



City of Poughkeepsie Zoning Board of Appeals Meeting Agenda

Common Council Chambers
Tuesday, April 12, 2022
6:00 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. Approval of March 8, 2022 Meeting Minutes

III. PUBLIC HEARINGS & DELIBERATIONS

1. **138 HOOKER AVENUE: AREA VARIANCES:** Application for area variances relative to the proposed expansion of the off-street parking lot for the place of worship at 138 Hooker Avenue. Variances are requested of Section 19-3.12(2)(b)(1)(ii) of the Zoning Ordinance requiring 50 feet set-backs for parking lots for places of worship to allow set-backs of 9 feet and 2 feet, and Section 19-4.3(1) requiring landscape strips to allow for no landscape strips. Owner: H2H Life In His Form Inc; Applicant: Hilary Hurbs; Consultant: Richard Tompkins, RA AIA; Zoning District: Low Density Residence (R-1) District; File #2022-006
2. **45 READE PLACE: AREA VARIANCE WALL SIGN:** Application for area variances relative to the proposed replacement of two wall signs, one on the north-east and one on the south-west of the hospital building at 45 Reade Place. Variances are requested of variances of Sections 19-4.9(9)(i)(1) and 19-4.9(9)(i)(2) of the Zoning Ordinance relative to the height, size and placement of wall signs. Owner: Vassar Brothers Hospital; Applicant: Nuvance Health Vassar Brothers Hospital; Consultant: Tracey Diehl; Grid #6061-43-843721; Zoning District: Hospital Medical (H-M) District; File #2022-007

3. **15 NORTH CHERRY STREET: AREA VARIANCES** Application for area variances relative to the proposed conversion of the existing building at 15 North Cherry Street from a warehouse to a multiple residence containing 42 dwelling units, including site improvements such as off-street parking, a playground and a dog park. Variances are requested of Section 19.4.3(11) requiring 73 parking spaces to allow 22, Section 19-4.13(1) prohibiting front yard parking to allow front yard parking, and Section 19-4.18(2)(a) which prohibits uses within 30 feet of the Fallkill Creek to allow a refuse area within that distance. Owner: North Cherry Holdings, LLC; Applicant: Chaim Hirsh; Consultant: AB Architekten; Grid #6162-77-092099; Zoning District: General Commercial (C-3) District; File #2022-009



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
MINUTES OF MARCH 8, 2022**

Present

Scott Parker, Chairman
John Gildard
Thomas Klug
Rob Page
Steven Reifler
Jessica Vinall

Staff

Natalie Quinn, Director of Development
Judith Knauss, Deputy Zoning Administrator

The virtual meeting was called to order at 6:04pm with the pledge of allegiance.

On a motion by John Gildard, seconded by Thomas Klug, the minutes from January 11, 2022 were approved unanimously, with one correction, the ending time of the meeting was changed from 8:26am to 8:26pm.

On a motion by Steven Reifler, seconded by Thomas Klug, the minutes from February 8, 2022 were approved unanimously.

185 SMITH STREET: AREA VARIANCES

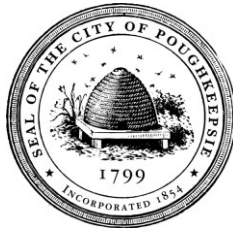
Application for area variances relative to the proposed expansion of the automobile repair business at 185 Smith Street, requiring variances of Sections 19-5.1(1)(3) and 19-4.3(1), of the Zoning Ordinance relative to expansion of nonconforming uses and off-street parking, lighting and landscaping. Owner: Ricky Auto Body, Inc; Applicant: Devan 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

Scott Parker noted that there were nine variances when the application was first scheduled and there are now two variances requested.

Appearing on behalf of the application was Ileana Tucker, who provided an overview of the changes to the project 3800 square feet Building 46% instead of 54% Landscaping can be added if necessary, if preferred by the Planning Board, who can approve fencing.

Scott Parker asked the Board if the members had any comments.

Steven Reifler has no problem with the changes that have been made.



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Jessica Vinall: application has addressed all our concerns and minimized the variances requested. John Gildard concurred, and felt that, having visited the area, that the use is in keeping with the character of the area.

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

There was no public comment.

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

WHEREAS, the Zoning Board of Appeals has received an application for area variances from Ricky Jaikarran/Ricky Auto Body, Inc, relative to the proposed expansion of the automobile repair business at 185 Smith Street, requesting variances of requiring variances of Sections 19-5.1(1)(3), and 19-4.3(11) of the Zoning Ordinance relative to expansion of nonconforming uses and off street parking; and,

WHEREAS, the application was accompanied by additional materials, including a revised site plan prepared by M. Gillespie & Associates revised February 22, 2022; and,

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

WHEREAS, the action is more fully detailed on the Short Environmental Assessment Form prepared by Ileana Tucker dated 11/30/2021; 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 January 11, 2022, February 8, 2022 and March 8, 2022; and,

WHEREAS, the applicant has demonstrated that the granting of the area variances will not produce an undesirable change in the character of the neighborhood, and will not be a detriment to nearby properties, in that the bulk of the addition is to the rear of the property, resulting in little to no impact on the character of the neighborhood, and that the reorganizing of the parking and addition of landscaping along the front and



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side property lines. Additionally, though there is residential development directly across the street, the character of the area is relatively industrial; the requirement for 88 off-street parking spaces is excessive compared to the actual need for off-street parking, which is minimal and satisfied by the existing number provided. Cars are essentially in the building to be repaired, and then picked up. No off-site parking occurs.

WHEREAS, the applicant has demonstrated that there is no other feasible method to achieve compliance with the remaining two variances, inasmuch as there is no property adjoining the parcel available for acquisition;

WHEREAS, the applicant has demonstrated that the variances requested are not substantial, in that the applicant has reduced the number of variances originally requested to two, the percentage of the expansion allowed and the off-street parking requirement. Further, the percentage of the expansion has also been somewhat reduced, and the applicant has indicated that off-street parking provided is more than adequate for their needs, a fact verified by personal experience of a Board member; and,

WHEREAS, the applicant has demonstrated the granting of the variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood, in that the addition will be to the rear and will serve to improve the work flow within the structure, not affecting the way the business operates on the outside. Traffic flow will remain the same and no increase in off-street parking is anticipated. Further, the proposal includes a reconfiguration of the front yard area that provides landscaping, and there will be additional landscaping on the property lines, all improvements to the physical or environmental conditions in the neighborhood, ameliorating the impacts of the expansion; and,

WHEREAS, the applicant has testified that the need for the variances is not necessarily self-created, inasmuch as the existing building is not adequate for the business to operate efficiently without the variances

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

Motion: Thomas Klug

Second: John Gildard

Carried: 6:0:0

135 MAIN STREET: AREA VARIANCES

Application for area variances relative to the application for site plan review and subdivision for the subdivision of the property at 135 Main Street into two lots of record, and construction of a new building with 72 dwelling units on the new lot with an existing 119 unit multiple on the original lot. Variances requested of Sections 19-3.17(4)(b), 19-3.17(4)(f)(1), 19-3.17(4)(i), 19-3.17(4)(e), 19-4.3(11), and 19-4.13 of the Zoning Ordinance relative to lot area, front and side yard set-backs, usable open space, off-street parking and set-backs for accessory uses. Owner: Omni New York; Applicant: Tinkleman Architecture; Consultant: Ken Casamento/LRC Group; Grid #6062-76-911183; Zone: Urban Density (R-6) District; File #2021-023



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Scott Parker introduced the application.

Appearing on behalf of the application were Steven Tinkelman, Anthony Juliano and Kenneth Spillberg, who gave a project overview.

Ken Spillberg: Omni New York around since 2004, an affordable housing developer. 17,000 affordable units across the country, but most in NYS. Purchased Admiral Halsey 2007. In rear of property, significant amount of unused space. For a number of years, trying to figure out ways to better utilize the space and build more affordable housing while developing a better site plan. New building, slightly shorter, will help integrate the taller existing building Age restricted 62 years and older. 36 of the units will be for frail elderly. Hudson River Housing will be partners in this venture.

Steve Tinkleman: started with a taller but smaller building, 7 stories. Feedback was that a shorter building might be more appropriate for the neighborhood, and the people who would be living in both buildings. Better open space, more connected site plan with both buildings. The first floor is where services will be provided.

- The separate lot is a technical requirement for the financing. Otherwise, this site is really one integrated site.
- Front yard is 10,000 square feet of open space even if it can't be counted technically.
- New landscaping plan
- Urban center where you are trying to create life. Close to Waryas Park and other public open spaces (adjacent to a park on North Perry Street).
- The 7 story building would have only required 3 variances. This building, better for the neighborhood, requires more.
- Need 72 units in the new building to make the project feasible.
- This is a balanced site, given the green space and parking, etc.
- On the top of the 4 story, there will be _____ square feet of roof top space.
- Side yard set-back is necessary because of the lot line, which is a technical requirement.
- The other issue is parking. Counted cars over a period of four days two months apart. Mostly under 35 spaces. Tried to interpolate the numbers because it's essentially the same population, with a reduction in
- Only 1 in 6 units in AH1 have cars.



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- Why have all that paving if you don't really need it? Believe they have 20 more spaces than they actually need. Lots not congested. Emergency vehicles can get around it. Have met with the Fire Department.

Scott Parker: asked whether the two lots would be able to be sold separately. Inquired as to whether the property line could be moved to allow the open space to be more adequate on both?

Steve Tinkleman: There will be easements, so even if the lots were sold separately, which is not the plan, the parking spaces and open space would be available to both.

Anthony Juliano: line is also partly a function of the building code: fire rating of the wall, how many window openings, etc.

Scott Parker: Not talking about between the buildings, but more toward the east, which could be a little more evenly distributed for the variances. If there are easements, my concerns are diminished. Parking, open space, overall pretty adequate

Steven Reifler: conceptual thought: you are basing the parking on what goes on in the building in 2022 and the past. Just because tenants haven't had cars in the past doesn't necessarily mean that if we are revitalizing Poughkeepsie the building might not attract 62 year olds that drive.

Ken Spillberg: It is income restricted: everyone in this building would be considered low income (60% of AMI).

Steven Reifler: Could be making \$50,000. Seniors could be much more mobile. Might have a population that wants to live downtown in a revitalized Poughkeepsie.

Ken Spillberg: At least 36 units frail, can't drive. The other 36 units, most will be lower income. Some of the services provided will be shuttle service

John Gildard: thinks the shorter L shaped building is a better choice than the taller building. A good plan.

The Board opened the public hearing on a motion by Rob Page, seconded by Thomas Klug, the Board opened the public hearing.

Jeremy Phillips. Zeus Brewing Company. In its current form, a detriment to our City.

- Does not pass the balancing test.
- Substantial variances



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- Parking: Informal study?
- Our family poured 7 figures into Zeus
- 72 units is a lot
- 36 units of frail and 36 units of poor will not revitalize
- More info is needed
- My wife and I are not developers no grants bank loans and sweat equity
- Allow more time, research and dialogue to happen

Laurie Sandow

- Find this public hearing to be completely inappropriate
- Not yet had a public hearing in front of the Planning Board
- OMNI NY did not cure violations until they wanted to make this application
- Since they took over, conditions at Admiral Halsey have deteriorated
- Moving in tenants who were not seniors
- OMNI #4 on the list of worst evictors in NYS
- Frail elderly translates in reality to supportive housing
- All ducks in a row but can't come up with the numbers/details?
- No presentation in front of the Common Council
- Talked behind closed doors
- To imagine that no one younger than a senior will never visit a senior is preposterous
- An outrage if the ZBA votes on this project tonight

On a motion by John Gildard, seconded by Jessica Vinall, the Board adjourned the public hearing to April 12, 2022.

John Gildard would like to see something that explains why it has to be 2 separate lots from a bank or other financial institutions.

Scott Parker asked if it has to be subdivided, why not a different configuration.

Jessica Vinall: would like more information with regard to the parking. Understand that some anticipated number of residents would not have cars. Traffic study might need to be expanded to really demonstrate the need versus the parking requirement

Steven Reifler: Will the spaces be dedicated, with unit #, and visitor parking designated?



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Ken Spillberg: informal parking study never more than 40 spaces utilized

Thomas Klug: What about parking for caregivers, if you have 36 frail elderly are in residence?

Ken Spillberg: HRH 2 or 3 households could share a nurse/care provider.

Steven Reifler: Might need 24 hour care

Ken Spillberg: one of the requirements is that they have to be able to live independently, if with services. One of the things we like about this neighborhood

Rob Page: is it possible that this could become regular housing 3 to 5 years from now?

Ken Spillberg: Not without significant (10, 20 million dollars) penalties. Working with State to build the building, which will result in a regulatory agreement for 30-50 years. If we broke it, would result in the need to pay it all back. HFA

Scott Parker asked if April 12 would be good for applicant to return.

Ken Spillberg: Will it be in person or remote?

Natalie Quinn: Will follow the Common Council. Likely to be in person in April. Also indicated that procedurally the ZBA is required to hold public hearings. Wanted to touch on the front yard set-back requirement on North Perry Street. Only 14% of the set-back is non-compliant.

The ZBA began running through the 5 prong test.

Scott Parker: fits with the character of the neighborhood, not significant.

Steven Reifler it's a nice building. What about maintenance shed?

Steven Tinkleman: will move so no variance is required.

Jessica Vinall: Makes sense with building, serves a purpose, especially with the anticipated residency of this building, covering the elderly from the weather. Not significant in terms of the overall scale.

John Gildard: I think the canopy fits, no undesirable change, fits with the character of the neighborhood, and helps seniors stay out of the elements



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Scott Parker: Is there a motion to adjourn application to April 12?

Motion by Steven Reifler, seconded by Thomas Klug. Passed unanimously.

138 HOOKER AVENUE: AREA VARIANCES

Application for area variances relative to the proposed expansion of the off-street parking lot for the place of worship at 138 Hooker Avenue. Variances are requested of Section 19-3.12(2)(b)(1)(ii) of the Zoning Ordinance requiring 50 feet set-backs for parking lots for places of worship to allow set-backs of 9 feet and 2 feet, and Section 19-4.3(1) requiring landscape strips to allow for no landscape strips. Owner: H2H Life In His Form Inc; Applicant: Hilary Hurbs; Consultant: Richard Tompkins, RA AIA; Zoning District: Low Density Residence (R-1) District; File #2022-006

Scott Parker introduced the application.

Appearing on behalf of the application was Richard Tompkins, who provided a project overview, and Hilary Hurbs.

Building behind was once a rectory for the church and once subdivided. Unique situation. Sidewalk that runs along the west property line and overlaps the property line.

Scott Parker: couldn't these three spots be re-oriented to not encroach so much on the rear property.

Richard Tompkins: Too narrow. HVC next to building. Can't be perpendicular. Maybe possible to do a little more.

Scott Parker: not increasing the encroachment on the side yard. Even if those spaces were wider. Maybe move the HVAC? When are these vans used?

Hilary Hurbs: The church vans are just used on Sundays to pick up elderly and children. They sit there the rest of the week.

Scott Parker: really looking to decrease that encroachment

Jessica Vinall: I see what you're saying. Without knowing how big the vans are, and what the turning radius is. Maybe maneuvering would be difficult. Looking for more information to justify the encroachment. Increasing the amount of parking, traffic, more than what is already



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going on.

Scott Parker: The white van?

Richard Tompkins: the front of the white van is in front of the hvac units.

Scott Paker: If it's only happening once a week, what difference does it make if there's not a lot of room?

Richard Tompkins: Could be angled

Scott Parker: A wider space might work

Richard Tompkins: Might be able to pull the spaces forward a bit, to perhaps have a 19 foot set-back in the rear. Maybe angled, maybe pulled forward, reduce the pavement.

