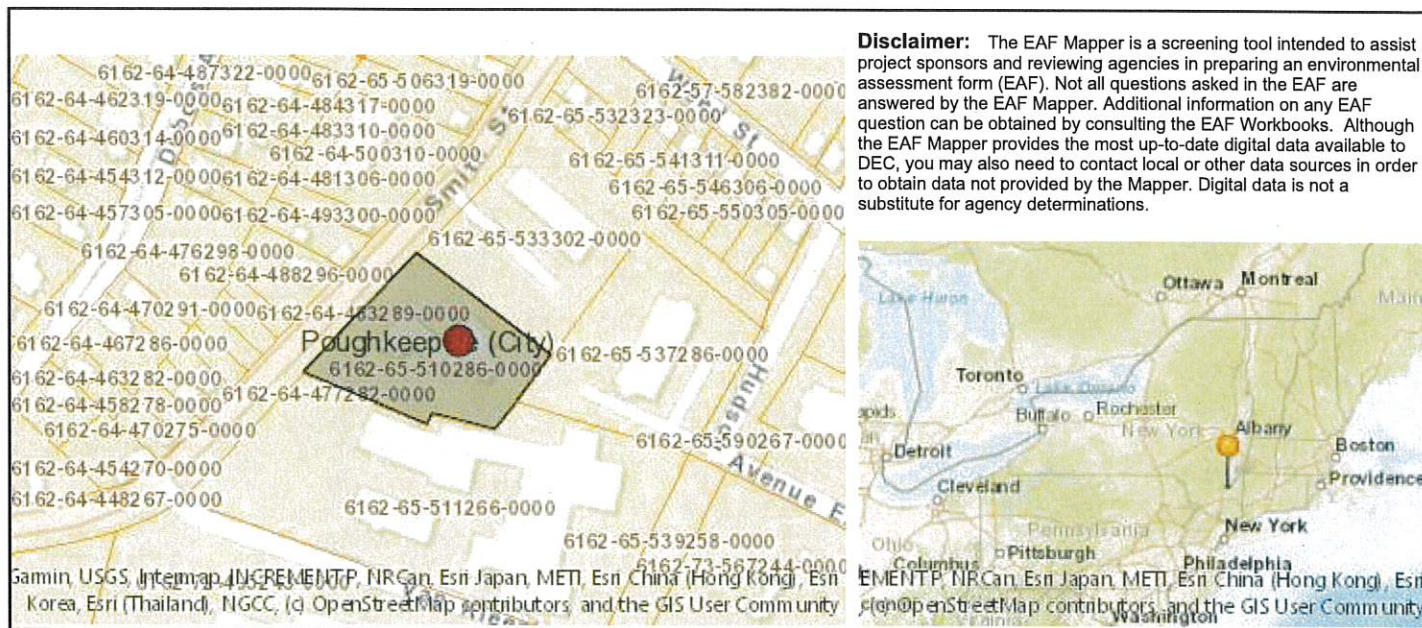
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Vince's Auto Body Works - Amended Site Plan							
Project Location (describe, and attach a location map): 185 Smith Street, Poughkeepsie, NY 12601							
Brief Description of Proposed Action: Expand existing single story (8,130 sq. ft.) commercial building to add 4,370 square feet of space (single story)							
Name of Applicant or Sponsor: Devanand Jaikarran		Telephone: (917) 416-7591					
		E-Mail: info@vinesautobodyworks.com					
Address: 6 Spy Glass Hill Road							
City/PO: Hopewell Junction		State: New York	Zip Code: 12533				
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>NO</td> <td>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 - ZBA			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>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? _____ 0.97 acres b. Total acreage to be physically disturbed? _____ 0.10 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0 acres							
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland							

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Illeana Tucker</u> Date: <u>11/30/2021</u> Signature: <u>Illeana A Tucker</u> Title: <u>Agent</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