Scott Parker: Vans are either backing in or backing out. Think you can get more space between the asphalt and the neighboring property

Steven Reifler: What about referring the plan to the Police Department traffic specialist?

Natalie Quinn: Better to rely on engineering

Jessica Vinall: Perhaps the application was a little bit misleading

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

No spoken public comment. Written comments were received.

On a motion by Thomas Klug, seconded by Rob Page, the Board adjourned the public hearing to April 12, 2022.

Natalie Quinn: Other feasible methods are being discussed, placement of the vehicles, headlights shining into windows. Landscaping can be provided.

The fence does not necessarily require a variance.

Richard Tompkins: Snow storage is shown, but landscaping could be provided as well

Natalie Quinn: Fence material, exploration of options: type, height, etc.



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Richard Tompkins: Agrees, explorations of options: types, height, location

Jessica Vinall: PVC has some very good uses; different types, styles. Not opposed to 6 feet along the back. Seems high on South Cherry Street. Ending it at the street might be good. Storage area could be expanded in terms of landscaping, taller trees or shrubs along fence to provide an additional more attractive buffer between the house and the parking,

Richard Tompkins: we can look at adding evergreen trees. 6 foot high fence, will take time but the trees will eventually provide screening

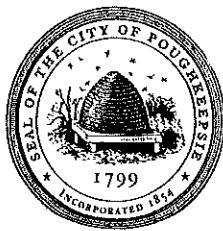
Steven Reifler: Exactly anticipated by landscape architect

Natalie Quinn: photographs of vinyl fencing to back up the comments, showing that it is typical in the neighborhood would be helpful.

Natalie Quinn: We will probably be in person in April. Might explore option of hybrid meetings, if the state allows and the Tech permits.

On a motion by John Gildard, seconded by Thomas Klug, the application was adjourned to April 12, 2022.

The meeting adjourned at 8:05pm on a motion by Rob Page, seconded by Thomas Klug, which passed unanimously.



**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: 138 Hooker Avenue, Poughkeepsie NY 12601

ZONING DISTRICT: R-1

OWNER INFORMATION:

Name: H2H - Life In His Form Inc.

Address: 138 Hooker Avenue

Poughkeepsie, NY 12601

Phone: 1-973-873-2121

Email: Lifeinhisform@gmail.com

APPLICANT INFORMATION:

Name: Hilary Hurbs

Address: P.O.Box 1781

Poughkeepsie, NY 12601

Phone: 1-973-782-3366

Email: Lifeinhisform@gmail.com

CONSULTANT INFORMATION:

Name: Richard Tompkins, RA AIA - Mauri Architects PC

Address: 73 Mansion Street

Poughkeepsie, NY 12601

Phone: 1-845-452-1030

Email: Rich@Mauri-Architects.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: February 8, 2022 - See attached Email

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 138 Hooker Avenue, Poughkeepsie NY 12601

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
19-3.12(2)(b)(1)(ii)	50'-0" to any street or property line	41'-0" at North Property Line 48'-2" at West Property Line
19-4.3(1)	3ft Landscape strips	3ft Landscape Strips

VARIANCE REQUEST JUSTIFICATION

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

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

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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 138 Hooker Ave

LIST OF REQUIRED ATTACHMENTS

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

SIGNATURE AND VERIFICATION

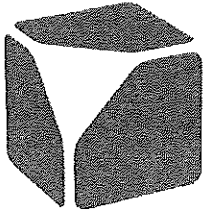
Please be advised that no application can be deemed complete unless signed below.

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


SIGNATURE OF APPLICANT

14 FEB 22
DATE

Hilary Harkes
Print Name



MARTIN J. DIESING AIA
RICHARD K. TOMPKINS AIA

March 21, 2022

Chairman of the Zoning Board of Appeals
City of Poughkeepsie Zoning Board of Appeals
62 Civic Center Plaza
Poughkeepsie, NY 12601

Re: H2H – Life In His Form
138 Hooker Avenue
Poughkeepsie, NY 12601

Dear Chairman and Zoning Board of Appeals Members,

Based on the Zoning Board comments from the meeting dated March 8th, I have revised the drawings to include the following changes:

1. Modified the parking layout and reduced the pavement. The proposed rear yard paving setback changed from 9'-0" to 17'-0".
2. A row of evergreen trees was added between the proposed parking and the fence along the North property line.
3. The fence along the East property line was changed to align with the East wall of the building. The fence along the West was extended to the sidewalk and now steps down to 4'-0" near the South side of the building. The fence is proposed to be a white PVC fence in keeping the similar fences in the neighborhood. (see attached photos of neighboring fences).

I look forward to meeting with you at the next Zoning Board of Appeals meeting to discuss this application further. Should you have any questions, or would like to speak prior to the meeting, please do not hesitate to contact my office.

Sincerely,

Richard Tompkins, RA AIA

RECEIVED

MAR 22 2022



MARTIN J. DIESING AIA
RICHARD K. TOMPKINS AIA

February 24, 2022

Chairman of the Zoning Board of Appeals
City of Poughkeepsie Zoning Board of Appeals
62 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: H2H – Life In His Form
138 Hooker Avenue
Poughkeepsie, NY 12601**

Dear Chairman and Zoning Board of Appeals Members,

Based on the Zoning review performed by Judith Knauss outlined in the attached email dated February 8, 2022, I have outlined the items which require variances and which items have been addressed on the drawings.

1. Section 19-3.12(2)(b)(1)(ii) – No building or parking with 50'-0" of a property line. **(Variance required, see explanation below).**
2. Section 19-4.3(1) – 3'-0" landscape strip to be provided between parking and the street line or property line. **(Variance required, see explanation below).**
3. Section 19-4.3(2) – Parking area with three or more vehicles required screening. **This section of the code is met by installing a 6'-0" solid PVC fence along the North and West property lines screening the parking from neighboring properties.**
4. Section 19-4.3(5) – Requires a driveway to be located more than 50'-0" from an intersection, a maximum of a 6% slope for a driveway and a maximum of a 10% for the remainder of the parking area. **The existing driveway is more than 50'-0" from then intersection of Hooker Ave and South Cherry St. The grading of the existing driveway is well below the maximum slope requirements. (see attached drawings).**
5. Section 19-4.11 – All portions of nonresidential properties are required to be appropriately landscaped with grass, shrubs, trees, and ground cover to minimize erosion. **The areas on the property currently disturbed by the work which has taken place will be replaced with the expanded parking area or grass and landscaping. The West property line contains a concrete sidewalk which extends from the neighboring property to the sidewalk along Hooker Avenue. The existing paving extends from the existing building to within approximately 1'-0" of the concrete sidewalk. The lawn area will be restored along the North property line between the proposed paved parking area. The lawn area will also be restored on the South side of the Church. A new asphalt sidewalk is proposed from the existing parking area to the front entrance of the church. Landscaping will be installed between the new asphalt sidewalk and the building and grass between the new sidewalk and the existing sidewalk along Hooker Ave.**

Enclosed for your review and consideration is an application for an Area Variance at the above referenced property.

Per Section 19-3.12(2)(b)(1)ii), in the R-1 through R-6 districts, no building, parking or loading shall be located nearer than 50 feet to any street or property line. Also, per Section 19-4.3(1), landscape strips of 3 feet wide and 3 feet plants 3 feet on center shall be provided between parking area and the street line or property line. The proposed expanded parking area is within the required 50 feet from any street or property line requiring area variances of 41'-0" at the North property line and 48'-2" at the West property line. With the existing parking areas configuration and an existing neighboring concrete sidewalk that is partly on our site, there is no way to incorporate the 3 feet required landscape strip between the parking area and property line, therefore an area variance is required.

Following is in response to the Variance Request Justification – from the "Zoning Board of Appeals Area Variance Application":

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

The granting of the variance would not produce an undesirable change in the character of the neighborhood and will not be a detriment to the nearby properties. The proposed expansion of the existing asphalt parking area is towards the rear of the property and will be screened by a new proposed 6'-0" high vinyl fence from neighboring properties.

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?

There is no other method feasible for the applicant to pursue being that the existing parking is already within the required 50'-0" setback to any street or property line. The applicant is proposing a new 6'-0" high vinyl fence at the property line where the property abuts a residential property to screen the parking area from the neighboring properties.

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

The variance(s) requested are not substantial because the proposed parking expansion does not significantly encroach into the side yard in relation to the exiting parking area and the amount it encroaches to the rear yard will be screened by a new 6'-0" high vinyl fence.

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

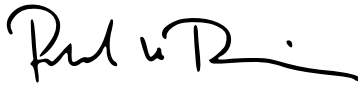
The area variance(s) requested will not adversely impact physical or environmental conditions in the neighborhood or district as this is an existing developed site. In addition, the proposed site plan improves screening of the parking area from neighboring properties by the proposed 6'-0" vinyl fence.

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

The difficulty is not self-created as the existing parking area is already within the required 50'-0" setback to any street or property. It is not possible to relocate the parking area to any other portion of the site.

I look forward to meeting with you at the next Zoning Board of Appeals meeting to discuss this application further. Should you have any questions, or would like to speak prior to the meeting, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Tompkins".

Richard Tompkins, RA AIA

The Development Department is receipt of a revised plan for the proposed expansion of the parking lot for the place of worship located at 138 Hooker Avenue. Please be advised that this plan has been reviewed as a courtesy, since the zoning review request and required fee have not been filed.

The property at 138 Hooker Avenue is located in an area zoned Low Density Residence (R-1) District. The following deficiencies were noted to exist in the proposal as submitted:

- 1) Section 19-3.12(2)(b)(1)(ii) states that no building, parking or loading area shall be located nearer than 50 feet to any street or property line in any R-1 through R-6 Zoning District: while the existing parking lot was within 50 feet of the southern and western property lines, the expansion significantly increases the degree to which it will be within 50 feet of the western property line, down to a minimum set-back of 1'10", and will also bring the area to within nine (9) feet of the northern property, which abuts a residential property;
- 2) Section 19-4.3(1) requires that a landscape strips a minimum of three feet wide and three feet planted three feet on center shall be provided between the parking area and the street line or property line: No such strip is provided along the western or northern property lines (and at a certain point, there is not even three feet between the parking area and the western property line).
- 3) Section 19-4.3(2) requires that where a parking area for three or more vehicles abuts a residential property, it shall be screened from view by landscaping, opaque fence or wall or other means approved by the Planning Board. No screening is provided along the western or northern portions of the parking area where it abuts a residential property (with significant increased encroachment along the north);
- 4) Section 19-4.3(5) provides that no entrance or exit to any off-street parking area with a capacity of more than four spaces shall be located within 50 feet of any street intersection, nor exceed a grade in excess of 6% within 25 feet of any street line nor 10% at any other point. The parking area previously had three spaces: five are now proposed. While the entrance is more than 50 feet from the intersection with South Cherry Street, information relative to the grade must be provided to ascertain compliance with this provision (please note that grading information will be required for site plan review should the variances be granted);
- 5) Section 19-4.11 requires that all portions of nonresidential properties which are not otherwise legally utilized 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, and that landscape strips shall be provided along all property lines of nonresidential uses. No such landscape strips are indicated on the western or northern property lines, while landscaping along the northern area of the property has been removed in its entirety (and the grade changed). No new landscaping appears proposed, as the area is

apparently to be utilized for snow storage.

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

- 1) Make application for variances to the Zoning Board of Appeals (form attached); or,
- 2) File an application for a building permit to restore the area to its previous condition, and then proceed to restore the area.

Please note that should the Zoning Board of Appeals grant any variances requested, and this is by no means guaranteed, it will then be necessary to file an application for site plan review by the Planning Board. Please be advised that the application deadline for the March 8 meeting of the ZBA is February 15, and the deadline for the April 12 meeting is March 22.

Additionally, no handicapped spaces are indicated. The previously approved parking area included two handicapped spaces (the creation of the parking area was specifically to provide such spaces for the building). The NYS Building Code requires that at least one such space will need to be provided.

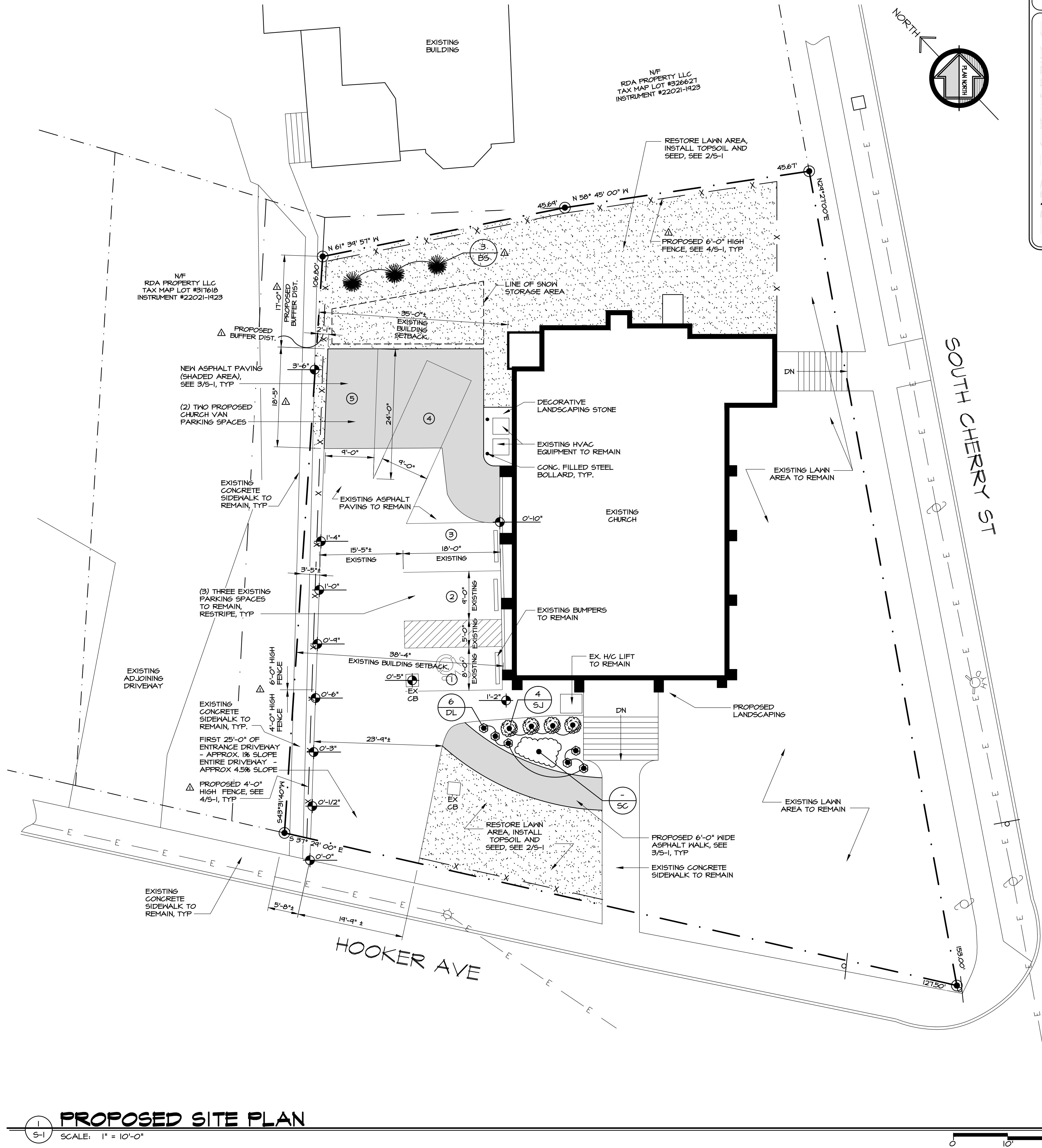
As an aside, there is a note on the plan indicating that the required set-back to the building is 30 feet: while this is not relevant to the instant proposal, it is not an accurate note. Pursuant to the provision of Section 19-3.12(2)(b)(1)(ii), states that no building, parking or loading area shall be located nearer than 50 feet to any street or property line in any R-1 through R-6 Zoning District.

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

Very truly yours,
Judith Knauss
Deputy Zoning Administrator



ZBA Area
Varianc...ion.pdf



ZONING DATA CHART				
CITY OF POUGHKEEPSIE				
ZONE	R-1	REQUIRED	EXISTING	PROPOSED
LOT AREA	MIN	10,000 SF	13,764 SF ±	NO CHANGE
LOT WIDTH	MIN	75'-0"	113'-6" ±	NO CHANGE
FRONTAGE	MIN	35'-0"	280'-6" ±	NO CHANGE
FRONT YARD SETBACKS	MIN	30'-0" **	(S. CHERRY) 11'-3" (HOOKER) 35'-1"	NO CHANGE
SIDE YARD SETBACK	MIN	15'-0"	35'-0"	NO CHANGE
REAR YARD SETBACK	MIN	14'-0" ± *	18'-7" ±	NO CHANGE
BUILDING HEIGHT	MAX	35'-0" (2-1/2 STORIES)	—	NO CHANGE
LOT COVERAGE	MAX	25%	—	NO CHANGE

- * REAR YARD SETBACK CALCULATED BASED OFF 15% OF LOT DEPTH.
LOT DEPTH = 126'-0" ± X (0.15) = 19'-0" ±
- ** AS PER SECTION 19-3.12(2)(b)(1)(ii) STATES, "EXCEPT AS SET FORTH HEREINAFTER, NO BUILDING OR PART THEREOF OR PARKING OR LOADING AREA SHALL BE LOCATED NEARER THAN 50 FEET TO ANY STREET LINE OR PROPERTY LINE IN ANY R-1 THROUGH R-6 DISTRICT. A PARISH HOUSE, RECTORY OR PARSONAGE SHALL COMPLY WITH THE REQUIREMENTS FOR A SINGLE-FAMILY DWELLING"

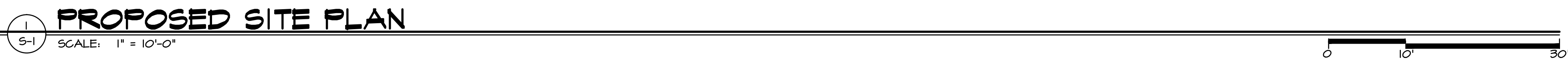
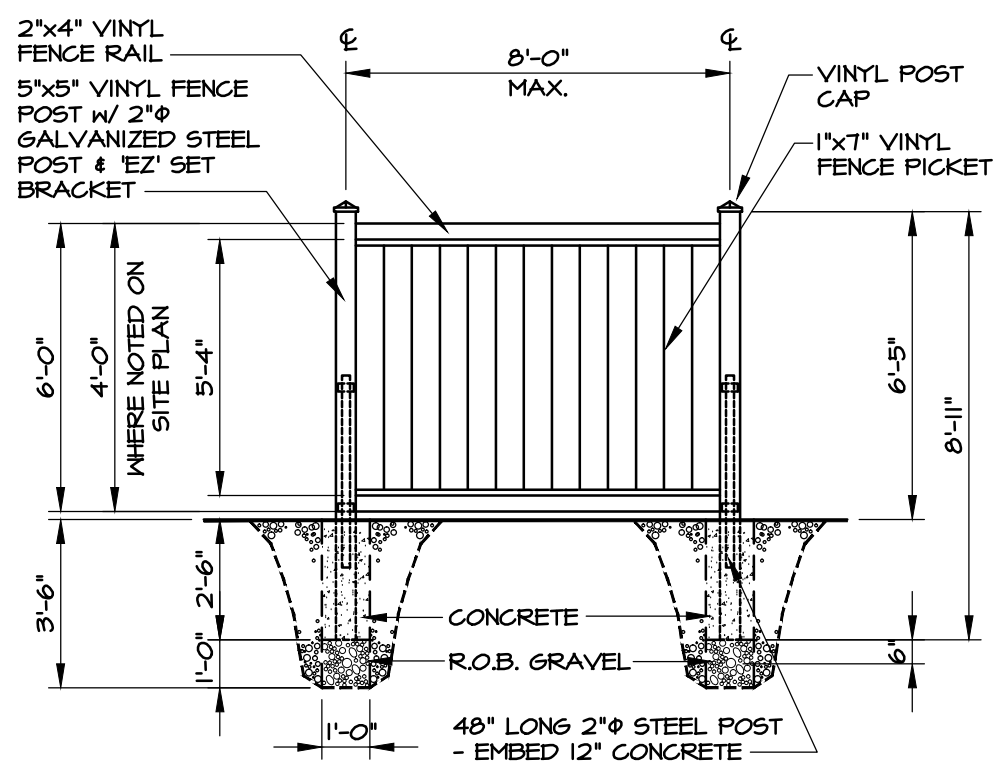
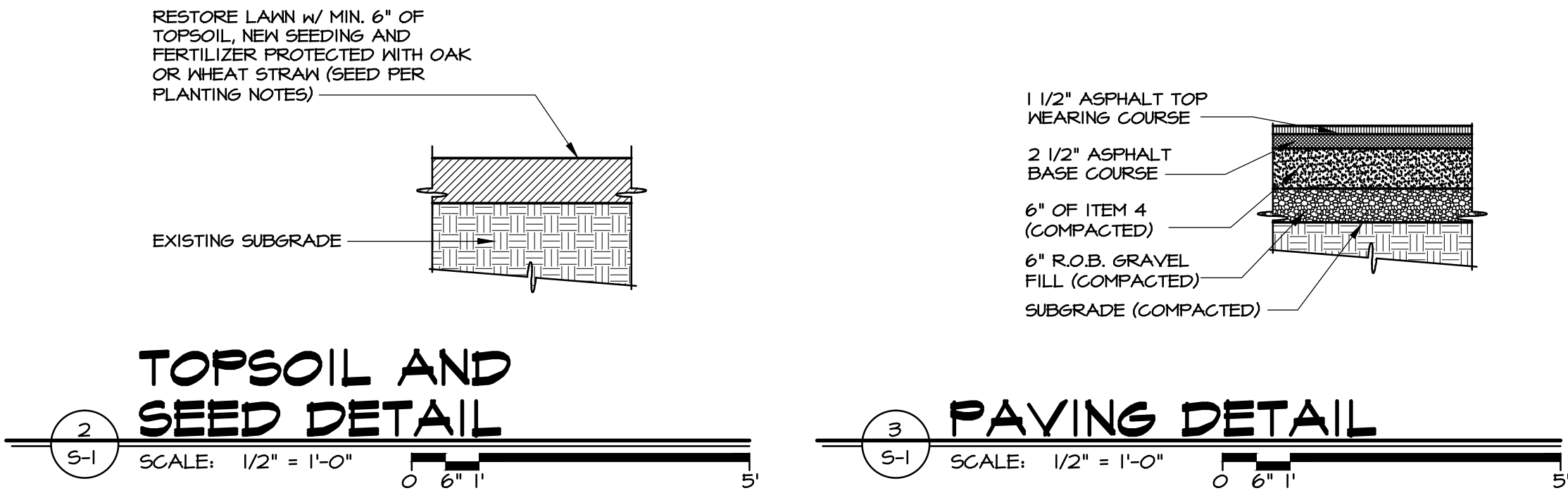
GENERAL NOTES

- THE PROPOSED CONSTRUCTION SHALL COMPLY WITH 2020 BUILDING CODE OF NYS, LOCAL CODES AND ALL OTHER APPLICABLE CODES AND ORDINANCES.
- PROPERTY OWNER HILARY HURBS - 12H LIFE IN HIS FORM INC.

PLANTING SCHEDULE				
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE
SJ	4	JUNIPERUS SABINA	SAVIN JUNIPER	3 GAL.
DL	6	HEMEROCALLIS X STELLA DE ORO	DAYLILY	3 GAL.
SC	—	SEASONAL COLOR	TULIPS, MUMS, ZINNIAS, HOSTA, ORNAMENTAL GRASS	—
BS	3	PICEA FUNGENS	BLUE SPRUCE	5'-0" - 6'-0" TALL

PLANTING NOTES

- ALL PLANTING BEDS SHALL BE MULCHED WITH SHREDDED BARK MULCH AT A MINIMUM DEPTH OF 3".
- INSTALL WEED BLOCK OR EQUAL BELOW MULCH BED.
- LAWN AREAS SHALL BE SEEDED, FERTILIZED AND PROTECTED WITH OAT OR WHEAT STRAW.
- PLANT SIZE INDICATED SHALL BE AT TIME OF PLANTING.
- SEEDING SHALL HAVE A MINIMUM 40% GERMINATION MIXTURE AS FOLLOWS:
KENTUCKY BLUE GRASS - 40% BY WEIGHT OF TOTAL SEED
PERENNIAL RYEGRASS - 35% BY WEIGHT OF TOTAL SEED
RED FESCUE - 25% BY WEIGHT OF TOTAL SEED



project no.	22-01
date	14 FEB 22
drawn by	SW
revision	21 MAR 22
description	ZONING BOARD COMMENTS

PROPOSED SITE ALTERATIONS FOR:

H2H - LIFE IN HIS FORM

139 HOOKER AVE POUGHKEEPSIE, NY

PROPOSED SITE PLAN AND DETAILS

MAURI ARCHITECTS PC

73 MANSON STREET POUGHKEEPSIE NY 12601 945-4521030 mauri-architects.com

REGISTERED ARCHITECT

RICHARD K. TOMPKINS

033188

STATE OF NEW YORK

PURSUANT TO SECTION 645 (b) OF THE REGULATION OF THE COMMISSIONER OF EDUCATION, AUTHORIZED ALTERATIONS TO THIS DOCUMENT IS A VIOLATION OF THE LAW.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

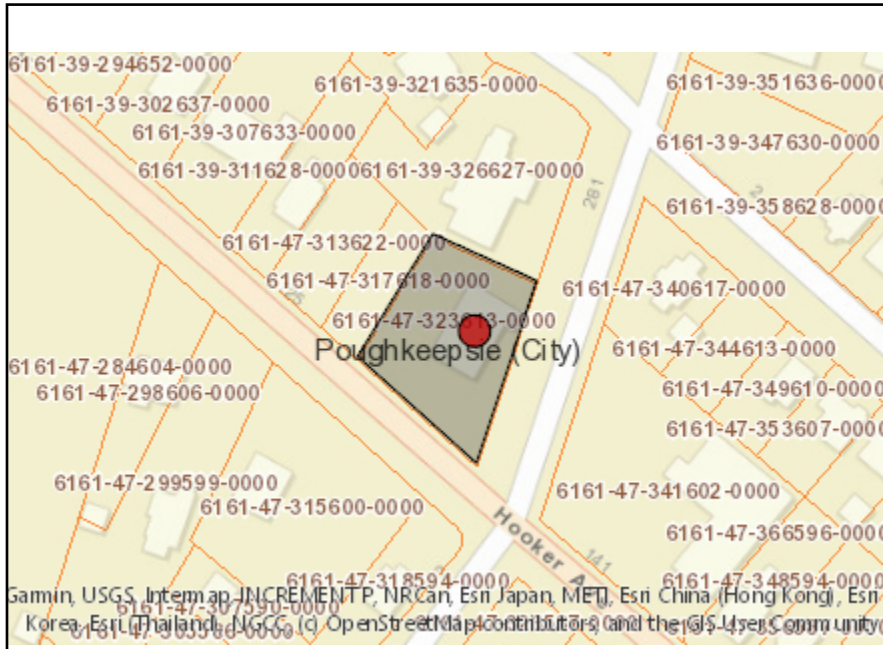
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: H2H - Life In His Form							
Project Location (describe, and attach a location map): 138 Hooker Avenue, Poughkeepsie NY 12601							
Brief Description of Proposed Action: Proposed expansion of an existing parking lot for the place of worship located at 138 Hooker Avenue. The project consists of the addition of two van parking spaces, a paved sidewalk and fence.							
Name of Applicant or Sponsor: Richard Tompkins, RA AIA - Mauri Architects PC		Telephone: 845-452-1030 E-Mail: rich@mauri-architects.com					
Address: 73 Mansion Street							
City/PO: Poughkeepsie		State: New York	Zip Code: 12601				
1. <u>Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</u> If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. <u>Does the proposed action require a permit, approval or funding from any other government Agency?</u> If Yes, list agency(s) name and permit or approval: City of Poughkeepsie ZBA - Area Variance City of Poughkeepsie Building Dept. - Building Permit City of Poughkeepsie Planning - Site Plan			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☐</td> <td style="text-align: center;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3. a. <u>Total acreage of the site of the proposed action?</u> _____ 0.32 acres b. <u>Total acreage to be physically disturbed?</u> _____ 0.06 acres c. <u>Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</u> _____ 0.32 acres							
4. <u>Check all land uses that occur on, are adjoining or near the proposed action:</u> 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. <u>A permitted use under the zoning regulations?</u>	☐	☒	☐
b. <u>Consistent with the adopted comprehensive plan?</u>	☐	☐	☒
6. <u>Is the proposed action consistent with the predominant character of the existing built or natural landscape?</u>	NO	YES	
	☐	☒	
7. <u>Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</u>	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. <u>Will the proposed action result in a substantial increase in traffic above present levels?</u>	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. <u>Does the proposed action meet or exceed the state energy code requirements?</u>	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. <u>Will the proposed action connect to an existing public/private water supply?</u>	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. <u>Will the proposed action connect to existing wastewater utilities?</u>	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. <u>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?</u>	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. <u>Identify the typical habitat types that occur on, or are likely to be found on the project site</u> Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☒ Suburban		
15. <u>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?</u> Bald Eagle	NO ☐	YES ☒
16. <u>Is the project site located in the 100-year flood plan?</u>	NO ☒	YES ☐
17. <u>Will the proposed action create storm water discharge, either from point or non-point sources?</u> 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: The additional storm water is minimal and will flow to an existing catch basin.	NO ☐ ☒ ☐ ☐	YES ☒ ☐ ☒
18. <u>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)?</u> If Yes, explain the purpose and size of the impoundment:	NO ☒	YES ☐
19. <u>Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</u> If Yes, describe:	NO ☒	YES ☐
20. <u>Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</u> 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>Richard Tompkins, RA AIA - Mauri Architects PC</u> Date: <u>14 February 22</u> <u>Signature</u> Title: <u>Architect</u>		



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



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]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



MARTIN J DIESING AIA
RICHARD K TOMPKINS AIA

138 Hooker Avenue



West side parking area



West side parking area



North side of church



North side of Church



South side of church



South side of church

Knauss, Judith

From: hh <lifeinhisform@gmail.com>
Sent: Thursday, December 23, 2021 11:58 AM
To: Knauss, Judith
Subject: Stop Order - 138 Hooker Ave
Attachments: Scan_20211223 (3).pdf

Hello Judith

Sending you this information in writing concerning 138 Hooker Ave. Building inspector Nocerino stopped by the church and issued a "Stop Order" to which I am writing about. To my knowledge I DO NOT need a permit and confirmed by inspector Nocerino to lay down TOP SOIL on the grass/weed area of the grounds and that's why we proceeded to do that without a permit.

Let me be very clear as to what we are doing.

Currently the grass area of the grounds get very very soggy, muddy and create a muddy slushie situation to walk on. The church has some property owned church vehicles (Church Vans and SUVs) that is parked on the property used to transport elderly parishioners. These are extended length n weight church vans and so parking them on the grass has proven very difficult. The reason is they sink in the mud slushie grass and then tire spin out and cannot be moved until the ground hardens again for another few days. To that end we have not been able to have the use of the church vehicles as needed. Secondly there is huge amount of tracking of a mixture of mud and grass from congregation into the church sanctuary from walking on the grounds.

To alleviate this problem we decided to lay down TOP SOIL in the areas marked on the included drawing. This will tremendously allow for better seating of the vehicles so they do not get stuck and cant be moved and the trekking of mud into church. Pls I would very much appreciate a quick acknowledgement to this letter. Inspector Nocerino was on site and can verify and confirm all this information. He did a full inspection to ensure we are in compliance.

He has seen exactly what is being done. **NO other work besides replacing the grass with dirt on some of the grass areas is being done.**

We are simply putting down dirt on our property. Pls see included drawing.

Thank you for your quick response.

H2H, Life In His Form
973-873-2121

Sent from Mail for Windows



Virus-free. www.avast.com

Knauss, Judith

From: Knauss, Judith
Sent: Tuesday, November 16, 2021 12:54 PM
To: 'hh'
Cc: Philipp, Eric
Subject: RE: fence & blacktop permits inquiry
Attachments: ZRR.pdf

Please be advised that such requests are required to be accompanied by a zoning review request form and a \$50 fee. Attached please find the form. Upon receipt, a comprehensive answer will be provided.

However, a quick answer relative to the parking expansion would be that you have not provided enough information for an analysis of the proposal, as the design of the parking expansion was not provided (the layout of all spaces), and it is not clear, given the yellow highlighting along the entire perimeter of the property, if the plan is to pave the entire lot. Additionally, the portion of the expansion that is clearly shown directly adjacent to Hooker Avenue would constitute front yard parking, which is prohibited. Further, there are landscaping requirements that come into play. Please note that Site Plan approval by the Planning Board would be required for any expansion.

As far as the fence is concerned, no information is provided relative to its design and height is provided. Please note that at all street intersections no obstructions to vision exceeding 30 inches in height above curb level shall be erected or maintained on any lot within the triangle formed by the street lines of such lot and a line drawn between points along such street lines 20 feet distant from their point of intersection. Additionally, no fence may create a hazard to traffic or pedestrians, and bringing a fence to the property line where there is a driveway constitutes such a hazard.

A building permit would be required for both the parking area and the fence, following any other approvals, such as Planning Board approval, that are required.

I trust this information is helpful.

Very truly yours,
Judith Knauss
Deputy Zoning Administrator

From: hh [mailto:lifeinhisform@gmail.com]
Sent: Monday, November 01, 2021 7:29 PM
To: Knauss, Judith <JKnauss@cityofpoughkeepsie.com>
Subject: fence & blacktop permits inquiry

Hello Judith

I have acquired a church property in the city of Poughkeepsie and desire to put up a picket fence on the boundary line around the property.

I also want to extend the current paved blacktop section in the yard. Pls see drawing enclosed with boundary line highlighted in RED for fencing and section highlighted in YELLOW.
For paving extension highlighted in YELLOW.

Knauss, Judith

From: hh <lifeinthisform@gmail.com>
Sent: Monday, November 01, 2021 7:29 PM
To: Knauss, Judith
Subject: fence & blacktop permits inquiry
Attachments: Scan_20211101 (5).pdf

Hello Judith

I have acquired a church property in the city of Poughkeepsie and desire to put up a picket fence on the boundary line around the property.

I also want to extend the current paved blacktop section in the yard. Pls see drawing enclosed with boundary line highlighted in RED for fencing and section For paving extension highlighted in YELLOW.

Do I need to file a permit for those items. And IF so needed, do I file 2 separate permits or will one permit suffice for both jobs?

Are permits required by the city?

Thanking you for your timely response and attention in this matter.

H2H, Life IN His Form

Sent from Mail for Windows



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BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

NOTICE OF VIOLATION AND ORDER TO ABATE

December 23, 2021

First Church Of Christ
138 Hooker Ave
Poughkeepsie, NY 12601-0000

RE: 138 Hooker Ave
ID# 238015
Grid ID# 6161-47-323613-0000
Complaint Number: 2021-0750

PLEASE TAKE NOTICE that the building located at **138 Hooker Ave** in the City of Poughkeepsie, New York has been found to be in violation with Chapter 6 Building and Utility Code and Chapter 19 Zoning Ordinance of the Code of Ordinances of the City of Poughkeepsie as indicated in the attached violation(s) report.

YOU ARE HEREBY ORDERED TO ABATE the violation(s) by and to schedule an inspection by contacting Peter Nocerino, at the below listed number on or before .

YOU ARE HEREBY ORDERED TO ABATE the violation(s) by and to schedule an inspection by contacting Peter Nocerino, at the below listed number on or before .

FURTHER, PLEASE BE ADVISED that any person violating any of the provisions of this Building Code or of the Uniform Code adopted in Section 6-3 shall be liable to a penalty not exceeding One Thousand Dollars (\$1000) and, for a continuation of such violation, to an additional penalty not exceeding Ten Dollars (\$10) per day, as provided in Section 6-11 of the Code of Ordinances of the City of Poughkeepsie.

YOU ARE HEREBY ORDERED to cease and desist from the use of the property at **138 Hooker Ave** as indicated in the attached violation(s) report. In the event of your failure to comply with the terms of this notice within thirty (30) days of the date of notice, you may be subject to prosecution and penalties as set forth in Section 19-7.8 of the Zoning Ordinance. You may request a hearing on the alleged Chapter 19 violations by submitting an appeal to the Zoning Board of Appeals with the Building Inspector/Zoning Administrator within sixty (60) days of the date of this notice.

YOU MAY REQUEST A REVIEW of this determination or a variance to the requirements of the New York State Uniform Fire Prevention and Building Code by submitting a petition to the New York State Uniform Fire Prevention and Building Code Board of Review within thirty (30) days of the date of this Notice and Order. Forms for said petition and information regarding filing shall be obtained from the New York Department of State, Division of Code Enforcement and Administration, Attn. Variance Unit, 99 Washington Ave, Suite 1160, Albany, NY 12231. You must file with the City of Poughkeepsie, a copy of the petition and proof of filing within the Department of State within thirty (30) days.

Peter Nocerino, Deputy Building Inspector,
845-451-4017 or pnocerino@cityofpoughkeepsie.com



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

VIOLATION(S) / SCHEDULE A

Property Address: 138 Hooker Ave

Complaint Number: 2021-0750

Issued To: First Church Of Christ

Count: 1

Violation Date: 12/23/21

Description:

Area involved: Parking area and grading

Violation Code:

CHARTER AND CODES OF THE CITY OF POUGHKEEPSIE, NEW YORK\Chapter 6, BUILDING AND UTILITY CODES\ARTICLE I, BUILDING CODE\DIVISION 2 ADMINISTRATION OF THE UNIFORM CODE\Section 6-28 Stop orders

Whenever the Building Inspector has reasonable grounds to believe that work on any building or structure is being prosecuted in violation of the provisions of the applicable building laws, ordinances or regulations or not in conformance with the provisions of an application, plans or specifications on the basis of which a building permit was issued or in an unsafe and dangerous manner, he shall notify the owner of the property, or the owner's agent or the person performing the work to suspend all work and any such persons shall forthwith stop such work and suspend all building activities until the stop order has been rescinded. Such order and notice shall be in writing, shall state the conditions under which the work may be resumed and may be served upon a person to whom it is directed either by delivering it personally to him or by posting the same upon a conspicuous portion of the building under construction and sending a copy of the same by certified mail, return receipt requested. (Ord. of 7-1-1963. Art. II, § 12; Ord. of 11-18-1980, § 1)

Comply by date:

Corrective Action: Stop all work Immediately. File for and receive an issued building permit within 30 days.

Description of work being performed and a plot plan is required

Count: 2

Violation Date: 12/23/21

Description:

Area involved: Parking area and grading

Violation Code:

CHARTER AND CODES OF THE CITY OF POUGHKEEPSIE, NEW YORK\Chapter 19, ZONING AND LAND USE REGULATIONS\ARTICLE VII, ADMINISTRATION AND ENFORCEMENT\Section 19-7.2. Building permits.

No building in any district shall be erected, reconstructed or restored or structurally altered or used, without a building permit. A building permit shall be duly issued upon application to the Zoning Administrator and upon payment of the required fee. No fee is required if the premises are exempt from taxation under Section 4 of the Tax Law Editor's Note: Said section was repealed by Section 1614 of the Real Property Tax Law, effective 10-1-1959. No building permit shall be issued unless the proposed construction or use is in full conformity with all provisions of this Chapter and all other applicable regulations, including Section 6.23 of the Building and Utility Codes of the City of Poughkeepsie. Any such permit issued in violation of the provisions of this Chapter shall be null and void and of no effect. Further, proceedings for revocation or nullification of such null and void permits shall not be

necessary, and any work undertaken or use established pursuant to any such permit shall be unlawful.

Comply by date:

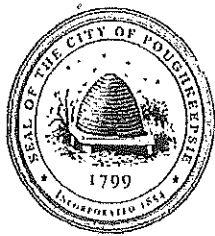
Corrective Action: Stop all work Immediately. File for and receive an issued building permit within 30 days.
Description of work being performed and a plot plan is required. Zoning approval is required.



MARTIN J DIESING AIA
RICHARD K TOMPKINS AIA

Neighboring Fences





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: VASSAR BROTHERS HOSPITAL
Address: 54 PAGE PARK DRIVE
POUGHKEEPSIE NY 12603
Phone #:

II. APPLICANT INFORMATION

Name: NUVANCE HEALTH VASSAR BROTHERS HOSPITAL
Address: 45 READE PLACE
POUGHKEEPSIE NY 12603
Phone #:

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

III. CONSULTANT INFORMATION

Name: TRACEY DIEHL
Address: 6487 HILLIARD DRIVE
CANAL WINCHESTER OH 43110
Phone #: 614-828-8215

IV. PROPERTY INFORMATION

Property Address (subject of appeal): 45 READE PLACE
Tax Parcel #: Parcel Number: 131300-6061-43-843721-0000
Date property acquired: 1976
Present use of property: HOSPITAL CAMPUSH
Zoning District: HM
Dimensions: Lot Area 21.22 AC (sq. ft.) Width 946 ft
Depth 1004 ft. Frontage on street VARIOUS ft.
Is the property currently for sale or is the applicant preparing to sell? NO

V. REASON FOR APPEAL

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

(name and title of agent: JUDITH KNAUSS).

A copy of this decision, dated FEBRUARY 17, 2022, 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) NUVANCE HEALTH VASSAR BROTHERS HOSPITAL,
hereby apply to the Zoning Board of Appeals for a variance of the following requirements of the Zoning Ordinance:

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
Sec 19-4.9(9)(i)1	MAX HEIGHT 12' ABOVE GRADE	25'8" ABOVE GRADE
Sec 19-4.9(9)(i)2	MAX SIZE 60 SQ. FT.	PROPOSED 584.4
Sec 19-4.9(9)(i)2	NOT ABOVE 2ND STORY	SIGN IS ABOVE 2ND STORY
Sec 19-4.9(9)(i)(2)	NOT EXCEED 3' IN HEIGHT	SIGNS EXCEED 3' IN HEIGHT

2 signs - Identical - NEC of Bldg & SWC of Bldg

VII. VARIANCE REQUEST EXPLANATION

Pursuant to Section 19-9.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall consider the applicant's responses to the following:

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

PLEASE ATTACH RESPONSES ON A SEPARATE SHEET.

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

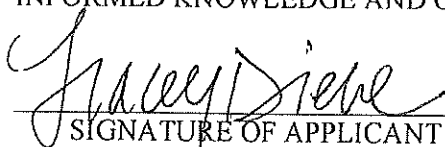
VIII. LIST OF REQUIRED ATTACHMENTS

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

IX. SIGNATURE AND VERIFICATION

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

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


SIGNATURE OF APPLICANT

3/1/2022
DATE

(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.

All signs are necessary for the property to function as a hospital campus. The signs here are for citizens in need of medical care to be able to locate the hospital. This is a new building addition, the signs are necessary for this to be seen from all major roadways.

(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.).

These signs are all directional in nature and not intended to advertise. There is no alternative for this hospital campus, the signs are necessary for persons that are using this campus to identify their direction, building, service, and navigate their way thru the campus. The same results cannot be achieved any other way. The proposal is consistent with what is necessary for a medical facility to be recognizable in emergencies from all major roadways.

(iii) Is (Are) the requested area variance(s) substantial? If not, explain why it (they) is (are) not substantial.

The requested variances are not substantial. The purpose of the signs are necessary for a hospital, and they are not intended to violate the overall intent of the zoning ordinance. The signs are consistent in size and the minimum necessary for clear legibility.

(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.

The variance would not have any adverse impact on the environment or the neighborhood. These signs already exist here. We would be adding to the new façade elevations that were recently constructed. No adverse impact or affect on the community or the property would result from this change.

(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.

This is an existing campus that has grown over the years. The signs are needed for the new addition.

SITE PLAN WAIVER REQUEST

We have submitted a FOIL request to uncover the approved site plan. The existing signs are already in place and would remain in the same location. The aerial views are provided in lieu of the site plan requirement. We hereby request a site plan waiver given the nature of the existing signs and the existing campus. There would not be any change to sign locations etc.

Tracey Diehl

Subject: FW: ZBA Decision

#

From: Knauss, Judith <JKnauss@cityofpoughkeepsie.com>

Sent: Thursday, February 17, 2022 11:42 AM

To: Tracey Diehl <tracey@expeditethediehl.com>

Cc: Quinn, Natalie <NQuinn@cityofpoughkeepsie.com>; 'backup' <backup@expeditethediehl.com>; backup <backup@expeditethediehl.com>

Subject: RE: ZBA Decision

Looking over the sign that was just approved, I see that it is labeled as being located on the north face of the building. In theory, a sign on the east face would be permitted, but a quick review reveals the following:

- 1) Section 19-4.9(9)(i)1): provides that the bottom of a wall sign shall be a maximum of 12 feet from grade: the sign is more than 12 feet from grade;
- 2) Section 19-4.9(9)(i)(2) limits the height of wall signs to three (3) feet: the sign is more than three feet in height;
- 3) Section 19-4.9(9)(i)(2) limits the square footage of wall signs to one times the length of the building, up to a maximum of 60 square feet: at 584.4 square feet, the sign exceeds the maximum;
- 4) Section 19-4.9(9)(i)(2) provides that a wall sign shall not extend above the bottom sill of the second story windows: the sign as proposed is well above the bottom sill of the second story windows.

Therefore, this sign will also need variances.

Do you know, or can you check to see, if they will want a sign on the west or south façades of the new addition?

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							
Nuvance Health Vassar Brothers Hospital							
Name of Action or Project: Wall sign, 19 ground signs , variances							
Project Location (describe, and attach a location map): 45 Reade Place							
Brief Description of Proposed Action:							
Name of Applicant or Sponsor: Nuvance Health Vassar Brothers Hospital		Telephone: 614-828-8215					
		E-Mail: tracey@expeditethediehl.com					
Address: 54 Page Park Drive							
City/PO: Poughkeepsie		State: NY	Zip Code: 12603				
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 governmental Agency? If Yes, list agency(s) name and permit or approval:			<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 acres					
b. Total acreage to be physically disturbed?		0 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, adjoining and near the proposed action. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): hospital ☐ Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☐	YES ☒	N/A ☐
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? If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☒	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☒	YES ☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☒	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
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 plain?	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? ☐ NO ☐ YES	NO ☒	YES ☐	
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 result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Tracey Diehl</u> Date: <u>3/1/2022</u> Signature: <u><i>Tracey Diehl</i></u>		



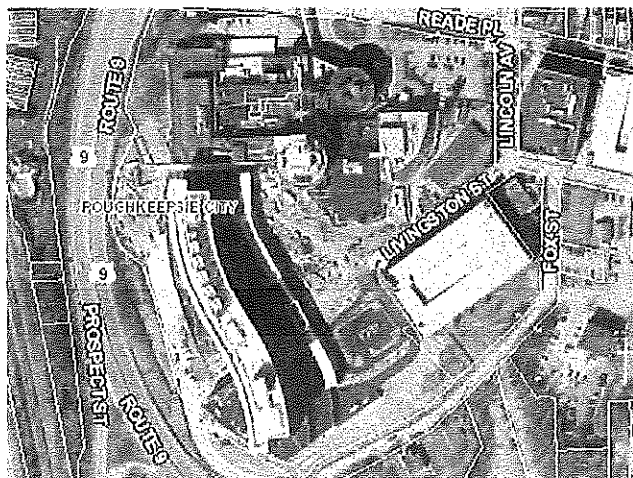
Final Roll

Parcel Grid Identification #:
131300-6061-43-843721-0000
Municipality: City of Poughkeepsie

Parcel Location:
45 Reade Pl

Owner Name on March 1
Vassar Brothers Hospital, (P)

Primary (P) Owner Mail Address
54 Page Park Dr
Poughkeepsie NY 12603



Parcel Details

Size (acres): 21.22 AC (C) Land Use Class: (641) Community Services: Health: Hospitals
File Map: Agri. Dist.: (0)
File Lot #: School District: (131300) Poughkeepsie City School District
Split Town

Assessment Information (Current)

Land: \$1519000 Total: \$225000000 County Taxable: \$0 Town Taxable: \$0 School Taxable: \$0 Village Taxable: \$0

Tax Code: N: Non-Homeslead Roll Section: 8 Uniform %: 100 Full Market Value: \$ 225000000

Tent. Roll: 5/1/2021 Final. Roll: 7/1/2021 Valuation: 7/1/2020

Last Sale/Transfer

Sales Price: \$0 Sale Date: 0 Deed Book: Deed Page: () Sale Condition: () No. Parcels: 0

Site Information:

Site Number: 1 Water Supply: (3) Comm/public Sewer Type: (3) Comm/public Desirability: (3) Normal Zoning Code: Used As: (Z16) Hospital

Commercial/Industrial/Utility Building Information:

Site Number: 1 Bldg Sec.: 1 Bldg. Number: 1
Year Built: 1976 No. Stories: 7 Gross Floor Area: 500000 Boeck Model: (0538) 5-8 sty hospital reinf conc Const. Qual.: (1) Average -

Air Cond. %: 100 Sprinkler %: 100 Alarm %: 100 No. Elevator: 13 Basement sf.: 0

Number Identical: 0 Condition Code: 3

Site Number: 1 Bldg Sec.: 1 Bldg. Number: 2
Year Built: 1949 No. Stories: 3 Gross Floor Area: 37000 Boeck Model: (0536) 2-4 sty hospital reinf conc Const. Qual.: (1) Average -

Air Cond. %: 100 Sprinkler %: 100 Alarm %: 100 No. Elevator: 0 Basement sf.: 9250

Number Identical: 0 Condition Code: 3

Site Number: 1 Bldg Sec.: 1 Bldg. Number: 3
Year Built: 1962 No. Stories: 1 Gross Floor Area: 4939 Boeck Model: (0531) 1 sty hospital load sup Const. Qual.: (1) Average -

Air Cond. %: 0 Sprinkler %: 0 Alarm %: 0 No. Elevator: 0 Basement sf.: 0

Number Identical: 0 Condition Code: 3

Site Number: 1 Bldg Sec.: 1 Bldg. Number: 4
Year Built: 1950 No. Stories: 1 Gross Floor Area: 2665 Boeck Model: (0855) Utility bldg load sup Const. Qual.: (1) Average -

Air Cond. %: Sprinkler %: Alarm %: No. Elevator: Basement sf.:

0 0 0 0 0

Number Identical: 0
Condition Code: 3

Site Number: 1
Bldg. Sec.: 1 Bldg. Number: 5
Year Built: 1963
No. Stories: 1
Gross Floor Area: 87000
Boeck Model (0856) Utility bldg pre-eng
Const. Qual.: (3) Above Average
Air Cond. %: 0
Sprinkler %: 0
Alarm %: 0
No. Elevator: 0
Basement sf.: 0

Number Identical: 0
Condition Code: 4

Commercial Rental Information:

Site Number: 1
Use Number: 1
Used As: (Z16) Hospital
Unit Code: ()
Total Rent Area: 698000
Area 1 Bdrms Apts: 0
Area 2 Bdrms Apts: 0
Area 3 Bdrms Apts: 0
Total Units: 0
No. 1 Bdrms Apts: 0
No. 2 Bdrms Apts: 0
No. 3 Bdrms Apts: 0

Exemption Information:

Exemption: 25210
Name: Hospital
Amount: \$225000000

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

This report was produced with ParcelAccess Internet on 12/17/2021. Developed and maintained by OCIS - Dutchess County, NY.

Tracey Diehl

Subject: FW: ZBA Decision

From: Knauss, Judith <JKnauss@cityofpoughkeepsie.com>

Sent: Thursday, February 17, 2022 11:42 AM

To: Tracey Diehl <tracey@expeditethediehl.com>

Cc: Quinn, Natalie <NQuinn@cityofpoughkeepsie.com>; 'backup' <backup@expeditethediehl.com>; backup <backup@expeditethediehl.com>

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Do you know, or can you check to see, if they will want a sign on the west or south façades of the new addition?

Stratus™

stratusunlimited.com

888.503.1569

LOCATION NUMBER:

8023

SITE ADDRESS:

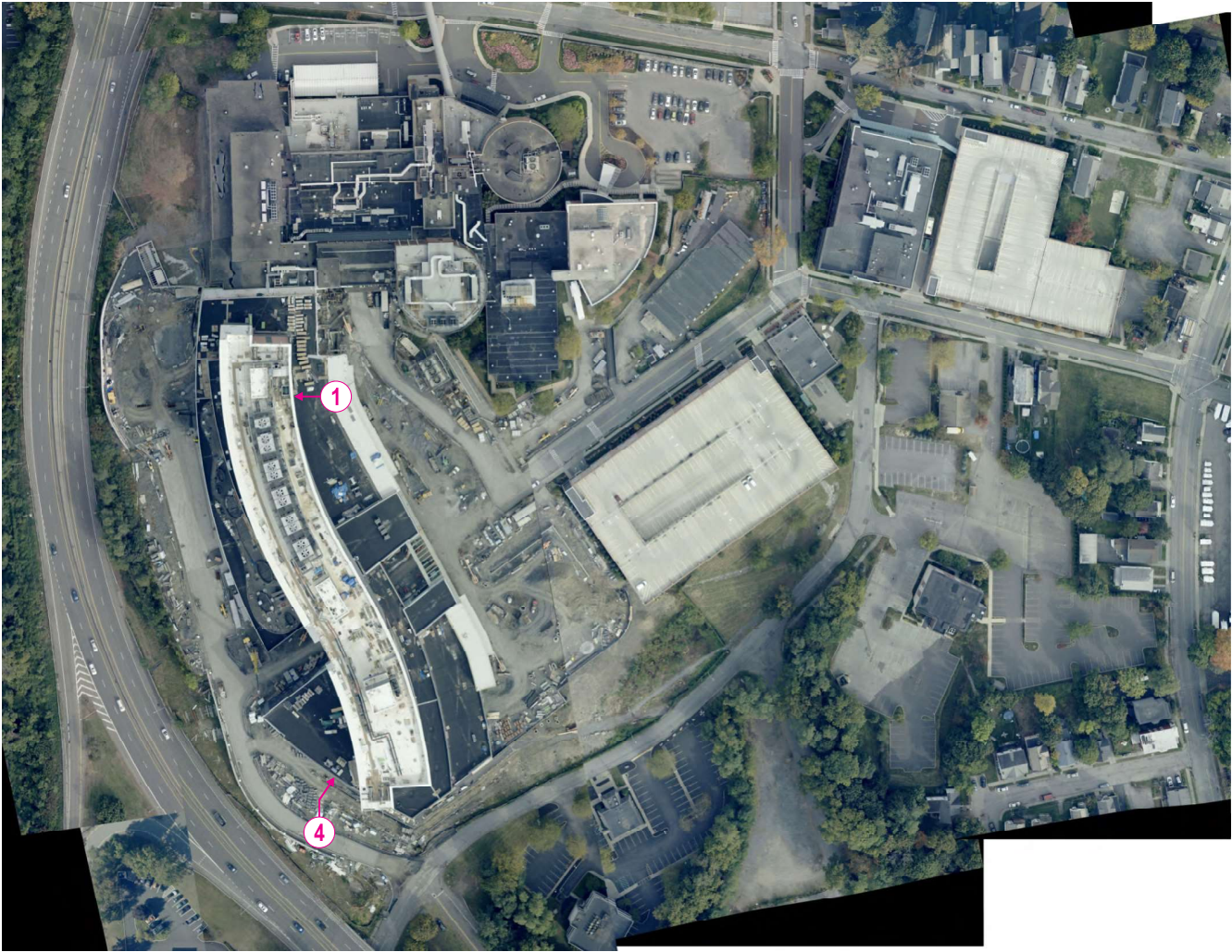
45 Reade Pl,
Poughkeepsie, NY
10000



Infinite possibilities, ideal solutions.

SITE PLAN

Scale: not to scale

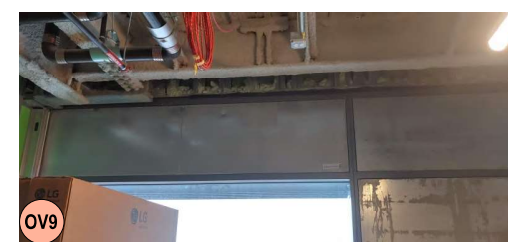


StratusTM
stratusunlimited.com
8959 Tyler Boulevard
Mentor, Ohio 44060
888.503.1569

CLIENT: 		ORDER NUMBER: 1147407	PROJECT NUMBER: 5215	Rev #	Req #	Date/Artist	Description	Rev #	Req #	Date/Artist	Description
45 READE PL, POUGHKEEPSIE, NY 10000		SITE NUMBER: 8023	PROJECT MANAGER: DAN NGUYEN	Original	332376	11/13/20 KWK		Rev 7	362219	12/10/21 Sb	
				Rev 1	332578	11/19/20 KWK		Rev 8	362864	12/15/21 Sb	
				Rev 2	332691	11/20/20 KWK					
				Rev 3	332968	12/01/20 TI					
				Rev 4	359721	11/17/21 Sb					
				Rev 5	360792	11/24/21 Sb					
PAGE NO.: 2		ELECTRONIC FILE NAME: ART\ACCOUNTS\IN\NUVANCE\2020\NY\8023_Poughkeepsie\8023_Poughkeepsie_R8		Rev 6	361545	12/01/21 Sb	removed Letters from tower				
PRINTS ARE THE EXCLUSIVE PROPERTY OF STRATUS. THIS MATERIAL SHALL NOT BE USED, DUPLICATED, OR OTHERWISE REPRODUCED WITHOUT THE PRIOR WRITTEN CONSENT OF STRATUS.											

1

EAST ELEVATION OVERVIEW PHOTOS



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8959 Tyler Boulevard
Mentor, Ohio 44060
888.503.1569

CLIENT:
Nuvance Health

45 READE PL.
POUGHKEEPSIE, NY 10000

PAGE NO.:
3

ORDER NUMBER:
1147407

SITE NUMBER:
8023

ELECTRONIC FILE NAME:
ART\ACCOUNTS\IN\NUVANCE\2020\NY\8023_Poughkeepsie\8023_Poughkeepsie_R8

PROJECT NUMBER:
5215

PROJECT MANAGER:
DAN NGUYEN

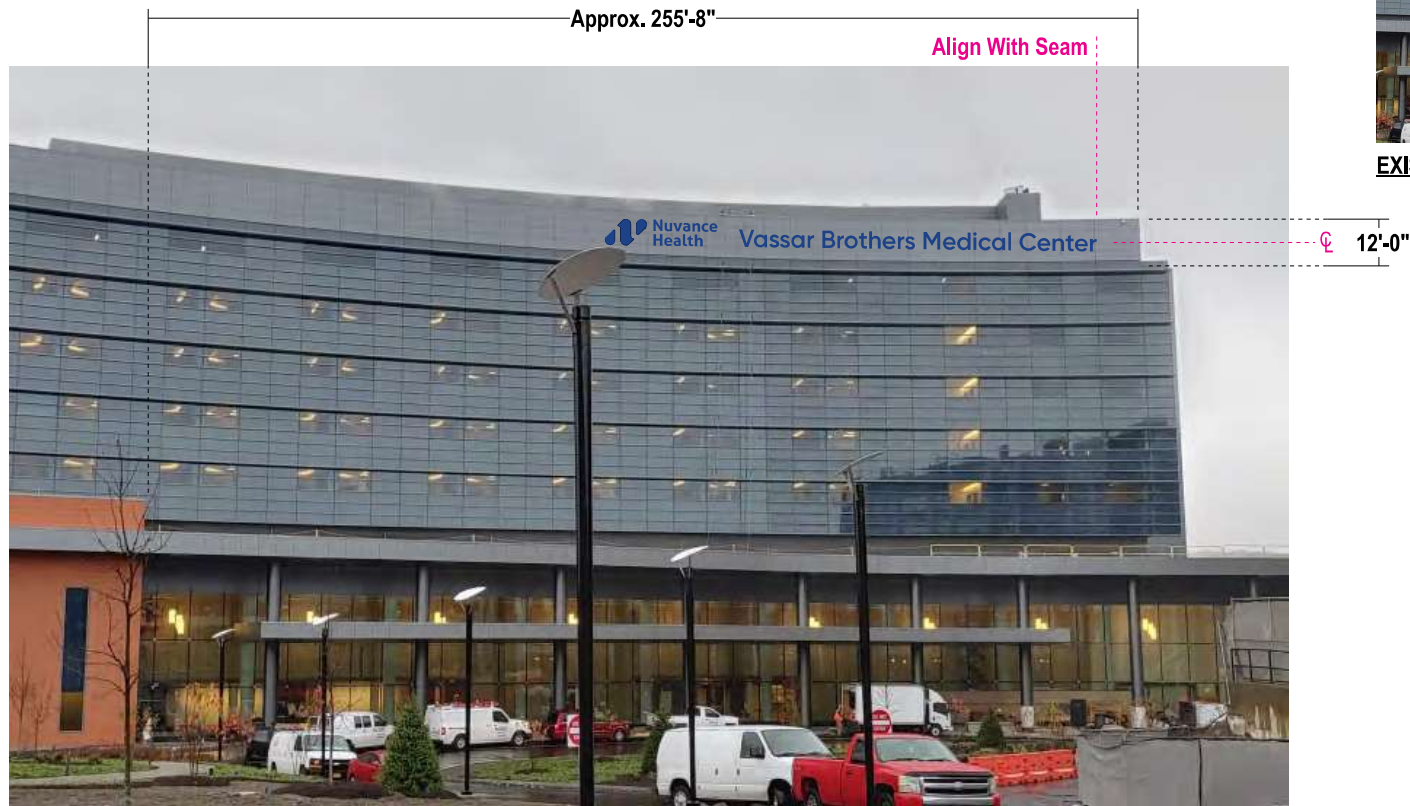
Rev #	Req #	Date/Artist	Description	Rev #	Req #	Date/Artist	Description
Original	332376	11/13/20 KWK		Rev 7	362219	12/10/21 Sb	
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Rev 2	332691	11/20/20 KWK					
Rev 3	332968	12/01/20 TI					
Rev 4	359721	11/17/21 Sb					
Rev 5	360792	11/24/21 Sb					
Rev 6	361545	12/01/21 Sb					

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1

EAST ELEVATION - FACE LIT CHANNEL LETTERS - BLUE

Scale: 1/32"=1'-0"

OPTION C**EXISTING CONDITIONS****PROPOSED SIGNAGE**

ALLOWABLE SF:	N/A
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	548.5

Stratus™

stratusunlimited.com

8959 Tyler Boulevard
Mentor, Ohio 44060

888.503.1569

CLIENT:

45 READE PL.
POUGHKEEPSIE, NY 10000

PAGE NO.:

8

ORDER NUMBER:

1147407

SITE NUMBER:

8023

ELECTRONIC FILE NAME:

ART\ACCOUNTS\IN\NUVANCE\2020\NY\8023_Poughkeepsie\8023_Poughkeepsie_R8

PROJECT NUMBER:

5215

PROJECT MANAGER:

DAN NGUYEN

Rev #	Req #	Date/Artist	Description	Rev #	Req #	Date/Artist	Description
Original	332376	11/13/20 KWK		Rev 7	362219	12/10/21 Sb	Added Option A Tag
Rev 1	332578	11/19/20 KWK		Rev 8	362864	12/15/21 Sb	Added Blue Option C
Rev 2	332691	11/20/20 KWK					
Rev 3	332968	12/01/20 TI					
Rev 4	359721	11/17/21 Sb	Updated rendering				
Rev 5	360792	11/24/21 Sb					
Rev 6	361545	12/01/21 Sb					

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1

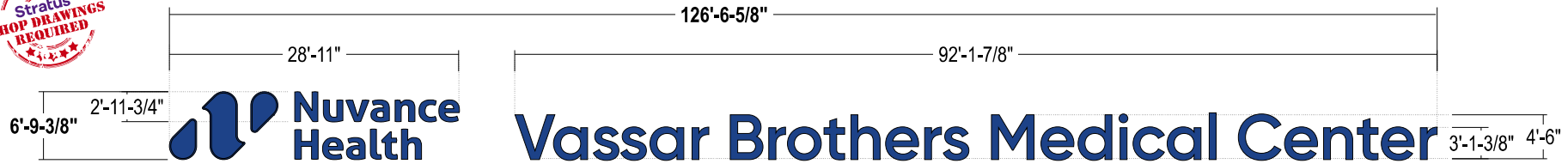
FACE LIT CHANNEL LETTERS - BLUE

PLS-54-B

Scale: 3/32"=1'-0"

548.4 square feet

OPTION C



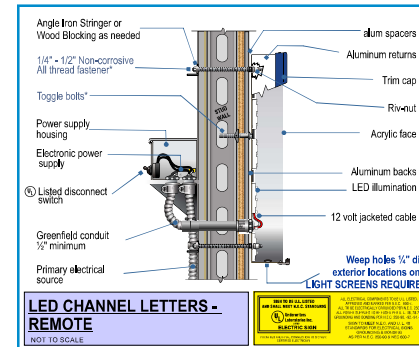
5"

SIDE VIEW

- FACES:** .177" thick #7328 White polycarbonate w/ surface applied dual color film to match PMS 7687; To illuminate white at night.
CUSTOM SPECS DUE TO LARGE SIZE OF LETTERS
- LOGO**
- RETAINERS:** Fabricated 1" x 1-1/2" metal retainers painted Blue
CUSTOM SPECS DUE TO LARGE SIZE OF LOGO
- TRIMCAP:** 1" jewelite - painted Nuance Blue
- RETURNS:** 5" deep .063 alum. paint exterior Nuance White, semi-gloss / insides painted w/ light enhancement paint (lettersets cap ht. larger than 30")
- BACKS:** .125 alum. backs - insides painted w/ light enhancement paint (lettersets cap ht larger than 36")
- ILLUMINATION:** Illuminate w/ white Sloan (or approved equivalent) LEDs (6500k); Remote power supplies
- WALL MATERIAL:** NOT PROVIDED AT THIS TIME
- INSTALL:** Preferred install is thru bolted to wall surface w/ 1/2" alum. spacers at connection points to allow for (greenfield connectors) using min 3/8" all thread fasteners; min 4 per letter. blocking as required
- QUANTITY:** (1) One set required

INSTALLATION NOTE:
LETTERS TO BE THRU BOLTED BY DRILLING THRU THE WALL
DEPTH OF ±36" REFER TO ENGINEERING DRAWINGS FOR DETAILS.

WALL TYPE	CMU, BRICK	PRE-CAST CONCRETE, CONCRETE	PREFERRED FOR ALL WALL TYPES WHEN POSSIBLE	EIFS WALL W/ FOAM INSULATION
SECTION				
ANCHOR TYPE	ø1/2" SLEEVE ANCHOR (ø3/8" BOLT), 2" MIN. EMBEDMENT	ø3/8" EXPANSION ANCHOR, 2 1/2" MIN. EMBEDMENT	ø 3/8" THREADED ROD	ø 3/8" THREADED ROD W/ ALUMINUM OR PVC COMPRESSION SLEEVE



Simulated night time view



COLOR PALETTE

- FACES:**
3M perforated dual color film printed to match PMS 7687C
- TRIMCAPS:**
PMS 7687C, MP 73230 (R191582), semi-gloss
- RETURNS:**
White MP 27386, semi-gloss

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Mentor, Ohio 44060

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CLIENT:

45 READE PL.
POUGHKEEPSIE, NY 10000

PAGE NO.:

9

ORDER NUMBER:

1147407

SITE NUMBER:

8023

ELECTRONIC FILE NAME:

ART\ACCOUNTS\IN\NUANCE\2020\NY\8023_Poughkeepsie\8023_Poughkeepsie_R8

PROJECT NUMBER:

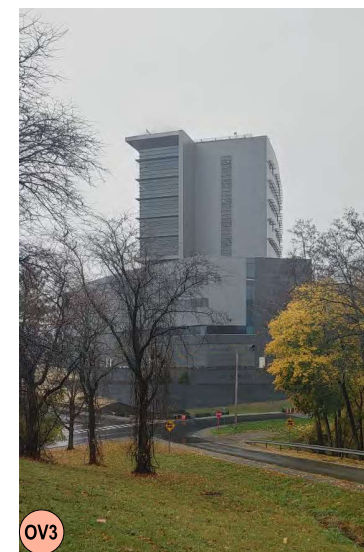
5215

PROJECT MANAGER:

DAN NGUYEN

Rev #	Req #	Date/Artist	Description	Rev #	Req #	Date/Artist	Description
Original	332376	11/13/20 KWK		Rev 7	362219	12/10/21 Sb	Added Option A Tag
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Rev 2	332691	11/20/20 KWK					
Rev 3	332968	12/01/20 TI					
Rev 4	359721	11/17/21 Sb	Updated to latest lockup				
Rev 5	360792	11/24/21 Sb					
Rev 6	361545	12/01/21 Sb					

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POUGHKEEPSIE, NY 10000

PAGE NO.:

10

ORDER NUMBER:

1147407

SITE NUMBER:

8023

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ART\ACCOUNTS\IN\NUVANCE\2020\NY\8023_Poughkeepsie\8023_Poughkeepsie_R8

PROJECT NUMBER:

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CLIENT:
 Nuvance Health

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POUGHKEEPSIE, NY 10000

PAGE NO.:
13

ORDER NUMBER:
1147407

SITE NUMBER:
8023

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ART\ACCOUNTS\IN\NUVANCE\2020\NY\8023_Poughkeepsie\8023_Poughkeepsie_R8

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Rev 6	361545	12/01/21 Sb					

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4

SOUTH WEST ELEVATION

Scale: 1/32"=1'-0"

OPTION C

ALLOWABLE SF:	N/A
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	548.5



EXISTING CONDITIONS



PROPOSED SIGNAGE

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Mentor, Ohio 44060
888.503.1569

CLIENT:
 Nuvance Health

**45 READE PL,
POUGHKEEPSIE, NY 10000**

**PAGE NO.:
18**

ORDER NUMBER:
1147407

PROJECT NUMBER:
5215

SITE NUMBER:
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PROJECT MANAGER:
DAN NGUYEN

ELECTRONIC FILE NAME:
ART\ACCOUNTS\IN\NUVANCE\2020\NY\8023_Poughkeepsie\8023_Poughkeepsie_R8

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Rev 2	332691	11/20/20 KWK	Changed to 5'-0" letters				
Rev 3	332968	12/01/20 TI					
Rev 4	359721	11/17/21 Sb	Updated rendering				
Rev 5	360792	11/24/21 Sb					
Rev 6	361545	12/01/21 Sb	removed Letters from tower				

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4

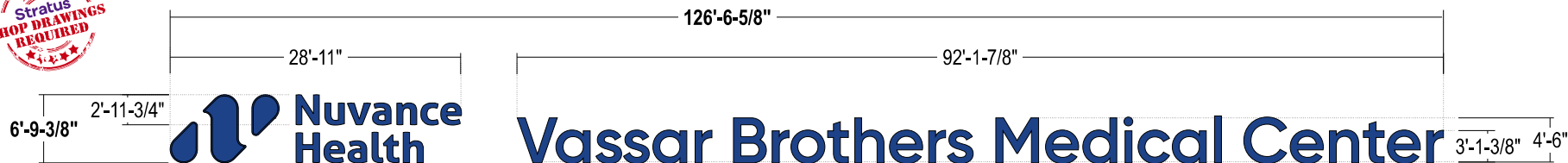
SOUTH WEST ELEVATION - FACE LIT CHANNEL LETTERS - BLUE

Scale: 3/32"=1'-0"

PLS-54-B

548.4 square feet

OPTION C

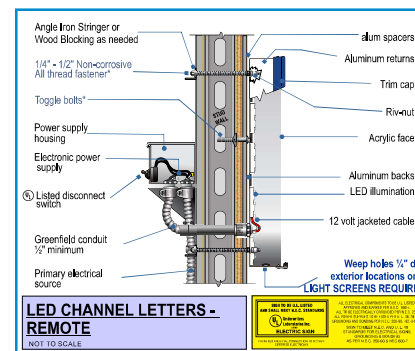


SIDE VIEW

- FACES:** .177" thick #7328 White polycarbonate w/ surface applied dual color film to match PMS 7687; To illuminate white at night.
CUSTOM SPECS DUE TO LARGE SIZE OF LETTERS
- LOGO**
- RETAINERS:** Fabricated 1" x 1-1/2" metal retainers painted Blue
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- WALL MATERIAL:** NOT PROVIDED AT THIS TIME
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INSTALLATION NOTE:
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 DEPTH OF ±36" REFER TO ENGINEERING DRAWINGS FOR DETAILS.

WALL TYPE	CMU, BRICK	PRE-CAST CONCRETE, CONCRETE	PREFERRED FOR ALL WALL TYPES WHEN POSSIBLE	EIFS WALL W/ FOAM INSULATION
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ANCHOR TYPE	ø1/2" SLEEVE ANCHOR (ø3/8" BOLT), 2" MIN. EMBEDMENT	ø3/8" EXPANSION ANCHOR, 2 1/2" MIN. EMBEDMENT	ø 3/8" THREADED ROD	ø 3/8" THREADED ROD W/ ALUMINUM OR PVC COMPRESSION SLEEVE



Simulated night time view



COLOR PALETTE

- FACES:**
 3M perforated dual color film printed to match PMS 7687C
- TRIMCAPS:**
 PMS 7687C, MP 73230 (R191582), semi-gloss
- RETURNS:**
 White MP 27386, semi-gloss

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DAN NGUYEN

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Rev 6	361545	12/01/21 Sb					

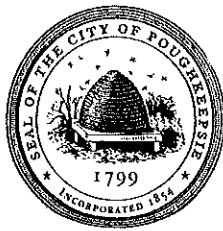
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Dutchess County Department of Planning and Development		Fax Info Only	To Co./Dept. Fax #	Date From Phone #	#pgs	
239 Planning/Zoning Referral - Exemption Communities						
Municipality: City of Poughkeepsie						
Referring Agency: Zoning Board of Appeals						
Tax Parcel Number(s): 8437210000, 8437210000						
Project Name: Vassar Brothers Medical Center Signs						
Applicant: Nuvance Health Vassar Brothers Hospital						
Address of Property: 45 Reade Place						
Please Fill in this section	Exempt Actions:* 239 Review is NOT Required ● Administrative Amendments (fees, procedures, penalties, etc.) ● Special Permits for residential uses (accessory apts, home occupations, etc.) ● Use Variances for residential uses ● Area Variances for residential uses ● Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals No Authority to review these Actions ● Subdivisions / Lot Line Adjustments ● Interpretations ☐ Exempt Action submitted for informal review		Actions Requiring 239 Review ☐ Comprehensive/Master Plans ☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.) ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.) ☐ Rezoning involving all map changes ☐ Architectural Review ☐ Site Plans (all) ☐ Special Permits for all non-residential uses ☐ Use Variances for all non-residential uses ☒ Area Variances for all non-residential uses ☐ Other (Describe):		Parcels within 500 feet of: ☒ State Road: ☐ County Road: ☐ State Property (with recreation area or public building) ☐ County Property (with recreation area or public building) ☐ Municipal Boundary ☐ Farm operation in an Agricultural District	
	Date Response Requested: 4/8/2022					
	Entered By: Knauss, Judith					

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

For County Office Use Only

Response From Dutchess County Department of Planning and Development			
No Comments: ☐ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted:		Notes:	
Date Received:			☐ Major Project
Date Requested: 4/8/2022			Referral #: ZR22-090
Date Required:		☐ Also mailed hard copy	Reviewer:
Date Transmitted:			



**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: 15 NORTH CHERRY STREET

ZONING DISTRICT: C-3

OWNER INFORMATION:

Name: NORTH CHERRY HOLDINGS LLC
Address: 18 SOPHIA ST
MONSEY, NY 10952
Phone: 917-642-0410
Email: shragy@ccofny.com

APPLICANT INFORMATION:

Name: CHAIM HIRSCH
Address: 7 LETY LANE
SUFFERN, NY 10901
Phone: 917-642-0410
Email: shragy@ccofny.com

CONSULTANT INFORMATION:

Name: AB ARCHITEKTEN
Address: 62 ALLEN STREET, 2ND FLOOR
NEW YORK, NY 10002
Phone: 212-334-1232
Email: mackerson@abarchitekten.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 ADMINISTRATION

Date of decision/determination/violation: MARCH 7TH, 2022

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 15 NORTH CHERRY STREET

AREA VARIANCE REQUESTS

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

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-3.24(2)(b)(9)(vii)</u>	<u>OFF-STREET PARKING PROVIDED ON SITE OR WITHIN 600 FT.</u>	<u>NO OFF SITE PARKING PARKING PROPOSED.</u>
<u>19-4.3(11)</u>	<u>73 OFF-STREET PARKING SPACES REQUIRED.</u>	<u>22 OFF-STREET PARKING SPACES PROPOSED.</u>
<u>19-4.13(1)</u>	<u>DOES NOT PERMIT PARKING IN FRONT YARD.</u>	<u>PARKING PROPOSED IN FRONT YARD.</u>
<u>19-4.18(2)(a)</u>	<u>PROHIBITS USES WITHIN 30 FT OF FALLKILL CREEK.</u>	<u>PROPOSED REFUSE AREA WITHIN 30 FT OF FALLKILL CREEK</u>
<u> </u>	<u> </u>	<u> </u>

VARIANCE REQUEST JUSTIFICATION

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

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

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

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 15 NORTH CHERRY STREET

LIST OF REQUIRED ATTACHMENTS

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

11X17" PRESENTATION (6 SHEETS)

SIGNATURE AND VERIFICATION

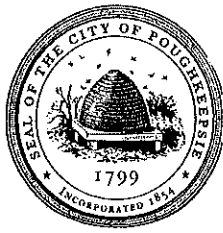
Please be advised that no application can be deemed complete unless signed below.

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.

Chaim Hirsch
SIGNATURE OF APPLICANT

03-22-2022
DATE

Chaim Hirsch
Print Name



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

March 7, 2022

Chaim Hirsh
North Cherry Holdings LLC
7 Lety Lane
Suffern, NY 10901

RE: 15 North Cherry Street

Dear Mr. Hirsh:

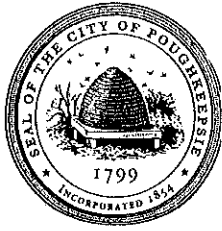
The Development Department is in receipt of your zoning review request relative to the property at 15 North Cherry Street and the proposed conversion of the warehouse thereon to a multiple residence containing 42 dwelling units. The Department is also in receipt of an application for site plan and special permit review relative to the same conversion.

The property is located in an area of the City zoned General Commercial (C-3) District. The conversion of existing building in C-3 Districts to residential use is permitted, with site plan and special permit approval from the Planning Board, pursuant to the provisions of Section 19-3.24(2)(b)(9) of the Zoning Ordinance, as follows:

- i. A building is in existence on the effective date of this chapter.
- ii. No dwelling unit shall contain more than two bedrooms.
- iii. The minimum floor area of a dwelling unit not containing a separate bedroom shall be 400 square feet.
- iv. The minimum floor area of a one-bedroom dwelling unit shall be 600 square feet.
- v. The minimum floor area of a two-bedroom dwelling unit shall be 750 square feet.
- vi. The minimum floor area for a work/live loft shall be 800 square feet; and no such loft shall be used as a retail shop, gallery or any other use which relies on regular customer or client visitation as a normal part of its operation. No such loft shall serve as a place from which, commercial vehicles are dispatched or operated.
- vii. Off-street parking space shall be provided in accordance with the requirements of Section 19-4.3 of this chapter, and such space shall be located within 600 feet of the premises.

Review of the proposal for compliance with these criteria and the other applicable criteria of the Ordinance reveals the following deficiencies:

- Section 19-3.24(2)(b)(9)(vii) requires that off-street parking be provided in accordance with Section 19-4.3, and that such parking shall be located within 600 feet of the property: 73 spaces are required: 22 spaces are provided on site, additional spaces are not provided within 600 feet;



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

- Section 19-4.3(11) requires that 73 off-street parking spaces be provided: 22 spaces are provided on site;
- Section 19-4.3(1) requires that not more than 12 parking spaces shall be permitted in a continuous row without being interrupted by landscaping: there are 22 spaces in a row without interruption by landscaping;
- Section 19-4.13(1) does not permit parking in front yards: the parking is proposed to be located entirely within the front yard;
- Section 19-4.13(1) requires that all accessory uses be set back a minimum of six (6) feet from any side or rear property line: the children's playground and dog park appear to be located on the north and east property lines on some of the pages submitted, although the landscape plan appears to suggest a setback of at least six (6) feet from the north property line and three (3) feet from the east property line (unless these uses are integrated into the landscaping);
- Section 19-4.18(2)(a) prohibits any structure or use of land other than for parking, recreation or open space within 30 feet of the top of the banks of the Fallkill Creek as defined by the Director of Development: the refuse area is proposed to be located approximately 20 feet from what appears to be the top of the banks (the retaining wall along the Creek).

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

- 1) Make application to the Zoning Board of Appeals, requesting that variances be granted (application attached); or,
- 2) Revise the plan to the degree possible to comply with the provisions of the Zoning Ordinance as outlined herein to eliminate or reduce the need for any variances.

Also attached please find a site plan check sheet, annotated to identify deficiencies in the site plan/special permit application. Attached you will also find a workshop for preparation of a Conservation Analysis, which is also required. It is recommended that if you have not yet done so, you contact Acting Fire Chief Joseph Franco to review the plans, particularly with regard to your plans for fire suppression (including whether or not there is adequate water pressure for any sprinkler systems).

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

Very truly yours,


Judith Knauss
Deputy Zoning Administrator

15 North Cherry Street, Poughkeepsie, NY
Proposed Adaptive Reuse Project
March 22nd, 2022

Zoning Board of Appeals Area Variance Application

Variance Request Explanation:

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

The granting of the requested variances will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties. The granting of these variances will allow for the adaptive reuse of the existing buildings on this site, provide additional market rate dwelling units and compliment the adaptive reuse of the Underwear Factory across the street.

(2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, in any, have been explored. Why is the variance necessary?

The variances being sought are in relation to parking and location of refuse collection on the site. These variances are being sought because of existing site limitations:

- Narrow rear yard (0'-14')
- Small side yard (approximately 42' wide) that is adjacent to Fallkill Creek
- Limited front yard (51.5'-53.5' deep x approximately 314' long)

Additional parking was explored in the side yard and potentially an additional 7-8 parking spaces could be provided, yet these spaces would need to be at or close to the top of the bank of the Fallkill Creek. This would not only restrict adding a greenway buffer along the creek but also has structural implications for the creek retaining wall. In lieu of parking in this area, the Applicant has proposed open space, outdoor amenities for the residents.

The project needs a contained, screened area for refuse that is accessible for emptying and maintenance. We are/have been working to place this area so have as little impact on the site as possible while not removing any parking spaces that the site is able to provide.

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

The requested area variances are not substantial due to the project's proximity to Main Street where public transportation is available. The design of this adaptive reuse project seeks to appeal to an active, forward-thinking demographic, while still providing parking for less mobile residents.

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

The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. These variances will allow for a currently neglected and dormant building to be brought back to life, activating the street corridor between itself and the Underwear Factory. This proposed project endeavors to contribute to the ever-improving quality of Poughkeepsie's architectural landscape.

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

The requested variances are the result of the unique property restraints as previously outlined. We have seen these restraints as an opportunity to design a unique response to the existing conditions, leading us to propose a circulation typology conducive to social interaction, and personal fitness, which prioritizes the well-being of Poughkeepsie's future inhabitants.

Sincerely,

Alex Blakely

PARCEL DATA

TAX MAP INFORMATION	SECTION 6162, BLOCK 79, LOT 344012
PARCEL ADDRESS	NORTH 15 CHERRY STREET POUGHKEEPSIE, NEW YORK 12601
LOT AREA	0.90± ACRES

PROPERTY LOCATION AND SIZE

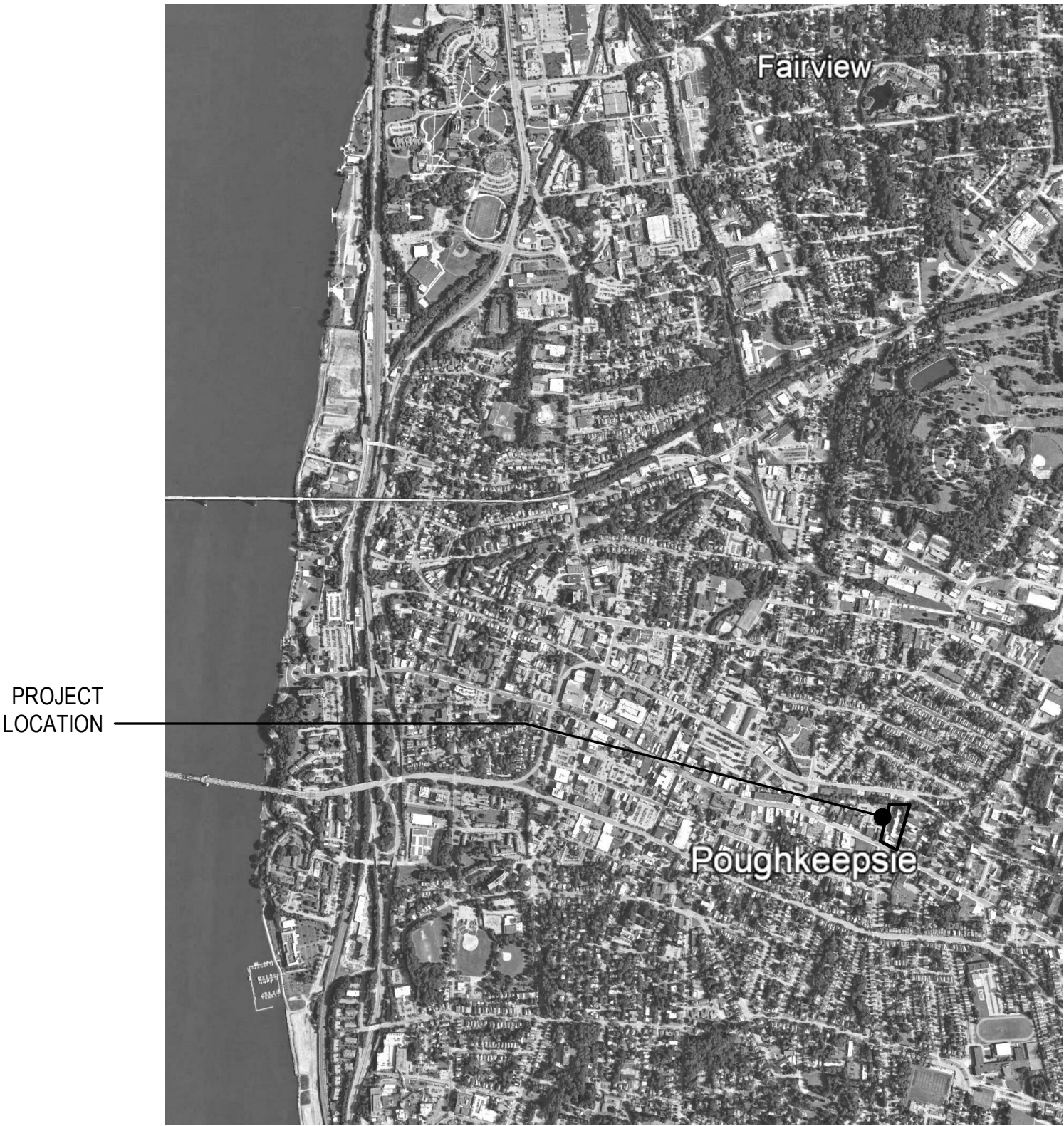
JURISDICTION	CITY OF POUGHKEEPSIE, NY
NAME	15 NORTH CHERRY STREET
ADDRESS	15 NORTH CHERRY STREET, POUGHKEEPSIE, NY 12601
SIZE	0.90 ACRES OR ± 39,204 SQ FT

ADJACENT PROPERTIES TAX MAP INFORMATION:

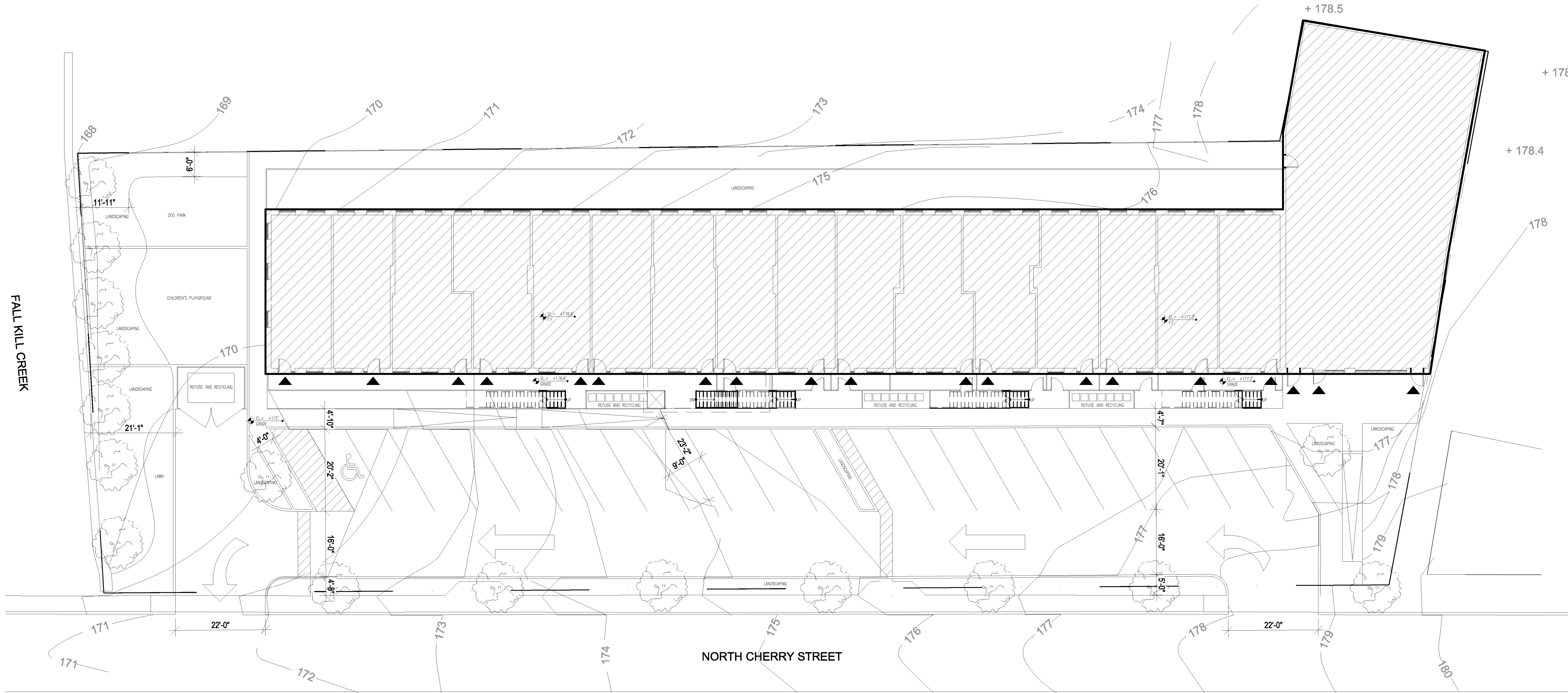
PARCEL #	PARCEL ADDRESS	AREA	OWNER	OWNER ADDRESS
326997	519 MAIN ST, POUGHKEEPSIE 126010000	0.01 ACRES	YEUNG, SHING FU (PRIMARY)	1055 DUTCHER DR, FISHKILL NY 12524
330013	8 N CHERRY ST, POUGHKEEPSIE 126010000	0.43 ACRES	NORTH CHERRY STREET HOUSING (PRIMARY)	313 MILL ST, POUGHKEEPSIE NY 126010000
333026	N CHERRY ST, POUGHKEEPSIE 126010000	0.25 ACRES	NORTH CHERRY STREET HOUSING (PRIMARY)	313 MILL ST, POUGHKEEPSIE NY 126010000
339035	418 MAPLE ST, POUGHKEEPSIE 126010000	0.04 ACRES	MCGRANE, PETER (PRIMARY)	164 WHITMAN RD, YONKERS NY 107100000
348034	420-422 MAPLE ST, POUGHKEEPSIE 126010000	0.14 ACRES	JOHNSON, NICHOLAS (PRIMARY)	19 IRELAND DR, POUGHKEEPSIE NY 126030000
356033	MAPLE ST, POUGHKEEPSIE 126010000	0.04 ACRES	JOHNSON, NICHOLAS (PRIMARY)	19 IRELAND DR, POUGHKEEPSIE NY 126030000
363017	17 ROSE ST, POUGHKEEPSIE 126010000	0.84 ACRES	FALLKILL COMMONS HOUSING (PRIMARY)	313 MILL ST, POUGHKEEPSIE NY 126010000
358007	9 ROSE ST, POUGHKEEPSIE 126010000	0.17 ACRES	JANENDO, JOHN JR A (PRIMARY)	9 ROSE ST, POUGHKEEPSIE NY 126010000
356004	7 ROSE ST, POUGHKEEPSIE 126010000	0.17 ACRES	MARKOVIC, ANTO (PRIMARY)	40 OLD ROUTE 52, STORMVILLE NY 12582
354999	ROSE ST, POUGHKEEPSIE 126010000	0.22 ACRES	FALLKILL COMMONS HOUSING (PRIMARY)	313 MILL ST, POUGHKEEPSIE NY 126010000
343990	521 MAIN ST, POUGHKEEPSIE 126010000	0.54 ACRES	521-527 MAIN STREET CORP (PRIMARY)	PO BOX 4, BILLINGS NY 125100000



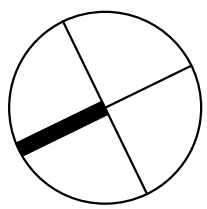
1 TAX MAP
N.T.S.



2 LOCATION MAP
N.T.S.



3 SITE PLAN.
1/16" = 1'-0"



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JANET REDI TRUST
2 SEDGWICK ROAD
POUGHKEEPSIE, NY 12603

OWNER

10		
9		
8		
7		
6		
5		
4		
3		
2		
1	03/21/2022	REVISION 01
#	DATE	DESCRIPTION

ISSUES / REVISIONS

abarchitekten

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New York New York 10002
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F 212.334.4520
www.abarchitekten.com



15 NORTH CHERRY ST

SITE PLAN

AB	PROJECT #
CHECKED BY	AS INDICATED
SCALE	DATE

A-100.00

DRAWING # 01 OF 04

15 North Cherry Street Poughkeepsie / New York

March 22nd, 2022

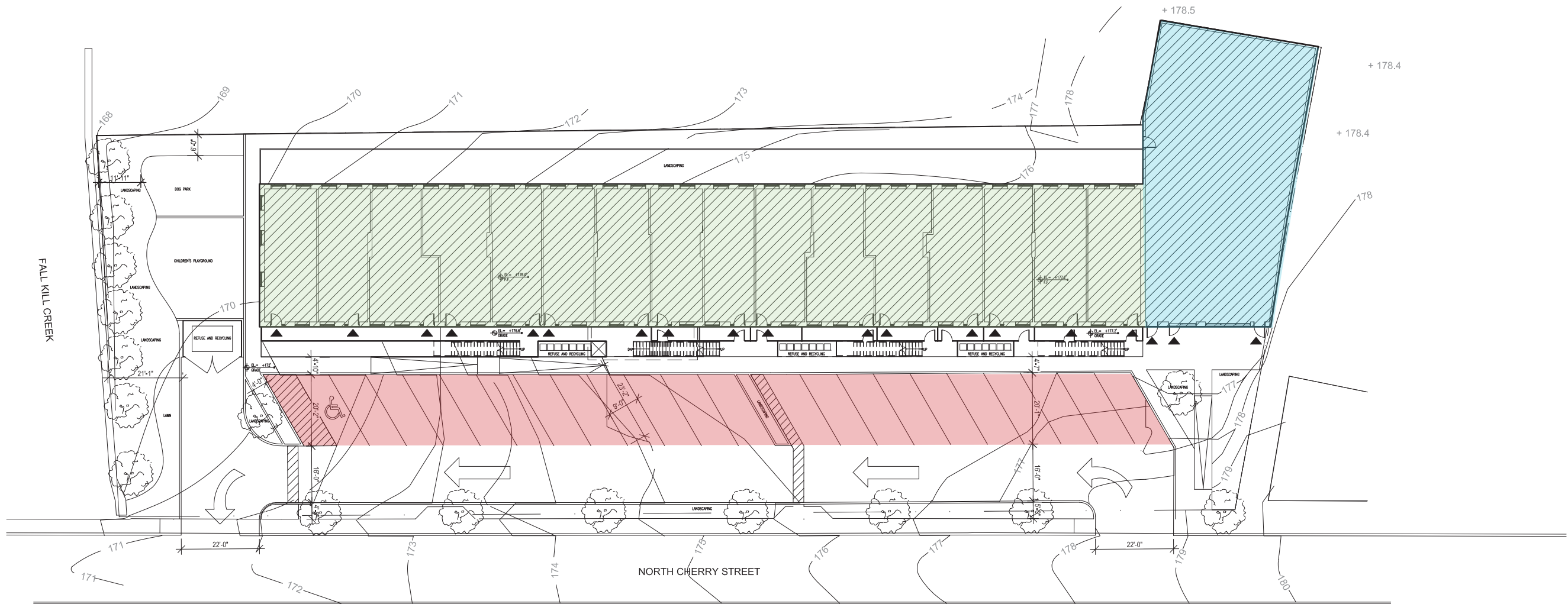
- 2 Demolition Plan
- 3 Site Plan
- 4 1st & 2nd Floor Plans
- 5 3rd Floor & Roof Plans
- 6 Area Tabulations

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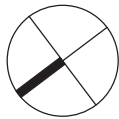


KEY

- PARKING
- RESIDENTIAL
- AMENITIES



SCALE: 1/32" = 1'-0"



SITE SKETCH PLAN

15 NORTH CHERRY STREET
POUGHKEEPSIE, NEW YORK

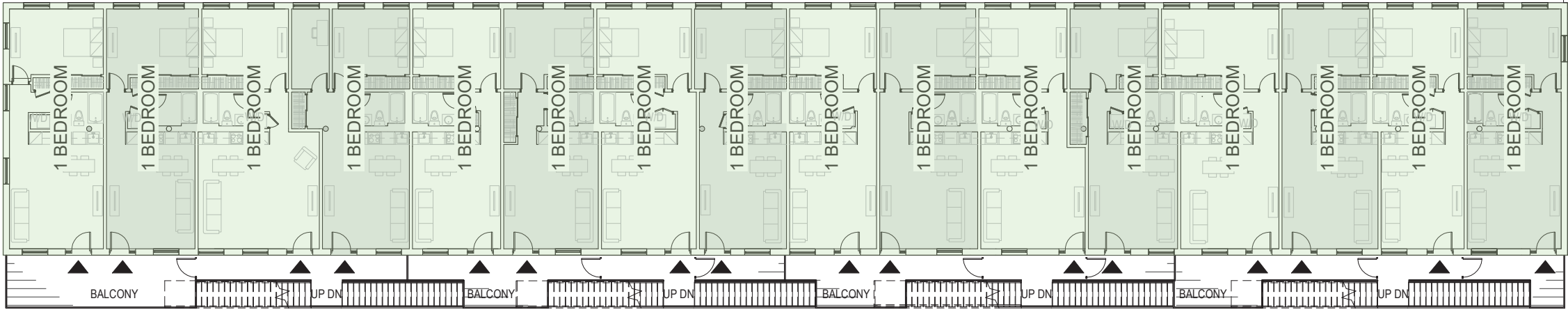
ZONING ANALYSIS
MARCH 22ND, 2022

abarchitekten

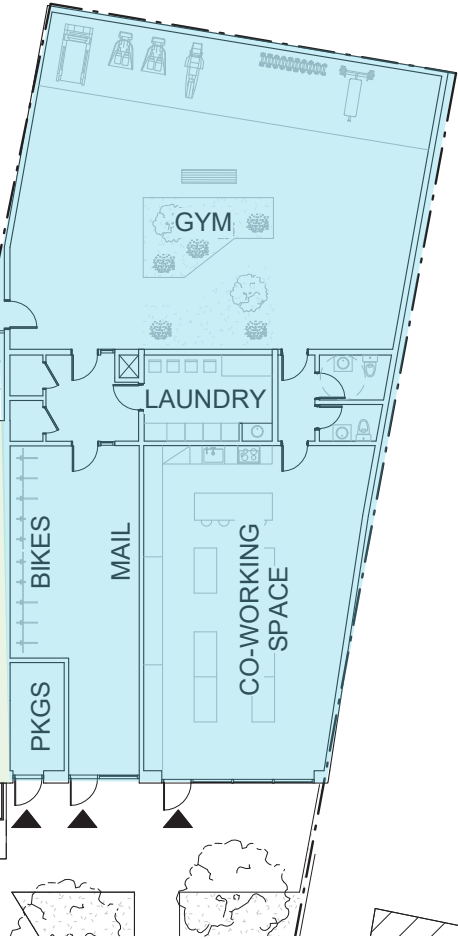
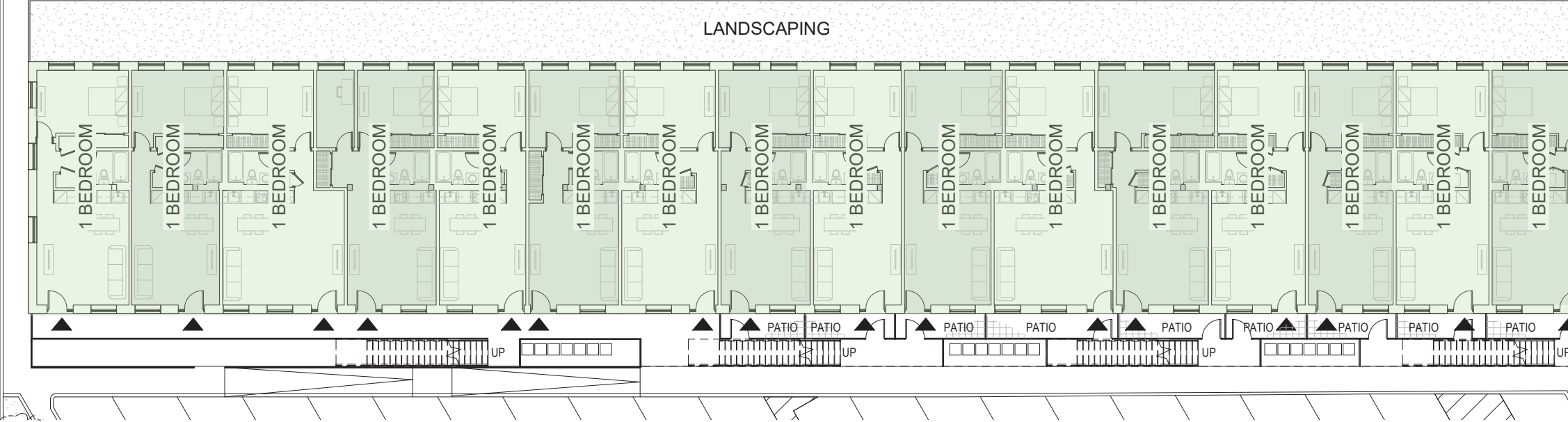
KEY

- PARKING
- RESIDENTIAL
- AMENITIES

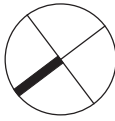
2ND FLOOR



1ST FLOOR



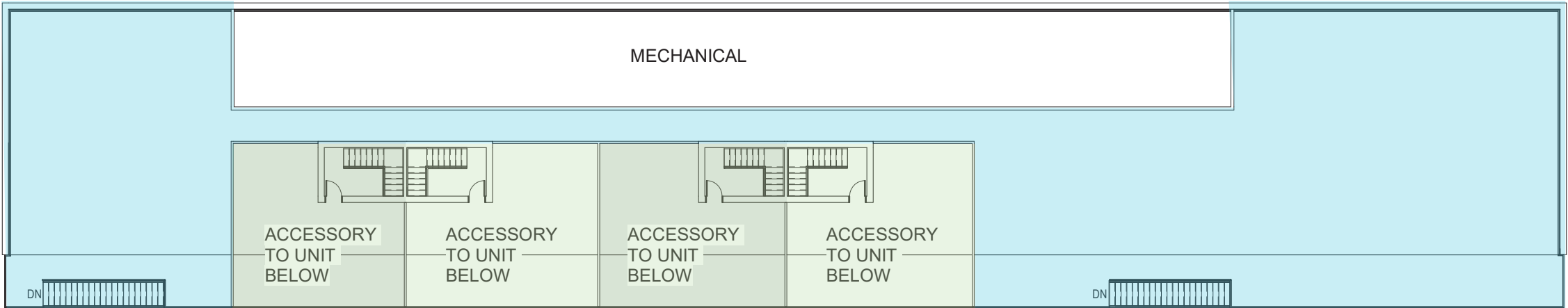
SCALE: 3/64" = 1'-0"



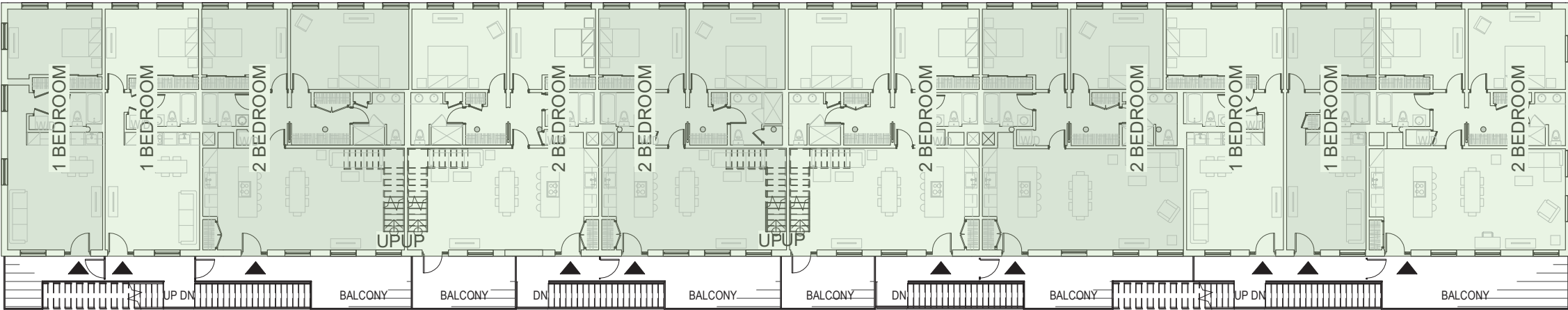
KEY

- PARKING
- RESIDENTIAL
- AMENITIES

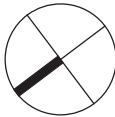
ROOF



3RD FLOOR



SCALE: 3/64" = 1'-0"



NORTH 15 CHERRY STREET, POUGHKEEPSIE, NY
SECTION 6162, BLOCK 79, LOT 344012
0.90 ACRES OR + 39,204 SQ FT

BUILDING GROSS FLOOR AREA - EXISTING			
FLOOR	3-STORY BLDG GROSS F.A.	1-STORY BLDG GROSS F.A.	TOTAL GROSS F.A.
CELLAR	5,274.89		5,274.89
1ST FLOOR	10,549.39	3,489.79	14,039.18
2ND FLOOR	10,292.39		10,292.39
3RD FLOOR	10,292.39		10,292.39
TOTAL ABOVE GRADE	31,134.17	3,489.79	34,623.96
TOTAL INCL. CELLAR	36,409.06	3,489.79	39,898.85

BUILDING GROSS FLOOR AREA - PROPOSED			
FLOOR	RESIDENTIAL GROSS F.A.	AMENITIES GROSS F.A.	TOTAL GROSS F.A.
CELLAR	4,987.62		4,987.62
1ST FLOOR	10,005.12	3,489.79	13,494.91
2ND FLOOR	10,005.12		10,005.12
3RD FLOOR	10,005.12		10,005.12
TOTAL ABOVE GRADE	30,015.36	3,489.79	33,505.15
TOTAL INCL. CELLAR	35,002.98	3,489.79	38,492.77

F.A. RATIO (LOT/GROSS F.A.) 0.98

PARKING SCHEDULE					
	UNIT TYPE	UNITS	REQUIRED BY TYPE	REQUIRED	PROVIDED
RESIDENTIAL TOTAL	STUDIO	0	1 SPACE PER UNIT	0	
	ONE BEDROOM	36	1.5 SPACES PER UNIT	54	
	TWO BEDROOM	6	2 SPACES PER UNIT	12	
	ADDITIONAL 10% VISITOR REQUIREMENT			7	
TOTAL				73	22

UNIT SCHEDULE				
FLOOR	UNIT TYPE			TOTAL
	STUDIO	1-BED	2-BED	
CELLAR				0
1ST FLOOR		16	0	16
2ND FLOOR		16	0	16
3RD FLOOR		4	6	10
ROOF/BULKHEAD				0
TOTAL UNIT COUNT	0	36	6	42















POUGHKEEPSIE UNDERWEAR FACTORY













